



ANNO VICESIMO QUARTO

# ELIZABETHAE II REGINAE

A.D. 1975

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## No. 118 of 1975

An Act to make certain consequential and minor amendments to, and to correct certain errors and remove certain anomalies in, the Statute Law and to repeal certain obsolete enactments.

[Assented to 4th December, 1975]

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

1. This Act may be cited as the "Statute Law Revision Act (No. 2), 1975". Short title.
  
2. (1) The Acts set out in the first schedule to this Act are repealed. Repeals.

(2) If any Act expressed to be repealed by this Act is, before the commencement of this Act, repealed by or by virtue of some other Act, the enactment by this Act that purports to repeal that first mentioned Act shall have no effect and the reference to that repealed Act shall be struck out from the first schedule to this Act and this Act shall have effect as if that enactment and that reference had never been included in this Act.
  
3. (1) Subject to this section, the Acts specified in the first column of the second schedule to this Act are amended in the manner indicated in the second column of that schedule and any Act as amended thereby and by all prior amendments amending the same may be cited by its new citation, if any, as specified in the third column of that schedule. Amendments.

(2) If any Act expressed to be amended by this Act is, before the commencement of this Act, repealed by or by virtue of some other Act, or amended by or by virtue of some other Act in a manner which renders the amendment as expressed by this Act ineffective, all references in the second schedule that are ancillary to or consequential upon the enactment by this Act which purports to make that amendment shall be struck out and this Act shall have effect as if those references and that amendment had never been included in this Act.

(3) If any Act amended by this Act or if any such Act, as amended, is after the commencement of this Act repealed by or by virtue of some other Act, but the amendment by this Act amending that first mentioned Act and all other references in this Act ancillary thereto and consequential thereon have not been repealed, that amendment and those other references shall be repealed immediately after the repeal of that Act and this Act shall have effect accordingly.

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#### FIRST SCHEDULE

##### ACTS REPEALED

Radium Hill Water Supply Agreement Act, 1953, No. 39 of 1953  
Surplus Revenue Act, 1938, No. 2402 of 1938  
Surplus Revenue Act Amendment Act, 1951, No. 37 of 1951  
Uranium Mining Act, 1949, No. 14 of 1949  
Uranium Mining Act Amendment Act, 1951, No. 22 of 1951  
Uranium Mining Act Amendment Act, 1952, No. 18 of 1952  
Uranium Mining Act Amendment Act, 1954, No. 51 of 1954

## SECOND SCHEDULE

## ACTS AMENDED

First Column Act Amended	Second Column How Amended	Third Column New Citation
Building Societies Act, 1975	Section 4 (1)— Strike out "Building Societies Act Amendment Act, 1935" and insert "Building Societies Act Amendment Act, 1933" in lieu thereof.	Building Societies Act, 1975
Firearms Act, 1958	<p>Section 9 (5)— Strike out "a fee of five shillings or such other fee as may" and insert "such fee for the granting of the licence as may, from time to time," in lieu thereof.</p> <p>After section 9 (5) insert the following subsection:— (6) Until regulations for the purposes of this section providing otherwise have been made and have taken effect, the fee payable for the granting of a licence prescribed by this section as in force immediately before the coming into operation of this subsection shall continue to be payable in accordance with this section.</p> <p>Section 10 (2)— Strike out "a fee of five shillings, or such other fee as may" and insert "such fee for the renewal of the licence as may, from time to time," in lieu thereof.</p> <p>After section 10 (2) insert the following subsection:— (2a) Until regulations for the purposes of this section providing otherwise have been made and have taken effect, the fee payable for the renewal of a licence prescribed by this section as in force immediately before the coming into operation of this subsection shall continue to be payable in accordance with this section.</p> <p>Section 41 (1)— Strike out "Animals and Birds Protection Act, 1919-1938, or the Pistol Licence Act, 1929, and the provisions of those Acts" and insert "National Parks and Wildlife Act, 1972, as amended, or the Pistol Licence Act, 1929, as amended, or by any regulation made under either of those Acts, and the provisions of those Acts and regulations" in lieu thereof.</p> <p>Section 41 (2)— Strike out "A gun licence under the Animals and Birds Protection Act, 1919-1938," and insert "A permit under section 68a of the National Parks and Wildlife Act, 1972, as amended, or under any regulation made under that Act, for the purpose of hunting involving the use of a firearm" in lieu thereof.</p>	Firearms Act, 1958-1975
Fruit and Vegetables (Prevention of Injury) Act, 1927	Section 3— Strike out "The Vine, Fruit, and Vegetable Protection Act, 1885, or The Vine, Fruit, and Vegetable Protection Amendment Act, 1910," in the definition of "inspector" and insert "the Vine, Fruit, and Vegetable Protection Act, 1885-1936, as amended, or under any corresponding subsequent enactment," in lieu thereof.	Fruit and Vegetables (Prevention of Injury) Act, 1927-1975
Fruit Fly Act, 1947-1973	Section 2— Strike out the definition of "fruit fly regulations".  The Schedule— Strike out the Schedule.	Fruit Fly Act, 1947-1975

