



# THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

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ADELAIDE, THURSDAY, 11 MAY 2023

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All instruments appearing in this gazette are to be considered official, and obeyed as such

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## GOVERNOR'S INSTRUMENTS

### APPOINTMENTS

Department of the Premier and Cabinet  
Adelaide, 11 May 2023

Her Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the State Theatre Company of South Australia Board, pursuant to the provisions of the State Theatre Company of South Australia Act 1972:

Member: from 11 May 2023 until 13 February 2026  
Diane Annemarie Ranck

Member: from 11 May 2023 until 10 May 2026  
Alice Jane Rolls  
Holly Michelle Veale

By command,

SUSAN ELIZABETH CLOSE, MP  
Acting Premier

23ART0011CS

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## PROCLAMATIONS

South Australia

## **First Nations Voice Act (Commencement) Proclamation 2023**

### **1—Short title**

This proclamation may be cited as the *First Nations Voice Act (Commencement) Proclamation 2023*.

### **2—Commencement of Act**

- (1) Subject to this clause, the *First Nations Voice Act 2023* (No 9 of 2023) comes into operation on 12 May 2023.
- (2) Schedule 2 Part 1 of the Act comes into operation on 1 July 2023.
- (3) Part 4 of the Act comes into operation on 1 January 2024.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 11 May 2023

South Australia

## **Statutes Amendment (Transport Portfolio) Act (Commencement) Proclamation 2023**

### **1—Short title**

This proclamation may be cited as the *Statutes Amendment (Transport Portfolio) Act (Commencement) Proclamation 2023*.

### **2—Commencement of suspended provisions**

The remaining provisions of the *Statutes Amendment (Transport Portfolio) Act 2021* (No 17 of 2021) will come into operation on 11 May 2023.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 11 May 2023

South Australia

## **Administrative Arrangements (Administration of First Nations Voice Act) Proclamation 2023**

under section 5 of the *Administrative Arrangements Act 1994*

### **1—Short title**

This proclamation may be cited as the *Administrative Arrangements (Administration of First Nations Voice Act) Proclamation 2023*.

### **2—Commencement**

This proclamation comes into operation on the day on which it is made.

### **3—Administration of Act committed to Minister for Aboriginal Affairs**

The administration of the *First Nations Voice Act 2023* is committed to the Minister for Aboriginal Affairs.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 11 May 2023

## REGULATIONS

South Australia

**First Nations Voice Regulations 2023**under the *First Nations Voice Act 2023***Contents**

1	Short title
2	Commencement
3	Interpretation
4	Regions
5	Composition of Local First Nations Voices
6	Native title bodies
7	Amount as security for costs
8	Transitional provision—consultation with Local First Nations Voices
9	Transitional provision—first meeting of Local First Nations Voices
10	Transitional provision—meetings in year of first election

**1—Short title**

These regulations may be cited as the *First Nations Voice Regulations 2023*.

**2—Commencement**

These regulations come into operation on the day on which section 9 of the *First Nations Voice Act 2023* comes into operation.

**3—Interpretation**

In these regulations—

*Act* means the *First Nations Voice Act 2023*.

**4—Regions**

- (1) For the purposes of section 9(2)(a) of the Act, each region for the purposes of the Act consists of the area or areas delineated as the region in the plan lodged in the General Registry Office as GRO Plan No 15/2023 from time to time.
- (2) For the purposes of Schedule 2 clause 3(1)(b) of the Act, the regions are assigned the following names:
  - (a) in the case of the region marked "Region 1" in GRO Plan No 15/2023—Central;
  - (b) in the case of the region marked "Region 2" in GRO Plan No 15/2023—Far North;
  - (c) in the case of the region marked "Region 3" in GRO Plan No 15/2023—Flinders and Upper North;
  - (d) in the case of the region marked "Region 4" in GRO Plan No 15/2023—Riverland and South East;
  - (e) in the case of the region marked "Region 5" in GRO Plan No 15/2023—West and West Coast;
  - (f) in the case of the region marked "Region 6" in GRO Plan No 15/2023—Yorke and Mid-North.

## 5—Composition of Local First Nations Voices

For the purposes of section 11 of the Act, a Local First Nations Voice consists of—

- (a) in the case of the Local First Nations Voice in respect of the Central region—  
11 members; and
- (b) in any other case—7 members.

## 6—Native title bodies

For the purposes of section 33(2) of the Act, the following native title bodies incorporated under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* of the Commonwealth are prescribed:

- (a) the Adnyamathanha Traditional Lands Association (Aboriginal Corporation) RNTBC;
- (b) the Antakirinja Matu-Yankunytjatjara Aboriginal Corporation RNTBC;
- (c) the Arabana Aboriginal Corporation RNTBC;
- (d) the Barngarla Determination Aboriginal Corporation RNTBC;
- (e) the De Rose Hill-Ilpalka Aboriginal Corporation RNTBC;
- (f) The Dieri Aboriginal Corporation RNTBC;
- (g) the Far West Coast Aboriginal Corporation RNTBC;
- (h) the Gawler Ranges Aboriginal Corporation RNTBC;
- (i) the Irrwanyere Aboriginal Corporation RNTBC;
- (j) the Kaurna Yerta Aboriginal Corporation RNTBC;
- (k) the Kokatha Aboriginal Corporation RNTBC;
- (l) the Narungga Nation Aboriginal Corporation;
- (m) the Nauo Aboriginal Corporation;
- (n) the Ngadjuri Adnyamathanha Wilyakali Native Title Aboriginal Corporation RNTBC;
- (o) the Ngarrindjeri Aboriginal Corporation RNTBC;
- (p) the Nukunu Wapma Thura (Aboriginal Corporation) RNTBC;
- (q) The River Murray and Mallee Aboriginal Corporation RNTBC;
- (r) the Tjayuwara Unmurru Aboriginal Corporation RNTBC;
- (s) the Walka Wani Aboriginal Corporation RNTBC;
- (t) the Wangkangurru Yarluyandi Aboriginal Corporation RNTBC;
- (u) the Wilyakali Aboriginal Corporation;
- (v) the Wirangu Aboriginal Corporation;
- (w) the Wirangu and Nauo Aboriginal Corporation;
- (x) the Yandruwandha Yawarrawarrka Traditional Land Owners (Aboriginal Corporation) RNTBC;
- (y) the Yankunytjatjara Native Title Aboriginal Corporation RNTBC.

## **7—Amount as security for costs**

For the purposes of Schedule 1 clause 21(1)(f) of the Act, the prescribed amount is \$200.

## **8—Transitional provision—consultation with Local First Nations Voices**

Consultation with Local First Nations Voices required under section 48 of the Act will occur within 6 months after the first election of members of Local First Nations Voices after the commencement of Schedule 2 clause 3 of the Act.

## **9—Transitional provision—first meeting of Local First Nations Voices**

The following provisions apply to the first meeting of each Local First Nations Voice after the commencement of this regulation:

- (a) the meeting must occur—
  - (i) within 2 months after the first election of members of the Local First Nations Voice after the commencement of Schedule 2 clause 3 of the Act; or
  - (ii) if the first election of members of the Local First Nations Voice after the commencement of Schedule 2 clause 3 of the Act fails and the Minister requires a supplementary election to be held in relation to the Local First Nations Voice, within 2 months after the supplementary election;
- (b) joint presiding members of the Local First Nations Voice must be elected at the meeting;
- (c) a member chosen by the members present at the meeting will preside until joint presiding members are elected.

## **10—Transitional provision—meetings in year of first election**

The following provisions apply in respect of the calendar year in which the first election of members of Local First Nations Voices after the commencement of Schedule 2 clause 3 of the Act occurs (the *relevant year*):

- (a) a Local First Nations Voice need not comply with the requirement in section 16(2) of the Act to meet not less than 4 times in the relevant year;
- (b) the State First Nations Voice need not comply with the requirement in section 22(1) of the Act to convene, at least once in the relevant year, a meeting of all Local First Nations Voices;
- (c) the State First Nations Voice need not comply with the requirement in section 29(2) of the Act to meet not less than 4 times in the relevant year;
- (d) the requirement in section 43(1) of the Act for the State First Nations Voice and the Cabinet to meet at least twice in the relevant year need not be complied with;
- (e) the Premier need not comply with the requirement in section 45(1) of the Act to cause a Chief Executive's briefing to be held at least twice in the relevant year;
- (f) the Premier need not comply with the requirement in section 46(1) of the Act to cause an engagement hearing to be held in the relevant year.

**Editorial note—**

As required by section 10AA(2) of the *Legislative Instruments Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

on the recommendation of the Minister and with the advice and consent of the Executive Council  
on 11 May 2023

No 29 of 2023



South Australia

# Freedom of Information (General) (First Nations Voice Principal Officer) Amendment Regulations 2023

under the *Freedom of Information Act 1991*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement

### Part 2—Amendment of *Freedom of Information (General) Regulations 2017*

- 3 Insertion of regulation 3C
    - 3C Principal officers—State First Nations Voice and Local First Nations Voices
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Freedom of Information (General) (First Nations Voice Principal Officer) Amendment Regulations 2023*.

### 2—Commencement

These regulations come into operation on the day on which section 10 of the *First Nations Voice Act 2023* comes into operation.

## Part 2—Amendment of *Freedom of Information (General) Regulations 2017*

### 3—Insertion of regulation 3C

After regulation 3B insert:

#### **3C—Principal officers—State First Nations Voice and Local First Nations Voices**

- (1) For the purposes of the definition of *principal officer* in section 4(1) of the Act—
  - (a) the joint presiding members of the State First Nations Voice are designated as principal officers of the State First Nations Voice; and
  - (b) the joint presiding members of a Local First Nations Voice are designated as principal officers of the Local First Nations Voice in respect of which they are joint presiding members.

(2) In this regulation—

***Local First Nations Voice*** means a Local First Nations Voice established under the *First Nations Voice Act 2023*;

***State First Nations Voice*** means the State First Nations Voice established under the *First Nations Voice Act 2023*.

