

ANNO VICESIMO TERTIO

ELIZABETHAE II REGINAE

A.D. 1974

No. 84 of 1974

An Act to make certain consequential and minor amendments to, and to correct certain errors and remove certain inconsistencies and anomalies in, the Statute Law and to repeal certain obsolete enactments.

[Assented to 21st November, 1974]

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 "Statute Law Revision Act (No. 2), 1974". Short title.
- 2. (1) The Acts set out in the first schedule to this Act are repealed.

Repeals.

- (2) If any Act expressed to be repealed by this Act is, before the commencement of this Act, repealed by or by virtue of some other Act, the enactment by this Act that purports to repeal that first mentioned Act shall have no effect and the reference to that repealed Act shall be struck out from the first schedule to this Act and this Act shall have effect as if that enactment and that reference had never been included in this Act.
- 3. (1) Subject to this section, the Acts specified in the first column of the Amendments. second schedule to this Act are amended in the manner indicated in the second column of that schedule and any Act as amended thereby and by all prior amendments amending the same may be cited by its new citation, if any, as specified in the third column of that schedule.
- (2) If any Act expressed to be amended by this Act is, before the commencement of this Act, repealed by or by virtue of some other Act, or amended by or by virtue of some other Act in a manner which renders the amendment as expressed by this Act ineffective, all references in the second schedule that are ancillary to or consequential upon the enactment by this Act which purports to make that amendment shall be struck out and this Act shall have effect as if those references and that amendment had never been included in this Act.

(3) If any Act amended by this Act or if any such Act, as amended, is after the commencement of this Act repealed by or by virtue of some other Act, but the amendment by this Act amending that first mentioned Act and all other references in this Act ancillary thereto and consequential thereon have not been repealed, that amendment and those other references shall be repealed immediately after the repeal of that Act and this Act shall have effect accordingly.

FIRST SCHEDULE

ACTS REPEALED

Crown Debtors Relief Act, 1934, No. 2182 of 1934
Liquid Fuel Act, 1941, No. 21 of 1941
Liquor Licences (Acquired Properties) Act, 1948, No. 50 of 1948
The Metropolitan Transport Advisory Council Act, 1954, No. 59 of 1954
Metropolitan Transport Advisory Council Act Amendment Act, 1957, No. 38 of 1957
Metropolitan Transport Advisory Council Act Amendment Act, 1960, No. 6 of 1960
Motor Vehicles Registration Fees (Refunds) Act, 1955, No. 6 of 1955
Referendum (State Lotteries) Act, 1965, No. 12 of 1965.

