THE SOUTH AUSTRALIAN

GOVERNMENT GAZETTE

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GOVERNOR'S INSTRUMENTS

APPOINTMENTS, RESIGNATIONS AND GENERAL MATTERS

Department of the Premier and Cabinet
Adelaide, 30 July 2026

His Excellency the Governor's Deputy in Executive Council has been pleased to appoint the undermentioned to the South Australian Water Corporation Board, pursuant to the provisions of the South Australian Water Corporation Act 1994:

Director: from 3 August 2026 until 2 August 2027
Celine Clare McInerney
Denise Ann Picton
Kenneth Graham Williams

By command,

RHIANNON KATE PEARCE, MP
For Premier

26MSAW10849

Department of the Premier and Cabinet
Adelaide, 30 July 2026

His Excellency the Governor's Deputy in Executive Council has been pleased to appoint the undermentioned to the South Australian Local Government Grants Commission, pursuant to the provisions of the South Australian Local Government Grants Commission Act 1992:

Member: from 5 August 2026 until 4 August 2029
Tahnya Fleur Barnett Donaghy

By command,

RHIANNON KATE PEARCE, MP
For Premier

26MLG0007CS

Department of the Premier and Cabinet
Adelaide, 30 July 2026

His Excellency the Governor's Deputy in Executive Council has been pleased to appoint the Honourable Blair Ingram Boyer, MP as Acting Minister for Human Services and Acting Minister for Seniors and Ageing Well from 4 August 2026 until 9 August 2026 inclusive, during the absence of the Honourable Katrine Anne Hildyard, MP.

By command,

RHIANNON KATE PEARCE, MP
For Premier

DHSCS/26/002

Department of the Premier and Cabinet
Adelaide, 30 July 2026

His Excellency the Governor's Deputy in Executive Council has been pleased to appoint the Honourable Nadia Peace Clancy, MP as Acting Minister for Women from 4 August 2026 until 9 August 2026 inclusive, during the absence of the Honourable Katrine Anne Hildyard, MP.

By command,

RHIANNON KATE PEARCE, MP
For Premier

DHSCS/26/002

Department of the Premier and Cabinet
Adelaide, 30 July 2026

His Excellency the Governor's Deputy in Executive Council has been pleased to appoint Susan Joan Macdonald as the Acting Guardian for Children and Young People for a term commencing on 3 August 2026 and expiring on 2 February 2027 or upon the appointment of a new Guardian for Children and Young People, whichever is earlier - pursuant to the Children and Young People (Oversight and Advocacy Bodies) Act 2016 and section 41 of the Legislation Interpretation Act 2021.

By command,

RHIANNON KATE PEARCE, MP
For Premier

F2026007377

Department of the Premier and Cabinet
Adelaide, 30 July 2026

His Excellency the Governor's Deputy in Executive Council has directed that a cash payment be made to Martin Gerard Hinton upon his resignation as Director of Public Prosecutions, in lieu of his unused leave entitlement - pursuant to his Terms and Conditions of Appointment determined under the Director of Public Prosecutions Act 1991.

By command,

RHIANNON KATE PEARCE, MP
For Premier

AGO0048-26CS

PROCLAMATIONS

South Australia

Fair Trading (Fuel Pricing Information Penalties) Amendment Act (Commencement) Proclamation 2026

1—Short title

This proclamation may be cited as the *Fair Trading (Fuel Pricing Information Penalties) Amendment Act (Commencement) Proclamation 2026*.

2—Commencement of Act

The *Fair Trading (Fuel Pricing Information Penalties) Amendment Act 2026* (No 2 of 2026) comes into operation on 30 July 2026.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 30 July 2026

South Australia

Roxby Downs (Indenture Ratification) (Amendment of Indenture) Amendment Act (Commencement) Proclamation 2026

1—Short title

This proclamation may be cited as the *Roxby Downs (Indenture Ratification) (Amendment of Indenture) Amendment Act (Commencement) Proclamation 2026*.

2—Commencement of Act

The *Roxby Downs (Indenture Ratification) (Amendment of Indenture) Amendment Act 2026* (No 3 of 2026) comes into operation on 30 July 2026.

Note—

Under section 2(2) of the Act, Parts 2, 4 and 5 of the Act come into operation on the Variation Date (within the meaning of the Act).

For the avoidance of doubt, this proclamation is not fixing a day for the purposes of section 2(3)(b) of the Act.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 30 July 2026

South Australia

Statutes Amendment (Heritage) Act (Commencement) Proclamation 2026

1—Short title

This proclamation may be cited as the *Statutes Amendment (Heritage) Act (Commencement) Proclamation 2026*.

2—Commencement of Act

The *Statutes Amendment (Heritage) Act 2025* (No 27 of 2025) comes into operation on 30 July 2026.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 30 July 2026

South Australia

Statutes Amendment (Planning, Infrastructure and Other Matters) Act (Commencement) Proclamation 2026

1—Short title

This proclamation may be cited as the *Statutes Amendment (Planning, Infrastructure and Other Matters) Act (Commencement) Proclamation 2026*.

2—Commencement and suspension of certain provisions

(1) Subject to subclause (2), Part 6 of the *Statutes Amendment (Planning, Infrastructure and Other Matters) Act 2025* (No 64 of 2025) comes into operation on 30 July 2026.

(2) The operation of section 70(2) and (3) of the Act is suspended until a day or time or days or times to be fixed by subsequent proclamation or proclamations.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 30 July 2026

REGULATIONS

South Australia

Local Government (Financial Management) Regulations 2026

under the *Local Government Act 1999*

Contents

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Local Government (Financial Management) Regulations 2026*.

2—Commencement

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

3—Interpretation

In these regulations—

Act means the *Local Government Act 1999*;

Australian Accounting Standard means an Australian Accounting Standard published by the Australian Accounting Standards Board, as in force from time to time;

Better Practice Model—Internal Financial Controls means the *Better Practice Model—Internal Financial Controls* referred to in regulation 4(2);

budget means—

(a) a budget prepared by a council under section 123 of the Act; or

(b) a budget prepared by a subsidiary under Schedule 2 clause 9 of the Act; or

(c) a budget prepared by a regional subsidiary under Schedule 2 clause 25 of the Act;

financial statements has the same meaning as in—

(a) in relation to a reporting period beginning on or after 1 January 2028—paragraph 10 "Complete Set of Financial Statements" of the *Australian Accounting Standard* AASB 18; or

(b) in any other case—paragraph 10 "Complete Set of Financial Statements" of the *Australian Accounting Standard* AASB 101;

full cost attribution basis means a system under which all costs, including indirect and overhead costs, are allocated to a function, activity, good or service on a reliable and consistent basis (which may be unique to a particular council, council subsidiary or regional subsidiary);

material has the same meaning as in—

(a) in relation to a reporting period beginning on or after 1 January 2028—*Australian Accounting Standard* AASB 18; or

(b) in any other case—*Australian Accounting Standard* AASB 101;

Model Financial Statements means the Model Financial Statements referred to in regulation 4(3).

4—Adopted standards etc

(1) For the purposes of the definition of ***Australian Accounting Standard***—

(a) the Australian Accounting Standards Board is declared to be a prescribed body under section 303(4) of the Act; and

(b) a copy of the Australian Accounting Standards must be kept available at the principal office of the administrative unit of the Public Service primarily responsible to assist the Minister in the administration of this Act for the purposes of section 303(7)(c) of the Act.

(2) For the purposes of the definition of ***Better Practice Model—Internal Financial Controls***, the document entitled the *Better Practice Model—Internal Financial Controls* published by the LGA on 5 September 2022, as in force from time to time, is adopted by these regulations pursuant to section 303(4) of the Act.

(3) For the purposes of the definition of ***Model Financial Statements***, the document entitled the *Model Financial Statements* published by the LGA on 30 June 2026, as in force from time to time, is adopted by these regulations pursuant to section 303(4) of the Act.

(4) An alteration to the *Better Practice Model—Internal Financial Controls* or the *Model Financial Statements* by the LGA has no force or effect for the purposes of subregulation (2) or (3) (as the case requires) unless or until the Minister has provided their written approval to the making of the alteration.

(5) For the purposes of the definitions of ***Better Practice Model—Internal Financial Controls*** and ***Model Financial Statements***—

(a) the LGA is declared to be a prescribed body under section 303(4) of the Act; and

(b) the principal office of the LGA (at 148 Frome Street, Adelaide, 5000 or, if the LGA moves its principal office, at that new address) is specified for the purposes of section 303(7)(c) of the Act.

Part 2—Financial accountability

5—Long-term financial plans

(1) A long-term financial plan developed and adopted for the purposes of section 122(1a)(a) of the Act must include—

(a) a summary of proposed operating and capital investment activities presented in a manner consistent with the note in the Model Financial Statements entitled *Uniform Presentation of Finances*; and

(b) estimates and target ranges adopted by the council for each year of the long-term financial plan with respect to an operating surplus ratio, a net financial liabilities ratio and an asset renewal funding ratio presented in a manner consistent with the note in the Model Financial Statements entitled *Financial Indicators*.

(2) A long-term financial plan must be accompanied by a statement which sets out—

(a) the purpose of the long-term financial plan; and

(b) the basis, including key assumptions, on which it has been prepared; and

(c) the key conclusions which may be drawn from the estimates, proposals and other information in the plan.

(3) A statement under subregulation (2) must be expressed in plain English and must avoid unnecessary technicality and excessive detail.

(4) The prescribed period for the purposes of section 122(1c) of the Act is 4 years.

6—Annual business plans

(1) Pursuant to section 123(2)(g) of the Act, an annual business plan (including a draft for the purposes of public consultation) must include information with respect to the following additional matters:

(a) the reason why the council has adopted its valuation method for rating purposes;

(b) if differential rates are used, the reasons and justifications for the differentiation, and the expected level of revenue to be raised by each differential rate;

(c) if applicable, the use and level of a fixed charge component of a general rate;

(d) the use and level of any separate rate, service rate or service charge, including the reasons for the rate or charge;

(e) the council's policy on discretionary rebates and remissions, with particular reference to the rebates that will apply for more than 1 financial year and including information on how a rebate is designed to meet the purpose behind the rebate;

(f) a statement on the total expected revenue from general rates for the financial year compared to the total expected revenue from general rates for the previous financial year as set out in the annual business plan for that previous financial year (excluding rebates and remissions on rates that are not discretionary rebates or remissions);

(g) a statement on the percentage change in the total expected revenue from general rates for the financial year compared to the total expected revenue from general rates for the previous financial year as set out in the annual business plan for that previous financial year (excluding rebates and remissions on rates that are not discretionary rebates or remissions);

(h) if relevant, a statement on the average change in the expected rates for the financial year (expressed as a whole number of dollars) for each land use category declared as a permissible differentiating factor compared to the expected rates for each category for the previous financial year as set out in the annual business plan for that previous financial year;

(i) issues concerning equity within the community and the impact of rates across the area;

(j) the application or operation of a minimum amount payable by way of rates (if applicable).

