No. 1804.

An Act to amend the Criminal Law as to persons driving Motor Vehicles.

[Assented to, November 30th, 1927.]

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 as the "Criminal Law Act, 1927."

2. In this Act—

"Motor vehicle" includes any motor car, motor carriage, automobile, motor cycle, or other vehicle or carriage driven or propelled or ordinarily capable of being driven or propelled either partly or wholly by any volatile spirit, steam or electricity, or by means other than animal power, but does not include any vehicle run upon a railway or tramway.

3. (1) Any person who—

(a) drives a motor vehicle in a culpably negligent manner, or recklessly, or at a speed, or in a manner, which is dangerous to the public; and

(b) by such negligence, recklessness, or other conduct, causes the death of any person,

shall be guilty of a misdemeanour, and, on conviction thereof, shall be liable to imprisonment for any term not exceeding seven years with hard labour, or to a fine not exceeding Two Hundred and Fifty Pounds, or to both such imprisonment and fine as aforesaid.

(2) Subsection
(2) Subsection (1) of this section shall be deemed to create a single 
offence, and no objection shall be taken to an information for such 
offence alleging that the defendant did drive a motor vehicle “in a 
culpably negligent manner, or recklessly, or at a speed, or in a manner, 
which was dangerous to the public” on the ground of duplicity or 
uncertainty.

4. (1) This Act shall not take away the liability of any person to be 
prosecuted for or found guilty of murder or manslaughter, or affect 
the punishment which may be imposed for manslaughter: Provided 
that no person who has been convicted or acquitted of an offence 
under this Act shall afterwards be prosecuted for manslaughter on 
the same or substantially the same facts, nor shall any person 
who has been convicted or acquitted of manslaughter be afterwards 
prosecuted for an offence under this Act on the same or sub-
stantially the same facts.

(2) A charge for murder or manslaughter shall not be joined in the 
same information with a charge for an offence under this Act.

5. If on the holding of any inquest as to the cause of the death of 
any person it appears that the death of the deceased was caused 
by any person in such circumstances that such person has been 
guilty of an offence against this Act, the Coroner holding such 
inquest or (as the case may be) the jurors before whom such inquest 
is held may find that such person has been guilty of an offence 
against this Act and the inquisition founded upon such inquest may 
indict such person accordingly.

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

TOM BRIDGES, Governor.