**Editorial note—**

As required by section 10AA(2) of the *Legislative Instruments Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 11 May 2023

No 30 of 2023

South Australia

# **Victims of Crime (Statutory Compensation) (Application Requirements) Amendment Regulations 2023**

under the *Victims of Crime Act 2001*

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## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement

### **Part 2—Amendment of *Victims of Crime (Statutory Compensation) Regulations 2019***

- 3 Amendment of Schedule 1—Requirements for applications for statutory compensation
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Victims of Crime (Statutory Compensation) (Application Requirements) Amendment Regulations 2023*.

### **2—Commencement**

These regulations come into operation on the day on which they are made.

## **Part 2—Amendment of *Victims of Crime (Statutory Compensation) Regulations 2019***

### **3—Amendment of Schedule 1—Requirements for applications for statutory compensation**

- (1) Schedule 1, Part 1, clause 3—delete the clause.
- (2) Schedule 1, Part 2, clause 6—delete the clause and substitute:

#### **6—Identification**

An application for statutory compensation must be accompanied by copies of 2 identification documents (of which at least 1 must be a photographic identification document) certified by a legal practitioner, justice or police officer to be true copies of the original documents as seen by the legal practitioner, justice or police officer (as the case requires).

- (3) Schedule 1, Part 2, clause 9—delete the clause.

**Editorial note—**

As required by section 10AA(2) of the *Legislative Instruments Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 11 May 2023

No 31 of 2023

South Australia

# Road Traffic (Miscellaneous) (Form 7) Amendment Regulations 2023

under the *Road Traffic Act 1961*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement

### Part 2—Amendment of *Road Traffic (Miscellaneous) Regulations 2014*

- 3 Amendment of Schedule 1—Forms
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Road Traffic (Miscellaneous) (Form 7) Amendment Regulations 2023*.

### 2—Commencement

These regulations come into operation on the day on which section 56 of the *Statutes Amendment (Transport Portfolio) Act 2021* comes into operation.

## Part 2—Amendment of *Road Traffic (Miscellaneous) Regulations 2014*

### 3—Amendment of Schedule 1—Forms

Schedule 1, Form 7—delete the Form and substitute:

#### Form 7—Notice

#### Road Traffic Act 1961, Notice under section 79B(5) & (6)

#### Entitlement to view photographic evidence

You are entitled to see the photographic evidence.

A copy of the photographic evidence on which the allegation is based:

- will, on written application to the Commissioner of Police at the Expiation Notice Branch *[insert address]*, be sent by post to you at the address nominated by you in the written application or, in the absence of such a nomination, to your last known address; and
- may be viewed—
  - online by following the instructions available at *[insert website]*;
  - or

- by telephoning the Expiation Notice Branch on *[insert phone number]* and making an appointment.

### **Statutory Declarations**

The Commissioner of Police will, in relation to the question of withdrawal of the expiation notice, reminder notice or information, give due consideration to any exculpatory evidence (ie evidence indicating that you have a defence under the relevant legislation or are otherwise not liable for the offence) that is verified by statutory declaration. A statutory declaration must be furnished to the Commissioner before the due date for payment specified in the enclosed expiation notice or expiation reminder notice or, if the enclosed document is a summons, within 28 days after the date of issue of the summons.

You must provide the following information in the statutory declaration:

- your full name and address; and
- expiation notice number (where relevant); and
- motor vehicle registration number; and
- details of the defence or other exculpatory circumstances (in keeping with the requirements of the relevant legislation).

### **Examples—**

If the allegation of an offence against section 79B of the Act, or an allegation of a speeding or reckless or dangerous driving offence, is based on evidence of the average speed of the vehicle between 2 locations you would need to provide this information in relation to each person who drove the vehicle during that time (if there was more than 1) and in the case of an offence against section 79B of the Act state whether or not you were 1 of those persons.

If, for example, you sold the vehicle before the commission of the alleged offence you would need to provide details of that sale including the date on which it occurred and the name and address of the purchaser.

The statutory declaration must be witnessed by one of the following:

- Justice of the Peace (including ID No.)
- Proclaimed Police Officer
- Commissioner for taking affidavits
- any other person before whom a statutory declaration may be made under the *Oaths Act 1936*.

NOTE: It is an offence to make a statutory declaration that you know to be untrue in a material particular. The maximum penalty is 4 years imprisonment.

A completed statutory declaration must either be lodged in accordance with instructions available at *[insert website]* or sent by post to the Expiation Notice Branch *[insert address]*.

### **Driver Nominations (section 79B(2)(b))**

If you are the owner of a vehicle involved in the commission of a prescribed offence (within the meaning of section 79B of the Act) and you were not the driver at the time, you may, in accordance with section 79B(2)(b) of the Act, state the name and address of the person who was driving the vehicle at the time by making a nomination in accordance with the form accessible from the Expiation Notice Branch at *[insert website]*.

A driver nomination form must be given to the Commissioner of Police before the due date for payment specified in the enclosed expiation notice or expiation reminder notice or, if the enclosed document is a summons, within 28 days after the date of issue of the summons or within such longer period as the Commissioner may allow if satisfied that exceptional circumstances exist.

The Commissioner of Police may require a person who makes a nomination under section 79B(2)(b) of the Act to verify the information contained in the nomination by statutory declaration.

NOTE: It is an offence to make a nomination that is false or misleading in a material particular. The maximum penalty is \$25 000 or 4 years imprisonment.

A completed driver nomination form must either be lodged in accordance with instructions available at *[insert website]* or sent by post to the Expiation Notice Branch *[insert address]*.

### **General information**

Further information regarding expiation notices, statutory declarations, nomination forms and photographic evidence can be found at *[insert website]*.

### **Motor Vehicles Act 1959, Notice under Schedule 1 clause 3**

#### **Entitlement to view photographic evidence**

You are entitled to see the photographic evidence.

A copy of the photographic evidence on which the allegation is based:

- will, on written application to the Commissioner of Police at the Expiation Notice Branch *[insert address]*, be sent by post to you at the address nominated by you in the written application or, in the absence of such a nomination, to your last known address; and
- may be viewed—
  - online by following the instructions available at *[insert website]*; or
  - by telephoning the Expiation Notice Branch on *[insert phone number]* and making an appointment.

#### **Statutory Declarations**

The Commissioner of Police will, in relation to the question of withdrawal of the expiation notice, reminder notice or information, give due consideration to any exculpatory evidence (ie evidence indicating that you have a defence under the relevant legislation or are otherwise not liable for the offence) that is verified by statutory declaration. A statutory declaration must be furnished to the Commissioner before the due date for payment specified in the enclosed expiation notice or expiation reminder notice or, if the enclosed document is a summons, within 21 days after the date of issue of the summons.

You must provide the following information in the statutory declaration:

- your full name and address; and
- expiation notice number (where relevant); and
- motor vehicle registration number; and

- details of the defence or other exculpatory circumstances (in keeping with the requirements of the relevant legislation).

**Example—**

If, in relation to an offence against section 9(3) or 102(2) of the *Motor Vehicles Act 1959*, you are claiming the defence set out in section 9(4a) or 102(3aa), you would need to specify that the vehicle was not driven or left standing on the road by you at the time of the alleged offence and you would need to provide details of the steps you took to ensure that people who might use the vehicle would have been aware that it was unregistered or uninsured.

If, in relation to an offence against section 9(1) of the *Motor Vehicles Act 1959*, you are claiming the defence set out in section 9(1c), you would need to provide information that you were not the owner or the registered operator of the vehicle and that you did not know, and could not reasonably be expected to have known, that the vehicle was unregistered.

The statutory declaration must be witnessed by one of the following:

- Justice of the Peace (including ID No.)
- Proclaimed Police Officer
- Commissioner for taking affidavits.
- any other person before whom a statutory declaration may be made under the *Oaths Act 1936*.

NOTE: It is an offence to make a statutory declaration that you know to be untrue in a material particular. The maximum penalty is 4 years imprisonment.

A completed statutory declaration must either be lodged in accordance with instructions available at *[insert website]* or sent by post to the Expiation Notice Branch *[insert address]*.

**General information**

Further information regarding expiation notices, statutory declarations and photographic evidence can be found at *[insert website]*.

**Editorial note—**

As required by section 10AA(2) of the *Legislative Instruments Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 11 May 2023

No 32 of 2023



South Australia

# Health Practitioner Regulation National Law (South Australia) (Amendment of Law) Regulations 2023

under the *Health Practitioner Regulation National Law (South Australia) Act 2010*

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## Contents

### Preamble

### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Amendment provisions

### Part 2—Amendment of *Health Practitioner Regulation National Law (South Australia)*

- 4 Amendment of section 5—Definitions
- 5 Amendment of section 52—Eligibility for general registration
- 6 Amendment of section 57—Eligibility for specialist registration
- 7 Amendment of section 62—Eligibility for provisional registration
- 8 Amendment of section 65—Eligibility for limited registration
- 9 Amendment of section 74—Unsuitability to hold non-practising registration
- 10 Insertion of section 83A
  - 83A Undertakings at registration
- 11 Insertion of Part 7 Division 6A
  - Division 6A—Withdrawal of registration
    - 85A Power to withdraw registration
    - 85B Registered health practitioner may make submissions about proposed withdrawal of registration
    - 85C Decision about withdrawal of registration
    - 85D Notice to be given to registered health practitioner
    - 85E When decision takes effect
- 12 Insertion of section 103A
  - 103A Undertakings at endorsement
- 13 Amendment of section 109—Annual statement
- 14 Amendment of section 112—Decision about application for renewal
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- 17 Amendment of section 119—Claims about type of registration or registration in recognised specialty
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- 20 Amendment of section 130—Registered health practitioner or student to give National Board notice of certain events
- 21 Amendment of section 132—National Board may ask registered health practitioner for practice information
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  - 139 Proceedings in relation to practitioner's behaviour while temporarily unregistered
  - 139A Application of Part to persons who were registered health practitioners
  - 139B Application of Part to persons who were registered under corresponding prior Act

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- 23      Insertion of sections 149A and 149B
    - 149A      Power to require information
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    - 150A      Referral to other entities
  - 25      Amendment of section 151—When National Board may decide to take no further action
  - 26      Insertion of Part 8 Division 7B
    - Division 7B—Public statements
      - 159P      Definition
      - 159Q      Making of public statement
      - 159R      Show cause process for public statement
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      - 159T      Revocation of public statement
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  - 28      Amendment of section 179—Show cause process
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  - 30      Substitution of section 190
    - 190      Referral to responsible tribunal or National Board
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  - 32      Insertion of section 193A
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  - 33      Amendment of section 196—Decision by responsible tribunal about registered health practitioner
  - 34      Amendment of section 199—Appellable decisions
  - 35      Amendment of section 200—Parties to the proceedings
  - 36      Amendment of section 206—National Board to give notice to registered health practitioner's employer and other entities
  - 37      Insertion of sections 220A and 220B
    - 220A      Disclosure of information about registered health practitioners to protect health or safety of persons
    - 220B      Disclosure of information about unregistered persons to protect health or safety of persons
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## Preamble

- 1      Section 4 of the *Health Practitioner Regulation National Law (South Australia) Act 2010* provides that if the Parliament of Queensland enacts an amendment to the *Health Practitioner Regulation National Law* set out in the Schedule to the *Health Practitioner Regulation National Law Act 2009* of Queensland (the ***Queensland Act***), the Governor may, by regulation, modify the *Health Practitioner Regulation National Law (South Australia)* text to give effect to that amendment as a law of South Australia.
  - 2      The Parliament of Queensland has enacted the *Health Practitioner Regulation National Law and Other Legislation Amendment Act 2022* to amend the *Queensland Act* and the amendments to the *Health Practitioner Regulation National Law (South Australia)* text set out in Part 2 of these regulations give effect to those Queensland amendments.
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## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Health Practitioner Regulation National Law (South Australia) (Amendment of Law) Regulations 2023*.