(2) If an annual business plan sets out a growth component in relation to general rates, it may only relate to growth in the number of rateable properties (and must not relate to growth in the value of rateable properties).

7—Budgets

Pursuant to section 123(10)(b) of the Act, each budget of a council under the Act must—

(a) include budgeted financial statements, which must be presented, other than notes and other explanatory documentation, in a manner consistent with the Model Financial Statements; and

(b) state whether projected operating income is sufficient to meet projected operating expenses for the relevant financial year; and

(c) include a summary of operating and capital investment activities presented in a manner consistent with the note in the Model Financial Statements entitled *Uniform Presentation of Finances*; and

(d) include estimates with respect to the council's operating surplus ratio, net financial liabilities ratio and asset renewal funding ratio presented in a manner consistent with the note in the Model Financial Statements entitled *Financial Indicators*.

8—Provision of subsidiary budgets to councils

(1) For the purposes of Schedule 2 clause 9(2)(e) of the Act, a copy of a budget adopted by a subsidiary must be provided to the chief executive officer of the relevant council within 5 business days after its adoption.

(2) For the purposes of Schedule 2 clause 25(2)(e) of the Act, a copy of a budget adopted by a regional subsidiary must be provided to the chief executive officer of each constituent council within 5 business days after its adoption.

9—Review of budgets

(1) A council, council subsidiary or regional subsidiary must prepare and consider the following reports:

(a) at least twice, between 30 September and 31 May (both dates inclusive) in the relevant financial year (where at least 1 report must be considered before the consideration of the report under subregulation (1)(b), and at least 1 report must be considered after consideration of the report under subregulation (1)(b))—a report showing a revised forecast of its operating and capital investment activities for the relevant financial year compared with the estimates for those activities set out in the budget presented in a manner consistent with the note in the Model Financial Statements entitled *Uniform Presentation of Finances*;

(b) between 30 November and 15 March (both dates inclusive) in the relevant financial year—a report showing a revised forecast of each item shown in its budgeted financial statements for the relevant financial year compared with estimates set out in the budget presented in a manner consistent with the Model Financial Statements.

(2) A council must also include in a report under subregulation (1)(b) revised forecasts for the relevant financial year of the council's operating surplus ratio, net financial liabilities ratio and asset renewal funding ratio compared with estimates set out in the budget presented in a manner consistent with the note in the Model Financial Statements entitled *Financial Indicators*.

10—Report on financial results

(1) A council, council subsidiary or regional subsidiary must, by no later than 31 December in each year, prepare and consider a report showing the audited financial results of each item shown in the statement of comprehensive income and balance sheet of the budgeted financial statements of the council, council subsidiary or regional subsidiary (as the case may be) for the previous financial year compared with the estimated financial results set out in the budget presented in a manner consistent with the Model Financial Statements.

(2) A council must also include in a report under subregulation (1) audited financial results for the previous financial year of the council's operating surplus ratio, net financial liabilities ratio and asset renewal funding ratio compared with estimates set out in the budget presented in a manner consistent with the note in the Model Financial Statements entitled *Financial Indicators*.

11—Internal control policies

For the purposes of section 125(2) of the Act, the policies, practices and procedures of internal financial control of a council must be in accordance with the *Better Practice Model—Internal Financial Controls*.

Part 3—Accounting principles

12—Accounting standards

(1) A council, council subsidiary or regional subsidiary must ensure that all accounting records, accounts and financial statements are prepared and maintained in accordance with all relevant Australian Accounting Standards.

(2) Unless otherwise required or permitted by another law, a council, council subsidiary or regional subsidiary must ensure that reporting on a function, activity, good or service of the council, council subsidiary or regional subsidiary contained in its financial statements, or in any other external financial report prepared by the council, council subsidiary or regional subsidiary, is made according to a full cost attribution basis.

(3) For the purposes of subregulation (2), an external financial report is a report of a financial nature prepared for the information and use of a person or body external to the council, the council subsidiary and the council which established the subsidiary, or the regional subsidiary and any constituent council (as the case may be).

13—Revaluation of assets

A council, council subsidiary or regional subsidiary must undertake a revaluation of all material non-current assets in accordance with the requirements of *Australian Accounting Standard* AASB 116.

Part 4—Financial statements

14—Form of financial statements

The financial statements of a council, council subsidiary or regional subsidiary (other than notes and other explanatory documentation) must be in accordance with the requirements set out in the Model Financial Statements.

15—Certification of financial statements

The financial statements of a council, council subsidiary or regional subsidiary must include a statement, in a form determined by the Minister, signed by—

(a) in the case of a council—the chief executive officer and the principal member of the council; or

(b) in the case of council subsidiary or regional subsidiary—the chair of the board of management,

certifying that—

(c) the financial statements comply with relevant legislation and Australian Accounting Standards; and

(d) the financial statements present a true and fair view of the—

(i) financial position; and

(ii) results of the operations; and

(iii) cash flows,

of the council, council subsidiary or regional subsidiary (as the case may be) for the financial year; and

(e) internal controls implemented by the council, council subsidiary or regional subsidiary (as the case may be) provide a reasonable assurance that its financial records are complete, accurate and reliable and were effective throughout the financial year; and

(f) the financial statements accurately reflect the accounting and other records of the council, council subsidiary or regional subsidiary (as the case may be); and

(g) —

(i) in the case of a council—the chief executive officer and the principal member; or

(ii) in the case of council subsidiary or regional subsidiary—the chair,

have been authorised by the council, council subsidiary or regional subsidiary (as the case may be) to certify the annual financial statements in their final form.

16—Prescribed day

The prescribed day for the purposes of section 127(2)(a) of the Act is the second Friday in September in the financial year immediately following the end of the relevant financial year.

17—Provision of information

(1) In accordance with section 127(4) of the Act, a council must, on or before 30 November in each year, submit a copy of the audited financial statements of the council for the immediately preceding financial year to the presiding member of the South Australian Local Government Grants Commission.

(2) The statements submitted under subregulation (1) must be accompanied by information that accords with the "Supplementary Return to the Financial Statements" issued by the South Australian Local Government Grants Commission for use by councils.

(3) The chief executive officer of the council must certify that the information provided under subregulation (2) has been reconciled to, and is consistent with, the audited financial statements of the council.

Part 5—Council and regional audit and risk committees

18—Membership of council audit and risk committee

(1) The audit and risk committee of a council—

(a) must have between 3 and 5 members (inclusive); and

(b) must not include, as a member, the council's auditor under section 128 of the Act.

(2) The audit committee of a council subsidiary—

(a) must have between 3 and 5 members (inclusive); and

(b) must include at least 1 person who is not a member of the board of management of the subsidiary and who is determined by the council to have financial experience relevant to the functions of the audit committee; and

(c) must not include, as a member, the council's auditor under section 128 of the Act or the auditor of the subsidiary under Part 6.

(3) The audit committee of a regional subsidiary—

(a) must have between 3 and 5 members (inclusive); and

(b) must include at least 1 person who is not a member of the board of management of the regional subsidiary and who is determined by the constituent councils to have financial experience relevant to the functions of the audit committee; and

(c) may include members who are members of a constituent council; and

(d) must not include, as a member, a constituent council's auditor under section 128 of the Act or the auditor of the subsidiary under Part 6.

19—Membership of regional audit and risk committee

A regional audit and risk committee established by 2 or more councils—

(a) must have between 3 and 5 members (inclusive); and

(b) must not include, as a member, a constituent council's auditor under section 128 of the Act.

20—Requirement to liaise with council auditor

For the purposes of sections 126(4)(e) and 126A(4)(e) of the Act—

(a) a council audit and risk committee must liaise with the council's auditor by meeting with the auditor on at least 1 occasion each year on a confidential basis in circumstances where—

(i) a majority of the members of the committee are present; and

(ii) no members or employees of the council are present (other than members who are members of the committee); and

(b) a regional audit and risk committee must liaise with the constituent councils' auditors by meeting with the auditors on at least 1 occasion each year on a confidential basis in circumstances where—

(i) a majority of the members of the committee are present; and

(ii) no members or employees of the constituent councils are present (other than members who are members of the committee).

21—Exemption

(1) A regional subsidiary may apply to the Minister for an exemption from the requirement in Schedule 2 clause 30 of the Act to establish an audit committee.

(2) An application for an exemption under subregulation (1) may only be made if each constituent council of the regional subsidiary to which the application relates has resolved that the application be made.

(3) The Minister may, by written notice to the subsidiary, grant an exemption on an application under subregulation (1).

(4) An exemption under subregulation (3) may be subject to conditions specified by the Minister.

(5) The Minister may, by subsequent written notice to the regional subsidiary, vary or revoke an exemption, or a condition imposed in relation to an exemption.

(6) The chief executive officers of the constituent councils must ensure that a written notice given to a regional subsidiary under this regulation is published on a website (or websites) determined by the chief executive officers.

Part 6—Audit

Division 1—Audit standards

22—Audit standards

(1) An audit of—

(a) the financial statements of a council, council subsidiary or regional subsidiary must be carried out in accordance with the Auditing Standards and Auditing Guidance Statements published (and amended from time to time) by the Auditing and Assurance Standards Board established under the *Australian Securities and Investments Commission Act 2001* of the Commonwealth; and

(b) the internal controls of a council referred to in section 129(1)(b) of the Act must be carried out in accordance with the Australian Standards on Assurance Engagements published (and amended from time to time) by the Auditing and Assurance Standards Board established under the *Australian Securities and Investments Commission Act 2001* of the Commonwealth.

(2) In forming an audit opinion for a council under section 129(3)(a) of the Act, the auditor must give due consideration to the adequacy of the council's policies, practices and procedures of internal control under section 125 of the Act.

(3) In forming an audit opinion for a council under section 129(3)(b) of the Act, the auditor must assess the internal controls of the council referred to in section 129(1)(b) of the Act based on the criteria in the *Better Practice Model—Internal Financial Controls*.

Division 2—Subsidiaries

23—Auditor of subsidiary

(1) A council subsidiary or regional subsidiary must have an auditor.

(2) The auditor must be—

(a) a registered company auditor; or

(b) a firm comprising at least 1 registered company auditor.

(3) A person is not eligible to be the auditor of a subsidiary if—

(a) the person is a member of the board of management of the subsidiary; or

(b) the person is a member of the council which established the subsidiary or, in the case of a regional subsidiary, a member of a constituent council; or

(c) the person is a nominated candidate for election as a member of the council which established the subsidiary or, in the case of a regional subsidiary, is a nominated candidate for election as a member of a constituent council.

(4) The office of auditor of a subsidiary becomes vacant if—

(a) the auditor dies; or

(b) the auditor resigns by written notice to the person who has been appointed to chair the board of management of the subsidiary; or

(c) the auditor is not or ceases to be eligible for appointment as the auditor; or

(d) the auditor accepts remunerated office or employment from the subsidiary or—

(i) in the case of a council subsidiary—the council which established the subsidiary; or

(ii) in the case of a regional subsidiary—a constituent council; or

(e) the term of appointment of the auditor expires and the auditor is not reappointed; or

(f) the auditor is removed from office by the subsidiary for reasonable cause.

