



ANNO PRIMO

EDWARDI VIII REGIS.

A.D. 1936.

No. 2310.

An Act to consolidate certain Acts for the endowment and regulation of the Agricultural College.

[Assented to, 19th November, 1936.]

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 "Agricultural College Act, 1936". Short title

2. This Act is a consolidation of the Acts mentioned in the first schedule, and the said Acts are hereby repealed. Consolidation and repeal.

3. In this Act, unless some other meaning is clearly intended— Interpretation.
1404, 1919, s. 3.

"Commissioner" means the Commissioner for Agricultural Endowments :

"repealed Act" means any Act repealed by this Act.

4. (1) The Commissioner of Crown Lands for the time being of the State, and his successors in office, shall continue to be a body politic and corporate, under the corporate name of "The Commissioner for Agricultural Endowments". Incorporation of the Commissioner.
384, 1886, s. 2.
1404, 1919, s. 4.

(2) The Commissioner—

(a) by that name may sue and be sued, plead and be impleaded, in all courts and before all justices :

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(b) shall be capable of acquiring, holding, leasing, and alienating land, and of being a party to arbitration, and of doing and suffering all such other acts and things as bodies corporate may by law do and suffer :

(c) shall have perpetual succession and a common seal.

Powers of
Governor.

384, 1886, s. 3.
1404, 1919, s. 5.

5. The Governor may reserve and grant to the Commissioner any Crown lands which may from time to time be required for the purpose of this Act.

Power of
Commissioner
to take and
acquire lands.

1404, 1919, s. 6.

6. The Commissioner may acquire by agreement, any land which may be required for use in or in connection with the teaching, pursuant to this Act, of the science and practice of agriculture and the branches of knowledge connected therewith.

All lands
vested in
Commissioner
to be used for
purposes of the
Agricultural
College.

1404, 1919, s. 8.

7. All lands granted to the Commissioner under this Act or any repealed Act, or acquired by him pursuant to this Act or any repealed Act, shall be used for the purpose of the teaching of the science and practice of agriculture and the branches of knowledge connected therewith, either separately or in conjunction with the land vested in the Commissioner by section 4 of The Agricultural College Endowment Act, 1886, and the building called the Agricultural College.

Power to
demise lands
and grant
mineral
licences.

384, 1886, s. 5.

8. (1) The Commissioner may—

(a) from time to time demise and let any lands granted to or vested in him, either from year to year or by lease for any term not exceeding twenty-one years :

(b) grant licences to any persons to search for and to remove minerals and metals from any such lands, and may charge and recover such fees and other payments, and may impose such terms and conditions in respect of any such licences as may be charged, recovered, and imposed under the laws from time to time in force respecting licences to search for minerals and metals on Crown Lands.

(2) All instruments of letting and leases of any such lands (except leases for mining purposes) shall be construed as if they contained an exception of minerals and metals and a power to grant licences in respect of the same, as is provided for with respect to Crown lands by the Crown Lands Act, 1929, and by the Mining Act, 1930, concerning mining for gold, and any regulations made thereunder.

(3) The Commissioner shall, with respect to gold, have power to grant all such licences in regard to lands comprised in any lease for mining purposes as may under any such Act

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or regulation as aforesaid be granted with respect to gold in regard to lands comprised in a mineral lease granted by the Crown.

9. The provisions of the Crown Lands Act, 1929, relating to the offering, allotment, forfeiture, and surrender of miscellaneous leases shall, so far as applicable and with any necessary modifications, apply to leases under this Act; and for the said purpose the Commissioner shall have all the powers given under the said provisions to the Commissioner of Crown Lands.

Application of
Crown Lands
Act, 1929.
2293, 1936, s. 4.

10. All rents, royalties, fees, penalties, and annual or other payments received in respect of any lease or licence granted under this Act (except under section 11) shall be paid into the Treasury, and shall be applied by the Treasurer towards the maintenance and enlargement of the building called the Agricultural College, which shall be used for the teaching of the science and practice of agriculture and the branches of knowledge connected therewith, and towards the payment of salaries and other expenses in respect of the said college and the purposes thereof, but so that no such moneys shall be expended without the sanction of Parliament.

Application of
income.
384, 1886, s. 7.

11. (1) Where it appears to the Commissioner that any land vested in him is not required or conveniently situated or suitable for use in or in connection with the teaching, pursuant to this Act, of the science and practice of agriculture and the branches of knowledge connected therewith, he may—

Power to sell
property not
required.
1404, 1919, s. 7.

