



ANNO DECIMO TERTIO

GEORGII V REGIS.

A.D. 1922.

No. 1544.

An Act to further amend the Harbors Act, 1913,
and for other purposes.

[*Assented to, December 21st, 1922*]]

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 alone as the "Harbors Act Further Amendment Act, 1922." Short titles.
- (2) The Harbors Acts, 1913 to 1919, and this Act may be cited together as the "Harbors Acts, 1913 to 1922."
- (3) The Harbors Act, 1913, is hereinafter referred to as "the principal Act." No. 1149 of 1913.
2. This Act is incorporated with the principal Act and with the Acts incorporated with that Act, and those Acts and this Act shall be read as one Act. Incorporation with other Acts.

3. Section 24 of the principal Act is repealed.

Repeal of principal Act, s. 24—
Lease in lieu of compensation.

4. Section 33 of the principal Act is amended by inserting therein after the definition of "harbor works" the following definition:—

Amendment of principal Act, s. 33—
Definition of "high water mark."

"High water mark" means high water mark at ordinary spring tides;

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Amendment of
Ibid., s. 76—

Board need not sell
goods under value £5
by public auction.

5. Subsection (2) of section 76 of the principal Act is amended by inserting before the proviso thereto the following proviso:—

Provided that if the value of any such goods does not exceed Five Pounds the Board may, after notice to the owner, or, if the owner is unknown or cannot be found, after notice by advertisement at least once in any newspaper circulating as aforesaid, sell or otherwise dispose of such goods in accordance with such notice.

Foreshore, except
where under control
of Municipal or
District Councils or
alienated from Crown
to be under control of
Board.

6. (1) Except in so far as the foreshore of the sea along the coast line of the State is for the time being under the care, control, and management of the Council of any Municipality or District Council District or has been alienated in fee simple from the Crown, or is subject to any agreement, lease, or licence granted by or on behalf of the Crown, such foreshore shall be under the care, control, and management of the Board.

(2) Such foreshore shall, for the purpose of the care, control, and management thereof by the Board, be deemed to extend from low water mark to the nearest road or section boundary or to a distance of one and a half chains from high water mark, whichever is the lesser distance, and, as so extended, shall be within the limits of the jurisdiction of the Board.

Power to grant lease
or easement or to
make an exchange, in
lieu of compensation.

7. (1) When any property is acquired under the principal Act the Minister or the Board may agree with any person interested in such property that in satisfaction or part satisfaction of any claim for compensation by such person under the principal Act or in lieu of any compensation payable to such person or in part satisfaction thereof—

(a) such property or other property shall be leased to such person for such term and upon such conditions as are agreed upon, and the Governor or the Board, as the case may be, is hereby authorised to grant such lease; or

(b) any easement or other right or privilege in or over such property, or any other property, whether real or personal, belonging to the Crown or to the Board, shall be granted to such person for such term, and upon such conditions, as are agreed upon, and the Governor or the Board, as the case may be, is hereby authorised to grant such easement or other right; or

(c) such person shall take in exchange any property, whether real or personal, belonging to the Crown or to the Board, upon such conditions as are agreed upon, and the Governor or the Board, as the case may be, is hereby authorised to do every act which on the part of the Governor or the Board may be necessary or convenient to be done in order to give effect to any such exchange,

or for the settlement of the claim for compensation partly in one and partly in another or others of the ways above mentioned.

(2) Subsection

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(2) Subsection (1) hereof shall have the same effect as if it had been enacted at the time of the passing of the principal Act. Retrospective operation.

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

TOM BRIDGES, Governor.