24—Reporting

(1) The financial statements of a subsidiary prepared for a particular financial year must be audited by the subsidiary's auditor.

(2) The financial statements for a financial year must be finalised and audited in sufficient time to meet the requirements of the relevant council or councils under Schedule 2 clause 12(2) or 28(1) of the Act (as the case may be).

(3) Unless otherwise required by an Australian Accounting Standard, a council must, in respect of each subsidiary established by the council or for which the council is a constituent council (as the case may be) include, by way of a note to its financial statements—

(a) information that identifies the subsidiary, and describes its nature and purpose; and

(b) information on the financial contributions that have been made by the council to the subsidiary, or by the subsidiary to the council, during the financial year; and

(c) other financial information relevant to the relationship between the council and the subsidiary (from a financial perspective), including information relating to financial guarantees provided by the council, and to any contingent liabilities that may exist.

(4) The chief executive officer of a council must ensure that any audited financial statements of a subsidiary received for the purposes of Schedule 2 clause 12(3)(a) or 28(2)(a) of the Act are laid before the council as soon as is reasonably practicable following their receipt by the chief executive officer on behalf of the council (and, in any event, no later than the second meeting of the council following that receipt).

Division 3—Independence of council auditor

25—Independence of council auditor

(1) Subject to subregulation (2), a council, council subsidiary or regional subsidiary must not engage its auditor to provide services to the council outside the scope of the auditor's functions under the Act.

(2) A council, council subsidiary or regional subsidiary may engage its auditor to certify that a grant or subsidy received by the council, council subsidiary or regional subsidiary (as the case may be) has been acquitted in accordance with any conditions required by the provider of the grant or subsidy.

(3) The following persons must each provide, on an annual basis, a statement that provides a certification as to compliance for the relevant financial year with the requirement that the auditor be independent of the council, council subsidiary or regional subsidiary (as the case may be):

- (a) in a case involving a council or council subsidiary—the chief executive officer of the relevant council and the presiding member of the audit committee of the relevant body;
- (b) in a case involving a regional subsidiary—
  - (i) the chief executive officer of each constituent council; and
  - (ii) the chair of the board of management of the regional subsidiary; and
  - (iii) the presiding member of the audit committee of the regional subsidiary (unless the subsidiary is exempt from the requirement to have an audit committee).

(4) A statement under subregulation (3) must accompany the financial statements for the relevant body.

(5) The auditor of a council, council subsidiary or regional subsidiary must provide a statement to the following effect:

> I confirm that, for the audit of the financial statements of .... for the............/............ financial year, I have maintained my independence in accordance with the requirements of APES 110—Code of Ethics for Professional Accountants (including Independence Standards), Part 4A, published by the Accounting Professional and Ethical Standards Board, and in accordance with the requirements of the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2026* made under that Act.

(6) A statement under subregulation (5) must accompany the audited financial statements of the relevant body.

(7) The Minister may, on application by a council, by notice in the Gazette, grant an exemption from the operation of this regulation, or a part of this regulation.

(8) An exemption under subregulation (7) may be subject to conditions specified by the Minister.

(9) The Minister may, by subsequent notice in the Gazette, vary or revoke an exemption, or a condition imposed in relation to an exemption.

(10) The Minister must not act under subregulation (9) except on the application of, or after consultation with, the relevant council.

Part 7—Other matters

26—Long service leave

(1) Section 106 of the Act applies to the following authorities or bodies:

(a) the LGA;

(b) a control board established under section 15 of the *Animal and Plant Control (Agricultural Protection and Other Purposes) Act 1986* (and continued in existence under Schedule 4 clause 45 of the *Natural Resources Management Act 2004*);

(c) an organisation involved in local government group training that is registered with the administrative unit of the Public Service that is, under a Minister, responsible for the administration of the *South Australian Skills Act 2008*.

(2) For the purposes of applying section 106 of the Act to an organisation referred to in subregulation (1)(c), employment or periods of service outside the local government sector are to be disregarded.

(3) If an employee leaves the service of 1 council (Council A) and enters the service of another council (Council B) in circumstances in which the employee is entitled to the benefit of section 106(1) of the Act, the contribution to be made by Council A to Council B is to be calculated in accordance with the following formula:

$$C = \frac{1.3 \times r \times n}{52}$$

where—

C is the amount of the contribution;

r is the rate of ordinary pay of the employee at the date of termination of employment with Council A;

n is the number of completed weeks of service of the employee at the date of termination of employment with Council A, including any previous periods of service which are to be aggregated with the period of service with Council A so as to form a continuous period of service for the purposes of section 106(1) of the Act but not including a period of service in respect of which the employee has been granted long service leave or received payment in lieu of long service leave.

(4) If—

(a) a contribution is made under section 106 of the Act by 1 council to another council in respect of a particular employee; but

(b) the service of the employee ceases before an entitlement to long service leave or payment in lieu of long service leave arises, and the employee does not within 13 weeks of the cessation of service again become entitled to the benefit of section 106(1),

the council that received the contribution must refund the amount of the contribution to the council by which the contribution was paid.

(5) If a council receives a refund under this regulation, but the council itself derived portion of the amount refunded from some other council, the council must refund that portion of the amount to that other council.

(6) In this regulation—

council has the same meaning as in section 106 of the Act;

ordinary pay means a person's ordinary weekly rate of pay within the meaning of the *Long Service Leave Act 1987*.

27—Duty to insure against liability

For the purposes of section 142(1) of the Act, a council must take out and maintain insurance to cover its civil liabilities at a minimum level of cover of $300 million.

Schedule 1—Repeal of *Local Government (Financial Management) Regulations 2011*

The *Local Government (Financial Management) Regulations 2011* are repealed.

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's Deputy

after consultation with the Local Government Association and with the advice and consent of the Executive Council
on 30 July 2026

No 55 of 2026

South Australia

Births, Deaths and Marriages Registration Regulations 2026

under the *Births, Deaths and Marriages Registration Act 1996*

Contents

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Births, Deaths and Marriages Registration Regulations 2026*.

2—Commencement

These regulations come into operation on 1 September 2026.

3—Interpretation

In these regulations—

Act means the *Births, Deaths and Marriages Registration Act 1996*;

court appointed guardian has the same meaning as in section 38A of the Act;

de facto relationship has the same meaning as in the *Family Law Act 1975* of the Commonwealth;

fertilisation procedure has the same meaning as in section 10A(1) of the *Family Relationships Act 1975*;

parent includes—

(a) the mother and father of the child; and

(b) the mother and co-parent of the child (within the meaning of the *Family Relationships Act 1975*); and

(c) the parent of a child under an order under section 18 of the *Surrogacy Act 2019*;

place of a birth, marriage or death, or at which a relationship was registered, means—

(a) where the birth, marriage or death (as the case may be) occurs, or the registered relationship was entered into, at a place that has an address—that address;

(b) where the birth, marriage or death (as the case may be) occurs, or the registered relationship was entered into, at a place that does not have an address—the general location in which the birth, marriage or death occurred or the registered relationship was entered into;

prescribed area has the same meaning as in section 8 of the *Burial and Cremation Act 2013*;

registered relationship means—

(a) a registered relationship under the *Relationships Register Act 2016*; or

(b) a corresponding law registered relationship (within the meaning of the *Relationships Register Act 2016*).

Part 2—Registration of births

4—Particulars required in notification of birth

A notice of the birth of a child to be given under section 12(1) of the Act must include the following particulars:

(a) whether the child was born alive;

(b) the date, time and place of the birth;

(c) the child's sex (if determined);

(d) the following information in relation to the child's mother:

(i) the mother's full name;

(ii) the mother's date of birth;

(iii) the mother's usual residential address;

(iv) the mother's email address and contact telephone number;

(e) the following information in relation to the doctor or midwife responsible for the professional care of the mother at the birth:

(i) the doctor or midwife's name;

(ii) the doctor or midwife's business address;

(iii) the doctor or midwife's email address and contact telephone number.

5—Information to be included in birth registration statement

A birth registration statement required to be lodged under section 14 of the Act in relation to the birth of a child must include the following information:

(a) the period of gestation of the child (in weeks) and whether the child was born alive;

(b) the date, time and place of the birth;

(c) the child's sex (if determined);

(d) the child's weight at birth (in grams);

(e) if the child was born alive—the child's name[1];

(f) if the child was conceived as a result of a fertilisation procedure—

(i) the name (if known) of the biological parent who donated the semen or ovum resulting in the child's birth (the ***donor***); and

(ii) the sex or gender identity (if known) of the donor; and

(iii) the donor's date of birth and place of birth (if known);

(g) if the child was the product of a multiple birth—the total number of children born as a result of the multiple birth and the place in the order of birth occupied by the child;

(h) the full name of the child's mother and, if it is different to her current name, the mother's name at birth (or on adoption);

(i) the date of birth (or age in years if the date of birth is not available), place of birth, occupation and usual residential address of the child's mother;

(j) the full name of the child's father or co-parent (as the case requires) and, if it is different to their current name, the father or co-parent's name at birth (or on adoption);

(k) the date of birth (or age in years if the date of birth is not available), place of birth, occupation and usual residential address of the child's father or co-parent (as the case requires);

(l) if the mother, father or co-parent of the child was born overseas—their period of residence in Australia or, if they have had more than 1 period of residence in Australia, the aggregate of those periods;

(m) the chosen parenting title of any co-parent of the child;

(n) if the child's parents are married or in a registered relationship—

(i) the date on which the marriage took place or the registered relationship commenced (as the case requires); and

(ii) the place at which the marriage occurred or the registered relationship was entered into (as the case requires);

(o) the name, sex or gender identity and date of birth of each previous child of the child's mother and father or the child's mother and co-parent (as the case requires);

(p) the name, sex or gender identity and date of birth of each previous child of—

(i) the child's mother and a person other than the child's father or co-parent (as the case requires); and

(ii) the child's father or co-parent (as the case requires) and a person other than the child's mother;

(q) whether the child's mother is of Aboriginal or Torres Strait Islander descent (or both);

(r) whether the child's father or co-parent (as the case requires) is of Aboriginal or Torres Strait Islander descent (or both);

(s) whether the child is of Aboriginal or Torres Strait Islander descent (or both);

(t) the name and business address of the doctor or midwife responsible for the professional care of the mother at the birth.

Note—

1 In the case of a still-born child the birth registration statement may, but need not, state the name of the child—see section 21 of the Act.

