



ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

No. 27 of 1953.

An Act to amend the Sewerage Act, 1929-1946.

[Assented to 3rd December, 1953.]

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 "Sewerage Act Amendment Act, 1953". Short titles.

(2) The Sewerage Act, 1929-1946, as amended by this Act, may be cited as the "Sewerage Act, 1929-1953".

(3) The Sewerage Act, 1929-1946, is hereinafter referred to as "the principal Act".

2. The following section is enacted and inserted in Part III. of the principal Act after section 17 thereof :— Enactment of s. 17a. of principal Act—

17a. (1) The Minister may demise any land held or used by him for the purposes of this Act and which he does not immediately require for the purposes of this Act, for such period, at such rent, and upon such conditions as he thinks fit, and may sell or otherwise dispose of any such land or other property which he does not further require for the purpose of the undertaking, and may transfer or convey such land or other property to the purchaser, or as he directs. Power to lease and sell surplus land or property. Cf. 2101, 1932 s. 26.

(2) Any money accruing from the sale or other disposition of any property sold or disposed of pursuant to this section shall be paid by the Minister to the Treasurer, and shall be carried by him to the account of the Minister for the purposes of this Act.

Enactment of
Part VIA. of
principal Act—

3. The following Part is inserted in the principal Act after Part VI. thereof :—

PART VIA.

POWER TO LEASE DRAINAGE WORKS.

Power to lease.
Cf. 2101, 1932,
s. 108.

85a. (1) The Minister may, with the consent of the Governor, lease to any municipal corporation or district council or to any persons any drainage works comprised in the undertaking, and any property connected therewith, for such period, at such rent, upon such terms and conditions, and subject to such powers, reservations, restrictions, and provisions as he may think fit.

(2) Any municipal corporation or district council may accept any such lease, and may from time to time apply all necessary portions of its revenue in paying the rent reserved thereby, and also in repairing and maintaining the drainage works so leased.

Power to
accept
surrenders.
Cf. 2101, 1932,
s. 107.

85b. The Minister, may, with the consent of the Governor, accept a surrender of any such lease upon such terms and conditions, and may allow such concessions and remissions, as he shall think fit.

Powers of
lessees.
Cf. 2101, 1932,
s. 108.

85c. (1) During the term of any such lease, the lessee shall have and may exercise, with respect to the drainage works so leased, all such rights, powers, and privileges vested in and exercisable by the Minister as the Governor may, from time to time, by proclamation declare.

(2) Notwithstanding any such lease, all felonies, fines, penalties, and forfeitures for any crime or offence against the provisions of this Act, shall be punishable, payable, and recoverable against, by, and from the person committing or liable to the same, as if any such lease had not been made.

Rating powers
of lessees.
Cf. 2101, 1932,
s. 109.

85d. Whenever any drainage works are leased under this Part it shall be competent for the Minister in the lease or the Governor by proclamation, to confer on the lessees, during the term of any lease, all or any of the powers in Part VI. granted to the Minister. The powers conferred as aforesaid may be conferred subject to such conditions or restrictions as the Minister in the lease or the Governor in the proclamation may fix.

4. Section 2 of the principal Act is amended by inserting after the line "Part VI.—Assessment and Rating and Recovery of Rates" the following line:—

Consequential
amendment of
s. 2 of
principal Act.

PART VIA.—Power to Lease Drainage Works.

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

R. A. GEORGE, Governor.