### 2—Commencement

These regulations come into operation on 15 May 2023.

### 3—Amendment provisions

Pursuant to section 4(4) of the Act, the *Health Practitioner Regulation National Law (South Australia)* text is amended as specified in Part 2 of these regulations.

## Part 2—Amendment of *Health Practitioner Regulation National Law (South Australia)*

### 4—Amendment of section 5—Definitions

- (1) Section 5—after the definition of *police commissioner* insert:

*practice arrangement*, between a registered health practitioner or unregistered person, and an entity—

- (a) includes—

- (i) a contract of employment, contract for services or another arrangement or agreement between the practitioner or person and the entity in relation to the provision of services; or
- (ii) an agreement for the practitioner or person to provide services for or on behalf of the entity, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner or person receives payment for the services; but

- (b) does not include a contract or agreement not directly related to the provision of a health service.

- (2) Section 5—after the definition of *registration status* insert:

*regulatory body*, in relation to a person, means any of the following—

- (a) the National Agency;
- (b) for a person who is or was a registered health practitioner—a National Board for a health profession in which the person is or was registered.

- (3) Section 5—after the definition of *relevant fee* insert:

*relevant provision*—

- (a) for Division 7A of Part 8, see section 159B; or
- (b) for Division 7B of Part 8, see section 159P.

- (4) Section 5—after the definition of *unprofessional conduct* insert:

*unregistered person* means a person who is not registered, or whose registration is suspended, under this Law.

### 5—Amendment of section 52—Eligibility for general registration

Section 52(2)—delete "by imposing conditions on the registration under section 83." and substitute:

by doing either or both of the following—

- (a) imposing conditions on the registration under section 83;
- (b) accepting an undertaking from the individual under section 83A.

**6—Amendment of section 57—Eligibility for specialist registration**

Section 57(2)—delete "by imposing conditions on the registration under section 83." and substitute:

by doing either or both of the following—

- (a) imposing conditions on the registration under section 83;
- (b) accepting an undertaking from the individual under section 83A.

**7—Amendment of section 62—Eligibility for provisional registration**

Section 62(2)—delete "by imposing conditions on the registration under section 83." and substitute:

by doing either or both of the following—

- (a) imposing conditions on the registration under section 83;
- (b) accepting an undertaking from the individual under section 83A.

**8—Amendment of section 65—Eligibility for limited registration**

Section 65(2)—delete "registration in the profession by imposing conditions on the registration under section 83." and substitute:

limited registration in the profession by doing either or both of the following—

- (a) imposing conditions on the registration under section 83;
- (b) accepting an undertaking from the individual under section 83A.

**9—Amendment of section 74—Unsuitability to hold non-practising registration**

Section 74—after paragraph (a) insert:

- (aa) the person's registration has been withdrawn by a National Board under section 85A; or

**10—Insertion of section 83A**

After section 83 insert:

**83A—Undertakings at registration**

If a National Board decides to register a person in a health profession for which the Board is established, the Board may accept any undertaking from the person the Board considers necessary or desirable in the circumstances.

**11—Insertion of Part 7 Division 6A**

Part 7—after Division 6 insert:

**Division 6A—Withdrawal of registration****85A—Power to withdraw registration**

A National Board may withdraw the registration of a registered health practitioner registered in a health profession for which the Board is established if the Board reasonably believes the practitioner's registration was improperly obtained because the practitioner or someone else gave the Board information or a document that was false or misleading in a material particular.

**85B—Registered health practitioner may make submissions about proposed withdrawal of registration**

- (1) If a National Board is proposing to withdraw a registered health practitioner's registration under section 85A, the Board must give the practitioner written notice of the proposal.
- (2) The notice must—
  - (a) state the reasons for the proposal; and
  - (b) invite the registered health practitioner to make a written or verbal submission to the National Board, within the reasonable time stated in the notice, about the proposal.
- (3) This section does not prevent a National Board from taking immediate action under Division 7 of Part 8 in relation to the registered health practitioner.

**85C—Decision about withdrawal of registration**

After considering any submissions made in accordance with a notice under section 85B, the National Board must—

- (a) decide—
  - (i) the registration was not improperly obtained on the ground the registered health practitioner or someone else gave the Board information or a document that was false or misleading in a material particular; and
  - (ii) no further action is to be taken; or
- (b) decide the registration was improperly obtained because the practitioner or someone else gave the Board information or a document that was false or misleading in a material particular and do one or more of the following—
  - (i) withdraw the practitioner's registration;
  - (ii) refer the matter to a responsible tribunal;
  - (iii) take other appropriate action under Part 8.

**85D—Notice to be given to registered health practitioner**

- (1) The National Board must give the registered health practitioner written notice of the Board's decision under section 85C as soon as practicable, but no later than 30 days after making the decision.
- (2) If the National Board decides to withdraw the registered health practitioner's registration, the notice must state—
  - (a) the reasons for the decision; and
  - (b) that the practitioner may appeal against the decision; and
  - (c) how the application for appeal may be made and the period within which the application must be made.

**Note—**

If, under section 85C(b)(ii) or (iii), the National Board decides to refer the matter to a responsible tribunal or take other appropriate action under Part 8, notice of the referral or other action will be given to the registered health practitioner under the relevant provision of Part 8.

**85E—When decision takes effect**

The decision by the National Board to withdraw a person's registration takes effect on—

- (a) the day notice of the Board's decision is given to the person; or
- (b) the later day stated in the notice.

**12—Insertion of section 103A**

After section 103 insert:

**103A—Undertakings at endorsement**

If a National Board decides to endorse the applicant's registration under section 102, the Board may accept any undertaking from the applicant the Board considers necessary or desirable in the circumstances.

**13—Amendment of section 109—Annual statement**

- (1) Section 109(1)(d)—delete paragraph (d) and substitute:
  - (d) if, during the applicant's preceding period of registration and because of the applicant's conduct, professional performance or health, the applicant was—
    - (i) disqualified under an agreement under section 92 of the *Health Insurance Act 1973* of the Commonwealth; or
    - (ii) subject to a final determination under section 106TA of the *Health Insurance Act 1973* of the Commonwealth that contained a direction under section 106U(1)(g) or (h) of that Act that the applicant be disqualified;
- (2) Section 109—after subsection (1) insert:
  - (1A) To avoid doubt, subsection (1)(d) applies only to the extent the applicant is not prohibited from disclosing information about the disqualification or final determination by the *Health Insurance Act 1973* of the Commonwealth.

**14—Amendment of section 112—Decision about application for renewal**

- (1) Section 112(2)—after paragraph (b) insert:
  - (ba) if the applicant failed to comply with any undertaking given by the applicant to the Board that was in effect during the applicant's previous period of registration or endorsement; or
- (2) Section 112(3)—after paragraph (b) insert:
  - and
  - (c) any undertaking given by the applicant to the Board that was in effect immediately before the renewal; and
  - (d) any undertaking given by the applicant to the Board that the Board considers necessary or desirable in the circumstances.
- (3) Section 112(3), note—after "registration" insert:

, or an undertaking given by the practitioner to the Board,

**15—Amendment of section 117—Claims by persons as to registration in particular profession or division**

- Section 117(3), note—after "practitioner" insert:
- , or in some cases by a person who was a registered health practitioner,

**16—Amendment of section 118—Claims by persons as to specialist registration**

- Section 118(2), note—after "practitioner" insert:
- , or in some cases by a person who was a registered health practitioner,

**17—Amendment of section 119—Claims about type of registration or registration in recognised specialty**

- Section 119(3), note—after "practitioner" insert:
- , or in some cases by a person who was a registered health practitioner,

**18—Amendment of section 126—Changing conditions on Board's initiative**

- (1) Section 126(1)—delete subsection (1) and substitute:
  - (1) This section applies if a National Board established for a health profession reasonably believes it is necessary to change a condition imposed on—
    - (a) for a registered health practitioner registered in the health profession—the practitioner's registration or endorsement; or
    - (b) for a student registered in the health profession—the student's registration.
- (2) Section 126(6)—after "registration" insert:

or endorsement

**19—Amendment of section 127—Removal of condition or revocation of undertaking**

Section 127(1)—delete subsection (1) and substitute:

- (1) This section applies if a National Board established for a health profession reasonably believes the following is no longer necessary—
  - (a) for a registered health practitioner registered in the health profession—
    - (i) a condition imposed on the practitioner’s registration or endorsement; or
    - (ii) an undertaking given to the Board by the practitioner;
  - (b) for a student registered in the health profession—
    - (i) a condition imposed on the student’s registration; or
    - (ii) an undertaking given to the Board by the student.

**20—Amendment of section 130—Registered health practitioner or student to give National Board notice of certain events**

- (1) Section 130—after subsection (2) insert:

(2A) To avoid doubt, a registered health practitioner is not required to give the National Board written notice of an event within the meaning of paragraphs (e) or (f) of the definition of **relevant event** if the notification is prohibited by the *Health Insurance Act 1973* of the Commonwealth.