6—Particulars of birth to be included in Register

An entry to be made in the Register under section 17(1) of the Act about the birth of a child must include the following particulars:

(a) whether the child was born alive;

(b) the date, time and place of the birth;

(c) the child's sex (if determined);

(d) if the child was born alive—the child's name[1];

(e) if the child was conceived as a result of a fertilisation procedure—

(i) the name (if known) of the biological parent who donated the semen or ovum resulting in the child's birth (the ***donor***); and

(ii) the sex or gender identity (if known) of the donor; and

(iii) the donor's date of birth and place of birth (if known);

(f) the name of the child's mother and, if it is different to her current name, the mother's name at birth (or on adoption);

(g) the date of birth (or age in years if the date of birth is not available), place of birth, occupation and usual residential address of the child's mother;

(h) the name of the child's father or co-parent (as required) and, if it is different to their current name, the father or co-parent's name at birth (or on adoption);

(i) the date of birth (or age in years if the date of birth is not available), place of birth, occupation and usual residential address of the child's father or co-parent (as the case requires);

(j) the chosen parenting title of any co-parent of the child;

(k) if the child's parents are married or in a registered relationship—

(i) the date on which the marriage took place or the registered relationship commenced (as the case requires); and

(ii) the place at which the marriage occurred or the registered relationship was entered into (as the case requires);

(l) the name, sex or gender identity and date of birth of each previous child of the child's mother and father or co-parent (as the case requires);

(m) the name, sex or gender identity and date of birth of each previous child of—

(i) the child's mother and a person other than the child's father or co-parent (as the case requires); and

(ii) the child's father or co-parent (as the case requires) and a person other than the child's mother;

(n) the name, usual residential address and relationship to the child of each person who signed the birth registration statement;

(o) whether the child's mother is of Aboriginal or Torres Strait Islander descent (or both);

(p) whether the child's father or co-parent (as the case requires) is of Aboriginal or Torres Strait Islander descent (or both);

(q) whether the child is of Aboriginal or Torres Strait Islander descent (or both).

Note—

1 In the case of a still-born child the birth registration statement may, but need not, state the name of the child—see section 21 of the Act.

Part 3—Registration of change of name

7—Conferral of jurisdiction on South Australian Civil and Administrative Tribunal

(1) Pursuant to section 25A(9) of the Act, the South Australian Civil and Administrative Tribunal is conferred with jurisdiction to deal with matters consisting of the review of a decision of the Chief Executive under section 25A of the Act.

(2) An application for review of a decision relating to a particular child may be made to the South Australian Civil and Administrative Tribunal by—

(a) a person who is a guardian of the child pursuant to an order of the Court under the *Children and Young People (Safety) Act 2017* or the *Children and Young People (Safety and Support) Act 2025*; or

(b) a parent of the child; or

(c) the child.

(3) An application must be made within 28 days after the applicant receives notice of the relevant decision (or such longer period as the Tribunal may allow).

8—Particulars of change of name to be included in the Register

An entry to be made in the Register under section 28(1) of the Act about a person's change of name must include the following particulars:

(a) the person's name immediately before registration of the change and any other name previously registered to the person;

(b) the person's name following registration of the change;

(c) the person's date and place of birth;

(d) the person's sex or gender identity;

(e) the date on which the entry was made.

Part 4—Registration of change of sex or gender identity

9—Recognised sex or gender identity

For the purposes of Part 4A of the Act, each of the following is a recognised sex or gender identity:

(a) male;

(b) female;

(c) non-binary;

(d) indeterminate/intersex/unspecified.

10—Appropriate clinical treatment—prescribed period in relation to counselling

In accordance with section 29H(3) of the Act, for the purposes of determining whether or not clinical treatment constituted by counselling only is to be regarded as a sufficient amount of appropriate clinical treatment, the prescribed period may be comprised of—

(a) at least 3 separate counselling sessions aggregating 135 minutes; or

(b) counselling sessions occurring over a period of at least 6 months.

11—Particulars of change of sex or gender identity to be included in the Register

An entry to be made in the Register under section 29L of the Act about a person's change of sex or gender identity must include the following particulars:

(a) the person's name;

(b) the person's sex or gender identity following registration of the change;

(c) the person's date and place of birth;

(d) the date on which the entry was made.

12—Access to Register etc—prescribed persons and bodies

For the purposes of section 29M(2)(b)(v) of the Act, the following persons and bodies may be allowed access to information on, or the issue of an extract or certificate from, the Register showing a person's sex or gender identity before the registration of a change in sex or gender identity of that person:

(a) the person's spouse or domestic partner;

(b) a parent or guardian of the person;

(c) an executor or administrator of the person's estate;

(d) an officer or employee of any of the following bodies:

(i) South Australia Police, or the police force of another State, or of a Territory;

(ii) the Australian Federal Police;

(iii) the Australian Criminal Intelligence Commission;

(iv) the office of the Director of Public Prosecutions of this State, or of the Commonwealth, or of another State, or of a Territory;

(v) the Independent Commission Against Corruption;

(vi) the Office for Public Integrity;

(e) a legal practitioner authorised to access such information by the person, a child of the person or a person referred to in a preceding paragraph.

Part 5—Registration of deaths

13—Particulars required in notification by doctor

A notice of the death of a person to be given under section 36(1) of the Act must include the following particulars:

(a) the deceased's name;

(b) the deceased's date of birth (if known);

(c) the deceased's age at the deceased's last birthday;

(d) the deceased's sex or gender identity (if known);

(e) the date and place of death;

(f) whether the deceased was of Aboriginal or Torres Strait Islander descent (or both);

(g) the name, business address, email address and contact telephone number of the doctor providing the notification.

14—Particulars required in notification by funeral director etc

A statement to be given under section 38(1) or (3) of the Act, relating to the disposal of human remains, must include the following information:

(a) the deceased's date and place of birth (if known);

(b) the deceased's age at the deceased's last birthday;

(c) the deceased's sex or gender identity (if known);

(d) the date and place of death;

(e) whether the deceased was of Aboriginal or Torres Strait Islander descent (or both);

(f) if the deceased was of or over the age of 16 years, the following information:

(i) the deceased's marital status at the time of death;

(ii) the deceased's registered relationship status at the time of death;

(iii) whether, at the time of death, the deceased was in a de facto relationship;

(g) in relation to each marriage of the deceased—the deceased's age at the date of the marriage and the name of the person that the deceased married;

(h) in relation to each registered relationship entered into by the deceased—the deceased's age at the commencement of the registered relationship and the name of the other person in the relationship;

(i) if, at the time of the deceased's death, the deceased was in a de facto relationship—the name of the other person in the relationship;

(j) if the deceased was of or over the age of 15 years—the deceased's occupation and whether the deceased was retired at the date of death;

(k) if the deceased was born overseas—the deceased's period of residence in Australia or, if the deceased had more than 1 period of residence in Australia, the aggregate of those periods;

(l) the name, sex or gender identity and date of birth of each child of the deceased born prior to the death of the deceased;

(m) the names of the deceased's parents and, if a parent's name is different to the parent's name at birth, the name of the parent at birth (or on adoption);

(n) if the deceased was under the age of 15 years—the deceased's parents' occupations;

(o) —

(i) if a doctor's certificate as to the cause of death was given under section 36(3) of the Act—the name, business address, email address and contact telephone number of the doctor;

(ii) if an authorisation for the disposal of human remains was issued under the *Coroners Act 2003*—the date of issue and the name of the person who issued it;

(p) if the deceased's remains were interred in a prescribed area outside a cemetery or natural burial ground—

(i) the address of the property where the deceased's remains were interred; and

(ii) the certificate of title reference for the property; and

(iii) the GPS coordinates of the interment site;

(q) the name and address of the person who gives the Registrar the statement;

(r) the name and address of any person who provides information used in the preparation of the statement and the relationship of any such person to the deceased;

(s) if the information is provided in accordance with section 38(3)—an explanation of the reason the remains were not disposed of within 30 days after the date of death.

15—Particulars of death to be included in Register

(1) An entry to be made in the Register under section 39(1) of the Act about the death of a person must include the following particulars:

(a) the deceased's name and last residential address;

(b) the deceased's place of birth;

(c) the deceased's date of birth;

(d) the deceased's age at the deceased's last birthday;

(e) the deceased's sex or gender identity (if known);

(f) the date and place of death;

(g) whether the deceased was of Aboriginal or Torres Strait Islander descent (or both);

(h) if the deceased was of or over the age of 16 years, the following information:

(i) the deceased's marital status at the time of death;

(ii) the deceased's registered relationship status at the time of death;

(iii) whether, at the time of death, the deceased was in a de facto relationship;

(i) in relation to each marriage of the deceased—the deceased's age at the date of the marriage and the name of the person that the deceased married;

(j) in relation to each registered relationship entered into by the deceased—the deceased's age at the commencement of the registered relationship and the name of the other person in the relationship;

(k) if, at the time of the deceased's death, the deceased was in a de facto relationship—the name of the other person in the relationship;

(l) if the deceased was of or over the age of 15 years—the deceased's occupation;

(m) if the deceased was born overseas—the deceased's period of residence in Australia or, if the deceased had more than 1 period of residence in Australia, the aggregate of those periods;

(n) the name, sex or gender identity and date of birth of each child of the deceased born prior to the death of the deceased;

(o) the names of the deceased's parents and, if a parent's name is different to the parent's name at birth, the name of the parent at birth (or on adoption);

(p) the cause of death as certified by a doctor in accordance with section 36(3) of the Act and the length of time that the deceased had the illness or condition (if any) that caused the death;

(q) the date and place of disposal of the deceased's remains;

(r) the name and address of the person who gave the Registrar a statement under section 38 of the Act;

(s) the name and address of any person who provided information used in the preparation of a statement given to the Registrar under section 38 of the Act and the relationship of any such person to the deceased;

(t) if a court appointed guardian has given the Registrar a notice under section 38A of the Act—the name and address of the court appointed guardian.

(2) If the deceased's remains were interred in a prescribed area outside a cemetery or natural burial ground, the entry to be made in the Register as to the place of disposal must include—

(a) the address of the property where the deceased's remains were interred; and

(b) the certificate of title reference for the property; and

(c) the GPS coordinates of the interment site.

Part 6—Miscellaneous

16—Registrar's signature and seal

The production of a facsimile of the Registrar's signature and seal by computer is an authorised method for the purposes of section 10(1) of the Act.

17—Additional fees

The Registrar may charge a fee for providing a service relating to the registration of a registrable event for which a fee is not otherwise prescribed under the Act.

Schedule 1—Repeal of *Births, Deaths and Marriages Registration Regulations 2011*

The *Births, Deaths and Marriages Registration Regulations 2011* are repealed.

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's Deputy

with the advice and consent of the Executive Council
on 30 July 2026

No 56 of 2026

South Australia

Building and Construction Industry Security of Payment Regulations 2026

under the *Building and Construction Industry Security of Payment Act 2009*

Contents

1—Short title

These regulations may be cited as the *Building and Construction Industry Security of Payment Regulations 2026*.

2—Commencement

These regulations come into operation on 1 September 2026.

