



ANNO QUARTO

**ELIZABETHAE II REGINAE**

A.D. 1955

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**No. 15 of 1955**

An Act to amend the Noxious Insects Act, 1934.

[Assented to 21st October, 1955.]

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 as the "Noxious Insects Act Amendment Act, 1955". Short title.
- (2) The Noxious Insects Act, 1934, as amended by this Act may be cited as the "Noxious Insects Act, 1934-1955".
- (3) The Noxious Insects Act, 1934, is hereinafter referred to as "the principal Act".
2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.
3. The following sections are enacted and inserted in the principal Act after section 6 thereof:— Enactment of ss. 6a and 6b of principal Act—
  - 6a. (1) If an occupier does not comply with a notice under subsection (1) or subsection (2) of section 6 any authorized officer may with or without assistants— Powers of officers on non-compliance with notice
    - (a) enter upon the land of such occupier ;
    - (b) take all such measures and do and perform all such acts and things as to him appear proper or necessary to carry out the measures specified in the notice ;

(c) remain upon and have free right of ingress, egress and regress into, over and across the said land for such period as is necessary for the purpose mentioned in paragraph (b) of this subsection.

(2) For the purposes of subsection (1) of this section an occupier who—

(a) does not after the service upon him of a notice mentioned in section 6 forthwith commence to comply therewith; or

(b) having so commenced does not continue such compliance,

shall be deemed not to have complied with the notice.

(3) The powers conferred by this section may be exercised whether or not proceedings are taken against the occupier under section 6, and without affecting the liability of the occupier under that subsection.

(4) In this section “an authorized officer” means a person appointed by a council or the Minister as an authorized officer for purposes of this Act.

6b. (1) The expense incurred by an authorized officer in acting under section 6a shall be a debt due by the occupier of the land to the appointer of the authorized officer, and shall be payable on demand and recoverable by action in any court of competent jurisdiction.

(2) A council shall have authority to expend its revenue on taking action under section 6a of this Act.

Recovery of cost of action taken on default of occupier.

Amendment of s. 11 of principal Act— Powers of Minister.

4. Section 11 of the principal Act is amended by adding at the end thereof the following subsection :—

(2) If the Minister publishes or gives any notice as mentioned in section 6 of this Act all the provisions of sections 6, 6a, and subsection (1) of section 6b shall apply with the necessary modifications in relation to the land and the occupiers to which the notice applies.

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

J. M. NAPIER, Lieutenant-Governor.