SECOND SCHEDULE

ACTS AMENDED			
First Column	Second Column	Third Column	
Act Amended	How Amended	New Citation	
Act No. 30 of 1872 (as amended by Statute Law Revision Act, 1935)	After section 3 the following section is inserted: Short title. 4. This Act may be cited as the "Native Industries Encouragement Act, 1872-1974".	Native Industries Encouragement Act, 1872-1974	
Age of Majority (Reduction) Act, 1970-1973	The Schedule— Part XXVI entitled AMENDMENT OF THE MONEY-LENDERS ACT, 1940-1966, is repealed.	Age of Majority (Reduction) Act, 1970-1974	
Apprentices Act, 1950-1971	Section 7 (1)— Strike out "Superannuation Act, 1926-1965" in paragraph (c) and insert "Superannuation Act, 1974" in lieu thereof.	Apprentices Act, 1950-1974	
Benefit Associations Act, 1958	Section 3 (1)— Strike out "1919-1956" in paragraph (a) and insert "1919, as amended" in lieu thereof.	Benefit Associa- tions Act, 1958-1974	
	Strike out "National Health Act, 1953-1957," in paragraph (b) and insert "National Health Act 1953, as amended (or any corresponding subsequent enactment)" in lieu thereof.		
	Strike out "Life Insurance Act, 1945-1958" in paragraph (c) and insert "Life Insurance Act 1945, as amended, or any corresponding subsequent enactment" in lieu thereof.		
	Strike out "Conciliation and Arbitration Act, 1904–1956, or under the Industrial Code, 1920-1956" in paragraph (d) and insert "Conciliation and Arbitration Act 1904-1950, as amended, or any corresponding subsequent enactment, or any association of employees that is a registered association within the meaning of the Industrial Conciliation and Arbitration Act, 1972, as amended" in lieu thereof.	·	
	Strike out "Part IIA of the Road Traffic Act, 1934- 1957" in paragraph (e) and insert "Part IV of the Motor Vehicles Act, 1959, as amended" in lieu thereof.		
	Section 5 (1) (b)— Strike out "National Health Act, 1953-1957" and insert "National Health Act 1953, as amended (or any corresponding subsequent enactment)" in lieu thereof.		
	Section 5 (3)— Strike out "Insurance Act, 1932-1937," and insert "Insurance Act 1932, as amended (or any corresponding subsequent enactment)" in lieu thereof.		
	Section 15 (c)— Strike out "fifty pounds" and insert "one hundred dollars" in lieu thereof.		
	Section 16— Strike out "one hundred pounds" and insert "two hundred dollars" in lieu thereof.		
Crown Lands Act Amendment Act, 1974	Section 44— Section 44 is repealed.		
Inflammable Liquids Act, 1961	Section 3— After "being" lastly occurring in the definition of "Government Analyst" insert ", and includes any assistant to the Government Analyst while exercising any of the powers of the Government Analyst pursuant to section 19 of this Act and any other person acting with the written authority, and on behalf of the person for the time being holding the office of the Government Analyst".	Inflammable Liquids Act, 1961-1974	

1974

DECOND DETERMINE			
First Column	Second Column	Third Column	
Act Amended	How Amended	New Citation	
Inflammable Liquids Act, 1961	Section 18 (1)— Strike out "appointed under Part VI of the Industrial Code, 1920-1958," and insert "of Industrial Safety appointed under section 17 of the Industrial Safety, Health and Welfare Act, 1972," in lieu thereof.		
	Section 31 (3)— Strike out "ten pounds and not exceeding two hundred and fifty pounds" and insert "twenty dollars and not exceeding five hundred dollars" in lieu thereof.		
	Section 32 (1)— Strike out "The South Australian Harbors Board or any officer authorized in that behalf by the said Board" and insert "the Minister of Marine or any officer authorized in that behalf by that Minister" in lieu thereof.		
	Section 32 (2)— Strike out "said Board" and insert "Minister of Marine" in lieu thereof.		
	Section 34 (1)— Strike out "The South Australian Harbors Board" in paragraph (p) and insert "the Minister of Marine" in lieu thereof.		
	Strike out "said Board" in paragraph (p) and insert "Minister of Marine" in lieu thereof.		
	Strike out "such Board" wherever occurring in paragraph (p) and insert "that Minister" in lieu thereof in each case.		
	Strike out "ten pounds and not exceeding two hundred and fifty pounds" in paragraph (q) and insert "twenty dollars and not exceeding five hundred dollars" in lieu thereof.		
	Section 34 (2)— Strike out "The South Australian Harbors Board" and insert "the Minister of Marine" in lieu thereof.		
	Strike out "said Board" wherever occurring and insert "Minister of Marine" in lieu thereof in each case.		
	Section 34 (3)— Strike out "The South Australian Harbors Board" and insert "the Minister of Marine" in lieu thereof.		
Landlord and Tenant Act, 1936	Section 18 (1)— Strike out "at the rate of three-pence per folio for such copy" and insert "at such rate or basis as may be prescribed from time to time by rules of court made under the Local and District Criminal Courts Act, 1926-1969, as amended" in lieu thereof.	Landlord and Tenant Act, 1936-1974	
	Section 18 (2)— Strike out "five pounds" and insert "ten dollars" in lieu thereof.		
	Section 35— Section 35 is repealed and the following section is enacted and inserted in its place:— Costs, charges, etc. of distress and sale. 35. In relation to any distress and sale under the provisions of this Part, such charges and costs as are appropriate and as may be prescribed in that behalf from time to time by rules of court which may be made under the Local and District Criminal Courts Act, 1926-1969, as amended, shall be payable in accordance with the rules.		
	I	I	

