



ANNO VICESIMO QUINTO
GEORGII V REGIS.
A.D. 1934.

***** *

No. 2186.

An Act to amend the Police Act, 1916, and for
other purposes.

[Assented to, November 29th, 1934.]

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 "Police Act Amend- Short title.
ment Act, 1934".
- (2) The Police Acts, 1916 to 1928, and this Act may be cited
together as the "Police Acts, 1916 to 1934".
- (3) The Police Act, 1916, is hereinafter referred to as "the 1257, 1916.
principal Act".
2. This Act is incorporated with the other Acts mentioned Incorporation
in section 1, and those Acts and this Act shall be read as one
Act.
3. The following section is enacted and inserted in the Enactment of
principal Act after section 5 thereof :—
5A. (1) The Commissioner of Police shall hold office Term of
as Commissioner until the thirtieth day of June next office of
after he attains the age of sixty-five years. Commissioner.
(2) Every Commissioner shall cease to contribute to
the Police Pensions Fund on the thirtieth day of June
next after he attains the age of sixty years.

Police Act Amendment Act.—1934.

Amendment of
principal Act,
s. 56.—

Expenses in
connection
with charges
of drunken-
ness.

4. Section 56 of the principal Act is amended by inserting at the end thereof the following subsection (the previous part of the section being read as subsection (1)) :—

(2) The Court by which any person is convicted under this section on the complaint of a member of the police force may, whether it imposes a fine or not, order on the application of the complainant that the defendant pay to the complainant a reasonable sum to cover the expenses of any of the following things :—

- (a) apprehending the defendant :
- (b) conveying him to any police station :
- (c) keeping him in custody until trial :
- (d) medically examining him.

(3) Any amounts received by the complainant under this section shall be paid by him into the general revenue of the State.

Amendment of
principal Act,
s. 57—
Disorderly
conduct.

5. Section 57 of the principal Act (as amended by section 9 of the Police Act Amendment Act, 1921) is amended by inserting after the word “offensive” occurring in paragraph (a) and paragraph (c) thereof the word “disorderly”.

Amendment of
principal Act,
s. 63—
Obscenity.

6. Section 63 of the principal Act is amended by striking out the words “passing therein” in the ninth line thereof.

Amendment of
principal Act,
s. 67 (1)—
Rogues and
vagabonds.

7. Paragraph (l) of section 67 of the principal Act is amended as follows :—

- (a) the words “a felony” at the end of the paragraph are struck out and the words “any offence triable on information in the Supreme Court” are inserted:
- (b) at the end of the paragraph the following passage is inserted :—

In proving under this paragraph the intent to commit any such offence it shall not be necessary to show that the person charged was guilty of any particular act or acts tending to show his intent but he may be convicted if from the circumstances of the case and his known character as proved to the court it appears to the court that his intent was to commit that offence.

Amendment of
principal Act,
s. 67 (n).
Rogues and
vagabonds.

8. Paragraph (n) of section 67 of the principal Act is amended as follows :—

- (a) after the word “warehouse” in the first line of the paragraph the words “shop, office” are inserted:

Police Act Amendment Act.—1934.

(b) after the word " outhouse " the words " or any other building, structure or erection " are inserted.

9. The following section is hereby enacted and inserted in the principal Act after section 70 thereof :—

Enactment of
s. 70A.

70A. Any person who obtains any chattel, money, valuable security, or credit by fraud other than false pretences shall be liable on summary conviction to imprisonment for one year.

Fraud other
than false
pretences.

10. The following section is enacted and inserted in the principal Act after section 78 thereof :—

Enactment of
s. 78A—

78A. (1) Any person who falsely and with knowledge of the falsity of his statements represents to any member of the police force that any act has been done or that any circumstances have occurred, which act or circumstances as so represented are such as reasonably call for investigation by the police, shall be guilty of an offence punishable summarily and liable to a fine not exceeding fifty pounds.

False reports
to police.

(2) In addition to or without imposing a fine on any defendant convicted under this section the court may order that the defendant pay to the complainant a reasonable sum for the expenses of or incidental to any investigation made by any member of the police force as a result of the false statement.

(3) Any amounts received by the complainant under this section shall be paid by him into the general revenue of the State.

(4) This section shall not be held to restrict the operation of any other enactment or rule of law.

11. Paragraph (d) of subsection (1) of section 85 of the principal Act is amended by inserting at the end thereof the following sub-paragraphs :—

Amendment of
principal Act
s. 85—

- VI. rides any animal on any footpath, causeway, or place set apart or made on or by the side of any street or road for the accommodation of foot passengers ; or
- VII. on any such footpath, causeway, or place leads or drives any animal or vehicle or the wheel of any vehicle, or rides any bicycle ; or
- VIII. causes or permits any vehicle whilst being loaded or unloaded, or during the refreshment of the driver or of any animal drawing the vehicle, to be further from the side of the street or road than is necessary ; or

Rules of road
as to driving
and riding
animals.

Police Act Amendment Act.—1934.

IX. causes or suffers to be or remain on any street or road any stone or other thing used for blocking or stopping any vehicle.

Enactment of
new section
85A—

12. The following section is enacted and inserted in the principal Act after section 85 thereof :—

Rule of the
road for
vehicles.

85A. (1) Any person who—

- (a) whilst driving or riding any vehicle upon any road in the same direction in which any tram car is travelling or about to travel on that road, passes that tram car on the right-hand side thereof, except where the tramway line is laid so near the left-hand side of the road as not to permit the free passage of the vehicle on the left of the tram car, or where owing to any obstruction in the road it is not practicable to pass on the left of the tram car :
- (b) rides or drives any vehicle on any road abreast of any other vehicle travelling in the same direction, except for the purpose of passing that other vehicle : Provided that this paragraph shall not apply to two bicycles only, travelling in the same direction :
- (c) rides or drives any bicycle on any road abreast of any two other bicycles travelling in the same direction, except for the purpose of passing those other bicycles :
- (d) whilst riding or driving any vehicle on a road fails to keep that vehicle as near as practicable to the left-hand side of the road,

shall be guilty of an offence and liable to a penalty not exceeding two pounds.

(2) In this section—

“ road ” includes street or thoroughfare of any kind.

“ vehicle ” means a wheeled conveyance of any kind, including any bicycle, tricycle, or other similar vehicle.

Repeal of
principal Act,
s. 89.

13. Section 89 of the principal Act is repealed.

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

W. DUGAN, Governor.