- (2) Section 130(3), definition of **relevant event**—delete the definition and substitute:

**relevant event**, in relation to a registered health practitioner, means—

- (a) the practitioner is charged with—
  - (i) a scheduled medicine offence; or
  - (ii) an offence punishable by 12 months imprisonment or more, whether in a participating jurisdiction or elsewhere; or
- (b) the practitioner is convicted of or is the subject of a finding of guilt for—
  - (i) a scheduled medicine offence; or
  - (ii) an offence punishable by imprisonment, whether in a participating jurisdiction or elsewhere; or
- (c) appropriate professional indemnity insurance arrangements are no longer in place in relation to the practitioner’s practice of the profession; or
- (d) the practitioner’s right to practise at a hospital or another facility at which health services are provided is withdrawn or restricted because of the practitioner’s conduct, professional performance or health; or
- (e) the practitioner is disqualified under an agreement under section 92 of the *Health Insurance Act 1973* of the Commonwealth because of the practitioner’s conduct, professional performance or health; or
- (f) the practitioner is subject to a final determination under section 106TA of the *Health Insurance Act 1973* of the Commonwealth that contains a direction under section 106U(1)(g) or (h) of that Act that the practitioner be disqualified because of the practitioner’s conduct, professional performance or health; or



- (g) the practitioner's authority under a law of a State or Territory to administer, obtain, possess, prescribe, sell, supply or use a scheduled medicine or class of scheduled medicines is cancelled or restricted; or
- (h) a complaint is made about the practitioner to an entity referred to in section 219(1)(a) to (e); or
- (i) the practitioner's registration under the law of another country that provides for the registration of health practitioners is suspended or cancelled or made subject to a condition or another restriction.

**relevant event**, in relation to a student, means—

- (a) the student is charged with—
  - (i) a scheduled medicine offence; or
  - (ii) an offence punishable by 12 months imprisonment or more, whether in a participating jurisdiction or elsewhere; or
- (b) the student is convicted of or is the subject of a finding of guilt for—
  - (i) a scheduled medicine offence; or
  - (ii) an offence punishable by imprisonment, whether in a participating jurisdiction or elsewhere; or
- (c) the student's registration under the law of another country that provides for the registration of students has been suspended or cancelled.

**scheduled medicine offence** means an offence against a law of a participating jurisdiction—

- (a) if—
  - (i) the law regulates the authority of registered health practitioners or students to administer, obtain, possess, prescribe, sell, supply or use scheduled medicines; and
  - (ii) the offence relates to registered health practitioners or students administering, obtaining, possessing, prescribing, selling, supplying or using scheduled medicines; but
- (b) does not include an offence declared or prescribed by a law of the jurisdiction not to be a scheduled medicine offence for the purposes of this Law.

## **21—Amendment of section 132—National Board may ask registered health practitioner for practice information**

Section 132(4), definition of **practice information**—delete the definition and substitute:

**practice information**, for a registered health practitioner practising in the health profession for which the practitioner is registered, means each of the following, as it applies to the current practice, and all previous practices, of the profession by the practitioner—

- (a) if the practitioner is, or was, self-employed—
  - (i) that the practitioner is, or was, self-employed; and
  - (ii) the address of each of the premises at which the practitioner practises, or practised; and

- (iii) if the practitioner practises, or practised, under a business name or names—each business name; and
  - (iv) if the practitioner shares, or shared, premises and the cost of the premises with other registered health practitioners—the names of the other registered health practitioners;
- (b) if the practitioner has, or had, a practice arrangement with one or more entities—the name, address and contact details of each entity;

**Example of practice arrangement—**

A physiotherapist practises, or practised, physiotherapy as a volunteer at a sporting club or charity under an arrangement with that entity.

- (c) if the practitioner practises, or practised, under a name or names that are not the same as the name under which the practitioner is registered under this Law—the other name or names.

## **22—Substitution of sections 138 and 139**

Sections 138 and 139—delete the sections and substitute:

### **138—Application of Part to persons who are registered health practitioners**

- (1) A notification may be made under this Part about, and proceedings may be taken under this Part against, a person who is a registered health practitioner in relation to behaviour that—
  - (a) occurs while the practitioner is registered in a health profession under this Law; or
  - (b) occurred before the practitioner was registered in a health profession under this Law; or
  - (c) occurred during any other period in which the practitioner was not registered in a health profession under this Law, including, for example, if the registration had ended or was cancelled, suspended or withdrawn.
- (2) A registered health practitioner's behaviour that occurred at a time specified in subsection (1)(b) or (c) may not constitute—
  - (a) unsatisfactory professional performance; or
  - (b) unprofessional conduct, except as provided by section 139.

### **139—Proceedings in relation to practitioner's behaviour while temporarily unregistered**

- (1) This section applies if—
  - (a) proceedings are taken under this Part against a person who is a registered health practitioner; and
  - (b) the panel or tribunal is satisfied the behaviour to which the proceedings relate occurred—
    - (i) after the practitioner's registration ended under section 108(2)(a); and

- (ii) while the practitioner continued to practise the health profession.
- (2) The proceedings may be taken and findings may be made as if the practitioner were registered at the time the behaviour occurred.
- (3) Subsection (2) does not prevent a finding of unprofessional conduct on the basis the person was contravening a provision of Division 10 of Part 7, whether or not the person has been prosecuted for, or convicted of, an offence in relation to the contravention.
- (4) In this section—  
*behaviour* includes—
  - (a) continuing to take or use a title protected under Subdivision 1 of Division 10 of Part 7 for a health profession; or
  - (b) continuing to undertake a practice protected under Subdivision 2 of Division 10 of Part 7 for a health profession.

**139A—Application of Part to persons who were registered health practitioners**

- (1) This section applies to a person who was, but is no longer, registered in a health profession under this Law.
- (2) A notification may be made under this Part about, and proceedings may be taken under this Part against, the person as if the person were still registered in a health profession under this Law in relation to behaviour that occurred while the person was registered.
- (3) For the purposes of subsection (2), this Part (other than Divisions 2 and 6) applies, with any necessary changes, to the person as if a reference to a registered health practitioner included that person.

**139B—Application of Part to persons who were registered under corresponding prior Act**

- (1) This section applies to a person who—
  - (a) was registered in a health profession under a corresponding prior Act; and
  - (b) is not, and has not been, registered in a health profession under this Law.
- (2) A notification may be made under this Part about, and proceedings may be taken under this Part against, the person as if the person were registered in a health profession under this Law in relation to behaviour that occurred while the person was registered under the corresponding prior Act.
- (3) However, subsection (2) applies only to the extent—
  - (a) a notification about the person's behaviour could have been made under the corresponding prior Act; and
  - (b) proceedings could have been taken under the corresponding prior Act.

- (4) For the purposes of subsection (2), this Part (other than Divisions 2 and 7) applies, with any necessary changes, to the person as if a reference to a registered health practitioner included that person.

## **23—Insertion of sections 149A and 149B**

After section 149 insert:

### **149A—Power to require information**

- (1) For the purpose of conducting the preliminary assessment of a notification, a National Board may, by written notice given to a person, require the person to give specified information or produce specified documents to the Board within a specified reasonable time and in a specified reasonable way.
- (2) The person must comply with the notice unless the person has a reasonable excuse.  
Maximum penalty:
  - (a) in the case of an individual—\$5,000; or
  - (b) in the case of a body corporate—\$10,000.
- (3) Without limiting subsection (2), it is a reasonable excuse for an individual not to give information or produce a document if giving the information or producing the document might tend to incriminate the individual.

### **149B—Inspection of documents**

- (1) If a document is produced to a National Board, the Board may—
  - (a) inspect the document; and
  - (b) make a copy of, or take an extract from, the document; and
  - (c) keep the document while it is necessary for the preliminary assessment of a notification.
- (2) If the National Board keeps the document, the Board must permit a person otherwise entitled to possession of the document to inspect, make a copy of, or take an extract from, the document at the reasonable time and in the reasonable way decided by the Board.

## **24—Insertion of section 150A**

After section 150 insert:

### **150A—Referral to other entities**

- (1) If, after conducting the preliminary assessment of a notification, the National Board decides the subject matter, or part of the subject matter, of the notification may be dealt with by another entity, the Board may refer the notification or part of the notification to the other entity.
- (2) A decision by the National Board to refer a notification or part of a notification to another entity does not prevent the Board from continuing to deal with the notification or part of the notification.

- (3) If the National Board decides to refer a notification or part of a notification to another entity, it must give the other entity—
  - (a) a copy of the notification or, if the notification was not made in writing, a copy of the Board’s record of the details of the notification; and
  - (b) any other information the Board has that is relevant to the notification.
- (4) The National Board may ask the other entity to give the Board information about how the subject matter of the notification or the part of the notification was resolved.
- (5) The other entity may provide the information requested by the National Board.

## **25—Amendment of section 151—When National Board may decide to take no further action**

- (1) Section 151(1)(e)(ii)—delete subparagraph (ii) and substitute:
  - (ii) has been referred by the Board under section 150 or 150A to another entity to be dealt with by that entity; or
- (2) Section 151 after subsection (1) insert:
  - (1A) A National Board may decide to take no further action in relation to part of a notification if the subject matter of the part of the notification has been referred by the Board under section 150 or 150A to another entity to be dealt with by that entity.

## **26—Insertion of Part 8 Division 7B**

Part 8—after Division 7 insert:

### **Division 7B—Public statements**

#### **159P—Definition**

In this Division—

*relevant provision* means any of the following provisions—

- (a) section 113;
- (b) sections 115 to 119;
- (c) sections 121 to 123;
- (d) section 133;
- (e) section 136.

#### **159Q—Making of public statement**

- (1) A regulatory body may make a public statement about a person if—
  - (a) the person—
    - (i) has, in the regulatory body’s reasonable belief, contravened a relevant provision; or

- (ii) is the subject of an assessment, investigation or other proceedings under this Part; and
- (b) the regulatory body reasonably believes that—
  - (i) because of the person's conduct, performance or health, the person poses a serious risk to persons; and
  - (ii) it is necessary to issue a public statement to protect public health or safety.
- (2) A public statement made by a regulatory body may be made in a way the body considers appropriate.
- (3) The regulatory body may identify and give warnings or information about either or both of the following if the body considers it appropriate in the circumstances—
  - (a) a person;
  - (b) health services provided by a person.
- (4) No liability is incurred by the regulatory body for the making of, or for anything done for the purpose of making, a public statement under this section in good faith.

