



ANNO VICESIMO NONO

ELIZABETHAE II REGINAE

A.D. 1980

No. 48 of 1980**An Act to amend the South Australian Museum Act, 1976-1978.***[Assented to 3rd July, 1980]*

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 "South Australian Museum Act Amendment Act, 1980".

(2) The South Australian Museum Act, 1976-1978, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "South Australian Museum Act, 1976-1980".

Commence-
ment.

2. This Act shall come into operation on a day to be fixed by proclamation.

Amendment of
principal Act,
s. 3—
Arrangement
of this Act.

3. Section 3 of the principal Act is amended by inserting after the passage "PART II—ADMINISTRATION" the passage "PART IIA—METEORITES".

Amendment of
principal Act,
s. 5—
Interpretation.

4. Section 5 of the principal Act is amended—

(a) by inserting after the definition of "the Director" the following definition:—

"meteorite" means any naturally occurring object that has fallen to earth from beyond the atmosphere, but does not include a tektite;;

(b) by inserting after the definition of "the Museum" the following definition:—

"private land" means land alienated from the Crown by grant in fee simple, or by lease or licence;;

and

(c) by striking out from the definition of "the State collection" the passage "archaeological, anthropological, biological, geological or historical interest" and inserting in lieu thereof the passage "scientific or historical interest".

5. Section 13 of the principal Act is amended—

Amendment of
principal Act,
s. 13—
Functions of
the Board.

- (a) by striking out from paragraph (d) of subsection (1) the passage “archaeological, anthropological, biological, geological and historical interest” and inserting in lieu thereof the passage “scientific and historical interest”;

and

- (b) by striking out from paragraphs (e) and (g) of subsection (1) the passage “archaeological, anthropological, biological, geological or historical interest” and inserting in lieu thereof, in each case, the passage “scientific or historical interest”.

6. The following Part is enacted and inserted in the principal Act after Part II thereof:—

Enactment of
Part IIA of
principal Act.

PART IIA

METEORITES

16a. (1) Subject to this section, the property in all meteorites is vested in the Board.

Property in
meteorites to
vest in Board.

(2) Where a person was, immediately before the commencement of this Part the owner of a meteorite he shall notwithstanding subsection (1) of this section retain ownership of the meteorite provided that he submits the meteorite for examination and registration by the Board within one year after the commencement of this Part and, if he fails to do so, the property in the meteorite shall, upon the expiration of that period, vest in the Board.

(3) Whenever a person acquires or disposes of the ownership of a meteorite he shall give notice in writing of the acquisition or disposal, to the Board within one month.

Penalty: One hundred dollars.

(4) A court, after convicting a person of an offence under subsection (3) of this section, may order that the meteorite concerned be forfeited to the Board.

(5) In this section “meteorite” means a meteorite that fell to earth in this State (whether before or after commencement of this Part).

16b. (1) The Board may offer and pay rewards—

Finding of
meteorites.

- (a) in respect of the delivery of a meteorite to the Board;
- (b) in respect of any information leading to the finding or recovery of a meteorite.

(2) A person who finds a meteorite in this State shall as soon as practicable after the finding notify the Board and furnish any other information that the Board may require.

Penalty: One hundred dollars.

Powers of authorized persons.

16c. (1) A person authorized in writing by the Board—

(a) may enter upon any land for the purpose of searching for or examining a meteorite;

and

(b) may take such steps as are reasonable in the circumstances for recovery of the meteorite.

(2) Where an authorized person proposes to exercise powers conferred by this section in relation to private land, he shall give reasonable notice of his intention to do so to the owner or occupier of that land.

(3) A person who obstructs an authorized person acting in the exercise of powers conferred by this section is guilty of an offence and liable to a penalty not exceeding five hundred dollars.

Amendment of principal Act, s. 17—
Offences.

7. Section 17 of the principal Act is amended—

(a) by inserting after subsection (1) the following subsections:—

(1a) A person who, without the authority of the Board—

(a) purports to sell a meteorite that is the property of the Board;

or

(b) is in possession of a meteorite that is the property of the Board,

is guilty of an offence and liable to a penalty not exceeding five hundred dollars.

(1b) It is a defence to a charge of an offence under subsection (1a) (b) of this section for the defendant to prove that he was in possession of the meteorite for the purpose of delivering it to the Board.;

and

(b) by striking out subsection (2) and inserting in lieu thereof the following subsection:—

(2) The court before which any person is convicted of an offence under subsection (1) or (1a) of this section may order that person to pay to the Board compensation for any loss suffered by the Board in consequence of the commission of the offence.

Repeal of ss. 18 and 19 of principal Act and enactment of sections in their place.
Proceedings.

8. Sections 18 and 19 of the principal Act are repealed and the following sections are enacted and inserted in their place:—

18. (1) Proceedings for an offence against this Act shall be disposed of summarily.

(2) In any proceedings for an offence against this Act an allegation in the complaint that a meteorite to which the proceedings relate was on a date specified in the complaint the property of the Board shall be deemed to be proved in the absence of proof to the contrary.

19. (1) Except as provided in subsection (2) of this section, the moneys required for the purposes of this Act shall be paid out of moneys provided by Parliament for those purposes.

Financial provisions.

(2) The Board may borrow money from the Treasurer, or, with the consent of the Treasurer, from any other person.

(3) Any liability incurred by the Board with the consent of the Treasurer under subsection (2) of this section may be guaranteed by the Treasurer.

(4) Any moneys to be paid in pursuance of a guarantee under subsection (3) of this section shall be paid out of the General Revenue of the State which is hereby, to the necessary extent, appropriated.

9. Section 20 of the principal Act is amended by striking out from paragraph (h) of subsection (2) the passage "archaeological, anthropological, biological, geological or historical interest" and inserting in lieu thereof the passage "scientific or historical interest".

Amendment of principal Act s. 20—Regulations.

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

K. D. SEAMAN, Governor