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# GEORGII V REGIS.

A.D. 1918.

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No. 1350.

An Act to further amend the Harbors Act, 1913.

[Assented to, December 5th, 1918.]

**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. (1) This Act may be cited alone as the "Harbors Act Further Amendment Act, 1918." Short titles.
- (2) The Harbors Act, 1913 (hereinafter referred to as "the principal Act"), the Harbors Act Amendment Act, 1917, and this Act, may be cited together as the "Harbors Acts, 1913 to 1918." No. 1149 of 1913.  
No. 1305 of 1917.
2. This Act is incorporated with the principal Act and the Harbors Act Amendment Act, 1917, and those Acts and this Act shall be read as one Act. Incorporation with other Acts.
3. (1) A Judge of the Supreme Court shall have power from time to time, on application in Chambers by or on behalf of the Minister, made at any time within one month after the receipt by him of a notice in writing under section 16 of the principal Act or within such further time as the Judge thinks proper, to direct, by writing signed by him, the delivery to the Minister of such particulars, or such further and better particulars, of the claim as the Judge deems reasonable and necessary in order to enable the Minister to investigate and consider the claim, including, if the Judge thinks proper, the principle or basis upon which the amount of compensation claimed has been arrived at by the claimant. Judge may direct particulars of claim before arbitrators appointed.

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(2) The person claiming compensation shall be entitled to at least two days' clear notice in writing of the intention to make any application under this section. The giving of such notice may be proved in such manner as the Judge deems sufficient.

(3) When a direction for particulars has been made under this section the time provided by section 17 of the principal Act for agreement between the Minister and the person claiming compensation shall be enlarged to such extent as is directed by the Judge, by the direction for particulars, or by a direction in writing made upon a subsequent application made as aforesaid.

(4) This section shall apply to any case in which the Judge to act as president and umpire has not been nominated before the passing of this Act.

Judge may direct particulars and discovery in the course of arbitration.

4. (1) The Judge nominated under section 17 of the principal Act to act as president and umpire in any matter shall have power from time to time, and either before or during the hearing of the matter, to direct, by writing signed by him—

(a) the delivery in such manner as is directed by the Judge, by the person claiming compensation, or by the Minister, of such particulars, including, if the Judge thinks proper, the principle or basis upon which the amount of compensation claimed, or the amount of any offer made, has been arrived at; or

(b) the making, in such manner as is directed by the Judge, by the person claiming compensation or by the Minister, of such discovery, by production and inspection of documents and accounts or otherwise,

as the Judge deems reasonable and necessary to ensure or to facilitate the proper investigation of and dealing with the claim; and to stay the proceedings in the arbitration pending the delivery of particulars or discovery as so directed.

(2) This section shall apply to any case in which the amount of compensation has not been determined before the passing of this Act.

Regulations.

5. (1) The Governor may, from time to time, on the recommendation of the Chief Justice and at least one other Judge of the Supreme Court, make such (if any) regulations as he may deem necessary or convenient for giving effect to or more completely carrying out the provisions or objects of sections 3 and 4 of this Act, or of sections 16 and 17 of the principal Act.

(2) The provisions of section 106 of the principal Act shall apply to all regulations made under this section.

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**6.** The powers conferred by this Act are in addition to such powers as the arbitrators or the president and umpire in any such matter as hereinbefore mentioned have under any other Act or at common law.

Powers conferred  
by this Act  
cumulative upon  
other powers.

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

H. L. GALWAY, Governor.