



ANNO DECIMO QUARTO

GEORGII V REGIS.

A.D. 1923.

No. 1577.

An Act to further amend the Police Act, 1916.

[Assented to, November 28th, 1923.]

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 "Police Act Further Amendment Act, 1923." Short titles.

(2) The Police Acts, 1916 and 1921, and this Act may be cited together as the "Police Acts, 1916 to 1923."

(3) The Police Act, 1916, is hereinafter referred to as "the principal Act." No. 1257 of 1916.

2. Section 23 of the principal Act is amended by inserting after subsection (1) thereof the following subsection:— Amendment of s. 23 of principal Act.

(1A) Any person willing to act as a special constable under the provisions of this Act throughout the State may be appointed by the Commissioner, with the approval of the Chief Secretary, and may act as such special constable. Commissioner may appoint special constables for whole State.

3. Section 48 of the principal Act is further amended by adding at the end thereof the following subsection:— Amendment of s. 48 of principal Act.

(4) Any person lying or loitering in any street, highway, yard, or other place, who does not give a satisfactory account of himself when requested so to do by a member of the Police Force, shall be guilty of an offence against this Act, and shall be liable to a penalty not exceeding Ten Pounds, or to imprisonment for any period not exceeding three months. Person lying or loitering and failing to give a satisfactory account of himself guilty of an offence.

4. Section

Police Act Further Amendment Act.—1923.

Provision substituted
for s. 71 of principal
Act.

4. Section 71 of the principal Act is repealed and the following section is substituted therefor:—

Persons suspected of
having stolen goods.

71. (1) Any person having in his possession or conveying in any manner any personal property whatsoever which in the opinion of the Special Magistrate or the Justices before whom he is charged may at any time prior to the making of such charge have been reasonably suspected of having been stolen or unlawfully obtained at the time of being in his possession or being conveyed by him shall, if he does not give an account to the satisfaction of such Special Magistrate or Justices as to how he came by such personal property, be deemed to be guilty of a misdemeanor, and shall be liable to a penalty of not more than One Hundred Pounds, or to imprisonment, with or without hard labor, for any period not exceeding two years.

(2) Any charge made under subsection (1) hereof shall be heard before a Special Magistrate or two Justices.

(3) The said personal property, if proved to be or to have been in the possession of such person, whether in a building or otherwise, and whether the possession thereof had been parted with by such person before being brought before the Special Magistrate or Justices or not, shall, for the purpose of this section, be deemed to be in the possession of such person.

(4) If the true owner of any personal property suspected of having been stolen or unlawfully obtained is not discovered within one month from the conviction under this section of any person for an offence with respect to such personal property, such personal property may be sold by public auction, and the proceeds of such sale, if not claimed by the true owner within twelve months, shall be paid to the Treasurer for the purposes of the General Revenue of the State.

Amendment of s. 113
of principal Act.

5. Section 113 of the principal Act is amended by striking out subsection (2) thereof and substituting in lieu thereof the following subsection:—

Appeals.

(2) There shall be an appeal from every conviction, order, and adjudication under this Act.

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

TOM BRIDGES, Governor.