



ANNO DUODECIMO

GEORGII VI REGIS.

A.D. 1948.

No. 40 of 1948.

An Act to amend the Renmark Irrigation Trust Act,
1936-1946.

[Assented to 16th December, 1948.]

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 "Renmark Irrigation Trust Act Amendment Act, 1948". Short titles.

(2) The Renmark Irrigation Trust Act, 1936-1946, as amended by this Act, may be cited as the "Renmark Irrigation Trust Act, 1936-1948".

(3) The Renmark Irrigation Trust Act, 1936-1946, is hereinafter referred to as "the principal Act".

2. (1) Section 22 of the principal Act is amended by adding at the end of subsection (2) thereof the words "but no person shall be elected as or continue to be an auditor unless he holds a local government auditor's certificate issued pursuant to Part V. of the Local Government Act, 1934-1946". Amendment of principal Act, ss. 22 and 24—Auditors.

(2) Section 24 of the principal Act is amended by inserting therein after paragraph iv. thereof the following paragraph:—

iva. Revocation of his local government auditor's certificate :

3. Section 92 of the principal Act is amended by striking out the words "one pound five shillings" in the tenth line thereof and by inserting in lieu thereof the words "two pounds". Amendment of principal Act, s. 92—Rates.

Amendment of
Part VIII. of
principal Act—

4. Sections 115 to 121 (both inclusive) of the principal Act are repealed and the following sections are enacted in lieu thereof :—

Power of
trust to
construct
drains.

115. (1) The trust may from time to time construct and maintain drains or drainage works for the prevention or removal of seepage conditions in the district or any part thereof, and generally for the drainage and improvement thereof.

(2) For the said purpose the trust may construct drains or drainage works through or upon any land within the district and for the purpose of constructing or maintaining any such drains or drainage works the trust and any person authorized by the trust may enter upon any land within the district. The trust shall be liable to pay to the owner of any such land compensation for any damage arising out of the construction or maintenance of any such drain or drainage works.

Power to
declare
drainage rate.

116. (1) For the purpose of constructing and maintaining any such drains or drainage works the trust may declare on land included in the assessment book a drainage rate for the half-year ending on the thirtieth day of June, and another drainage rate for the half-year ending on the thirty-first day of December next after the declaring of the rate, each rate not to exceed five shillings for each acre of such land.

(2) Any drainage rate declared as aforesaid may also be declared by the trust on land not included in the assessment book but which is within the district and in respect of which the trust, by virtue of an agreement with the owner thereof, has contracted to supply water for irrigation purposes. Any drainage rate declared in respect of any such land may be levied as if the land had been included in the assessment book and the provisions of this Act shall, *mutatis mutandis*, apply accordingly.

(3) For the purposes of this section a fractional part of an acre of land equal to or exceeding half an acre shall be deemed to be one acre ; but any fractional part of the acre less than one-half shall not be taken into account.

(4) A drainage rate for any half-year shall be declared during that half-year.

Amendment of
principal Act,
s. 142—
Vesting of
certain land
in the trust.

5. Section 142 of the principal Act is amended by adding at the end thereof the following subsections (the preceding portion of the said section being read as subsection (1) thereof) :—

(2) Upon payment by the trust to the Minister of Lands of such amount as is fixed by the Minister of Lands on the recommendation of the Land Board, the Governor may grant to the trust the fee simple of the land or any part of any such land, described in subsection (1) of this section.

(3) The land granted to the trust may be disposed of by the trust in manner thought fit by the trust.

(4) If before the grant of the land aforesaid to the trust any lease of any part of the land was granted under subsection (1) of this section and if the lease is still in force at the time of the grant of the land to the trust, the lease shall, subject to this subsection, continue to have the same force as it had before the grant to the trust aforesaid but the lease shall cease to have been granted on behalf of the Crown and any reservation therein to the Crown or to the Minister of Irrigation or other Minister of the Crown or any officers, servants or agents thereof shall be deemed to be a reservation in favour of the trust or, as the case may be, its officers, servants or agents and every such lease shall be construed accordingly.

6. The following section is enacted and inserted in the principal Act after section 225 thereof :—

Enactment of
s. 225a of
principal Act—

225a. Upon payment by the trust to the Minister of Lands of such amount as is fixed by the Minister of Lands on the recommendation of the Land Board, the Governor may grant to the trust the fee simple of any land of the Crown upon which or upon any part of which is situated any channel, drain or other work which has been constructed or is maintained by the trust.

Power to grant
channel land
to trust.

7. The second schedule to the principal Act is amended—

Amendment of
second schedule
of principal
Act.

(a) by adding at the end of the form therein headed "*Nomination of Member*" the following passage :—

I, the abovenamed candidate, do hereby consent to the above nomination, and I do hereby declare that I am qualified to hold the office of member of the Renmark Irrigation Trust.

[*Candidate's Signature.*]

(b) by inserting after the word "nomination" in the penultimate line of the form headed "*Nomination of Auditor*" the words "and I do hereby declare that I am qualified to hold the office of auditor of the Renmark Irrigation Trust".

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

C. W. M. NORRIE, Governor.