No. 84

	SECOND SCHEDULE—continuea	
First Column	Second Column	Third Column
Act Amended	How Amended	New Citation
Landlord and Tenant Act, 1936	Section 45 (1)— Strike out "ten pounds" and insert "twenty dollars" in lieu thereof.	
	Section 45 (2)— Strike out "ten pounds" and insert "twenty dollars" in lieu thereof.	
	Schedule A— Strike out "£" and insert "\$" in lieu thereof.	
	Schedule B— Strike out "£" and insert "\$" in lieu thereof.	
	Schedule C— Strike out "£: s. d." and insert "\$" in lieu thereof.	
	Schedule F— Strike out "£: s. d." wherever occurring and insert "\$" in lieu thereof in each case.	
	Schedule G and Schedule H— Schedule G and Schedule H are repealed.	
Margarine Act Amendment Act,	Section 3— Subsection (2) is repealed.	
1956	Section 4— Section 4 is repealed.	
Metropolitan Area (Woodville, Henley and Grange) Drainage Act, 1964-1972	Section 2— Strike out "Town" in the definition of "the councils" and insert "City" in lieu thereof.	Metropolitan Ar (Woodville, Henley and Grange)
	Section 4 (1)— Strike out "£386,300" and insert "\$772 600" in lieu thereof.	Drainage Act, 1964-1974
	Section 4 (2)— Strike out "Town" in the table and insert "City" in lieu thereof.	
	Section 4 (3)— Strike out "£386,300" and insert "\$772 600" in lieu thereof.	
	Section 4 (4)— Strike out "£100,000" and insert "\$200 000" in lieu thereof.	
	Section 8 (2)— Strike out "Town" and insert "City" in lieu thereof.	
Metropolitan Drainage Act, 1935	Section 3— Strike out the definition of "Commissioner".	Metropolitan Drainage Act
	After the definition of "council" insert the following definition:—	1935-1974
	"the Minister" means the Minister of Works or any other Minister of the Crown who is for the time being acting for the Minister of Works or in whom the powers of the Minister of Works under this Act are for the time being vested:.	
	Section 4— Section 4 is repealed.	
	Section 5— Strike out "The Commissioner may, under the Act incorporated with this Act," and insert "Subject to and in accordance with the Land Acquisition Act, 1969, as amended, the Minister may" in lieu thereof.	

First Column	Second Column	Third Column
Act Amended	How Amended	New Citation
Metropolitan Drainage Act, 1935	Section 6— Strike out "Commissioner" wherever occurring in the section and insert "Minister" in lieu thereof in each case.	
	Section 7 (2)— Strike out "four pounds ten shillings" and insert "four and one-half" in lieu thereof.	
	Strike out "municipal and district".	
	Section 7 (3)— Strike out "four pounds ten shillings" and insert "four and one-half" in lieu thereof.	
	Strike out "municipal and district".	
	Section 8 (2)— Strike out "one hundred and twenty-five pounds" and insert "two hundred and fifty dollars" in lieu thereof.	
	Strike out "municipal and district".	
	Section 8 (3)— Strike out "one hundred and twenty-five pounds" and insert "two hundred and fifty dollars" in lieu thereof.	
	Strike out "municipal and district".	
	Section 8 (5)— Strike out "Commissioner" wherever occurring and insert "Minister" in lieu thereof in each case.	
	Section 9— Strike out "Commissioner" wherever occurring in the section and insert "Minister" in lieu thereof in each case.	
	Section 10 (2)— Strike out "four pounds ten shillings" and insert "four and one-half" in lieu thereof.	
	Strike out "municipal and district".	
	Section 10 (3)— Strike out "four pounds ten shillings" and insert "four and one-half" in lieu thereof.	
	Strike out "municipal and district".	
	Section 11 (2)— Strike out "municipal and district".	
	Section 11 (3)— Strike out "municipal and district".	
	Section 12— Strike out "Commissioner" wherever occurring in the section and insert "Minister" in lieu thereof in each case.	
	Section 13— Strike out "Commissioner" and insert "Minister" in lieu thereof.	
	Section 14 (1)— Strike out "Commissioner" wherever occurring and insert "Minister" in lieu thereof in each case.	
	Section 14 (2)— Strike out "Commissioner" and insert "Minister" in lieu thereof.	