### **159R—Show cause process for public statement**

- (1) If a regulatory body proposes to make a public statement about a person, the body must give the person a written notice that includes the following information—
  - (a) that the body proposes to make a public statement about the person;
  - (b) the way in which it is proposed to make the public statement;
  - (c) the content of the proposed public statement;
  - (d) that the person may make written or verbal submissions to the regulatory body, within the reasonable time stated in the notice, about the proposed public statement.
- (2) After considering any submission made by the person in accordance with the notice, the regulatory body must decide—
  - (a) not to make the public statement; or
  - (b) to make the public statement as proposed; or
  - (c) to make the public statement in a different way or with different content.
- (3) The regulatory body must give written notice of the body's decision, that includes the following information, to the person—
  - (a) the decision made by the body;
  - (b) the reasons for the body's decision;
  - (c) if the decision is to make the public statement—
    - (i) that the person may appeal against the decision; and
    - (ii) how an application for an appeal may be made; and

- (iii) the period within which the application must be made.
- (4) The regulatory body must give the notice to the person—
  - (a) as soon as practicable after the decision is made; and
  - (b) if the decision is to make the public statement—at least one business day before the statement is to be made.

### **159S—Revision of public statement by regulatory body**

- (1) A regulatory body that made a public statement about a person may revise the statement if the regulatory body reasonably believes it is necessary in the circumstances.
- (2) If the proposed revision changes the public statement in a material way, sections 159Q(2) and (3) and 159R apply to the proposed revision, with any necessary modifications, as if it were the proposed making of a public statement.

### **159T—Revocation of public statement**

- (1) A regulatory body that made a public statement about a person must revoke the public statement if the body is satisfied the grounds on which the statement was made—
  - (a) no longer exist in relation to the person; or
  - (b) did not exist at the time the statement was made.
- (2) As soon as practicable after deciding to revoke the public statement, the regulatory body must—
  - (a) give the person a written notice stating—
    - (i) the regulatory body has decided to revoke the public statement; and
    - (ii) the date on which the public statement will be revoked; and
  - (b) make a public statement revoking the original public statement in the same way, or a similar way, to the way in which the original public statement was made.

### **27—Amendment of section 178—National Board may take action**

- (1) Section 178(1)(a)(iv)—delete "and" and substitute:
  - or
  - (v) a registered health practitioner's registration was improperly obtained because the practitioner or someone else gave the Board information or a document that was false or misleading in a material particular; and
- (2) Section 178(1)(b)—after "section 193" insert:
  - , including because of a decision made under section 193A that it is not in the public interest

**28—Amendment of section 179—Show cause process**

- (1) Section 179(2)(b)—delete paragraph (b) and substitute:
  - (b) do any of the following—
    - (i) take the proposed relevant action or other relevant action;
    - (ii) take other action under this Part;
    - (iii) refer the matter to another entity, including, for example, a health complaints entity, for investigation or other action.
- (2) Section 179(3)—delete subsection (3)

**29—Amendment of section 180—Notice to be given to health practitioner or student and notifier**

Section 180(1)—delete "or 178(2), if section 179 does not apply"

**30—Substitution of section 190**

Section 190—delete the section and substitute:

**190—Referral to responsible tribunal or National Board**

- (1) A panel must stop hearing a matter and require the National Board that established the panel to refer the matter to a responsible tribunal under section 193 if, at any time—
  - (a) the practitioner or student the subject of the hearing asks the panel for the matter to be referred to a responsible tribunal under section 193; or
  - (b) if the subject of the hearing is a registered health practitioner—the panel reasonably believes the evidence demonstrates the practitioner may have behaved in a way that constitutes professional misconduct.
- (2) A panel must stop hearing a matter and refer the matter to the National Board that established the panel if the panel reasonably believes the evidence demonstrates the practitioner's registration may have been improperly obtained because the practitioner or someone else gave the Board information or a document that was false or misleading in a material particular.

**31—Amendment of section 193—Matters to be referred to responsible tribunal**

- (1) Section 193(1)—delete "A National Board" and substitute:

Subject to section 193A, a National Board
- (2) Section 193(1)(a)—delete paragraph (a) and substitute:
  - (a) for a registered health practitioner, the Board reasonably believes, based on a notification or for any other reason, the practitioner has behaved in a way that constitutes professional misconduct; or



(3) Section 193—after subsection (2) insert:

- (3) Subsection (1)(a) does not require a National Board to refer a matter to a responsible tribunal if the behaviour constituting the professional misconduct consists of a registered health practitioner improperly obtaining registration because the practitioner or someone else gave the Board information or a document that was false or misleading in a material particular.

**Note—**

See section 85C(b) which provides for the action a National Board may take if the Board decides a registered health practitioner's registration was improperly obtained.

### **32—Insertion of section 193A**

After section 193 insert:

#### **193A—National Boards may decide not to refer certain matters**

- (1) A National Board may decide not to refer a matter about a registered health practitioner mentioned in section 193(1)(a) to a responsible tribunal if the Board decides there is no public interest in the matter being heard by a responsible tribunal.
- (2) In deciding whether or not there is public interest in the matter being heard by a responsible tribunal, the National Board must have regard to the following—
- (a) the need to protect the health and safety of the public;
  - (b) the seriousness of the alleged conduct, including whether the registered health practitioner may have engaged in wilful misconduct;
  - (c) whether the practitioner is the subject of more than one notification or has previously been the subject of a notification;
  - (d) whether the practitioner is still registered and, if not still registered, may again seek registration in the future;
  - (e) any other benefit the public may receive by having the matter referred to a responsible tribunal, including the benefit of a public decision in relation to the matter;
  - (f) any other matter the Board considers relevant to the decision.
- (3) If a decision is made under this section to not refer a matter to a responsible tribunal, the National Agency must publish information about the decision in its annual report.

### **33—Amendment of section 196—Decision by responsible tribunal about registered health practitioner**

Section 196(4)—after paragraph (b) insert:

or

- (c) impose restrictions, either permanently or for a stated period, on the provision of any health service or a specified health service by the person.

**34—Amendment of section 199—Appellable decisions**

(1) Section 199(1)—after paragraph (a) insert:

(aa) a decision by a National Board to withdraw the person's registration;

(2) Section 199(1)—after paragraph (h) insert:

(hb) a decision by a regulatory body to make or revise a public statement under Division 7B;

**35—Amendment of section 200—Parties to the proceedings**

Section 200—after paragraph (b) insert:

and

(c) the National Agency if—

(i) the appellable decision is a decision mentioned in section 199(1)(ha) or (hb); and

(ii) the National Agency made the appellable decision.

**36—Amendment of section 206—National Board to give notice to registered health practitioner's employer and other entities**

Section 206(2)—delete subsection (2) and substitute:

(2) If the practice information given to the National Board, or of which the Board becomes aware, is information referred to in paragraph (a) of the definition of *practice information* in section 132(4) and includes the names of other registered health practitioners, the Board, as soon as practicable after an event specified in subsection (1)(a) occurs, may give written notice of the decision to—

(a) the named registered health practitioners with whom the practitioner currently shares premises and the cost of the premises; and

(b) the named registered health practitioners with whom the practitioner previously shared premises and the cost of the premises if the Board reasonably believes the practitioner's health, conduct or performance while the practitioner shared the premises with the registered health practitioners posed—

(i) a risk of harm to a person or a class of persons; or

(ii) a risk to public health or safety.

(3) If the practice information given to the Board, or of which the Board becomes aware, is information referred to in paragraph (b) of the definition of *practice information* in section 132(4), the Board, as soon as practicable after an event specified in subsection (1)(a) occurs—

(a) if the registered health practitioner has a current practice arrangement with an entity named in the information—must give written notice of the decision to the entity; or

- (b) if the practitioner had a previous practice arrangement with an entity named in the information—may give written notice of the decision to the entity if the Board reasonably believes the practitioner’s health, conduct or performance while the practitioner had a practice arrangement with the entity posed—
    - (i) a risk of harm to a person or a class of persons; or
    - (ii) a risk to public health or safety.
- (4) In this section—

*decision* means a decision of a National Board or adjudication body to take health, conduct or performance action against a registered health practitioner.

### 37—Insertion of sections 220A and 220B

After section 220 insert:

#### **220A—Disclosure of information about registered health practitioners to protect health or safety of persons**

- (1) This section applies if—
  - (a) because of a notification or an investigation under this Law, a National Board reasonably believes that—
    - (i) because of the registered health practitioner’s health, conduct or performance, the practitioner poses a serious risk to persons; and
    - (ii) it is necessary to give notice under this section to protect public health or safety; and
  - (b) the Board has been given practice information under section 132 or becomes aware of practice information the Board has the power to request under that section.
- (2) If the practice information given to the National Board, or of which the Board becomes aware, is information referred to in paragraph (a) of the definition of practice information in section 132(4) and includes the names of other registered health practitioners, the Board may give the following to the named registered health practitioners with whom the practitioner currently shares premises and the cost of the premises—
  - (a) written notice of the risk;
  - (b) any relevant information about the registered health practitioner.
- (3) If the practice information given to the National Board, or of which the Board becomes aware, is information referred to in paragraph (b) of the definition of practice information in section 132(4), the Board, as soon as practicable after receiving or becoming aware of the information, must give the following to a named entity that has a current practice arrangement with the registered health practitioner—
  - (a) written notice of the risk;
  - (b) any relevant information about the registered health practitioner.

- (4) To avoid doubt, subsections (2) and (3) do not allow the Board to give health information about a patient to—
  - (a) the named registered health practitioners with whom the practitioner currently shares premises and the cost of the premises; or
  - (b) the named entity that has a current practice arrangement with the practitioner.
- (5) Subsections (2) and (3) do not apply if the National Board decides it is not in the public interest to give the notice.