3—Interpretation

In these regulations—

Act means the *Building and Construction Industry Security of Payment Act 2009*.

4—Recognised financial institutions

Each person or body that is a body regulated by the Australian Prudential Regulation Authority under the *Australian Prudential Regulation Authority Act 1998* of the Commonwealth is prescribed for the purposes of the definition of ***recognised financial institution*** in section 4 of the Act.

5—Related goods and services

(1) Subject to subregulation (2), services of the following kind are prescribed for the purposes of section 6(1) of the Act:

(a) project management services in relation to construction work;

(b) contract management services in relation to construction work;

(c) consultancy services in relation to construction work.

(2) Subregulation (1) does not apply to any services provided under a prescribed contract (within the meaning of regulation 7).

6—Eligibility criteria for adjudicators

Pursuant to section 18(1)(b) of the Act, an individual is eligible to be an adjudicator in relation to a construction contract if—

(a) the individual has successfully completed a formal course of training of at least 2 days duration in adjudication of payment disputes in the building and construction industry that required the individual to pass a written examination; and

(b) the individual—

(i) holds a degree, diploma or other qualification in—

(A) architecture; or

(B) building surveying; or

(C) building; or

(D) construction; or

(E) law; or

(F) project management; or

(G) quantity surveying,

from a university; or

(ii) is, or is eligible to be, a member (other than a student member) of any 1 or more of the following professional bodies:

(A) The Royal Australian Institute of Architects;

(B) Engineers Australia;

(C) Australian Institute of Building Surveyors;

(D) The Institute of Arbitrators and Mediators Australia;

(E) The Australian Institute of Building;

(F) Australian Institute of Project Management; or

(iii) holds registration as a building work supervisor under the *Building Work Contractors Act 1995* that authorises the individual to supervise construction work of a kind carried out, or to be carried out, under the construction contract.

7—Exemption from adjudication provisions

(1) Pursuant to section 35(2) of the Act, a party to a prescribed contract is exempt from the operation of the following provisions of the Act in respect of that contract:

(a) section 14(4);

(b) section 15;

(c) section 16(2)(a)(ii) and (4);

(d) Part 3 Divisions 2 and 3;

(e) section 30;

(f) section 31.

(2) In this regulation—

Crown includes a Minister, agency or instrumentality of the Crown;

prescribed contract means a contract (whether entered into before or after the commencement of this regulation) entered into between the Crown and another person under which the total amount payable to the other person will exceed $4 000 000 (excluding GST) over the term of the contract;

term of the contract does not include any extension of the contract.

Schedule 1—Repeal of *Building and Construction Industry Security of Payment Regulations 2011*

The *Building and Construction Industry Security of Payment Regulations 2011* are repealed.

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's Deputy

with the advice and consent of the Executive Council
on 30 July 2026

No 57 of 2026

South Australia

Building Work Contractors Regulations 2026

under the *Building Work Contractors Act 1995*

Contents

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Building Work Contractors Regulations 2026*.

2—Commencement

These regulations come into operation on 1 September 2026.

3—Interpretation

(1) In these regulations—

Act means the *Building Work Contractors Act 1995*.

(2) For the purposes of these regulations, a reference to a ***qualification, course or subject conferred or offered*** by a particular institution includes a reference to a qualification, course or subject of a different name conferred or offered by that institution and certified by that institution to be an equivalent qualification, course or subject.

4—Definitions of building work etc (section 3 of Act)

(1) For the purposes of paragraph (c) of the definition of ***building work*** in section 3(1) of the Act, the following is ***building work***:

- (a) the on-site construction, alteration, repair or improvement of a swimming pool or spa;
- (b) paving;
- (c) fencing (excluding post and wire fencing);
- (d) the installation, maintenance, repair and removal of insulation;
- (e) painting a building or part of a building;
- (f) the installation of air-conditioning in relation to a building;
- (g) the installation of solar panels in relation to a building;
- (h) plumbing, gas fitting and electrical work within the meaning and application of the *Plumbers, Gas Fitters and Electricians Act 1995*.

(2) For the purposes of paragraph (c) of the definition of ***domestic building work*** in section 3(1) of the Act, the following is ***domestic building work***:

- (a) the construction, alteration, repair or improvement of a swimming pool or spa within the external walls of a house, within the curtilage of a house or on the boundary of the curtilage of a house;
- (b) any other building work carried out within the curtilage of a house or on the boundary of the curtilage of a house;
- (c) the installation, maintenance, repair and removal of insulation;
- (d) painting a house or part of a house;
- (e) the installation of air-conditioning in relation to a house;
- (f) the installation of solar panels in relation to a house;
- (g) plumbing, gas fitting and electrical work within the meaning and application of the *Plumbers, Gas Fitters and Electricians Act 1995* in relation to a house.

(3) For the purposes of the definition of ***house*** in section 3(1) of the Act, ***house*** does not include hotels, motels, youth hostels, residential camps, boarding or lodging houses, designated rooming houses (within the meaning of Part 7 Division 1A of the *Residential Tenancies Act 1995*), university halls of residence, boarding school dormitories, barracks, nurses homes or residential facilities for workers or for training purposes.

(4) For the purposes of paragraph (a) of the definition of ***minor domestic building work*** in section 3(1) of the Act, the prescribed sum is—

(a) in respect of a domestic building work contract made before 15 October 2001—$5 000;

(b) in respect of a domestic building work contract made on or after 15 October 2001 but before 10 November 2025—$12 000;

(c) in respect of a domestic building work contract made on or after 10 November 2025—$20 000.

(5) For the purposes of paragraph (b) of the definition of ***minor domestic building work*** in section 3(1) of the Act, the prescribed sum is $20 000.

5—Exemptions

(1) A person who is authorised by licence under the *Plumbers, Gas Fitters and Electricians Act 1995* to carry on business as a gas fitting contractor or an electrical contractor is exempt from the requirement to be licensed under Part 2 of the Act as a building work contractor subject to the condition that any building work performed by the person is limited to work authorised by the person's licence under the *Plumbers, Gas Fitters and Electricians Act 1995*.

(2) A person who is authorised by licence under the *Plumbers, Gas Fitters and Electricians Act 1995* to carry on business as a plumbing contractor is exempt from the requirement to be licensed under Part 2 of the Act as a building work contractor subject to the condition that any building work performed by the person is limited—

(a) to work authorised by the person's licence under the *Plumbers, Gas Fitters and Electricians Act 1995*; or

(b) if the person's licence under the *Plumbers, Gas Fitters and Electricians Act 1995* is not subject to conditions limiting the work that may be performed under the authority of the licence—to minor roof plumbing work.

(3) A person who is authorised by licence under the *Controlled Substances (Pesticides) Regulations 2017* to carry on business as a pest controller is exempt from the requirement to be licensed under Part 2 of the Act as a building work contractor subject to the condition that any building work performed by the person is limited to work authorised by the person's licence under the *Controlled Substances (Pesticides) Regulations 2017*.

(4) A person who is authorised by a security agents licence or a restricted security agents licence to install or maintain security alarm or surveillance systems under the *Security and Investigation Industry Act 1995* is exempt from the requirement to be licensed under Part 2 of the Act as a building work contractor subject to the condition that any building work performed by the person is limited to work authorised by the person's licence under the *Security and Investigation Industry Act 1995*.

(5) The following are exempt from the requirement to be licensed under Part 2 of the Act as a building work contractor:

(a) the Minister responsible for the administration of the *South Australian Housing Trust Act 1995*;

(b) the South Australian Housing Trust.

(6) The South Australian Housing Trust and the Minister responsible for the administration of the *South Australian Housing Trust Act 1995* are exempt from the application of Part 5 Division 3 of the Act.

(7) Registered architects are exempt from the application of section 18 of the Act.

(8) A building work contractor is exempt from the application of Part 5 Divisions 1, 3 and 4 of the Act in relation to a contract for the performance of domestic building work consisting solely of demolition work.

(9) A building work contractor is exempt from the application of Part 5 Division 3 of the Act in relation to the following:

(a) a contract for the construction of a multi-storey residential building in respect of the performance of domestic building work for the construction of that building;

(b) a contract for the performance of domestic building work if the work is performed by a building work contractor as a contractor for the South Australian Housing Trust.

(10) A building work contractor is exempt from the application of sections 28, 29 and 30 and Part 5 Division 4 of the Act in relation to a contract for the performance of domestic building work if—

(a) the work is performed by a building work contractor as a contractor for the South Australian Housing Trust or the Minister responsible for the administration of the *South Australian Housing Trust Act 1995*; or

(b) the building owner is a body corporate that is a public company within the meaning of the *Corporations Act 2001* of the Commonwealth or that is a subsidiary within the meaning of the *Corporations Act 2001* of the Commonwealth of such a public company.

(11) The Act does not apply to the installation, maintenance, repair or removal of a floating floor under a contract entered into on or after 1 April 2010.

(12) The Act does not apply to the installation, maintenance, repair or removal of carpet or of vinyl floor covering in circumstances in which it is not used for water proofing.

(13) In this regulation—

floating floor means a floor covering comprised of boards designed to be laid over a floor without being fixed to the floor;

minor roof plumbing work means building work connected with the installation, renovation, replacement, alteration, repair or maintenance of flashings, guttering, downpipes, roof flashings or roof coverings on a building, where the cost of the work is less than $3 000;

multi-storey residential building means a building that—

(a) has a rise in storeys of more than 3; and

(b) contains 2 or more separate dwellings;

storey means a space within a building situated between 1 floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include—

(a) a space that contains only—

(i) a lift shaft, stairway or meter room; or

(ii) a bathroom, shower room, laundry, water closet or other sanitary compartment; or

(iii) accommodation intended only for vehicles; or

(iv) a combination of any of the facilities referred to in 1 or more of the above subparagraphs; or

(b) a mezzanine.

(14) For the purposes of subregulation (13)—

(a) the cost of roof plumbing work is to be determined as if—

(i) the work were performed under a contract between the plumbing contractor and another person; and

(ii) the contract included the supply by the plumbing contractor of all materials necessary for the work; and

(b) if a plumbing contractor and a person make an arrangement under which roof plumbing work at a site is to be performed in stages by the contractor, the cost of the roof plumbing work will be the sum of the cost of the work performed at each stage.

6—Fees—waiver, reduction and refund

The Commissioner may waive, reduce or refund a fee (or part of a fee) prescribed for the purposes of the Act if satisfied that it is appropriate to do so in a particular case.

Part 2—Licensed building work contractors

7—Entitlement to be licensed as building work contractor—qualifications (section 9 of Act)

(1) For the purposes of section 9(1) of the Act, to be entitled to be granted a building work contractors licence authorising—

(a) plumbing; or

(b) gas fitting; or

(c) electrical work,

(as defined in the *Plumbers, Gas Fitters and Electricians Act 1995*), a natural person must have the same qualifications or experience, or qualifications and experience, as would be required for the person to be granted a licence under the *Plumbers, Gas Fitters and Electricians Act 1995* for the kind of work that would be authorised by the building work contractors licence.

