



ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

No. 102 of 1971

**An Act to amend the South Australian Railways
Commissioner's Act, 1936-1969**

[Assented to 3rd December, 1971]

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 "South Australian Railways
Commissioner's Act Amendment Act, 1971".

(2) The South Australian Railways Commissioner's Act,
1936-1969, as amended by this Act, may be cited as the "South
Australian Railways Commissioner's Act, 1936-1971".

(3) The South Australian Railways Commissioner's Act,
1936-1969, is hereinafter referred to as "the principal Act".

**Repeal of
s. 3 of
principal Act
and enactment
of section in
its place—**

**2. Section 3 of the principal Act is repealed and the following
section is enacted and inserted in its place:—**

**Land
Acquisition
Act to be read
with this Act.**

**3. This Act and the Land Acquisition Act, 1969, shall be
read as one Act.**

3. Section 5 of the principal Act is amended by striking out the definition of "Minister" and inserting in lieu thereof the following definition:—

Amendment of
principal Act,
s. 5—
Interpretation.

"Minister" means the Minister of the Crown to whom the administration of this Act is for the time being committed by the Governor, and includes a Minister of the Crown for the time being discharging the duties of the office of, or assisting, or acting in the exercise or performance of powers or functions delegated to him by, that Minister:.

4. The following section is enacted and inserted in the principal Act immediately after section 6 thereof:—

Enactment of
s. 6a of
principal Act—

6a. (1) Notwithstanding any other provision of this Act, other than the provisions of subsection (2) of this section the Commissioner and the officers and employees of the Commissioner are subject to the control of the Minister and, in the exercise of the powers, functions, authorities and duties conferred or imposed on the Commissioner or any officer or employee of the Commissioner by or under this Act or any other Act, the Commissioner or that officer or employee, as the case may be, shall comply with the directions, if any, given by the Minister.

Commissioner
and his
officers and
employees are
subject to
control of
Minister.

(2) Subsection (1) of this section shall not be construed as affecting, limiting or restricting the powers, duties or functions conferred or imposed on the Commissioner by section 21, 22 or 24 of this Act and those sections shall apply and have effect in all respects as if subsection (1) of this section had not been enacted and, without limiting the generality of the foregoing, the Minister shall not alter or cause to be altered a report referred to in any of those sections.

5. Section 56 of the principal Act is amended by inserting in subsection (2) after the passage "1932," twice occurring the passage "as amended,".

Amendment of
principal Act,
s. 56—
Power to enter
upon lands.

6. Section 57 of the principal Act is amended—

(a) by striking out from subsection (2) the passage "Compulsory Acquisition of Land Act, 1925" and inserting in lieu thereof the passage "Land Acquisition Act, 1969";

and

(b) by striking out from subsection (3) the passage "Compulsory Acquisition of Land Act, 1925" and inserting in lieu thereof the passage "Land Acquisition Act, 1969".

Amendment of
principal Act,
s. 57—
Power to enter
land in
respect of
contemplated
railways.

7. Section 83 of the principal Act is amended by inserting after the passage "1934," the passage "as amended,".

Amendment of
principal Act,
s. 83—
Exemption from
rates and taxes.

Amendment of
principal Act,
s. 91—
Adjustment of
weights and
measures.

8. Section 91 of the principal Act is amended—

(a) by striking out from subsection (1) the passage “made under the Weights and Measures Act, 1934” and inserting in lieu thereof the passage “authorized or recognized under the Weights and Measures Act, 1967, as amended, or any Act passed in substitution therefor”;

and

(b) by striking out from subsection (2) the passage “1934” and inserting in lieu thereof the passage “1967, as amended”.

Amendment of
principal Act,
s. 92—
Telegraphs
and
telephones.

9. Section 92 of the principal Act is amended by striking out from subsection (2) the passage “Highways Acts, 1926-1933” and inserting in lieu thereof the passage “Highways Act, 1926, as amended”.

Amendment of
principal Act,
s. 93—
Supply of
electric
current by
Commissioner.

10. Section 93 of the principal Act is amended by inserting in subsection (2) after the passage “1934,” the passage “as amended,”.

Repeal of
s. 95a of
principal Act.

11. Section 95a of the principal Act is repealed.

Amendment of
principal Act,
s. 101—
Power to use
motor vehicles.

12. Section 101 of the principal Act is amended by striking out the passage “Road and Railway Transport Acts, 1930 and 1931” and inserting in lieu thereof the passage “Road and Railway Transport Act, 1930, as amended”.

Amendment of
principal Act,
s. 102—
Commissioner
may supply
liquor at
refreshment
rooms without
licence.

13. Section 102 of the principal Act is amended by striking out the passage “1967-1969” and inserting in lieu thereof the passage “1967, as amended”.

Amendment of
principal Act,
s. 103—
Part XV of the
Industrial
Code does
not apply.

14. Section 103 of the principal Act is amended by striking out the passage “The Early Closing Act, 1926-1960” and inserting in lieu thereof the passage “Part XV of the Industrial Code, 1967, as amended, and any enactments passed or enacted in substitution therefor”.

Amendment of
principal Act,
s. 104—
Sale of liquor
at refreshment
rooms and on
trains.

15. Section 104 of the principal Act is amended by striking out from subsection (1) the passage “1967-1969” twice occurring and inserting in lieu thereof in each case the passage “1967, as amended”.

16. Section 110 of the principal Act is amended by inserting after the passage "1936," the passage "as amended,".

Amendment of
principal Act,
s. 110—
Commissioner
to be liable
for accidents
causing death.

17. Section 111 of the principal Act is amended by inserting after the passage "1936," the passage "as amended,".

Amendment of
principal Act,
s. 111—
Defendant may
pay money into
Court.

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

M. L. OLIPHANT, Governor