



ANNO TERTIO

# GEORGII V REGIS.

A.D. 1912.

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## No. 1093.

An Act to further amend "The Municipal Corporations Act, 1890," and for other purposes.

[Assented to, December 12th, 1912.]

**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. This Act may be cited as "The Municipal Corporations Act Further Amendment Act, 1912." Short title.

2. This Act is incorporated with "The Municipal Corporations Act, 1890" (hereinafter called "the principal Act"), and the Acts which are incorporated therewith, and all the said Acts and this Act shall be read as one Act. Incorporation with other Acts. No. 497 of 1890.

3. In this Act,—

Interpretation.

"Scheme" means a proposal made under this Act by the Council of any Municipality for any work or undertaking to be executed wholly within, or wholly or partly without, such Municipality:

"Authorised scheme" means a scheme which has been authorised by the Minister under this Act.

4. (1) Any Council may submit for the Minister's authorisation a scheme for any proposed work or undertaking, whether such work or undertaking is or is not a work or undertaking which might be executed under any Act incorporated herewith. Council may submit to the Minister a scheme for a work or undertaking.

(2) The

*The Municipal Corporations Act Further Amendment Act.—1912.*

(2) The scheme so submitted shall be in writing, and shall clearly state—

(a) The proposed work or undertaking ;

(b) The means by which such work or undertaking is to be executed ; and

(c) The estimated cost of such work or undertaking,

and shall be accompanied by a plan and specifications of the proposed work or undertaking, or such other details thereof as the nature of the case permits.

The Minister may amend the scheme.

5. The Minister may at any time before authorising the scheme propose such amendments thereto as he thinks proper, and if the Council accepts such amendments the scheme shall be amended accordingly.

The Minister may authorise the scheme.

6. The Minister may authorise the scheme if he is of opinion that the proposed work or undertaking stated therein, as submitted or as amended (as the case may be), will—

(a) Be of a permanent character ;

(b) Substantially benefit the Municipality ; and

(c) Prove to be reproductive or revenue earning :

Provided that the Minister shall not authorise the scheme unless a proposition that the work or undertaking be executed has been declared carried at a poll of ratepayers, taken in manner provided by section 381 of the principal Act.

Notice of authorisation to be published.

7. (1) If the Minister authorises the scheme he shall cause a notice of his authorisation thereof, together with a copy of the scheme as submitted or as amended (as the case may be) to be published in the *Government Gazette* at the cost of the Council ; and the scheme as so published shall be an authorised scheme from the date of such publication.

(2) The production of a copy of the *Government Gazette* purporting to contain such authorisation shall be conclusive evidence that, with respect to such authorised scheme, the provisions of this Act have been complied with.

After authorisation Council may execute the work and borrow for that purpose.

8. After publication under section 7, the Council may execute the work or undertaking stated in the authorised scheme, and may, from time to time, without further or other authority or consent than this Act and the authorisation as aforesaid of the Minister, borrow money for such work or undertaking on the security of the general rates, by the issue of debentures or otherwise, notwithstanding that the total amount so borrowed exceeds the estimated cost as stated in the scheme when submitted or as amended.

9. Nothing

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*The Municipal Corporations Act Further Amendment Act.—1912.*

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9. Nothing in this Act shall be deemed to in any way limit the powers of a Council under any Act with which this Act is incorporated. Saving of other powers.

10. The scheme submitted by the Corporation of the Town of Gawler under "The Local Government Act, 1910," and consented to by the Minister, as appears by the *Government Gazette* dated the twenty-ninth day of June, nineteen hundred and eleven, page 1299, shall hereafter be deemed to be an authorised scheme within the meaning of this Act; and anything heretofore done or omitted in connection with the said scheme shall be as valid and of the same effect as if this Act had been in force at the time when the same was done or omitted, and as if the said scheme was at such time an authorised scheme within the meaning of this Act. Gawler Electric Lighting Scheme to be deemed an authorised scheme under this Act.

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

DAY H. BOSANQUET, Governor.