



ANNO DECIMO QUINTO

GEORGI V REGIS.

A.D. 1924.

No. 1642.

An Act to amend the Opticians Acts, 1920 to 1923.

[Assented to, December 24th, 1924.]

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 "Opticians Act Amendment Act, 1924." Short titles.

(2) The Opticians Acts, 1920 to 1923, and this Act may be cited together as the "Opticians Acts, 1920 to 1924."

(3) The Opticians Act, 1920, is hereinafter referred to as "the principal Act." No. 1443 of 1920.

2. This Act is incorporated with the other Acts mentioned in section 1 of this Act, and those Acts and this Act shall be read as one Act. Incorporation.

3. Paragraph (f) of subsection (1) of section 20 of the principal Act (as amended by section 2 of the Opticians Act Amendment Act, 1923), is further amended so as to read as follows :— Amendment of principal Act, s. 20 (1).

(f) who makes a statutory declaration in the form prescribed that he had during the full period of seven years next before the first day of December, nineteen hundred and twenty, been carrying on the practice of optometry in the State as a means of livelihood at a fixed place of business within the State, and produces to the Board statutory declarations from at least two other persons that he had so practised: Provided he is of good character

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character and makes application in the prescribed form, and accompanied by the declarations above referred to, within two months from the commencement of the Opticians Act Amendment Act, 1924.

Amendment of
principal Act, s. 39.

4. Section 39 of the Opticians Act, 1920, is repealed, and the following section is substituted therefor:—

Appeals.

39. (1) There shall be an appeal against any decision, ruling, order, or direction of the Board or Registrar. Such appeal shall be to the Supreme Court, and shall be instituted within one month from the making or giving of the decision, ruling, order, or direction appealed against.

(2) Subject as hereinafter mentioned, all proceedings on or in connection with any such appeal shall be conducted as if the appeal were an appeal against an order of a Court of Summary Jurisdiction.

(3) Any notice or other document which, if the appeal were an appeal against an order of a Court of Summary Jurisdiction, would be required to be served by the appellant on any person, may be served on the Registrar, and such service shall be deemed sufficient.

Further provisions
as to appeals.

5. (1) Notwithstanding anything to the contrary in any Act, any person who thinks himself aggrieved by any decision, ruling, order, or direction of the Board or Registrar given or made before the commencement of this Act, and who has not previously appealed against that decision, ruling, order, or direction, may within one month after the commencement of this Act appeal in manner provided by section 39 of the principal Act (as re-enacted by this Act).

Validation of appeals
now before Court.

(2) Nothing contained in this Act shall prejudicially affect any appeal pending before a Judge of the Supreme Court at the time of the commencement of this Act, but every such appeal, whether instituted, or purporting to be instituted, to the Supreme Court or to the Local Court of Full Jurisdiction at Adelaide, and notwithstanding that the same was not instituted within one month from the making or giving of the decision, ruling, order or direction appealed against, shall be deemed to have been validly instituted to the Supreme Court, and shall be heard and determined by that Court, as though it were an appeal under section 39 of the principal Act (as re-enacted by this Act).

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

TOM BRIDGES, Governor.