(2) For the purposes of section 9(1) of the Act, to be entitled to be granted a building work contractors licence authorising work other than work of a kind referred to in subregulation (1), a natural person must have qualifications or experience, or qualifications and experience, such that the person meets the performance criteria set out in Schedule 1 Part 1 to the satisfaction of the Commissioner in relation to that kind of work.

(3) The kinds of work in relation to which qualifications or experience, or qualifications and experience, are to be determined by the Commissioner under subregulation (2) are to be as set out in Schedule 1 Part 3.

(4) If the kind of work to be authorised by the licence is—

(a) —

(i) plumbing; or

(ii) gas fitting; or

(iii) electrical work,

(as defined in the *Plumbers, Gas Fitters and Electricians Act 1995*); and

(b) in addition, other building work,

the person must have qualifications or experience, or qualifications and experience, such that the person meets the requirements of subregulations (1) and (2).

8—Annual fee and return (section 11 of Act)

(1) For the purposes of section 11(2) of the Act, a licensed building work contractor must pay the fee and lodge the return on or before—

(a) the last day of the month in each year nominated in writing to the contractor by the Commissioner; or

(b) if the Commissioner does not nominate a month—the last day of the month in each year that is the same month as the month in which the contractor's licence was granted.

9—Notification of change in circumstances

(1) If there is any change in—

(a) the residential address of a licensed building work contractor; or

(b) the business or trading name under which a licensed building work contractor carries on business; or

(c) the address at which a licensed building work contractor carries on business; or

(d) the address of the registered corporate office of a licensed building work contractor that is a body corporate,

the contractor must, within 14 days after that change, give written notice to the Commissioner of the new address or name (as the case may be).

Maximum penalty: $5 000.

Expiation fee: $315.

(2) A licensed building work contractor must, within 14 days after ceasing to carry on business as a building work contractor, give written notice to the Commissioner of that fact.

Maximum penalty: $5 000.

Expiation fee: $315.

(3) If a person is appointed as a director of a body corporate that is a licensed building work contractor, the contractor must, within 14 days after the appointment—

(a) notify the Commissioner in the manner and form approved by the Commissioner of the appointment of the new director; and

(b) provide the Commissioner with any information required by the Commissioner for the purposes of determining whether the new director meets the requirements for directors under section 9(2) of the Act.

Maximum penalty: $5 000.

Expiation fee: $315.

10—Return etc of licence

(1) If a building work contractor's licence is surrendered, suspended or cancelled, the contractor must, at the direction of the Tribunal or the Commissioner, return the licence to the Commissioner.

Maximum penalty: $5 000.

Expiation fee: $315.

(2) If, on an application under section 8 of the Act, a licence has been issued to a building work contractor but the fee payable in respect of the application has not been paid (whether because of the dishonouring of a cheque or otherwise), the contractor must, at the direction of the Commissioner, return the licence to the Commissioner.

Maximum penalty: $5 000.

Expiation fee: $315.

(3) The Commissioner may issue to a licensed building work contractor a licence in replacement of a current licence if satisfied that—

(a) the current licence has been lost, destroyed or damaged; or

(b) any photograph of the contractor on the current licence should be replaced with a more recent photograph of the contractor; or

(c) any particulars appearing on the current licence are incorrect.

(4) If the Commissioner issues to a licensed building work contractor a replacement licence, the contractor must, at the direction of the Commissioner, return the original (or previous duplicate) licence to the Commissioner.

Maximum penalty: $5 000.

Expiation fee: $315.

Part 3—Registered building work supervisors

11—Certain people registered under other Acts taken to be registered

The building work supervisors registration of a person who is, under section 14(b) of the Act, taken to hold that registration for the purposes of Part 3 of the Act is limited to the supervision of the type of work for which the person is registered (without a condition requiring supervision or technical direction) under Part 3 of the *Plumbers, Gas Fitters and Electricians Act 1995*.

12—Entitlement to be registered as building work supervisor—qualifications (section 16 of Act)

(1) For the purposes of section 16 of the Act, to be entitled to be granted registration as a building work supervisor authorising the supervision of—

(a) plumbing; or

(b) gas fitting; or

(c) electrical work,

(as defined in the *Plumbers, Gas Fitters and Electricians Act 1995*), a natural person must have the same qualifications or experience, or qualifications and experience, as would be required for the person to be granted registration under the *Plumbers, Gas Fitters and Electricians Act 1995* for the kind of work that the building work supervisor's registration would authorise the person to supervise.

(2) For the purposes of section 16 of the Act, to be entitled to be granted registration as a building work supervisor authorising the supervision of work other than work of a kind referred to in subregulation (1), a natural person must have qualifications or experience, or qualifications and experience, such that the person meets the performance criteria set out in Schedule 1 Part 2 to the satisfaction of the Commissioner in relation to that kind of work.

(3) The kinds of work in relation to which qualifications or experience, or qualifications and experience, are to be determined by the Commissioner under subregulation (2) are set out in Schedule 1 Part 3.

(4) If the kind of work that the registration would authorise the person to supervise is—

(a) —

(i) plumbing; or

(ii) gas fitting; or

(iii) electrical work,

(as defined in the *Plumbers, Gas Fitters and Electricians Act 1995*); and

(b) in addition, other building work,

the person must have qualifications or experience, or qualifications and experience, such that the person meets the requirements of subregulations (1) and (2).

13—Annual fee and return (section 18 of Act)

(1) For the purposes of section 18(2) of the Act, a registered building work supervisor must pay the fee and lodge the return on or before—

(a) the last day of the month in each year nominated in writing to the building work supervisor by the Commissioner; or

(b) if the Commissioner does not nominate a month—the last day of the month in each year that is the same month as the month in which the building work supervisor's registration was granted.

(2) However, a registered building work supervisor who is also a licensed building work contractor—

(a) must, instead of lodging the return as required by subregulation (1), lodge the return at the same time that he or she lodges a return under regulation 8; and

(b) is, on payment of a fee under regulation 8, exempt from paying the fee referred to in subregulation (1).

14—Notification of changes in circumstances

(1) If there is any change in the name or residential address of a registered building work supervisor, the building work supervisor must, within 14 days after that change, give written notice to the Commissioner of the new name or address (as the case requires).

Maximum penalty: $5 000.

Expiation fee: $315.

(2) If—

(a) a person approved as a building work supervisor in relation to a licensed building work contractor's business has been employed or otherwise engaged by the contractor for the purpose of performing that function; and

(b) the person ceases to be employed or engaged to perform that function,

the person must ensure that, within 14 days after the person ceases to be employed or engaged to perform that function (whether or not the person remains employed or engaged by the contractor to perform any other function), the Commissioner is notified in writing of that fact.

Maximum penalty: $5 000.

Expiation fee: $315.

15—Return etc of certificate of registration

(1) If registration of a person as a building work supervisor is surrendered, suspended or cancelled, the building work supervisor must, at the direction of the Tribunal or the Commissioner, return the certificate of registration to the Commissioner.

Maximum penalty: $5 000.

Expiation fee: $315.

(2) If, on an application under section 15 of the Act, a certificate of registration has been issued to a building work supervisor but the fee payable in respect of the application has not been paid (whether because of the dishonouring of a cheque or otherwise), the building work supervisor must, at the direction of the Commissioner, return the certificate of registration to the Commissioner.

Maximum penalty: $5 000.

Expiation fee: $315.

(3) The Commissioner may issue to a registered building work supervisor a certificate of registration in replacement of a current certificate of registration if satisfied that—

(a) the current certificate has been lost, destroyed or damaged; or

(b) any photograph of the building work supervisor on the current certificate should be replaced with a more recent photograph of the building work supervisor; or

(c) any particulars appearing on the current certificate are incorrect.

(4) If the Commissioner issues to a registered building work supervisor a replacement certificate of registration, the building work supervisor must, at the direction of the Commissioner, return the original (or previous duplicate) certificate to the Commissioner.

Maximum penalty: $5 000.

Expiation fee: $315.

Part 4—Requirements relating to domestic building work contracts

16—Requirements for domestic building work contracts that contain a charging clause

(1) For the purposes of section 28(1)(d) of the Act, a domestic building work contract that contains a charging clause must include the following information:

(a) that the clause seeks to establish an interest in the property to which the contract relates for which a right to lodge a caveat over the property will exist;

(b) that, in the event that a caveat is lodged over the property, the rights of the owner of the property to deal with the property and have such dealings registered in the Lands Titles Office will be restricted;

(c) that the interest in the property created by the clause entitles the building work contractor to apply to a court for the sale of the property for the purposes of recovering any debt that may be outstanding in relation to the contract;

(d) that the person entering into the contract is advised to seek independent legal advice in relation to the clause.

(2) In this regulation—

charging clause means a clause in a domestic building work contract that gives the building work contractor the party to the contract a legal right to lodge a caveat over the property on which the building work contractor is performing work under the contract.

17—Requirements for certain domestic building work contracts

For the purposes of section 28(1)(d) of the Act, a domestic building work contract entered into on or after 1 September 2026 that is for, or includes, the construction, alteration, repair or improvement of a swimming pool or spa within the external walls of a house, within the curtilage of a house or on the boundary of the curtilage of a house must include information about the safety requirements relating to swimming pools under the *Planning, Development and Infrastructure (Swimming Pool Safety) Regulations 2019*.

18—Forms

(1) The forms in Schedule 2 are prescribed for use for the purposes indicated in the form.

(2) A form must—

(a) contain information and be completed as required or indicated by the form; and

(b) not contain any particulars or statements other than those required or indicated by the Act or these regulations; and

(c) be printed or typewritten in a type that is not smaller than 10 point Times New Roman font; and

(d) not include any printing or handwriting (other than a signature) that is not clear and legible.

19—Unliquidated amounts under contracts (section 29(5) of Act)

(1) For the purposes of section 29(5)(a) of the Act, 15% is prescribed.

(2) For the purposes of section 29(5)(b) of the Act, a domestic building contract may include a provision entitling the building work contractor to recover, if the contract specifies an hourly rate of charge, the amount determined by applying the rate to the work actually performed.

20—Limitations on insurers' liability (section 35 of Act)

(1) The following are the only permissible limitations on the liability of the insurer under a policy of insurance under Part 5 Division 3 of the Act:

(a) a limitation under which the insurer is not liable for the first $400 (or some stipulated lesser amount) of each claim;

(b) in relation to a policy entered into before 10 November 2025—a limitation under which the total amount that the insurer is liable to pay in relation to building work or the non-completion of building work by the building work contractor in respect of a single dwelling is fixed at not less than $80 000;

(c) in relation to a policy entered into on or after 10 November 2025—a limitation under which the total amount that the insurer is liable to pay in relation to building work or the non-completion of building work by the building work contractor in respect of a single dwelling is fixed at not less than $250 000.

