



ANNO DECIMO NONO

# GEORGI V REGIS.

## A.D. 1928.

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### No. 1863.

An Act to Amend the Police Act, 1916.

[Assented to, November 1st, 1928.]

**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 "Police Act Amendment Act, 1928". Short title.

(2) The Police Acts, 1916 to 1923, and this Act may be cited together as the "Police Acts, 1916 to 1928".

(3) The Police Act, 1916, is hereinafter called "the principal Act".

2. This Act is incorporated with the other Acts mentioned in section 1 of this Act, and those Acts and this Act shall be read as one Act. Incorporation.

3. Section 47 of the principal Act is amended by inserting at the end thereof the following subsection:— Amendment of principal Act, s. 47—

(4) Without limiting the meaning of the term "public entertainment" it is declared that in this section that term includes any football match, cricket match, horse races, trotting, coursing, and any other like game, exhibition, or pastime. Power of police to visit places where football, cricket, and racing are carried on.

4. The principal Act is amended by inserting therein after section 55 the following section:— New section 55A—

55A. (1) When a person is in lawful custody upon a charge of committing any felony, misdemeanour, or offence any member of the Police Force may search his person and take from him anything Powers of police to search, examine, and take particulars of persons in custody.

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anything found upon his person, and may use such force as is reasonably necessary for that purpose.

(2) When a person is in lawful custody upon a charge of committing any felony, misdemeanour, or offence which is of such a nature and is alleged to have been committed under such circumstances that there are reasonable grounds for believing that an examination of his person will afford evidence as to the commission of the felony, misdemeanour, or offence, any legally qualified medical practitioner acting at the request of any member of the Police Force of or above the rank of sergeant, and any person acting in good faith in his aid and under his direction, may make such an examination of the person so in custody as is reasonable in order to ascertain the facts which may afford such evidence, and may use such force as is reasonably necessary for that purpose.

(3) When a person is in lawful custody on a charge of committing any felony, misdemeanour, or offence the officer in charge of police at the station where he is so in custody, or any member of the Police Force of or above the rank of sergeant, may take or cause to be taken all such particulars as he deems necessary for the identification of such person, including his photograph and finger-prints, and may use or cause to be used such reasonable force as may be necessary to secure the same.

(4) The powers given by this section are in addition to and shall not derogate from any other powers of members of the Police Force.

Amendment of  
principal Act,  
s. 66—  
Idle and disorderly  
persons.

5. Section 66 of the principal Act is amended by inserting therein after paragraph (g) the following paragraphs:—

(g1) who is found in any house which is frequented by reputed thieves, prostitutes, or persons having no lawful visible means of support, and who being summoned or brought before any Justice does not satisfy the Justice that he has lawful means of support, and that he was in such house upon some lawful business;

(g2) who habitually consorts with reputed thieves or prostitutes or persons having no lawful visible means of support.

Amendment of  
principal Act,  
s. 67—  
Indecency.

6. Section 67 of the principal Act is amended by striking out paragraph (g) thereof and inserting in lieu thereof the following:—

(g) who being in any public place or being visible from any public place wilfully and obscenely exposes his person or wilfully does any grossly indecent act whether alone or with any other person.

Amendment of  
principal Act,  
s. 85—

7. Section 85 of the principal Act is amended by inserting therein after subsection (1) the following subsection:—

Discharging firearms  
and fireworks.

(1A.) Any person shall be liable to a penalty not exceeding Two Pounds who—

(a) without reasonable cause discharges any firearm; or

(b) throws

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(b) throws or sets fire to any firework or explosive material

in any place situated so near a public street, road, thoroughfare, or public place that the discharge of firearms or throwing or setting fire to fireworks or explosive material endangers, annoys, or frightens, or is likely to endanger, annoy, or frighten persons passing by in the said street, road, thoroughfare, or public place.

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

A. HORE-RUTHVEN, Governor.