	SECOND SCHEDULE—continued	
First Column	Second Column	Third Column
Act Amended	How Amended	New Citation
Metropolitan Drainage Act, 1935	Strike out "in manner provided by the Compulsory Acquisition of Land Act, 1925," and insert "as if it were a disputed claim within the meaning of section 23 of the Land Acquisition Act, 1969, as amended," in lieu thereof.	
	Section 14 (4)— Strike out "Commissioner" and insert "Minister" in lieu thereof.	
	Section 16— Strike out "Commissioner" wherever occurring in the section and insert "Minister" in lieu thereof in each case.	
	Section 17 (1)— Strike out "Commissioner" and insert "Minister" in lieu thereof.	
	Section 17 (2)— Strike out "Commissioner's" and insert "Minister's" in lieu thereof.	
	Section 17 (3)— Strike out "Commissioner" and insert "Minister" in lieu thereof.	
	Section 18— Strike out "Commissioner" wherever occurring in the section and insert "Minister" in lieu thereof in each case.	
	Section 19 (1)— Strike out "two hundred and fifty pounds" and insert "five hundred dollars" in lieu thereof.	
	Section 19 (3)— Strike out "one hundred and twenty-five pounds" and insert "two hundred and fifty dollars" in lieu thereof.	
	Section 20 (2)— Strike out "Commissioner" and insert "Minister" in lieu thereof.	
	Section 22— Strike out "Commissioner" wherever occurring in the section and insert "Minister" in lieu thereof in each case.	
	Strike out "fifty pounds" and insert "one hundred dollars" in lieu thereof.	
	Section 23 (2)— Strike out "ten pounds" and insert "twenty dollars" in lieu thereof.	
	Section 25— Strike out "Commissioner" and insert "Minister" in lieu thereof.	
	Section 26 (1)— Strike out "Commissioner" and insert "Minister" in lieu thereof.	

Strike out "municipal or district". Strike out "municipal and district".

Section 26 (2)—
Strike out "fifty pounds" and insert "one hundred dollars" in lieu thereof.

1974

First Column	Second Column	Third Column
Act Amended	How Amended	New Citation
Metropolitan Drainage Act, 1935	First Schedule, Part I— Strike out "Municipal or District" in column heading.	
	Strike out "District Council of Walkerville" and insert "Municipal Council of Walkerville" in lieu thereof.	
	Strike out "District Council of Enfield" and insert "Municipal Council of Enfield" in lieu thereof.	
	Strike out "District Council of Payneham" and insert "Municipal Council of Payneham" in lieu thereof.	
	Strike out "District Council of Campbelltown" and insert "Municipal Council of Campbelltown" in lieu thereof.	
	First Schedule, Part II— Strike out "Municipal or District" in column heading.	
	Strike out "District Council of West Torrens" and insert "Municipal Council of West Torrens" in lieu thereof.	
	Second Schedule, Part I— Strike out "Municipal or District" in column heading.	
	Strike out "District Council of West Torrens" and insert "Municipal Council of West Torrens" in lieu thereof.	
	Strike out "District Council of Marion" and insert "Municipal Council of Marion" in lieu thereof.	
	Strike out "District Council of Mitcham" and insert "Municipal Council of Mitcham" in lieu thereof.	
	Second Schedule, Part II— Strike out "Municipal or District" in column heading.	
	Strike out "District Council of West Torrens" and insert "Municipal Council of West Torrens" in lieu thereof.	
	Strike out "District Council of Marion" and insert "Municipal Council of Marion" in lieu thereof.	
Metropolitan Milk Supply Act, 1946-1971	Section 3 (1)— Strike out the definition of "living wage" and insert the following definition in lieu thereof:— "living wage" means living wage as defined in section 6 of the Industrial Conciliation and Arbitration Act, 1972, as amended:.	Metropolitan Milk Supply Act, 1946-1974
	Section 6 (1)— Strike out "Public Service Commissioner" and insert "Public Service Board constituted under the Public Service Act, 1967, as amended," in lieu thereof.	
	Section 9 (2)— Strike out "twenty shillings in the pound" in paragraph (d) and insert "one hundred cents in the dollar" in lieu thereof.	
	Section 14 (1)— Strike out "Superannuation Act, 1926-1946," and insert "Superannuation Act, 1974, or any corresponding previous or subsequent enactment," in lieu thereof.	
	Section 14 (2)— Strike out "Superannuation Act, 1926-1946," and insert "Superannuation Act, 1974, or under any corresponding previous or subsequent enactment," in lieu thereof.	