(2) A policy of insurance under Part 5 Division 3 of the Act—

(a) must contain a clause allowing a claimant at least 90 days (from the date on which the claimant becomes aware of the grounds for the claim) in which to make the claim; and

(b) must not confer any right on the insurer to avoid liability on the ground of misrepresentation or non-disclosure on the part of the building work contractor or on any similar ground.

Schedule 1—Performance criteria and kinds of work

Part 1—Building work contractors licences performance criteria

1—Building work contractors licences performance criteria

Regulation 7(2) provides that for the purposes of section 9(1) of the Act, to be entitled to be granted a building work contractors licence, a natural person must have qualifications or experience, or qualifications and experience, such that the person meets the performance criteria set out in the table below to the satisfaction of the Commissioner in relation to the kind of work to be authorised by the licence.

	UNIT		
1	**Business Management** Applying the principles of business management in relation to a contracting business.		
	ELEMENT		**PERFORMANCE CRITERIA**
1.1	Applying the principles of economics, finance and management of a business organisation.	1.1.1	Prepare and apply a business plan.
		1.1.2	Prepare a cash flow budget.
		1.1.3	Implement financial strategies.
		1.1.4	Apply basic accounting principles to financial transactions.
		1.1.5	Understand and prepare— (a) journals and ledgers; (b) balance sheets and revenue statements.
		1.1.6	Assess earning capacity and financial stability.
		1.1.7	Prepare income and expenditure projections.
		1.1.8	Identify and use sources of costing information.
		1.1.9	Monitor financial performance.
1.2	Applying appropriate legislation to address the administrative and legal requirements of a business organisation.	1.2.1	Understand the legal structures of a business.
		1.2.2	Understand the significant features of the law relating to employment, dispute resolution procedures and professional liability.
		1.2.3	Demonstrate a working knowledge of the law relating to occupational health and safety and workers compensation.
		1.2.4	Demonstrate a working knowledge of the law relating to conservation of the environment.

		1.2.5	Demonstrate a knowledge of the law relating to independent contractors.
		1.2.6	Understand recording and maintenance of wage and employment records.
		1.2.7	Demonstrate a working knowledge of mandatory taxes and insurances.
		1.2.8	Understand basic contract administration.
		1.2.9	Understand accident, injury and dangerous occurrence reports and obligations.
1.3	Planning, directing and controlling tasks, people and resources in a business organisation.	1.3.1	Determine and implement objectives and priorities of a business.
		1.3.2	Determine and implement operational strategies and methods.
		1.3.3	Prepare estimates of time, resource and cost implications.
		1.3.4	Implement work strategies.
		1.3.5	Organise work groups for specific tasks.
		1.3.6	Monitor operational performance.
		1.3.7	Apply occupational health and safety standards within a business.
		1.3.8	Apply mechanisms for effective employer/employee relationships.
1.4	Addressing customer requirements.	1.4.1	Identify customer requirements.
		1.4.2	Apply principles of business management to meet customer needs.

UNIT

2 **Building Work Management**

Applying the principles of building work to the operation of a contracting business.

	ELEMENT		**PERFORMANCE CRITERIA**
2.1	Applying the law relating to building work practice.	2.1.1	Demonstrate a working knowledge of contract law relevant to the building industry.
		2.1.2	Understand the issues involved in the licensing and registration of builders.
		2.1.3	Apply the statutory requirements for the regulation of building work.
		2.1.4	Demonstrate a knowledge of the application of Australian Standards relating to building work.
		2.1.5	Interpret building specifications requirements.
2.2	Preparing and evaluating tenders.	2.2.1	Estimate costs.
		2.2.2	Evaluate risks.
		2.2.3	Prepare tender documentation.

2.3	Determining required strategies, resources and operational requirements for construction.	2.3.1	Determine resources that need to be hired, leased or purchased.
		2.3.2	Determine the best course of action from various options for obtaining and using resources.
		2.3.3	Determine the requirements for temporary structures and facilities.
		2.3.4	Prepare schedules for building work.
		2.3.5	Update progress schedules.
		2.3.6	Assess the need for and select measures to overcome delays.
2.4	Establishing and operating costing systems.	2.4.1	Identify and classify costs.
		2.4.2	Prepare a cost control system.
		2.4.3	Prepare a project budget.
		2.4.4	Plan the sequencing of trades.
2.5	Applying Contract Management.	2.5.1	Select and apply the various standard forms of building contract in common use.
		2.5.2	Determine the requirements of the contract.
		2.5.3	Demonstrate a knowledge of progress payments, contract claims and variations.

Part 2—Building work supervisors registration performance criteria

2—Building work supervisors registration performance criteria

Regulation 12(2) provides that for the purposes of section 16 of the Act, to be entitled to be granted registration as a building work supervisor, a natural person must have qualifications or experience, or qualifications and experience, such that the person meets the performance criteria set out in the table below to the satisfaction of the Commissioner in relation to the kind of work that the registration would authorise the person to supervise.

UNIT

1	**Building Work Management** Applying the principles of building work management in relation to the supervision of a building site.

	ELEMENT		**PERFORMANCE CRITERIA**
1.1	Planning and organising on-site building work.	1.1.1	Translate building designs and specifications into operational requirements.
		1.1.2	Develop strategies for implementing building operations.
		1.1.3	Determine appropriate resources required including personnel, materials and equipment.

1.2	Determining the need for coordination and installation of temporary structures and facilities for building work.	1.2.1	Determine the requirements for temporary structures and facilities.
		1.2.2	Demonstrate a working knowledge of the most appropriate methods for provision of site facilities and preparation of detailed site layouts.
		1.2.3	Coordinate the on-site approvals of temporary structures.
		1.2.4	Arrange for and supervise the supply, erection, maintenance and removal of temporary structures and facilities.
1.3	Preparing project schedules.	1.3.1	Prepare schedules for building work.
		1.3.2	Update schedules.
		1.3.3	Prepare reports on current status.
		1.3.4	Assess the need for and select measures to overcome delays.
1.4	Managing on-site building work.	1.4.1	Supervise on-site operations.
		1.4.2	Administer subcontracts.
		1.4.3	Administer progress claims.
		1.4.4	Organise the supply and installation of materials and equipment.
		1.4.5	Manage appropriate operational systems including occupational health and safety, accident and injury reporting, and industrial relations.
		1.4.6	Plan, develop and oversee safe working systems for all site work.
		1.4.7	Communicate effectively with personnel on and off the site.

UNIT

2 **Building Technology**

Applying the principles of building technology to on-site building work.

	ELEMENT		**PERFORMANCE CRITERIA**
2.1	Applying the principles of building work practice.	2.1.1	Select and apply building principles and methods including— (a) appraisal of site conditions; (b) erection and construction techniques; (c) sequencing of trades; (d) control of plant and equipment.

		2.1.2	Demonstrate a working knowledge of— (a) the use of basic measuring techniques; (b) the setting up and use of instruments to determine heights and levels; (c) demolition methods; (d) formwork design.
		2.1.3	Interpret plans and specifications.
		2.1.4	Produce simple working drawings suitable for on-site application.
		2.1.5	Identify and select suitable materials.
		2.1.6	Control the movement of materials on-site and their safe handling and storage.
		2.1.7	Apply a basic understanding of— (a) properties and behaviours of structural materials; (b) sectional properties of structural elements; (c) structural load calculations; (d) performance of beams, columns and bracing; (e) utilisation of roof truss systems.
		2.1.8	Apply the basic principles of estimating and demonstrate a working knowledge of take-off quantities for— (a) site works; (b) structure; (c) fit-out and finish.
		2.1.9	Demonstrate a general knowledge of the process of the coordination of specialist services on-site.

UNIT

3 **Legislative requirements**

Applying a detailed knowledge of legislative requirements in respect of on-site building work.

ELEMENT		PERFORMANCE CRITERIA	
3.1	Applying the requirements of legislation, standards and codes relevant to on-site building work.	3.1.1	Identify the range of legislation applying to building work.
		3.1.2	Apply the requirements of legislation and relevant standards and codes to the coordination and supervision of on-site building work.

3.1.3 Understand the requirements of relevant legislation, standards and codes to the performance of residential, commercial and industrial building work.

Part 3—Kinds of work

3—Kinds of work

Regulations 7(2) and 12(3) provide that the kinds of work in relation to which qualifications or experience, or qualifications and experience, are to be determined by the Commissioner are to be as follows:

(a) **Any building work**

Any commercial, industrial, residential and other building work.

(b) **Light commercial/industrial and residential building work**

Divided into the following kinds of building work:

(i) Building work limited to—

(A) houses not exceeding 3 storeys; and

(B) other buildings not exceeding 2 storeys.

(ii) Building work limited to—

(A) houses not exceeding 3 storeys; and

(B) other buildings of a single storey.

(iii) Building work limited to additions and alterations to buildings of any kind.

(c) **Residential building work**

Divided into the following kinds of building work:

(i) Building work limited to houses not exceeding 3 storeys.

(ii) Building work limited to houses of a single storey.

(iii) Building work limited to additions and alterations to houses.

(d) **Other specified building work**

Divided into the following kinds of building work:

(i) Other specified building work.

(ii) Other specified building work to be performed only—

(A) on a subcontract basis for a licensed building work contractor; or

(B) as a principal contractor working on a building project in association with other building work contractors where the building work comprised in the project is organised or supervised or both by a project manager who is a licensed building work contractor or a registered building work supervisor authorised to organise or supervise work of all of the kinds comprised in the project.

Schedule 2—Forms

Form 1—Notice under section 28(1)(f) of *Building Work Contractors Act 1995*

YOUR BUILDING CONTRACT: YOUR RIGHTS AND OBLIGATIONS

This notice contains important information about your rights and obligations. You should read it carefully and keep it for future reference.

Your domestic building work contract is a binding legal agreement. You have rights and obligations under the agreement. You also have certain rights guaranteed under the *Building Work Contractors Act 1995* in relation to the agreement. In particular, you have certain "cooling off" rights, which may enable you to cancel your contract if you are not satisfied with it, and you act quickly.

1—What does the Act require?

You must have a written contract with your building work contractor, setting out all the terms and conditions of your agreement. You must be given a copy of the signed contract, together with a copy of this notice. Both documents must be readily legible.

2—What are my "cooling off" rights?

You may cancel your building contract, if you act before the "prescribed time".

If you wish to cancel, you must give your building work contractor written notice of your intention not to be bound by the contract. You must serve that notice on the building work contractor either personally or by certified mail in an envelope addressed to the contractor.

You must do this—

(a) before 5 clear business days have expired after the making of the contract; or

(b) if your building work contractor has not complied with relevant provisions of the Act, before the contractor completes the building work under the contract.

Cancellation is a serious step and should not be taken lightly. You may need to seek legal advice, or the advice of the Office of Consumer and Business Affairs, before exercising this right of cancellation. Wherever possible, you should first discuss your problem with the building work contractor.

3—What should I do?

