



ANNO VICESIMO TERTIO

# GEORGI V REGIS.

## A.D. 1932.

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### No. 2079.

An Act to amend the Early Closing Act, 1926.

[Assented to, November 15th, 1932.]

**B**E 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 "Early Closing Act Amend- Short titles.  
ment Act, 1932".

(2) The Early Closing Acts, 1926 and 1931, and this Act may be No. 1744 of 1926.  
cited together as the "Early Closing Acts, 1926 to 1932".

(3) The Early Closing Act, 1926, is hereinafter referred to as "the  
principal Act".

**2.** Section 4 of the principal Act is amended by inserting therein Amendment of  
principal Act, s. 4—  
Interpretation.  
after the definition of "Newspaper" the following definition :—

"Public Holiday" means any day, other than the day after  
Good Friday, which is by or under the Holidays Act, 1910,  
declared to be a public holiday.

**3.** Section 10 of the principal Act is amended by inserting Amendment of  
principal Act, s. 10—  
Limitation of period  
within which certain  
petitions may be  
presented.  
therein after subsection (3) thereof the following subsection :—

(3A) A petition under this section with regard to any  
proposed shopping district which comprises the whole or any  
part of the area contained in any shopping district previously  
abolished pursuant to this Part shall not be presented until  
after the expiration of three years from the date upon which  
the proclamation abolishing such shopping district came into  
effect.

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Amendment of  
principal Act,  
Part II.—

4. Part II. of the principal Act is amended by inserting therein after section 25 the following heading and sections:—

*Abolition of Shopping District.*

Petition for  
abolition of shopping  
district.

25A. (1) A petition may be presented to the Minister praying that any shopping district may be abolished.

(2) Every such petition shall—

(a) be in the prescribed form; and

(b) be signed by a quorum of the electors residing in the shopping district.

Reference of petition  
to the Returning  
Officer for examina-  
tion.

25B. (1) Upon the presentation of a petition complying with section 25A, the Minister shall refer the same to the Returning Officer for the State.

(2) If the said Returning Officer is of opinion that the petition has been duly signed as required by section 25A, he shall certify to the Minister in writing that it has been so signed.

Notice of petition  
and date for counter-  
petition.

25C. If the said Returning Officer certifies as mentioned in section 25B, the Minister shall—

(a) publish in the *Gazette* the Returning Officer's Certificate; and

(b) publish in the *Gazette* and in two newspapers circulating in the shopping district to which the petition refers, a notice setting forth that the Minister has received a petition for the abolition of the shopping district and fixing a date, being not less than four weeks from the date of the last publication of the notice, within which a counter-petition praying that the shopping district be not abolished may be presented to the Minister.

Provisions as to  
counter-petition.

25D. (1) A counter-petition, as mentioned in section 25C, signed by a quorum of the electors residing in the shopping district proposed to be abolished, and in the prescribed form, may be presented to the Minister within the time fixed under that section.

(2) Any such counter-petition so presented shall be referred by the Minister to the Returning Officer for the State, who shall certify to the Minister in writing the number of electors residing in the shopping district who have signed such counter-petition.

(3) The Returning Officer's certificate shall be published by the Minister in the *Gazette*.

Power of Governor  
if no counter-petition  
is presented.

25E. (1) Unless within the time fixed by section 25C there is duly presented to the Minister a counter-petition as mentioned in that section in the prescribed time and signed by a larger number

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number of electors in the shopping district than the number who signed the petition, the Governor may by proclamation abolish the shopping district, and thereupon the area comprised within the shopping district shall from the date fixed in the proclamation cease to be a shopping district.

(2) When under the foregoing provisions of this section the Governor is empowered to make a proclamation, the petition shall be deemed to have been finally dealt with—

- (a) upon the publication of the proclamation ; or
- (b) if no such proclamation is published within the period of two months from the expiration of the time fixed under section 25C, then at the close of the said period of two months.

25F. If within the time fixed under section 25c there is duly presented to the Minister such a counter-petition as mentioned in that section, in the prescribed form, signed by a larger number of electors residing in the shopping district proposed to be abolished than the number of electors who signed the petition, and praying that the shopping district be not abolished, then the petition shall not be granted, and shall be deemed to have been finally dealt with.

25G. A petition for the abolition of a shopping district shall not be presented—

- (a) within three years of the day upon which the shopping district is constituted :
- (b) within three years of the presentation of any previous petition to the Minister for the abolition of such shopping district.

5. Part II. of the principal Act is amended by inserting therein, before section 26 the following heading—

*Reference of Petitions to Town Clerks and District Clerks.*

6. Section 26 of the principal Act is amended by inserting after the word “petition” in the fifth line thereof the words “or is comprised within the shopping district which by the petition is proposed to be abolished”.

7. Section 95 of the principal Act is amended—

- (a) by striking out the words “One Pound” in the second and third lines thereof and by inserting in lieu thereof the words “Three Pounds Three Shillings”; and
- (b) by adding at the end thereof the following proviso:—  
“Provided that in the case of a petition presented pursuant to section 25A the fee payable shall be Five Pounds Five Shillings”.

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

A. HORE-RUTHVEN, Governor.