



ANNO DECIMO

## GEORGII VI REGIS.

A.D. 1946.

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### No. 14 of 1946.

An Act to authorize the Treasurer to expend the sum of fifty thousand pounds in the provision of temporary housing accommodation, and to amend the Building Materials Act, 1945.

[Assented to 31st October, 1946.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

Short titles.

1. (1) This Act may be cited as the " Building Materials Act Amendment Act, 1946 ".

(2) The Building Materials Act, 1945, as amended by this Act, may be cited as the " Building Materials Act, 1945-1946 ".

(3) The Building Materials Act, 1945, is hereinafter referred to as " the principal Act ".

Enactment of  
s. 2a of  
principal Act—

2. The following section is enacted and inserted in the principal Act after section 2 thereof :—

Powers of  
Treasurer to  
provide  
temporary  
housing  
accommoda-  
tion.

2a. (1) The Treasurer may, for the purposes of this section, arrange to borrow the sum of fifty thousand pounds in accordance with the Financial Agreement as set out in the schedule at the end of the Amending Financial Agreement Act, 1944.

(2) Without any further appropriation than this section, the Treasurer may expend any amounts borrowed as aforesaid for the purpose of providing temporary housing accommodation and the Treasurer is hereby authorized to provide such housing accommodation.

(3) Without any further appropriation than this section, the Treasurer may expend out of the general revenue any amounts necessary for the administration of any temporary housing accommodation so provided or for making good any losses of capital incurred in connection therewith and the general revenue is hereby appropriated accordingly.

(4) The Treasurer may let to persons in need of housing accommodation any temporary housing accommodation provided as aforesaid at such rentals and on such terms and conditions as are from time to time fixed by the Treasurer.

(5) For the purpose of providing such temporary housing accommodation the Treasurer may acquire either by agreement or compulsorily, any land upon which are situated any naval, military or air force encampments purchased or otherwise acquired by the Treasurer in order to be used as temporary housing accommodation, and any land adjacent thereto. For the said purpose the Compulsory Acquisition of Land Act, 1925, except sections 49, 79, 80, 81, and 82 of that Act, is incorporated with this Act, and the Treasurer shall be regarded as the promoter of an undertaking and this Act the special Act within the meaning of the said incorporated Act.

(6) The Public Supply and Tender Act, 1914-1940, shall not apply to anything done by the Minister in exercise of the powers conferred by this section.

3. The following section is enacted and inserted in the principal Act after section 4 thereof :—

Enactment of  
s. 4a of  
principal Act—

4a. (1) The Governor may by proclamation declare that cement shall not be used for any purpose specified from time to time by proclamation except pursuant to a permit issued under this section. The Governor may by proclamation revoke or from time to time vary any such proclamation.

Control of use  
of cement.

(2) The Minister or any person authorized by the Minister for the purpose may issue to any person a permit to use or cause to be used cement for any purpose specified by any such proclamation. Any such permit may be issued subject to such conditions as the Minister or person aforesaid considers necessary.

(3) Any person who uses or causes to be used any cement for any purpose specified by proclamation aforesaid shall be guilty of an offence and liable to a penalty not exceeding one hundred pounds, unless the cement is used pursuant to a permit issued under this section.

(4) Any person who uses or causes to be used any cement contrary to any condition of any permit issued under this section shall be guilty of an offence and liable to a penalty not exceeding one hundred pounds.

Enactment of  
s. 7a of  
principal Act—

4. The following section is enacted and inserted in the principal Act after section 7 thereof :—

Notice to  
cease unlawful  
construction of  
building or  
structure.

7a. (1) If in any building or structure in course of construction or if in the carrying out of any repairs, alteration or addition to any building or structure any essential building material is used contrary to any of the provisions of this Act, the Minister or any person authorized by the Minister for the purpose may give notice to either or both the owner or the builder of the building or structure requiring him to cease carrying on the construction of the building or structure or, as the case may be, the carrying out of the repairs, alteration or addition. If after the giving of notice to any such person, the requirements of the notice are not complied with, that person shall be guilty of an offence and liable to a penalty not exceeding twenty pounds for every day during which the requirements of the notice are not complied with.

(2) Any notice under this section may be sent by post by letter addressed to the place of business or residence of the person to whom it is given.

Amendment of  
principal Act,  
s. 8—  
Evidentiary  
provision.

5. Section 8 of the principal Act is amended—

(a) by inserting after the word "Minister" in the second line thereof the words "or by the Director, Building Materials Office";

(b) by striking out the words "of the Minister" occurring in the fourth and in the eighth lines thereof.

Amendment of  
principal Act,  
s. 11—  
Duration of  
Act.

6. Section 11 of the principal Act is amended—

(a) by striking out the word "forty-six" in the second line thereof and by inserting in lieu thereof the word "forty-seven";

(b) by adding at the end thereof the following subsection :—

(3) The provisions of subsection (1) and (2) of this section shall not apply to section 1 and section 2a of this Act and, notwithstanding the said subsections, the said section 1 and section 2a shall continue in force until Parliament otherwise provides.

7. The first schedule to the principal Act is amended by striking out the words "refractory bricks or" in paragraph 1 thereof.

Amendment of principal Act, first schedule.

8. The second schedule to the principal Act is amended—

Amendment of principal Act, second schedule.

(a) by adding at the end of paragraph 1 thereof the words "and if any dwelling-house is intended for occupation by other than the owner thereof, the construction of such dwelling-house if the total cost of construction (including any amount payable to any builder or contractor) exceeds or if completed will exceed £150".

(b) by striking out paragraph 3 thereof and by inserting in lieu thereof the following paragraph :—

3. The carrying out during any period of twelve months ending on the thirtieth day of June in any year of any repairs or alterations or additions to any building or structure if the total cost of carrying out all repairs, alterations and additions to the building or structure during that period (including any amount payable to any person for the purpose of carrying out any such repairs, alteration or addition) exceeds £100.

(c) by striking out paragraph 4 thereof and by inserting in lieu thereof the following paragraph :—

4. The carrying out during any period of twelve months ending on the thirtieth day of June in any year of any alterations or additions to any dwelling-house for the purpose of subdividing the dwelling-house into two or more occupancies if the total cost of carrying out all such alterations and additions to the dwelling-house during that period (including any amount payable to any person for the purpose of carrying out any such alterations or additions) exceeds £200.

(d) by inserting therein after paragraph 4 thereof the following paragraph :—

4a. If—

(a) a permit has been issued under this Act for the construction of any building structure ; or

- (b) a priority certificate has been issued under section 6 of this Act for the supply of essential building materials to be used in the construction of any building or structure ; or
- (c) a permit has been issued under the Act for the carrying out of any alteration or addition to any building or structure ; or
- (d) a priority certificate has been issued under section 6 of this Act for the supply of essential building materials to be used for the purpose of carrying out any alteration or addition to any building or structure,

the carrying out, within a period of twelve months after the completion of the building or structure or of the carrying out of the alteration or addition, of any alteration or addition to the building or structure or, as the case may be, of any further alteration or addition to the building or structure, and whether or not the cost thereof exceeds any amount mentioned in any other paragraphs of this schedule.

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

J. M. NAPIER, Governor's Deputy.