**Examples—**

A National Board may decide it is not in the public interest to give the notice because—

- (a) it would impact on an investigation into the registered health practitioner; or
  - (b) it would place a notifier at risk of harassment, harm or intimidation; or
  - (c) the public interest is outweighed by the registered health practitioner's right to privacy.
- (6) Subsection (3) does not apply if the National Board has already notified the named entity about the practitioner, in relation to the same risk, under section 206 or another provision of this Law.
- (7) In this section—

**health information** has the same meaning as in the *Privacy Act 1988* of the Commonwealth.

**220B—Disclosure of information about unregistered persons to protect health or safety of persons**

- (1) This section applies if—
  - (a) because of an investigation into a possible offence against Part 7, or a prosecution of an offence against that Part, the National Agency or a National Board reasonably believes that—
    - (i) an unregistered person poses a serious risk to persons; and
    - (ii) it is necessary to give notice under this section to protect public health or safety; and
  - (b) the unregistered person—
    - (i) is self-employed and shares premises and the cost of the premises with registered health practitioners; or
    - (ii) has a practice arrangement with an entity.
- (2) The National Agency or the National Board may give written notice of the risk, and any relevant information about the unregistered person, to the registered health practitioners or entities mentioned in subsection (1)(b).

- (3) To avoid doubt, subsection (2) does not allow the Board to give health information about a patient to the registered health practitioners or entities mentioned in subsection (1)(b).

- (4) In this section—

***health information*** has the same meaning as in the *Privacy Act 1988* of the Commonwealth.

**Editorial note—**

As required by section 10AA(2) of the *Legislative Instruments Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 11 May 2023

No 33 of 2023

## STATE GOVERNMENT INSTRUMENTS

### AQUACULTURE ACT 2001

#### *Grant of Aquaculture Leases*

Pursuant to the provisions of section 22 of the *Aquaculture Act 2001*, notice is hereby given of the grant of the following leases for the purpose of aquaculture in Louth Bay, South Australia:

LA00493 (Louth Bay)  
LA00494 (Louth Bay)

Further details are available for the above leases on the Aquaculture Public Register; which can be found at [http://www.pir.sa.gov.au/aquaculture/aquaculture\\_public\\_register](http://www.pir.sa.gov.au/aquaculture/aquaculture_public_register) or by contacting Aquaculture Leasing & Licensing on 8207 5332.

Dated: 3 May 2023

DR BRITTANY WILLIAMS  
Aquaculture Environmental Assessment Officer

### FISHERIES MANAGEMENT ACT 2007

#### SECTION 79

#### *Revocation—Unlawful Fishing Activity*

Take note that the notice made under Section 79 of the *Fisheries Management Act 2007*, dated 13 May 2022, and published in the *South Australian Government Gazette* dated 16 May 2022 on page 1182, being the second notice on this page, referring to the temporary prohibition on the take of Cuttlefish (*Sepia* species) in the Upper Spencer Gulf, is hereby revoked.

Dated: 10 May 2023

PROF GAVIN BEGG  
Executive Director, Fisheries and Aquaculture  
Delegate of the Minister for Primary Industries and Regional Development

### HOUSING IMPROVEMENT ACT 2016

#### *Rent Control*

The Minister for Human Services Delegate in the exercise of the powers conferred by the *Housing Improvement Act 2016*, does hereby fix the maximum rental per week which shall be payable subject to Section 55 of the *Residential Tenancies Act 1995*, in respect of each house described in the following table. The amount shown in the said table shall come into force on the date of this publication in the *Gazette*.

Address of Premises	Allotment Section	Certificate of Title Volume Folio	Maximum Rental per week payable
Unit 2 1 Moronga Street, Salisbury North SA 5108	Lot comprising pieces 12 & 22 Community Plan 25335 Hundred of Munno Para	CT 6033/641	\$112.00
103 Allinga Avenue, Glenunga SA 5064	Allotment 63 Filed Plan 16172 Hundred of Glenunga	CT 5145/464	\$225.00
Unit 3/1 Moronga Street, Salisbury North SA 5108	Lot comprising pieces 13 & 23 Primary Community 25335 Hundred of Munno Para	CT 6033/642	\$112.00

Dated: 11 May 2023

CRAIG THOMPSON  
Housing Regulator and Registrar  
Housing Safety Authority, SAHA  
Delegate of Minister for Human Services

### HOUSING IMPROVEMENT ACT 2016

#### *Rent Control Revocations*

Whereas the Minister for Human Services Delegate is satisfied that each of the houses described hereunder has ceased to be unsafe or unsuitable for human habitation for the purposes of the *Housing Improvement Act 2016*, notice is hereby given that, in exercise of the powers conferred by the said Act, the Minister for Human Services Delegate does hereby revoke the said Rent Control in respect of each property.

Address of Premises	Allotment Section	Certificate of Title Volume/Folio
49 High Street, GLENELG SA 5045	Allotment 85 Filed Plan 6534 Hundred of Noarlunga	CT5099/585

Dated: 11 May 2023

CRAIG THOMPSON  
Housing Regulator and Registrar  
Housing Safety Authority, SAHA  
(Delegate of Minister for Human Services)

## LAND ACQUISITION ACT 1969

## SECTION 16

*Form 5—Notice of Acquisition***1. Notice of acquisition**

The Commissioner of Highways (the Authority), of 83 Pirie Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an unencumbered estate in fee simple in that piece of land being the whole of Allotment 90 in Deposited Plan 1324 comprised in Certificate of Title Volume 5457 Folio 147.

This notice is given under section 16 of the *Land Acquisition Act 1969*.

**2. Compensation**

A person who has or had an interest consisting of native title or an alienable interest in the land that is divested or diminished by the acquisition or the enjoyment of which is adversely affected by the acquisition who does not receive an offer of compensation from the Authority may apply to the Authority for compensation.

**2A. Payment of professional costs relating to acquisition (section 26B)**

If you are the owner in fee simple of the land to which this notice relates, you may be entitled to a payment of up to \$10 000 from the Authority for use towards the payment of professional costs in relation to the acquisition of the land.

Professional costs include legal costs, valuation costs and any other costs prescribed by the *Land Acquisition Regulations 2019*.

**3. Inquiries**

Inquiries should be directed to: Petrula Pettas  
GPO Box 1533  
Adelaide SA 5001  
Telephone: (08) 7133 2457

Dated: 9 May 2023

The Common Seal of the COMMISSIONER OF HIGHWAYS was hereto affixed by authority of the Commissioner in the presence of:

ROCCO CARUSO  
Manager, Property Acquisition (Authorised Officer)  
Department for Infrastructure and Transport

DIT 2021/14189/01

## LAND ACQUISITION ACT 1969

## SECTION 16

*Form 5—Notice of Acquisition***1. Notice of acquisition**

The Commissioner of Highways (the Authority), of 83 Pirie Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an unencumbered estate in fee simple in that piece of land being the whole of Allotment 96 in Deposited Plan 1324 comprised in Certificate of Title Volume 5598 Folio 421.

This notice is given under section 16 of the *Land Acquisition Act 1969*.

**2. Compensation**

A person who has or had an interest consisting of native title or an alienable interest in the land that is divested or diminished by the acquisition or the enjoyment of which is adversely affected by the acquisition who does not receive an offer of compensation from the Authority may apply to the Authority for compensation.

**2A. Payment of professional costs relating to acquisition (section 26B)**

If you are the owner in fee simple of the land to which this notice relates, you may be entitled to a payment of up to \$10 000 from the Authority for use towards the payment of professional costs in relation to the acquisition of the land.

Professional costs include legal costs, valuation costs and any other costs prescribed by the *Land Acquisition Regulations 2019*.

**3. Inquiries**

Inquiries should be directed to: Petrula Pettas  
GPO Box 1533  
Adelaide SA 5001  
Telephone: (08) 7133 2457

Dated: 9 May 2023

The Common Seal of the COMMISSIONER OF HIGHWAYS was hereto affixed by authority of the Commissioner in the presence of:

ROCCO CARUSO  
Manager, Property Acquisition (Authorised Officer)  
Department for Infrastructure and Transport

DIT 2021/14184/01

## LAND ACQUISITION ACT 1969

## SECTION 16

*Form 5—Notice of Acquisition***1. Notice of acquisition**

The Commissioner of Highways (the Authority), of 83 Pirie Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an unencumbered estate in fee simple in that piece of land being the whole of Allotment 338 in Filed Plan 19503 comprised in Certificate of Title Volume 5835 Folio 718.

This notice is given under section 16 of the *Land Acquisition Act 1969*.

**2. Compensation**

A person who has or had an interest consisting of native title or an alienable interest in the land that is divested or diminished by the acquisition or the enjoyment of which is adversely affected by the acquisition who does not receive an offer of compensation from the Authority may apply to the Authority for compensation.

**2A. Payment of professional costs relating to acquisition (section 26B)**

If you are the owner in fee simple of the land to which this notice relates, you may be entitled to a payment of up to \$10 000 from the Authority for use towards the payment of professional costs in relation to the acquisition of the land.

Professional costs include legal costs, valuation costs and any other costs prescribed by the *Land Acquisition Regulations 2019*.

**3. Inquiries**

Inquiries should be directed to: Petrula Pettas  
GPO Box 1533  
Adelaide SA 5001  
Telephone: (08) 7133 2457

Dated: 9 May 2023

The Common Seal of the COMMISSIONER OF HIGHWAYS was hereto affixed by authority of the Commissioner in the presence of:

ROCCO CARUSO  
Manager, Property Acquisition (Authorised Officer)  
Department for Infrastructure and Transport

DIT 2022/02748/01

## LAND ACQUISITION ACT 1969

## SECTION 16

*Form 5—Notice of Acquisition***1. Notice of acquisition**

The Commissioner of Highways (the Authority), of 83 Pirie Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an unencumbered estate in fee simple in that piece of land being the whole of Allotment 53 in Deposited Plan 45302 comprised in Certificate of Title Volume 5409 Folio 905.

This notice is given under section 16 of the *Land Acquisition Act 1969*.

**2. Compensation**

A person who has or had an interest consisting of native title or an alienable interest in the land that is divested or diminished by the acquisition or the enjoyment of which is adversely affected by the acquisition who does not receive an offer of compensation from the Authority may apply to the Authority for compensation.

**2A. Payment of professional costs relating to acquisition (section 26B)**

If you are the owner in fee simple of the land to which this notice relates, you may be entitled to a payment of up to \$10 000 from the Authority for use towards the payment of professional costs in relation to the acquisition of the land.

