



ANNO TRICESIMO TERTIO

ELIZABETHAE II REGINAE

A.D. 1984

No. 65 of 1984

An Act to amend the Aboriginal Lands Trust Act, 1966.

[Assented to 27 September 1984]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short title.

1. (1) This Act may be cited as the "Aboriginal Lands Trust Act Amendment Act, 1984".

(2) The Aboriginal Lands Trust Act, 1966, is in this Act referred to as "the principal Act".

Interpretation.

2. Section 3 of the principal Act is amended by inserting after the definition of "chairman" the following definition:

"the lands" means the lands vested in the Trust in pursuance of this Act:.

Insertion of new s. 16a.

3. The following section is inserted after section 16 of the principal Act:

Application of the Public Intoxication Act, 1984, to the lands.

16a. (1) The Public Intoxication Act, 1984, applies to the lands with the following qualifications and modifications—

- (a) a reference in that Act to a public place shall be construed as a reference to a part of the lands declared under this section to be a public place;
- (b) a reference in that Act to an authorized officer shall be construed as a reference to an authorized officer—
 - (i) appointed with the concurrence of the Trust;
 - and
 - (ii) exercising his powers within a part of the lands approved by the Trust in relation to that authorized officer;
- (c) a member of the police force or an authorized officer appointed with the concurrence of the Commissioner of Police may, in addition to his powers under that Act,

but subject to any limitation prescribed under this section, exercise any of the following powers on any part of the lands declared by proclamation under subsection (2) to be a part of the lands in relation to which those powers are exercisable:

- (i) the power, on reasonable suspicion that alcohol or a drug is in any premises or vehicle, to enter and search those premises or that vehicle, using such force as is necessary for the purpose;
- (ii) the power to stop any vehicle for the purpose of carrying out a search under subparagraph (i);
- (iii) the power to confiscate and dispose of alcohol or a drug.

(2) The Governor may, by proclamation made on the recommendation of the Trust—

- (a) declare any part of the lands to be a public place for the purposes of the Public Intoxication Act, 1984;
- (b) declare that the powers referred to in subsection (1) (c) are exercisable in relation to a specified part of the lands;
- (c) impose limitations on the exercise of the power referred to in subsection (1) (c) in a specified part of the lands;

or

- (d) vary or revoke any proclamation previously made under this subsection.

(3) The Trust shall not recommend the making of a proclamation under subsection (2) unless—

- (a) a proposal for making the proclamation has been initiated from within the Aboriginal communities that would be affected by the proclamation;

and

- (b) the Trust is satisfied that those communities are in general agreement that the proclamation should be made.

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

D. B. DUNSTAN, Governor