



ANNO UNDECIMO

ELIZABETHAE II REGINAE

A.D. 1962

No. 17 of 1962

An Act to amend the Motor Vehicles Act, 1959-1961.

[Assented to 25th October, 1962.]

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 "Motor Vehicles Act Short titles. Amendment Act, 1962".

(2) The Motor Vehicles Act, 1959-1961, as amended by this Act, may be cited as the "Motor Vehicles Act, 1959-1962".

(3) The Motor Vehicles Act, 1959-1961, is hereinafter referred to as "the principal Act".

2. This Act is incorporated with the principal Act and that Incorporation. Act and this Act shall be read as one Act.

3. (1) Subsection (2) of section 26 of the principal Act is Amendment of principal Act, s. 26. amended so as to read as follows :—

(2) The Registrar may reduce the duration of registration by not more than ten days (or with the consent of the applicant for a longer period) without adjusting the fee where the Certificate of Insurance lodged with the application for registration by the applicant would not otherwise be in accordance with the requirements of section 21 of this Act.

(2) The amendment effected by this section shall be deemed to have come into operation at the time of the passing of the Motor Vehicles Act Amendment Act, 1961.

Amendment of
principal Act,
s. 48.

4. Subsection (3) of section 48 of the principal Act is amended by inserting therein at the end thereof the following proviso :—

Provided that it shall be a defence to a charge under this section if the defendant proves that a motor vehicle was driven on a road under circumstances under which this Act or the regulations provide that a motor vehicle on which is not affixed any registration label or permit may be driven.

Amendment of
principal Act,
s. 98a.

5. Subsection (1) of section 98a is amended by inserting therein after the word "licence" at the end thereof the following proviso: Provided that nothing in this section contained shall apply to or in respect of any member of the police force acting in the course or execution of his duty.

Amendment of
principal Act,
s. 113.

6. Section 113 of the principal Act is amended by inserting at the end thereof the following subsection :—

(2) Without limiting the scope of subsection (2) of section 70d of the Road Traffic Act, 1934-1958, or subsection (1) of this section it is declared that a right of action against the insurer under those subsections in a case where the insured person is dead exists and has existed since the enactment of those subsections notwithstanding that the claimant has or had a right of action against the estate of the deceased person under the Survival of Causes of Action Act, 1940, or any other law.

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

J. M. NAPIER, Governor's Deputy.