Professional costs include legal costs, valuation costs and any other costs prescribed by the *Land Acquisition Regulations 2019*.

**3. Inquiries**

Inquiries should be directed to: Petrula Pettas  
GPO Box 1533  
Adelaide SA 5001  
Telephone: (08) 7133 2457

Dated: 9 May 2023

The Common Seal of the COMMISSIONER OF HIGHWAYS was hereto affixed by authority of the Commissioner in the presence of:

ROCCO CARUSO  
Manager, Property Acquisition (Authorised Officer)  
Department for Infrastructure and Transport

DIT 2022/02954/01



## LAND ACQUISITION ACT 1969

## SECTION 16

*Form 5—Notice of Acquisition***1. Notice of acquisition**

The Commissioner of Highways (the Authority), of 83 Pirie Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an unencumbered estate in fee simple in that piece of land being the whole of Allotment 20 in Deposited Plan 2836 comprised in Certificate of Title Volume 5510 Folio 805.

This notice is given under section 16 of the *Land Acquisition Act 1969*.

**2. Compensation**

A person who has or had an interest consisting of native title or an alienable interest in the land that is divested or diminished by the acquisition or the enjoyment of which is adversely affected by the acquisition who does not receive an offer of compensation from the Authority may apply to the Authority for compensation.

**2A. Payment of professional costs relating to acquisition (section 26B)**

If you are the owner in fee simple of the land to which this notice relates, you may be entitled to a payment of up to \$10 000 from the Authority for use towards the payment of professional costs in relation to the acquisition of the land.

Professional costs include legal costs, valuation costs and any other costs prescribed by the *Land Acquisition Regulations 2019*.

**3. Inquiries**

Inquiries should be directed to: Rob Gardner  
GPO Box 1533  
Adelaide SA 5001  
Telephone: (08) 7133 2415

Dated: 10 May 2023

The Common Seal of the COMMISSIONER OF HIGHWAYS was hereto affixed by authority of the Commissioner in the presence of:

ROCCO CARUSO  
Manager, Property Acquisition (Authorised Officer)  
Department for Infrastructure and Transport

DIT 2022/08599/01

## LANDSCAPE SOUTH AUSTRALIA ACT 2019

*Declaration of Penalty in Relation to the Unauthorised or Unlawful Taking of Water from the River Murray Prescribed Watercourse*

PURSUANT to Section 88(1) of the *Landscape South Australia Act 2019* (the Act), I, Ben Bruce, delegate of the Minister for Climate, Environment and Water and Minister to whom the Act is committed, hereby declare that the following penalties are payable in relation to the unauthorised or unlawful taking or use of water during the consumption period that corresponds to the accounting period defined in Column 1 of Schedule 1:

1. Where a person who is the holder of a water allocation takes water from the River Murray Prescribed Watercourse in excess of the amount available under the allocation, the penalty declared pursuant to Section 88(1)(a) is:
  - a) the corresponding rate in Column 2 of Schedule 1 to this notice for all water taken in excess of the amount available under the allocation endorsed on the relevant instrument under the terms of the water licence to which the allocation is attributable, up to and including 500,000 kilolitres; and
  - b) the corresponding rate in Column 3 of Schedule 1 to this notice for all water taken in excess of the quantity of water referred to in paragraph (a) above 500,000 kilolitres.
2. Where a person who is authorised under section 105 of the Act takes water from the River Murray Prescribed Watercourse that exceeds the amount authorised under the terms of that authorisation the penalty declared pursuant to Section 88(1)(e) is:
  - a) the corresponding rate in Column 2 of Schedule 1 to this notice for all water taken in excess of the amount authorised by a notice under Section 105 of the Act, up to and including 500,000 kilolitres; and
  - b) the corresponding rate in Column 3 of Schedule 1 to this notice for all water taken in excess of the quantity referred to in paragraph (a) above 500,000 kilolitres.
3. Where water is taken from the River Murray Prescribed Watercourse by a person who is not the holder of a water management authorisation or who is not authorised under Section 105 of the Act to take the water, the penalty declared under Section 88(1)(e) is the corresponding rate in Column 4 of Schedule 1 to this notice per kilolitre of water determined or assessed to have been taken in accordance with Section 79 of the Act.
4. Where a person takes water from the River Murray Prescribed Watercourse in excess of the amount authorised for use under Section 109 of the Act the penalty declared pursuant to Section 88(1)(f) is:
  - a) the corresponding rate in Column 2 of Schedule 1 to this notice for all water taken in excess of the amount authorised for use by a notice under Section 109 of the Act, up to and including 500,000 kilolitres; and
  - b) the corresponding rate in Column 3 of Schedule 1 to this notice for all water taken in excess of the quantity referred to in paragraph (a) above 500,000 kilolitres.
5. Where water is taken from the River Murray Prescribed Watercourse subject to a notice under Section 109 of the Act by a person who is not authorised to use the water the penalty declared under Section 88(1)(f) is the corresponding rate in Column 4 of Schedule 1 to this notice per kilolitre of water determined or assessed to have been taken in accordance with Section 79 of the Act.
6. Where a person may be subject to more than one penalty under Section 88, the penalty that is the greater shall be imposed.

## SCHEDULE 1

Penalties for overuse from the River Murray Prescribed Watercourse between 1 April 2023 to 30 June 2023 inclusive:

Column 1	Column 2	Column 3	Column 4
Accounting Period	Penalty for overuse up to and including 500,000 kL (per kL)	Penalty for overuse above 500,000 kL (per kL)	Penalty for unlawful taking or use of water (per kL)
1 April 2023 to 30 June 2023	\$1.146	\$1.528	\$1.528

Unit of measure kL is the abbreviation of kilolitre.

For the purposes of this notice:

‘the River Murray Prescribed Watercourse’ means the watercourses and lakes declared to be the River Murray Proclaimed Watercourse by proclamation under Section 25 of the *Water Resources Act 1976* (see *Gazette* 10 August 1978, p. 467)

‘accounting period’ means the period determined by the Minister from time to time by notice in the *Gazette* (with the period not necessarily being the same period as the accounting period under Division 2).

‘consumption period’ in relation to an accounting period means a period of approximately the same length as the accounting period that commences or terminates during the accounting period and during which water is taken or used.

Words used in this notice that are defined in the Act shall have the meanings as set out in the Act.

Date: 9 May 2023

BEN BRUCE

Executive Director, Water and River Murray

Department for Environment and Water

Delegate of the Minister for Climate, Environment and Water

## MOTOR VEHICLES ACT 1959

South Australia

## Motor Vehicles (Conditional Registration—Recognition of Motor Vehicle Clubs) Notice 2023 – Australian Street Rod Federation Incorporated

under the *Motor Vehicles Act 1959*

### 1—Short title

This notice may be cited as the Motor Vehicles (Conditional Registration—Recognition of Motor Vehicle Clubs) Notice 2023 – Australian Street Rod Federation Incorporated

### 2—Commencement

This notice takes effect from the date it is published in the *Gazette*.

### 3—Interpretation

In this notice—

**Act** means the *Motor Vehicles Act 1959*;

**Code of Practice** means the ‘Code of Practice for Club Registration - a 90 day conditional registration scheme for historic, left hand drive and street rod vehicles’ published by the Department for Infrastructure and Transport;

**Conditional Registration Scheme** or **Scheme** means the scheme for conditional registration of historic, prescribed left hand drive and street rod motor vehicles under section 25 of the Act and regulations 15 and 16 of the Motor Vehicles Regulations 2010;

**Department** means the Department for Infrastructure and Transport;

**Federation** means the Federation of Historic Motoring Clubs SA Incorporated;

**MR334 form** means an ‘Approval for Registration of Vehicle on the Club Registration Scheme (MR334)’;

**Prescribed log book** means a log book in a form approved by the Registrar;

**Registrar** means the Registrar of Motor Vehicles;

**Regulations** means the Motor Vehicles Regulations 2010.

#### **4—Recognition of motor vehicles clubs**

The motor vehicle clubs specified in Schedule 1 are, subject to the conditions set out in clause 5, recognised for the purposes of regulation 16 of the Regulations.

#### **5—Conditions of recognition**

A motor vehicle club specified in Schedule 1 must comply with the following conditions:

- (a) the club must maintain a constitution approved by the Registrar;
- (b) the club must nominate and have members authorised by the Registrar (authorised persons). The club’s authorised person(s) are responsible for approving applicants and motor vehicles for registration under the Scheme. This includes confirming that Scheme applicants are financial members of a club; any other details as required by the Registrar on the MR334 form; and to inspect members’ vehicles when requested to do so by the Registrar;
- (c) the club must issue a prescribed log book to club members for each of their vehicles to record vehicle use;
- (d) the club must cancel a member’s prescribed log book when a member resigns, must ensure that a statutory declaration is provided when a member’s log book is lost or destroyed, must keep details of members’ prescribed log book return sheets and forward copies of the same to the Registrar or Federation annually as required;
- (e) the club must create and maintain records detailing all its financial members, its authorised persons, all vehicles for which an MR334 form has been issued, all statutory declarations received and prescribed log books issued and returned to the club;
- (f) the club must keep records for a period of 5 years from the date of the document and these records must include all duplicate MR334 forms, all records of motor vehicle inspections undertaken in accordance with paragraph (b), all statutory declarations provided by members for the purposes of paragraphs (d), all prescribed log books issued by reference to their serial number, the member’s name and the vehicle for which it was issued, and to make all such records available for inspection or provide copies of the records at the request of the Registrar for audit purposes;
- (g) the club must ensure, as far as practicable, that all members comply with the Code of Practice;
- (h) the club, as far as practicable, must report to the Registrar or the Federation details of members and motor vehicles not complying with the conditions and criteria set out in the Code of Practice for the Scheme;

- (i) the club must provide to the Registrar, within 2 months after the end of the club's financial year, an annual report detailing members from that financial year with vehicles registered under the Scheme who are no longer financial members of the club;
- (j) the club must notify the Registrar, in writing, within 14 days of resolution to cease operation as a club and must provide the club records specified in paragraph (f) to the Registrar within 14 days of its dissolution.