- (a) sell the land, or any estate, right or interest therein; or
- (b) exchange the land, or any estate, right or interest therein, for any other land or any estate, right, or interest therein; or
- (c) dispose in any other way of the land, or any estate, right, or interest therein,

for such price or other consideration as he deems sufficient, and upon such (if any) terms and conditions as he deems proper.

(2) For the purpose of carrying out any such transaction as mentioned in subsection (1), the Commissioner may execute any and every assurance, deed, instrument, and writing, and do all such other things as may be deemed necessary or expedient.

(3) The Commissioner's receipt shall be a sufficient discharge for any moneys to be paid in pursuance of any such transaction, and it shall not be necessary for any person paying any such moneys to inquire whether or not a proper case has arisen for the exercise of any power conferred by this section.

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(4) All moneys received by the Commissioner by the exercise of the powers conferred by this section shall be delivered to the Treasurer for the public uses of the State.

(5) Nothing in this Act shall be deemed to derogate from any power vested in the Commissioner or any other person by this or any other Act or otherwise howsoever.

(6) The Commissioner shall in the month of July of every year present to the Governor a report stating—

- (a) particulars of all lands (if any) with regard to which he has, during the period ended on the preceding thirtieth day of June, exercised any of the powers conferred by this section ;
- (b) how he has dealt therewith respectively under this section ; and
- (c) the price or other consideration, and the other terms or conditions (if any), in each case.

Every such report shall be laid before both Houses of Parliament within fourteen days after it is presented to the Governor if Parliament is in session, and if not, then within fourteen days after the commencement of the next session.

Regulations.
384, 1886, s. 8.
2293, 1936,
s. 4.

12. The Commissioner may, from time to time, make regulations—

- (a) for prescribing the course of study and practice to be pursued at the Agricultural College :
- (b) for prescribing the duties of the Professor of Agriculture, and of other teachers in connection therewith :
- (c) for regulating the admission of students at the said college, and the management thereof ; and
- (d) generally for carrying into effect the object of this Act.

Vesting of
land in
Commissioner.
1404, 1919, s. 9
(part).

13. (1) The piece of land referred to in the second schedule shall continue to be vested in the Commissioner for an estate in fee simple.

(2) The Governor may issue to the Commissioner a land grant of the said land.

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

W. DUGAN, Governor.

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SCHEDULES.

THE FIRST SCHEDULE.

ACTS CONSOLIDATED AND REPEALED.

Number and Year of Act.	Short Title.
No. 384 of 1886	The Agricultural College Endowment Act, 1886.
No. 1404 of 1919	Agricultural College Endowment Act Amendment Act, 1919.

THE SECOND SCHEDULE.

That piece of land being the whole of section No. 704, situated in the Hundred of Mudla Wirra, County of Gawler, in the State of South Australia, except—

- (a) the stone reserve placed under the care, control, and management of the District Council of Mudla Wirra South by proclamation made the eighth day of April, one thousand eight hundred and eighty-four, and published in the *Government Gazette* on the tenth day of April, one thousand eight hundred and eighty-four; and
- (b) that piece of land dedicated by the Governor by notice published in the *Government Gazette* on the twenty-first day of October, one thousand eight hundred and seventy-five, as a site for the interment of the dead, to be called the Public Cemetery of the District of Mudla Wirra South; and
- (c) roads existing at the twenty-seventh day of November, nineteen hundred and nineteen.

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TABLE SHOWING HOW THE SECTIONS OF THE ACTS CONSOLIDATED HAVE BEEN DEALT WITH.

Section of Repealed Act.	Remarks.	Section of Consolidating Act.
The Agricultural College Endowment Act, 1886		
Ibid. s. 1	Short title	—
" s. 2	As amended by 1404, 1919, s. 4	4
" s. 3	As amended by 1404, 1919, s. 5	5
" s. 4	Deleted as exhausted	—
" s. 5	.....	8
" s. 6	As enacted by 2293, 1936, s. 4	9
" s. 7	.....	10
" s. 8	As amended by 2293, 1936, s. 4	12
Agricultural College Endowment Act Amendment Act, 1919		
Ibid. s. 1	Short titles	—
" s. 2	Incorporation	—
" s. 3	.....	3
" s. 4	Amendment of 384, 1886, s. 2	4
" s. 5	Amendment of 384, 1884, s. 3	5
" s. 6	.....	6
" s. 7	.....	11
" s. 8	.....	7
" s. 9	Preamble and subsections (1), (3), and (5) deleted as exhausted	13
" Schedule	Parts I. and II. deleted as exhausted	Second Schedule

Adelaide: By authority, FRANK TRIGG, Government Printer, North Terrace.