First Column	Second Column	Third Column
Act Amended	How Amended	New Citation
Metropolitan Milk Supply Act, 1946-1971	Section 16— Strike out "1936-1946" and insert "1967, as amended" in lieu thereof.	
	Section 32 (5)— Strike out "Food and Drugs Act, 1902-1967" and insert "Food and Drugs Act, 1908, as amended" in lieu thereof.	
Noxious Insects Act, 1934-1955	Section 11— After the section designation "11" insert the subsection designation "(1)".	Noxious Insects Act, 1934-1974
Opticians Act, 1920-1971	Part III— Strike out "AND SPECTACLE SELLERS" in the heading.	Opticians Act, 1920-1974
	Section 27 (3)— Strike out "one hundred pounds" and insert "two hundred dollars" in lieu thereof.	
	Section 30 (1)— Strike out "After the expiration of six months from the commencement of this Act it" and insert "It" in lieu thereof.	
	Strike out "such circumstances that registration under section 4 of the Registration of Business Names Act, 1928, is necessary—" and insert "a business name registered or required to be registered under the Business Names Act, 1963, or under any corresponding subsequent enactment—" in lieu thereof.	
Petroleum (Sub- merged Lands) Act, 1967-1969	Section 11 (2)— After "act" lastly occurring insert "is".	Petroleum (Sub- merged Lands) Act, 1967-1974
	Section 88 (1)— Strike out "mission" in paragraph (a) and insert "omission" in lieu thereof.	
Phylloxera Act, 1936-1969	Section 37 (2)— Strike out "One hundred pounds" and insert "Two hundred dollars" in lieu thereof.	Phylloxera Act, 1936-1974
	Section 38a— After section designation "38a" insert subsection designation "(1)".	
	Section 48— Strike out "twenty pounds" and insert "forty dollars" in lieu thereof.	
	Section 49 (2)— Strike out "fifty pounds" and insert "one hundred dollars" in lieu thereof.	
	Section 50— Strike out "five pounds" and insert "ten dollars" in lieu thereof.	