## SECOND SCHEDULE—continued

First Column Act Amended	Second Column How Amended	Third Column New Citation
Liens on Fruit Act, 1923-1932	<p>Section 8— After the section designation “8” insert the subsection designation “(1)”.</p> <p>Strike out “a fee of five shillings” and insert “such fee as may for the time being be prescribed therefor” in lieu thereof.</p> <p>Strike out “a fee of one shilling” and insert “such fee as may for the time being be prescribed” in lieu thereof.</p> <p>Strike out “a fee of two shillings and sixpence” and insert “such fee as may for the time being be prescribed” in lieu thereof.</p> <p>Add the following subsections:— (2) The Governor may by regulation prescribe fees for the purposes of this section which shall be payable in accordance with the regulations. (3) Until regulations providing otherwise have been made and have taken effect, the fees prescribed by this section as in force immediately before this subsection comes into operation shall continue to be the fees respectively prescribed for the purposes of this section.</p> <p>Section 9— Strike out “two hundred pounds” and insert “four hundred dollars” in lieu thereof.</p>	Liens on Fruit Act, 1923-1975
Marine Stores Act, 1898-1963	<p>Section 3— Strike out the sentence commencing “The sum of”.</p> <p>Enactment of new section 3a— The following section is enacted and inserted immediately following section 3:— 3a. (1) Subject to subsection (2) of this section, there shall be paid for the issue of a collector's licence such fee as is for the time being prescribed. (2) Until regulations providing otherwise have been made under this Act and have taken effect there shall be paid for every collector's licence such fee as is payable therefor before those regulations take effect.</p> <p>Section 5— Strike out “five pounds” and insert “ten dollars” in lieu thereof.</p> <p>Section 6— Strike out “ten pounds” and insert “twenty dollars” in lieu thereof.</p> <p>Strike out “police constable” and insert “member of the police force” in lieu thereof.</p> <p>Section 7— Strike out “ten pounds” and insert “twenty dollars” in lieu thereof.</p> <p>Strike out “subsection II” and insert “paragraph II” in lieu thereof.</p> <p>Section 7a (3)— Strike out “Ten pounds” and insert “Twenty dollars” in lieu thereof.</p> <p>Section 7b (1)— Strike out “Ten pounds” and insert “Twenty dollars” in lieu thereof.</p>	Marine Stores Act, 1898-1975

SECOND SCHEDULE—*continued*

First Column Act Amended	Second Column How Amended	Third Column New Citation
Marine Stores Act, 1898-1963— <i>contd.</i>	<p>Section 8— Strike out “ten pounds” and insert “twenty dollars” in lieu thereof.</p> <p>Section 10— Strike out the last sentence in the section.</p> <p>Enactment of new section 10a— The following section is enacted and inserted immediately following section 10:— 10a. (1) Subject to subsection (2) of this section, there shall be paid for the issue of a dealer’s licence such fee as is for the time being prescribed. (2) Until regulations providing otherwise have been made under this Act and have taken effect there shall be paid for every dealer’s licence such fee as is payable therefor before those regulations take effect.</p> <p>Section 13— Strike out “ten pounds” and insert “twenty dollars” in lieu thereof.</p> <p>Strike out “police constable” in paragraph vi and insert “member of the police force” in lieu thereof.</p> <p>Section 14 (1)— Strike out “ten pounds” and insert “twenty dollars” in lieu thereof.</p> <p>Section 22— Strike out “commissioner, inspector, or sub-inspector of police, may, or any sergeant or constable of police authorised by the same in writing,” and insert “member of the police force of or above the rank of inspector, or any member of the police force below that rank authorized in writing by a member of the force of or above that rank,” in lieu thereof.</p> <p>Strike out “fifty pounds” and insert “one hundred dollars” in lieu thereof.</p> <p>Strike out “, commissioner, inspector, sub-inspector, sergeant, or constable” and insert “or member of the police force” in lieu thereof.</p> <p>Section 23— Strike out “constable” and insert “member of the police force” in lieu thereof.</p> <p>Strike out “ten pounds” and insert “twenty dollars” in lieu thereof.</p> <p>Section 24— Strike out “constable” and insert “member of the police force” in lieu thereof.</p> <p>Section 30— After paragraph ix insert the following paragraph:— x. the fees payable for the time being and from time to time for the purposes of this Act:.</p>	
The Partnership Act, 1891-1935	Section 45— Strike out “the province” in the definition of “Court” and insert “South Australia” in lieu thereof.	Partnership Act, 1891-1975
Public Works Standing Committee Act, 1927-1974	<p>Section 5 (4)— Strike out “Public Service Act, 1916” and insert “Public Service Act, 1967, as amended” in lieu thereof.</p> <p>Section 7 (1)— Strike out “Commissioner of Public Works” in paragraph (d) and insert “Minister of Works” in lieu thereof.</p>	Public Works Standing Committee Act, 1927-1975

