



ANNO VICESIMO PRIMO

ELIZABETHAE II REGINAE

A.D. 1972

No. 126 of 1972

An Act to amend the Land Acquisition Act, 1969.

[Assented to 30th November, 1972]

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 "Land Acquisition Act Amendment Act, 1972".

(2) The Land Acquisition Act, 1969, as amended by this Act, may be cited as the "Land Acquisition Act, 1969-1972".

(3) The Land Acquisition Act, 1969, is hereinafter referred to as "the principal Act".

**Commence-
ment.**

2. This Act shall come into operation on a day to be fixed by proclamation.

**Amendment of
principal Act,
s. 4—
Arrangement.**

3. Section 4 of the principal Act is amended by inserting after the item:

PART IV—COMPENSATION FOR ACQUISITION, ss. 18-26

the item:

PART IVA—RE-HOUSING COMMITTEE, ss. 26a-26g.

**Enactment of
Part IVA of
principal Act—**

4. The following new Part comprising the following new sections is enacted and inserted in the principal Act immediately after section 26 thereof:—

PART IVA

RE-HOUSING COMMITTEE

26a. (1) There shall be for the purposes of this Act a Committee entitled the "Re-Housing Committee". Establishment of Committee.

(2) The Committee shall consist of five members appointed by the Governor of whom—

- (a) one, who shall be chairman, shall be a person nominated by the Minister of Community Welfare;
- (b) one shall be a person nominated by the Treasurer;
- (c) one shall be a person nominated by the Minister of Roads and Transport;
- (d) one shall be a person nominated by the Minister of Lands;

and

- (e) one shall be a person who has, in the opinion of the Governor, extensive knowledge of, and experience in matters of housing.

26b. (1) Subject to this Act, a member of the Committee shall hold office for a term, not exceeding five years, fixed in the instrument of his appointment, and shall at the expiration of that term be eligible for re-appointment. Conditions on which members hold office.

(2) The office of a member of the Committee shall be vacated if—

- (a) the member dies or resigns, or his term of office expires;
- (b) the person or body by whom he was nominated revokes the nomination;

or

- (c) he is removed from office by the Governor.

(3) The Governor may remove a member of the Committee from office for any reason that he considers sufficient.

(4) The Governor may, subject to this Part, make such appointments as may be necessary to fill any vacancy occurring in the membership of the Committee.

26c. The members of the Committee shall be entitled to receive such remuneration, allowances and expenses as may be determined by the Governor. Remuneration, etc.

26d. (1) The chairman shall preside at any meeting of the Committee at which he is present. Procedure.

(2) If the chairman is not present for any reason at a meeting of the Committee, the members present may elect one of their number to be chairman at that meeting.

(3) At any meeting of the Committee, three members shall constitute a quorum.

(4) Any decision of the Committee must be supported by the votes of at least three members of the Committee.

(5) In the event of an equality of votes upon any matter, consideration of the matter shall be deferred until the next meeting of the Committee.

**Saving
provision.**

26e. (1) No act or proceeding of the Committee shall be invalid or illegal by reason only of a vacancy in the office of a member of the Committee.

(2) Every act or proceeding of the Committee shall, notwithstanding any defect in the appointment of a member or purported member of the Committee, be as valid and effectual as if that member, or purported member, had been validly and effectually appointed.

**Officers and
employees.**

26f. (1) The Governor may, subject to, and in accordance with, the Public Service Act, 1967, as amended, appoint a secretary to the Committee, and such other officers and servants as the Governor thinks fit.

(2) The Committee may make use of the services—

(a) of any officer of a department of the Public Service of the State with the consent of the Minister administering that department;

or

(b) of any officer or employee of the South Australian Housing Trust with the consent of the Trust.

**Application to
Committee.**

26g. (1) Where land constituting or including a dwellinghouse has been or is to be acquired by the Authority for the purposes of an authorized undertaking, the provisions of this section shall apply in respect of the acquisition of that land.

(2) A person to whom that dwellinghouse was, at the time of the service of the notice of intention to acquire the land, his usual place of residence shall be entitled to make application to the Committee at any time before or within three months after the date of the acquisition for assistance under this section.

(3) An application under this section must be made in writing and in a form determined by the Committee and must set out in detail—

- (a) the grounds upon which assistance is sought from the Committee;
- and
- (b) the nature and extent of the assistance that the applicant seeks from the Committee.
- (4) The Committee may, after consideration of an application under this section and after making such inquiries and obtaining such reports as it considers necessary—
- (a) make arrangements with any department or instrumentality of the Government of the State, or with any other person or body of persons, by means of which the applicant will be re-housed in a satisfactory social environment or any other social problems arising from the acquisition will be overcome or ameliorated;
- or
- (b) recommend to the Authority that a grant of moneys, or other financial assistance, be given to the applicant for the purpose of enabling him to obtain accommodation in a satisfactory social environment or for the purpose of overcoming or ameliorating any other social problems arising from the acquisition.
- (5) An arrangement requiring the expenditure of moneys or a recommendation for a grant of moneys, or other financial assistance shall not be made under subsection (4) of this section unless the proposed arrangement or recommendation has been submitted to, and approved by, the Treasurer.
- (6) The Committee may rescind any arrangement or recommendation under this section if the Authority does not proceed with the acquisition in respect of which assistance was sought under this section.
- (7) The Authority shall be liable for the payment of any amount required to implement, or give effect to, an arrangement or recommendation approved under subsection (5) of this section.

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

M. L. OLIPHANT, Governor