



ANNO DECIMO SEPTIMO

# GEORGII V REGIS.

## A.D. 1926.

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### No. 1765.

An Act to amend the Fences Act, 1924.

*[Assented to, December 16th, 1926.]*

**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 as the "Fences Act Amendment Act, 1926." Short titles.

(2) The Fences Act, 1924 (which is hereinafter referred to as "the principal Act"), and this Act may be cited together as the "Fences Acts, 1924 and 1926." No. 1639 of 1924.

2. Part II. of the principal Act is amended by inserting after section 10 therein the following section :— Amendment of principal Act, Part II.

10A. (1) Where any person has constructed a sufficient fence on the boundary of his land, to the cost of which construction no contribution has been made by the occupier of the adjoining land, and the land adjoining is land within a town or township and is not at the time of the construction of the fence used in connection with the occupation of any building, the said first-mentioned person may, at any time after the adjoining land is used as aforesaid, give notice in writing to the occupier of the adjoining land requiring the adjoining occupier to contribute to the cost of the sufficient fence, and may, one month after giving notice as aforesaid, recover from the adjoining occupier one-half of the actual value at the time notice is given as aforesaid of the sufficient fence forming the dividing fence between the said lands. Erection of dividing fence without notice.

(2) The

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*Fences Act Amendment Act.—1926.*

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(2) The value of the said fence shall be ascertained as soon as practicable after the giving of the said notice; and, in default of agreement between the parties, the value may, on the complaint of either of them, be determined by a Court of Summary Jurisdiction.

(3) Any sum recoverable under this section may be recovered summarily.

(4) This section shall apply in any case where the erecting occupier has failed to avail himself of the preceding provisions of this Part, and the rights conferred by this section shall be additional to any other rights conferred by this Part.

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

TOM BRIDGES, Governor.