## SECOND SCHEDULE—continued

First Column Act Amended	Second Column How Amended	Third Column New Citation
Real Property (Registration of Titles) Act, 1945	Section 24— Strike out subsection (3).	Real Property (Registration of Titles) Act, 1945-1975
Road and Railway Transport Act, 1930-1971	<p>Section 27e— Section 27e is repealed and the following section is enacted and inserted in its place:—</p> <p>Industrial Commission of South Australia to have jurisdiction in industrial matters affecting certain employees.</p> <p>27e. (1) Notwithstanding anything contained in the Industrial Conciliation and Arbitration Act, 1972, as amended from time to time, the Industrial Commission of South Australia shall have jurisdiction and power to hear and determine and otherwise deal with any industrial matter within the meaning of that Act affecting, relating to or arising from or in connection with the employment of employees in the occupation of the driving of motor vehicles used for the carrying of passengers or goods, or both, for hire or reward, and that Act shall (with such modifications and adaptations as might become necessary) apply and have effect accordingly.</p> <p>(2) For the purposes of this section the driver of a taxi-cab who drives it pursuant to an agreement under which he takes the taxi-cab on hire from a person engaged in business as a proprietor of taxi-cabs shall be deemed to be an employee of that person and that person shall be deemed to be an employer of that driver.</p> <p>(3) Notwithstanding anything contained in the Industrial Conciliation and Arbitration Act, 1972, as amended, or in any other law, a conciliation committee within the meaning of that Act has no jurisdiction or power to deal with any industrial matter referred to in subsection (1) of this section or with any matter connected with any such industrial matter and no award or decision of such a committee shall apply to any of the employees referred to in that subsection.</p> <p>Sections 27f to 27q (both inclusive) and heading thereto— Sections 27f to 27q (both inclusive) and the heading thereto are repealed.</p> <p>Section 30 (1)— After "licence" wherever occurring insert "or permit" in each case.</p>	Road and Railway Transport Act, 1930-1975
Sale of Fruit Act, 1915-1935	Section 3— Strike out "Vine, Fruit, and Vegetable Protection Act, 1885, or the Vine, Fruit, and Vegetable Protection Amendment Act, 1910," in the definition of "inspector" and insert "Vine, Fruit, and Vegetable Protection Act, 1885-1936, as amended, or under any corresponding subsequent enactment," in lieu thereof.	Sale of Fruit Act, 1915-1975
Sharebrokers Act, 1945	Section 3 (1)— Strike out "holds an auditor's licence under the Companies Act, 1934-1939" in the definition of "approved auditor" and insert "is for the time being registered as a company auditor under section 9 of the Companies Act, 1962, as amended, or under any corresponding subsequent enactment" in lieu thereof.	Sharebrokers Act, 1945-1975