First Column	Second Column	Third Column
Act Amended	How Amended	New Citation
Phylloxera Act, 1936-1969	Section 52— Strike out "fifty pounds" and insert "one hundred dollars" in lieu thereof.	
	The Second Schedule, paragraph 1— Strike out "Tea Tree Gully," where it occurs before "Gumeracha".	
	After "Port Elliot" insert "and Goolwa".	
	After "Campbelltown," insert "Tea Tree Gully,".	
Primary Producers' Debts Act, 1935-1941 (as	Section 26 (a)— Strike out "pound" and insert "dollar" in lieu thereof.	Primary Producers Debts Act, 1935-1974
amended by Primary	Strike out "penny" and insert "cent" in lieu thereof.	
Producers Assistance Act, 1943)	Section 26 (b)— Strike out "five shillings in the pound" wherever occurring and insert "twenty-five cents in the dollar" in lieu thereof in each case.	
	Strike out "amount in the pound" and insert "amount in the dollar" in lieu thereof.	
	Strike out "five shillings" lastly occurring and insert "twenty-five cents" in lieu thereof.	
	Section 26 (c)— Strike out "five shillings in the pound" and insert "twenty-five cents in the dollar" in lieu thereof.	
	Strike out "pound" lastly occurring and insert "dollar" in lieu thereof.	
	Section 26 (d)— Strike out "pound" and insert "dollar" in lieu thereof.	
Road Traffic Act, 1961-1974	Section 5— Strike out the definition of "area" and insert the following definition in lieu thereof:— "area" means a municipality or district council district and includes the suburb as defined in the Garden Suburb Act, 1919, as amended:.	Road Traffic Act, 1961-1974
	Strike out the definition of "council" and insert the following definition in lieu thereof:— "council" means a municipal or district council and includes the Garden Suburb Commissioner appointed under the Garden Suburb Act, 1919, as amended:.	
	Strike out "or" occurring immediately after the definition of "stop line".	
	Section 86 (1)— After "vehicle" firstly occurring insert "is".	
	Section 97 (2)— Strike out "or" occurring immediately after paragraph (a).	
	Section 144 (1)— Strike out "the" occurring immediately after "notwithstanding non-compliance with".	

No. 84

First Column	Second Column	Third Column
Act Amended	Second Column How Amended	New Citation
Road Traffic Act, 1961-1974	Section 169 (1)— Before "section 49" insert "subsection (1) of".	
	Strike out "right of way" and insert "giving way" in lieu thereof. Section 174— Strike out subsection (2) and insert the following subsection in lieu thereof:— (2) In this section "industrial award" means an award, order or determination of an authority, commission, commissioner, committee, court or other tribunal of the Commonwealth or the State having jurisdiction to deal with industrial disputes or industrial matters.	
Veterinary Districts Act, 1940	Section 19 (1)— Strike out "twenty shillings in the pound" in paragraph II and insert "one hundred cents in the dollar" in lieu thereof. Section 53 (5)— Strike out "twenty-one years" and insert "eighteen years" in lieu thereof.	Veterinary Districts Act, 1940-1974
	Section 58— Strike out "twenty-one years" in paragraph (ii) and insert "eighteen years" in lieu thereof.	
	Strike out "twenty pounds" and insert "forty dollars" in lieu thereof.	
	Section 68— Strike out "two hundred pounds" and insert "four hundred dollars" in lieu thereof.	
	Section 69— Strike out "two hundred pounds" and insert "four hundred dollars" in lieu thereof.	
	Section 70— Strike out "ten pounds" and insert "twenty dollars" in lieu thereof.	
	Section 76— Strike out "five pounds per centum" and insert "five per centum" in lieu thereof.	
	Section 80 (2)— Strike out "five pounds" and insert "ten dollars" in lieu thereof.	
	Section 80 (3)— Strike out "one pound" and insert "two dollars" in lieu thereof.	
	Section 80 (4)— Strike out "one pound" and insert "two dollars" in lieu thereof.	
	Section 84— Strike out "twenty pounds" and insert "forty dollars" in lieu thereof.	
White Phosphorus Matches Prohibition Act, 1915-1934	Section 4— After section designation "4." insert subsection designation "(1)".	White Phosphorus Matches Prohibition Act, 1915-1974
	Section 4 (2)— Strike out "fifty pounds" and "ten pounds" and insert "two hundred dollars" and "forty dollars" respectively in lieu thereof.	

First Column Act Amended Second Column How Amended Section 5— Strike out "Industrial Code, 1920, or the Health Act, 1935," and insert "Industrial Conciliation and Arbitration Act, 1972, as amended, or the Health Act, 1935, as amended," in lieu thereof. Strike out "twenty pounds" and insert "eighty dollars" in lieu thereof. Section 6— Strike out "twenty pounds" and insert "eighty dollars" in lieu thereof. Section 9 (1)— Strike out "one guinea" and insert "ten dollars" in lieu thereof.

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

M. L. OLIPHANT, Governor