No. 1022.

An Act to further amend "The Irrigation and Reclaimed Lands Act, 1908."

[Assented to, December 7th, 1910.]

Be 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 alone as "The Irrigation and Reclaimed Lands Act Further Amendment Act, 1910"; and "The Irrigation and Reclaimed Lands Act, 1908," "The Irrigation and Reclaimed Lands Act Amendment Act, 1909," and this Act, may be cited together as "The Irrigation and Reclaimed Lands Acts, 1908 to 1910."

2. This Act is incorporated and shall be read as one Act with "The Irrigation and Reclaimed Lands Act, 1908," and all Acts incorporated therewith.

3. Section 7 of "The Irrigation and Reclaimed Lands Act, 1908," is amended by striking out all the words after the word "fund" in subsection (2) thereof.

4. Section 20 of "The Irrigation and Reclaimed Lands Act, 1908," is amended by striking out all the words after the word "land" in the third line thereof.

5. Section
5. Section 22 of "The Irrigation and Reclaimed Lands Act, 1908," is repealed, and the following section is enacted in lieu thereof, and shall be deemed to have been enacted in the said Act on the passing thereof in lieu of the said section 22, namely:—

22. (1) There shall be no limit to the area of land or the number of blocks which may be held under this Act by any person: Provided that of the land in any irrigation area so held by any person, whether held in his own name or in the name of any other person, not more than fifty acres in the aggregate shall be reclaimed or irrigable land. Of such fifty acres or any smaller area of reclaimed or irrigable land held as aforesaid by any person, the whole may be reclaimed land, or the whole may be irrigable land, or part may be reclaimed and part irrigable land.

(2) In this section "irrigable land" means land considered by the Commissioner to be irrigable land.

6. Section 28 of "The Irrigation and Reclaimed Lands Act, 1908," is amended by substituting the number "31" for the number "32" in the first subdivision (a) thereof.

7. Subsection (2) of section 31 of "The Irrigation and Reclaimed Lands Act, 1908," is repealed, and the following subsection is enacted in lieu thereof, namely:—

(2) Such Board shall be liable to the Commissioner for the repayment of all moneys so advanced, and for the payment of all moneys expended by the Commissioner in carrying out the objects and purposes of this Act in the irrigation area, whether before or after the proclamation of such area (except moneys expended before the fixing of the rents, as provided by section 16), with interest on all moneys so expended (except as aforesaid) at the rate of Four Pounds per centum per annum up to the day of the constitution of such Board. The moneys so advanced and expended and the said interest are hereafter in this Division of this Act referred to as "the said advances."

8. Section 32 of "The Irrigation and Reclaimed Lands Act, 1908," is repealed, and the following section is enacted in lieu thereof, namely:—

32. (1) In so far as the said advances consist of moneys expended as mentioned in subsection (2) of section 31 and interest thereon, interest on the said advances at the rate of Four Pounds per centum per annum shall be paid by the Board to the Commissioner at the expiration of each of the first four years from the date of the publication in the Gazette of the Proclamation constituting the Board; and thereafter the said advances, together with interest at the rate aforesaid
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aforesaid on the amount thereof for the time being unpaid, shall be repaid by the Board to the Commissioner by twenty equal yearly instalments, the first of which shall be paid at the expiration of the fifth year from the said date.

(2) Interest at the rate of Four Pounds per centum per annum shall be paid by the Board to the Commissioner on the amount of any advance made to the Board under subsection (1) of section 31 at the expiration of each of the first four years from the date of such advance, and thereafter such advance, together with interest at the rate aforesaid on the amount thereof for the time being unpaid, shall be paid by the Board to the Commissioner by twenty equal yearly instalments, the first of which shall be paid at the expiration of the fifth year from the said date.

(3) Notwithstanding anything in this section, the Board may at any time pay off the whole or any part of the amount of the said advances then unpaid, together with interest computed to the date of payment.

9. Section 80 of "The Irrigation and Reclaimed Lands Act, 1908," is amended by substituting the words "Three Hundred Pounds" for the words "One Hundred and Twenty-five Pounds" in subsection (3) thereof.

10. The Commissioner may, at all times, do such acts and things as may be necessary or convenient for the exercise of any power or authority conferred upon him by, or for carrying out the objects and purposes of, this Act or any Act incorporated herewith; and, without limiting the operation of this section, it is hereby declared that after an irrigation area has been proclaimed, then until the constitution of a Board therefor, and upon the determination of the existence of the Board for any irrigation area, then until a new Board is constituted therefor, the Commissioner shall have and may exercise all the powers and authorities, mutatis mutandis, which a Board would have or might exercise.

11. Notwithstanding anything in "The Irrigation and Reclaimed Lands Act, 1908," after the passing of this Act, a Board shall not be constituted for any irrigation area in which the water for the purposes of irrigation is supplied by means of pumping or other plant erected by the Commissioner.

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

DAY H. BOSANQUET, Governor.