SECOND SCHEDULE—*continued*

First Column Act Amended	Second Column How Amended	Third Column New Citation
State Lotteries Act, 1966-1974	<p>Section 4 (7)— Strike out “1936-1966” and insert “1936, as amended, or any corresponding subsequent enactment” in lieu thereof.</p> <p>After “that Act” wherever occurring insert “or enactment” in each case.</p> <p>Section 13 (4)— Strike out “1936-1966” and insert “1936, as amended, or any corresponding subsequent enactment” in lieu thereof.</p> <p>After “that Act” wherever occurring insert “or enactment” in each case.</p> <p>Section 16 (6)— Strike out “Chief Secretary” and insert “Minister of Health” in lieu thereof.</p> <p>Section 16 (8)— Strike out “Chief Secretary” wherever occurring in paragraph (a) and paragraph (c) of the definition of “public hospital” and insert “Minister of Health” in lieu thereof in each case.</p>	State Lotteries Act, 1966-1975
Statute Law Revision Act, 1974	<p>The Second Schedule— Strike out from the first column the reference to the Wild Dogs Act Amendment Act, 1970 and from the second column the amendment to that Act.</p>	
Statutes Amend- ment (Mis- cellaneous Metric Conversions) Act, 1975	<p>Long Title— Strike out “the Stock Mortgages and Wool Liens Act, 1924-1935;” in the Long Title.</p> <p>Section 3— Strike out “PART XIII—AMENDMENT OF STOCK MORTGAGES AND WOOL LIENS ACT, 1924-1935”.</p> <p>Part XIII— Strike out Part XIII comprising the heading thereto and sections 50 and 51.</p>	Statutes Amend- ment (Mis- cellaneous Metric Con- versions) Act, 1975
Stock Diseases Act, 1934-1968	<p>Section 8a (1)— Strike out “Animals and Birds Protection Act, 1919-1938” in paragraph xiv and insert “National Parks and Wildlife Act, 1972, as amended” in lieu thereof.</p>	Stock Diseases Act, 1934-1975
Stock Mortgages and Wool Liens Act, 1924-1935	<p>Section 23— After “duplicate” insert “and, until a day to be fixed by proclamation, shall be”.</p> <p>After “respectively,” insert “but, on and after that day, shall be on International paper size A4 (297 mm x 210 mm),”.</p>	Stock Mortgages and Wool Liens Act, 1924-1975
Surveyors Act, 1935-1971	<p>Section 8 (1)— Strike out “twenty shillings in the pound” in paragraph (a) and insert “one hundred cents in the dollar” in lieu thereof.</p> <p>Section 14— Strike out “Public Service Commissioner” and insert “Public Service Board” in lieu thereof.</p> <p>Section 25 (3)— Strike out “fifty pounds” in paragraph (a) and insert “one hundred dollars” in lieu thereof.</p>	Surveyors Act, 1935-1975

SECOND SCHEDULE—*continued*

First Column Act Amended	Second Column How Amended	Third Column New Citation
Surveyors Act, 1935-1971— <i>contd.</i>	<p>Section 34 (1)— Strike out “Fifty pounds” and insert “One hundred dollars” in lieu thereof.</p> <p>Section 36 (1)— Strike out “fifty pounds” and insert “one hundred dollars” in lieu thereof.</p> <p>Section 42— Strike out “one hundred pounds” and insert “two hundred dollars” in lieu thereof.</p> <p>Section 44— Strike out “Commissioner of Crown Lands” and insert “Minister of Lands” in lieu thereof.</p> <p>Section 47 (1)— Strike out “ten pounds” in paragraph xx and insert “twenty dollars” in lieu thereof.</p> <p>The Third Schedule— Strike out “£5 5s.” and insert “\$10.50” in lieu thereof.</p>	
Swine Compensation Act, 1936-1974	Section 14— Strike out subsection (2a).	Swine Compensation Act, 1936-1975
Swine Compensation Act Amendment Act, 1962	Section 5 (c)— Strike out paragraph (c) of section 5.	
Tatiara Drainage Trust Act, 1949-1968	<p>Section 16 (1)— Strike out “twenty shillings in the pound” in paragraph (b) and insert “one hundred cents in the dollar” in lieu thereof.</p> <p>Section 19 (1)— After paragraph (e) insert “or”.</p> <p>Section 36 (3)— Strike out “one shilling” and insert “ten cents” in lieu thereof.</p> <p>Section 40 (2)— Strike out “five pounds” and insert “ten dollars” in lieu thereof.</p> <p>Section 43— Strike out “fifty pounds” in paragraph (d) and insert “one hundred dollars” in lieu thereof.</p> <p>Section 44 (3)— Strike out “two hundred pounds” and insert “four hundred dollars” in lieu thereof.</p> <p>Section 53— Strike out “pound” and insert “dollar” in lieu thereof.</p> <p>Section 57 (1)— Strike out “pounds”.</p> <p>Section 75 (2)— Strike out “twenty-one years” and insert “eighteen years” in lieu thereof.</p> <p>Section 91— Strike out “two hundred pounds” and insert “four hundred dollars” in lieu thereof.</p> <p>Section 92— Strike out “two hundred pounds” and insert “four hundred dollars” in lieu thereof.</p> <p>Section 98— Strike out “fifty pounds” and insert “one hundred dollars” in lieu thereof.</p>	Tatiara Drainage Trust Act, 1949-1975