**Note—**

Under regulation 16(3)(c) of the *Motor Vehicles Regulations 2010*, the Registrar may, by notice in the Gazette, withdraw the recognition of a motor vehicle club if satisfied that the club has contravened or failed to comply with a condition applying to its recognition by the Registrar, or if there is other good cause to withdraw the recognition.

## Schedule 1—Recognised motor vehicle clubs

### Historic, left-hand drive and street rod motor vehicle clubs

Australian Street Rod Federation Incorporated

### Made by the Deputy Registrar of Motor Vehicles

On 3 May 2023

#### PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

##### *Grant of Gas Storage Exploration Licence—GSEL 761*

Pursuant to section 92(1) of the *Petroleum and Geothermal Energy Act 2000*, notice is hereby given that the undermentioned Gas Storage Exploration Licence has been granted under the provisions of the *Petroleum and Geothermal Energy Act 2000*, pursuant to delegated powers dated 29 June 2018.

No. of Licence	Licensees	Locality	Area in km <sup>2</sup>	Reference
GSEL 761	Gidgee Energy Pty Ltd	Cooper Basin	742	MER-2022/0276

#### *Description of Areas*

All that part of the State of South Australia, bounded as follows:

##### AREA 1

Commencing at a point being the intersection of latitude 27°44'00"S GDA94 and longitude 140°46'00"E GDA94, thence east to longitude 140°54'00"E GDA94, north to latitude 27°42'00"S GDA94, east to the eastern border of the State of South Australia, then north along the said State border to latitude 27°32'00"S GDA94, west to longitude 140°59'00"E GDA94, south to latitude 27°33'00"S GDA94, west to longitude 140°58'00"E GDA94, south to latitude 27°34'00"S GDA94, west to longitude 140°56'00"E GDA94, south to latitude 27°35'00"S GDA94, west to longitude 140°52'10"E AGD66, south to latitude 27°36'00"S GDA94, west to longitude 140°52'00"E GDA94, south to latitude 27°40'00"S GDA94, west to longitude 140°46'00"E GDA94, and south to the point of commencement.

##### AREA 2

Commencing at a point being the intersection of latitude 27°47'40"S AGD66 and longitude 140°25'44"E GDA94, thence west to longitude 140°16'40"E AGD66, south to latitude 27°51'00"S GDA94, east to longitude 140°21'30"E GDA94, south to latitude 27°53'00"S GDA94, east to longitude 140°30'00"E GDA94, south to latitude 28°00'00"S GDA94, east to longitude 140°34'00"E GDA94, south to latitude 28°01'00"S GDA94, east to longitude 140°34'20"E AGD66, north to latitude 27°56'10"S AGD66, east to longitude 140°36'40"E AGD66, north to latitude 27°54'50"S AGD66, east to longitude 140°42'00"E GDA94, north to latitude 27°50'00"S GDA94, west to longitude 140°39'00"E GDA94, north to latitude 27°49'00"S GDA94, west to longitude 140°36'00"E GDA94, south to latitude 27°53'00"S GDA94, west to longitude 140°34'00"E GDA94, north to latitude 27°52'00"S GDA94, west to longitude 140°33'00"E GDA94, north to latitude 27°51'00"S GDA94, west to longitude 140°25'44"E GDA94, and north to the point of commencement.

AREA 3  
Commencing at a point being the intersection of latitude 27°47'00"S GDA94 and longitude 140°50'00"E GDA94, thence east to longitude 140°54'00"E GDA94,  
south to latitude 27°53'00"S GDA94, west to longitude 140°48'00"E GDA94,  
north to latitude 27°50'00"S GDA94, east to longitude 140°49'00"E GDA94,  
north to latitude 27°49'00"S GDA94, east to longitude 140°50'00"E GDA94, and north to the point of commencement  
AREA: **742** square kilometres approximately  
Dated: 5 May 2023

NICK PANAGOPOULOS  
A/Executive Director  
Energy Resources Division  
Department for Energy and Mining  
Delegate of the Minister for Energy and Mining

ROAD TRAFFIC ACT 1961

*Authorisation to Operate Breath Analysing Instruments*

I, Grant Stevens, Commissioner of Police, do hereby notify that on and from 2 May 2023, the following persons were authorised by the Commissioner of Police to operate breath analysing instruments as defined in and for the purposes of the:

- *Road Traffic Act 1961*;
- *Harbors and Navigation Act 1993*;
- *Security and Investigation Industry Act 1995*; and
- *Rail Safety National Law (South Australia) Act 2012*.

PD Number	Officer Name
11393	BELPERIO, Descenna Suzanne
77020	BENNETT, Liam Sean
10541	BURNETT, Matthew James
11952	D'HYON, Jared Caleb
11338	FRASER, Ethan James
12467	GUGLIELMUCCI, Nicholas Lee
12246	HODGSON, Emma Rose
75434	ISEMONGER, Alan Patrick
11068	LINDQUIST, Michael Ethan
11130	MCDERMOTT, Peter Eric
12380	NEVILLE, Samuel Graham
76659	STAM, Anthony Craig

Dated: 19 January 2023

GRANT STEVENS  
Commissioner of Police

Reference: 2023-0005

## LOCAL GOVERNMENT INSTRUMENTS

### CITY OF ADELAIDE

#### ADELAIDE PARK LANDS AUTHORITY (A SUBSIDIARY OF THE CITY OF ADELAIDE)

##### *Notice of Appointments*

The City of Adelaide, pursuant to Division 2 of Part 2 of the *Adelaide Park Lands Act 2005* (the Act) and Council resolution of 31 January 2023, having undertaken the required consultation with the Minister for Planning, appoints the following people as members of the Board of Management of the Adelaide Park Lands Authority:

For the purposes of section 6 (1) (a) (ii) of the Act:

Les Wanganeen as Member of the Board

Tania Taylor as Deputy Member of the Board

Pursuant to section 7 (2) of the Act, Council appoints the above persons until 31 December 2025.

Dated: 3 May 2023

CLARE MOCKLER  
Chief Executive Officer

### CITY OF ADELAIDE

#### ADELAIDE PARK LANDS AUTHORITY (A SUBSIDIARY OF THE CITY OF ADELAIDE)

##### *Notice of Amendment of Charter for the Adelaide Park Lands Authority*

The City of Adelaide at its meeting on 28 March 2023 resolved to amend the Charter of the Adelaide Park Lands Authority, established as a subsidiary of the City of Adelaide pursuant to section 42 of the *Local Government Act 1999*.

Pursuant to section 13 (a) of the *Adelaide Park Lands Act 2005*, the City of Adelaide has consulted on the amendment with the Minister responsible for the administration of the *Adelaide Park Lands Act 2005* and obtained the approval of the Minister responsible for the administration of the *Local Government Act 1999* on 27 April 2023.

Pursuant to Clause 3 (5) of Part 1 of Schedule 2 of the *Local Government Act 1999*, the amended Charter of the Adelaide Park Lands Authority, is available for public inspection at [cityofadelaide.com.au/kadaltilla](http://cityofadelaide.com.au/kadaltilla).

Dated: 3 May 2023

CLARE MOCKLER  
Chief Executive Officer

### CHARTER—2023

#### *Pursuant to section 42 of the Local Government Act 1999*

Approved by the City of Adelaide 28 March 2023

Approved by the Minister for Local Government 27 April 2023

Published in the State Government Gazette 11 May 2023

#### **1. INTRODUCTION**

The land comprising the Adelaide Park Lands should, as far as is reasonably appropriate, correspond to the general intentions of Colonel William Light in establishing the first Plan of Adelaide in 1837.

##### **1.1. Name of Authority**

The name of the Subsidiary is the Adelaide Park Lands Authority (referred to as ‘the Authority’ in this Charter). The Authority will be branded as ‘Kadaltilla / Adelaide Park Lands Authority’.

### DISTRICT COUNCIL OF GRANT

#### ROADS (OPENING AND CLOSING) ACT 1991

##### *Road Closing—Pelican Point*

NOTICE is hereby given, pursuant to Section 10 of the *Roads (Opening and Closing) Act 1991* that the District Council of Grant proposes to make a Road Process Order to close and merge a portion of road and merge with Certificate of Title 5847/262, more particularly delineated and lettered ‘B’ on Preliminary Plan 22/0011.

The Preliminary Plan and statement of persons affected is available for public inspection at the offices of the District Council of Grant, and the Adelaide Office of the Surveyor-General, during normal office hours. The Preliminary Plan can also be viewed at [www.sa.gov.au/roadsactproposals](http://www.sa.gov.au/roadsactproposals).

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons. The application for easement or objection must be made in writing to the District Council of Grant WITHIN 28 DAYS OF THIS NOTICE, and a copy must be forwarded to the Surveyor-General at PO Box 1815, Adelaide 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Date: 8 May 2023

DARRYL WHICKER  
Chief Executive Officer

## PUBLIC NOTICES

### NATIONAL ELECTRICITY LAW

#### *Notice of Initiation of Request*

The Australian Energy Market Commission (AEMC) gives notice under the National Electricity Law as follows:

Under s 95, the Reliability Panel has requested the *Amendment of the market price cap, cumulative price threshold and administered price cap* (Ref. ERC0353) proposal. The proposal seeks to increase the market price cap, cumulative price threshold and administered price cap. Submissions must be received by **22 June 2023**.

Submissions can be made via the [AEMC's website](#). Before making a submission, please review the AEMC's [privacy statement](#) on its website, and consider the AEMC's [Tips for making a submission](#). The AEMC publishes all submissions on its website, subject to confidentiality.

Documents referred to above are available on the AEMC's website and are available for inspection at the AEMC's office.

Australian Energy Market Commission  
Level 15, 60 Castlereagh St  
Sydney NSW 2000  
Telephone: (02) 8296 7800  
[www.aemc.gov.au](http://www.aemc.gov.au)

Dated: 11 May 2023

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# NOTICE SUBMISSION

The South Australian Government Gazette is published each Thursday afternoon.

Notices must be emailed by 4 p.m. Tuesday, the week of publication.

Submissions are formatted per the gazette style and a proof will be supplied prior to publication, along with a quote if applicable. Please allow one day for processing notices.

Alterations to the proof must be returned by 4 p.m. Wednesday.

## **Gazette notices must be submitted as Word files, in the following format:**

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- Body—structured text, which can include numbered lists, tables, and images
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