

## ANNO TERTIO

## GEORGII VI REGIS.

A.D. 1939.

## No. 8 of 1939.

## An Act to amend the Food and Drugs Act, 1908-1935.

[Assented to 5th October, 1939.]

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 "Food and Drugs Act Amendment Act, 1939".
- (2) The Food and Drugs Act, 1908-1935, as amended by this Act, may be cited as the "Food and Drugs Act, 1908-1939".
- (3) The Food and Drugs Act, 1908-1935, is hereinafter called "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act, and this Act and that Act shall be read as one Act.

Amendment of s. 15 of principal Act— Constitution of Metropolitan County Board.

- 3. Subsection (2) of section 15 of the principal Act is amended so as to read as follows:—
  - (2) A county board shall be constituted for the Metropolitan County District in accordance with section 15a of this Act.

Repeal and re-enactment of s. 15a of principal Act— Constitution of Metropolitan County Board.

- 4. Section 15a of the principal Act is repealed and the following section is enacted and substituted in lieu thereof:—
  - 15a. (1) The county board for the Metropolitan County District shall consist of—
    - (a) the Lord Mayor of the municipality of the City of Adelaide, who shall, ex officio, be chairman of the said county board:

(b) the same number of elective members as there are for the time being local authorities within the metropolitan county district, one member being elected by each authority.

The local board of health for the municipality of the City of Adelaide shall be represented by one elective member in addition to the Lord Mayor of the said municipality.

- (2) If, at the time of the enactment of this section, any local authority (other than the local board of health for the municipality of the City of Adelaide) is represented on the said county board by two members those members shall forthwith after the enactment of this section retire and the local authority which elected them shall elect one member in their stead.
- (3) The following elective members of the said county board holding office on the thirty-first day of January, nineteen hundred and forty, shall then retire, namely, the members elected by the local boards of health for the following municipalities and district council districts:—

The municipalities of Kensington and Norwood, Brighton, Prospect, Burnside, Unley, Adelaide, and Hindmarsh.

The district council districts of West Torrens, Enfield, and Payneham.

The garden suburb of Colonel Light Gardens.

The elective members of the said county board elected by the other local authorities in the metropolitan county district and who are in office on the thirty-first day of January, nineteen hundred and forty-one shall then retire.

- (4) Subject to the other provisions of this section each elective member of the said county board shall hold office for two years: Provided that a member of the board elected to fill a casual vacancy on the board shall hold office for the balance of the term of the member in whose place he was appointed.
- (5) A retiring member of the said county board shall be eligible for re-election.
- (6) During the period of four weeks immediately preceding the retirement of a member by effluxion of time and also as early as possible after the occurrence of any casual vacancy on the said county board the local authority which

elected the retiring member or which elected the member in whose office the casual vacancy has occurred, shall elect a member in his place.

Each local authority shall forthwith after the election of a member of the said county board send to the Chief Secretary a notice giving the name and address of the person elected and the Chief Secretary shall, by notice in the *Gazette*, declare the names of the persons so elected and the notice shall be *prima facie* evidence of the election.

- (7) Every member of the said county board who retires by effluxion of time shall, notwithstanding his retirement, be deemed to hold office until his successor is elected.
- (8) An election of a member of the said county board shall not be invalid by reason only of any delay in holding it.
- (9) Subject to the foregoing provisions of this section, the members of the said county board in office at the time of the enactment of this section shall continue in office as if this section had been in force at the time of their election and they had been duly elected hereunder.
- (10) Subsections (4) and (5) of section 15 shall not apply to the said county board.

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

C. M. BARCLAY-HARVEY, Governor.