## SECOND SCHEDULE—continued

First Column Act Amended	Second Column How Amended	Third Column New Citation
Unclaimed Moneys Act, 1891-1962	<p>Section 3— Strike out “five pounds” and insert “ten dollars” in lieu thereof.</p> <p>Strike out “two shillings” and insert “twenty cents” in lieu thereof.</p> <p>Section 5— Strike out “two pounds” and insert “four dollars” in lieu thereof.</p> <p>The Schedule— Strike out “£ s. d.”.</p> <p>Strike out “350 0 0” and insert “\$600-00” in lieu thereof.</p> <p>Strike out “April 1st, 1883” and insert “April 1st, 1970” in lieu thereof.</p> <p>Strike out “437 0 0” and insert “\$874-00” in lieu thereof.</p> <p>Strike out “Aug. 25th, 1886” and insert “Aug. 25th, 1973” in lieu thereof.</p>	Unclaimed Moneys Act, 1891-1975
Veterinary Surgeons Act, 1935-1968	<p>Section 7 (1)— Strike out “member” firstly occurring.</p> <p>Section 21— Subsection (3) as enacted by section 5 (a) of the Veterinary Surgeons Act Amendment Act, 1965, is redesignated as subsection (2a).</p> <p>Section 30a (1)— Strike out “causes or permits” and insert “cause or permit” in lieu thereof.</p>	Veterinary Surgeons Act, 1935-1975
Volunteer Fire Fighters Fund Act, 1949-1957, as amended by Statute Law Revision Act, 1965	<p>Section 2— Strike out “Bush Fires Act, 1933-1946” in the definition of “fire control officer” and insert “Bush Fires Act, 1960, as amended” in lieu thereof.</p> <p>Section 9— Strike out “one thousand pounds” in paragraph (a) and in paragraph (b) and insert “two thousand dollars” in lieu thereof in each case.</p> <p>Section 11— Strike out “ten thousand pounds” and insert “twenty thousand dollars” in lieu thereof.</p> <p>Section 13 (3)— Strike out “Workmen’s Compensation Act, 1932-1947” in paragraph (a) and insert “Workmen’s Compensation Act, 1971, as amended” in lieu thereof.</p> <p>Section 13 (4)— Strike out “Workmen’s Compensation Act, 1932-1947” and insert “Workmen’s Compensation Act, 1971, as amended” in lieu thereof.</p> <p>Section 16 (2)— Strike out “fifty pounds” and insert “one hundred dollars” in lieu thereof.</p>	Volunteer Fire Fighters Fund Act, 1949-1975

## SECOND SCHEDULE—continued

First Column Act Amended	Second Column How Amended	Third Column New Citation
Wrongs Act, 1936-1974	<p>Section 3— At the end thereof insert “Part III—General Provisions.” commencing on a separate line.</p> <p>Section 8— Strike out “ten pounds” and insert “twenty dollars” in lieu thereof.</p> <p>Section 25 (2)— Strike out “that subsection” in paragraph (i) of the definition of “third party” and insert “subsection (1) of this section” in lieu thereof.</p> <p>Strike out “that subsection; and” in paragraph (ii) of the definition of “third party” and insert “subsection (1) of this section:” in lieu thereof.</p> <p>Strike out “that subsection” in the definition of “plaintiff” and insert “subsection (1) of this section” in lieu thereof.</p> <p>Section 26a— Section 26a is repealed and the following section is enacted and inserted in its place:—</p> <p>Application of this part to proceedings under the Motor Vehicles Act. 26a. Where proceedings lie against an insurer or nominal defendant under Part IV of the Motor Vehicles Act, 1959, as amended, this Part applies to the insurer or nominal defendant as if he were the tort-feasor for whose wrongful act he is liable.</p> <p>Section 27a (1)— After “Workmen’s Compensation Act, 1932-1950” in the definition of “damages” insert “, or pursuant to any corresponding subsequent enactment”.</p> <p>Section 27a (3)— Strike out “subsections (4) and (5)” in paragraph (b) of the proviso and insert “subsection (4)” in lieu thereof.</p> <p>Section 29 (1)— Strike out “South Australian Harbors Board” and insert “Minister of Marine” in lieu thereof.</p> <p>Strike out “said Board” and insert “said Minister” in lieu thereof.</p> <p>Section 29 (5)— Strike out “two hundred pounds” and insert “four hundred dollars” in lieu thereof.</p> <p>Section 29 (7)— After “Workmen’s Compensation Act, 1932,” insert “or under any corresponding subsequent enactment,”. After “Act” lastly occurring insert “or enactment”.</p>	Wrongs Act, 1936-1975

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

M. L. OLIPHANT, Governor