No. 13 of 1961


[Assented to 2nd November, 1961.]

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 “Botanic Garden Act Amendment Act, 1961”.

(2) The Botanic Garden Act, 1935-1960, as amended by this Act, may be cited as the “Botanic Garden Act, 1935-1961”.

(3) The Botanic Garden Act, 1935-1960, is hereinafter referred to as “the principal Act”.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

3. Section 3 of the principal Act is amended by inserting at the end of the definition of “garden” therein the words “and includes all other lands belonging to, lawfully in the occupation of, or under the care, control or management of, the Board”.

4. Section 6 of the principal Act is amended—

(a) by striking out the word “have perpetual succession” therein and inserting in lieu thereof the words “be a body corporate with perpetual succession and a common seal”;
(b) by inserting at the end thereof (the previous portion of the section being designated as subsection (1) thereof) the following subsection:—

(2) Every court and every person acting judicially shall take judicial notice of the seal of the Board and when the seal appears on any document shall assume that it was properly affixed thereto.

5. Subsection (3) of section 9 of the principal Act is amended by inserting therein after the word "garden" the words "or any part thereof".

6. Subsection (1) of section 11 of the principal Act is amended by inserting therein after the word "garden" the words "or any part thereof".

7. Subsection (1) of section 13 of the principal Act is amended by inserting therein after the word "garden" in paragraphs (a) and (d) thereof the words "or any part thereof".

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

J. M. NAPIER, Governor's Deputy.