



ANNO QUINTO

GEORGI V REGIS.

A.D. 1914.

No. 1163.

An Act to further amend "The Lands Clauses Consolidation Act."

[Assented to, November 12th, 1914.]

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 alone as "The Lands Clauses Consolidation Further Amendment Act, 1914." Short titles.
(2) "The Lands Clauses Consolidation Acts, 1847 to 1911," and this Act, may be cited together as "The Lands Clauses Consolidation Acts, 1847 to 1914." 6 of 1847.
26 of 1855-6.
202 of 1881.
1035 of 1911.
2. This Act is incorporated with the Acts mentioned in section 1, and those Acts and this Act shall be read as one Act. Incorporation with other Acts.
3. (1) Section 34 of "The Lands Clauses Consolidation Act" is hereby repealed, and the following provision is hereby enacted and substituted therefor, namely:— Substitution of new provision for s. 34 of Lands Clauses Consolidation Act.
34. That the costs of the reference and award shall be in the discretion of the arbitrators or arbitrator or umpire, who may direct to and by whom, and in what manner, the costs, or any part thereof, shall be paid, and may tax or settle the amount of costs to be so paid, or any part thereof, and may award costs to be paid as between solicitor and client: Provided that there shall be an appeal from any direction or award of the arbitrators, or arbitrator, or umpire under this section. Such appeal shall be to a Judge of the Supreme Court in Chambers upon a Judge's summons. Costs to be in discretion of arbitrator.
Cf. Arbitration Act, 1891, Sch. I.
(2) Where

The Lands Clauses Consolidation Further Amendment Act.—1914.

(2) Where in or by any Act incorporated with “The Lands Clauses Consolidation Act” or any of the provisions thereof, or with which the last-mentioned Act or any provisions thereof are incorporated, reference is made to section 34 of the said last-mentioned Act or that section is made to apply,

(a) such reference shall be construed as a reference to section 34 as enacted by this Act, or

(b) the said section so enacted shall apply in lieu of section 34 as enacted by “The Lands Clauses Consolidation Act,”

according as reference is so made to the said section, or the said section is so made to apply.

Application of Act.

4. This Act shall apply to all costs to be awarded after the passing of this Act, whether in respect of arbitrations commenced before or arbitrations commenced after such passing.

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

H. L. GALWAY, Governor.