First, read this notice carefully. Then read the documents that you have signed. If you are not happy about any aspect, or have any questions, then ask your building work contractor to explain. If you are not satisfied with the explanation you have received, then seek advice from a lawyer or from the Office of Consumer and Business Affairs.

4—Is there anything I should look for in particular?

Most importantly, check to see that the work you want your building work contractor to do has been fully and accurately set out in the contract (including the plans and specifications). Do not rely on verbal promises or agreement. If you want to change the work to be done at a later stage, you will have to reach agreement with your building work contractor, and your contractor will usually be entitled to make a separate, additional charge as a variation to your contract. Not checking now could be very expensive.

5—What about the price I have been quoted? Can it change?

Some building contracts provide for a "fixed price". Others include a "rise and fall" clause. If your contract includes a rise and fall clause, then the price you have been quoted (even if it is referred to in your contract) will most probably NOT be the total amount you will have to pay. Your contract price can also change due to any variations to the building work in accordance with your contract.

Note—

Most variations require your written approval in advance, but others may be unforeseen. You should refer to your particular contract. Certain items in your contract may be designated "prime cost" or "provisional sums", which may also lead to a change in the total sum you can be charged.

If your contract includes a rise and fall clause, or other provisions as a result of which a price set out in your contract may change, or is an estimate only, then the contract must contain "THIS PRICE MAY CHANGE" or "ESTIMATE ONLY" adjacent to the price subject to change. If there is more than one such price, then they must be set out in a single list in the contract.

Those prices that are only estimates must be fair and reasonable estimates.

6—What is a rise and fall clause?

A rise and fall clause entitles your building work contractor to pass onto you increases (or reductions) in the cost of performing your building work after you have signed your contract, whether those costs relate to labour (including relevant overhead) or materials.

The formulae used in building contracts to determine the amount of the additional costs that can be passed on to you vary. Check your contract carefully. If you have any questions, ask your building work contractor to explain, or seek advice.

7—What are "prime cost" items?

Your building work contract may include the supply of certain goods and services, eg kitchen stoves, bathroom tiling. These items may be designated "prime cost", so that if the standard of goods you select is higher than that provided for by your building work contractor, then you may have to pay an additional cost over and above that provided for, plus a surcharge, which may be up to 15% of the cost of the item.

8—What are "provisional sums"?

These are amounts your building work contractor has determined as "best estimates" of the cost of doing certain building work under your contract.

For example, if your building site slopes and no contour survey has been carried out, your building work contractor may not be able to prepare a final price for the earthworks needed to provide a level site for your domestic building work. The building work contractor may include an estimated figure which is subject to change when a survey plan is provided. That estimated figure is a "provisional sum".

Provisional sums must be fair and reasonable estimates in the circumstances in which they are provided.

9—What is a charging clause?

A charging clause in a building work contract is a clause that gives your building work contractor the right to lodge a caveat over the property on which the building work contractor is performing building work under the contract. If a caveat is lodged over the property, you (as owner of the property) may be restricted from dealing with and registering dealings with the property at the Land Titles Office.

The interest created by the clause would entitle your building work contractor to apply to the court for the sale of the property to recover any debt owed by you for building work performed under the contract.

Check your contract carefully, and, if you are not certain about whether your building work contract contains a charging clause or the implications of a charging clause, you should seek independent legal advice.

10—Are there any special problems with package land and building deals?

Yes.

If you have entered into a package deal for land and building work, then it is likely you have signed a number of documents. The information contained in this notice relates only to the domestic building work contract you have signed. It does not apply to your contract for the purchase of land, which is subject to different rules. You probably have less time to consider those documents than your building contract.

Be particularly careful about package deals where your building work contractor is unable to start work immediately because necessary approvals have not been granted, or services connected, or legal titles granted. Your building work contractor may be entitled to make additional charges arising from delays which are the fault of neither yourself or the contractor. If in doubt, talk to your building work contractor or seek advice.

11—What other rights do I have?

The Act implies certain warranties on the part of your building work contractor, and these apply regardless of what your contract says.

These warranties are as follows:

(a) your building work must be performed in a proper manner to accepted trade standards and in accordance with the agreed plans and specifications; and

(b) the materials supplied by the building work contractor will be good and proper materials; and

(c) the building work will be performed in accordance with all statutory requirements; and

(d) unless the contract stipulates a period within which the work must be completed—the work will be performed with reasonable diligence; and

(e) if your contract is for the construction of a house—the house will be reasonably fit for human habitation; and

(f) if you have made known to your building work contractor the purpose for which the work is required, or the result you want to achieve in a way that demonstrates that you are relying on your contractor's skill and judgment, then your contractor warrants that the work and the materials will be fit for your purposes, or of a nature and quality that they might reasonably be expected to achieve that result.

If your building work contractor does work or provides materials which do not comply with those warranties, then your rights have been infringed, and you may have a right to take legal action before the courts. If you are not satisfied, talk to your building work contractor. If you are still not satisfied, seek advice from a lawyer or the Office of Consumer and Business Affairs.

12—What about building indemnity insurance?

Your building work contractor must take out a policy of building indemnity insurance before work commences. The insurance protects you from some of the losses you may suffer if your building work contractor dies, disappears or becomes insolvent. Your building work contractor must provide you with a copy of the certificate of insurance. Keep it for your protection.

Important note—

> From 1 September 2002, building work contractors have not been required to take out a policy of building indemnity insurance in respect of contracts for the construction of multi-storey residential buildings.
>
> (A multi-storey residential building is a building that has a rise in storeys of more than 3 and contains 2 or more separate dwellings. A storey does not include a mezzanine or a space within a building if it is intended that the space contain only a lift shaft, stairway, meter room, laundry, bathroom, shower room, water closet, car park or combination of any of the above.)

13—Am I obliged to pay a deposit in advance of work done?

As a general rule, your building work contractor is entitled only to genuine progress payments for work done. Your building work contractor may ask you to pay in advance for money that has to be paid to a third party (eg a council for planning approval, building indemnity insurance or to an engineer or surveyor for a report). Apart from money in advance for such fees, the law prohibits the taking of any deposit on a domestic building work contract in excess of $1 000, or if the contract price is over $20 000, 5% of the contract price. If in doubt, seek advice before making any payments.

14—When should I make a progress payment?

The law requires that your building work contractor make a written demand for a progress payment, so payment should not be made without such a demand. Progress payments should not be made in advance of the performance of the building work to which the demand relates. If you have borrowed money from a recognised lending institution, it is likely to make progress payments on your behalf.

15—What if I have a dispute with my building work contractor?

First, talk to your building work contractor. Many potentially serious disputes can be avoided by good communication between building owner and contractor. Your contract may have clauses relevant to dispute resolution which may assist both parties in resolving the dispute.

If that does not work, you may need independent advice. You may wish to seek legal advice, or the advice of the Office of Consumer and Business Affairs. Some disputes can be resolved by negotiation. Others can only be resolved by legal proceedings, whether before the courts or by private arbitration as provided in many building contracts.

Before commencing any legal action over building work, you should seek advice from a lawyer or from the Office of Consumer and Business Affairs.

16—Where should I go for advice?

First, talk to your building work contractor. If you want or need independent advice about your building work contract, talk to a lawyer or the Office of Consumer and Business Affairs. A list of lawyers appears in the telephone directory under the heading of "Solicitors".

Form 2—Building indemnity insurance certificate

Building Work Contractors Act 1995, section 34

Certificate No:

A policy of insurance that complies with Part 5 Division 3 of the *Building Work Contractors Act 1995* has been issued as follows:

Name of insurer:
Name of building owner:
Brief description of domestic building work:
Address or description of premises at which work to be carried out:
Name of building work contractor:
Licence number of building work contractor:

Signature of employee or agent of the insurer:

Schedule 3—Repeal of *Building Work Contractors Regulations 2011*

The *Building Work Contractors Regulations 2011* are repealed.

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's Deputy

with the advice and consent of the Executive Council
on 30 July 2026

No 58 of 2026

South Australia

Fair Trading (Pre-paid Funerals Industry Code) Regulations 2026

under the *Fair Trading Act 1987*

Contents

1—Short title

These regulations may be cited as the *Fair Trading (Pre-paid Funerals Industry Code) Regulations 2026*.

2—Commencement

These regulations come into operation on 1 September 2026.

3—Interpretation

In these regulations—

Act means the *Fair Trading Act 1987*;

civil penalty contravention has the same meaning as in Part 7 Division 3A of the Act;

code means the Pre-paid Funerals Industry Code 2026 set out in Schedule 1.

4—Prescription of code

(1) The code is prescribed as an industry code for the purposes of Part 3A of the Act.

(2) The Commissioner for Consumer Affairs is responsible for the administration of the code.

5—Contravention of code subject to civil penalty

(1) A contravention of section 28E of the Act constituted of a contravention of the code is to be subject to a civil penalty under Part 7 Division 3A of the Act.

(2) The expiation fee for an alleged civil penalty contravention involving an alleged contravention or attempted contravention of the code (other than an alleged contravention or attempted contravention of clause 3(2) of the code) is $500.

Schedule 1—Pre-paid Funerals Industry Code

1—Short title

This code may be cited as the *Pre-paid Funerals Industry Code 2026*.

2—Interpretation

In this code—

approved investment, in relation to the investment of pre-paid funeral costs, means a bond, endowment policy or other similar form of investment, the terms of which provide that the investment cannot be realised except on production of—

(a) a death certificate relating to the recipient of the funeral; or

(b) a duly signed notice of cancellation of the pre-paid funeral contract;

approved investment manager means—

(a) a body corporate carrying on life insurance business under the *Life Insurance Act 1995* of the Commonwealth, as amended from time to time, or an Act of the Commonwealth passed in substitution for that Act; or

(b) a friendly society; or

(c) a licensed trustee company within the meaning of the *Corporations Act 2001* of the Commonwealth; or

(d) the Public Trustee; or

(e) the Catholic Church Endowment Society Incorporated; or

(f) any other body that—

(i) carries on the business of investing money on behalf of other persons; and

(ii) is approved by the Commissioner for the purposes of this code (who must be satisfied that the body has adequate insurance cover for all money received in relation to a pre-paid funeral);

client means a person who enters into a pre-paid funeral contract with a funeral director;

funeral director means a person or body who carries on the business of providing funeral services;

pre-paid funeral contract means a contract (entered into during the life of the recipient) between a client and a funeral director under which the funeral director agrees to arrange a funeral for the recipient, being a funeral that is to be wholly or partly paid for on the making of the contract;

recipient means the person whose funeral is to be arranged pursuant to a pre-paid funeral contract.

3—Obligations of funeral director

(1) A funeral director must ensure that a pre-paid funeral contract to which the funeral director is a party—

(a) is in writing in a print size of not less than 12 points; and

(b) is signed by all the parties.

(2) If a pre-paid funeral contract is not to be signed by the recipient on the ground that the recipient lacks legal capacity to enter into the contract, the funeral director must—

(a) sight the power of attorney, guardianship order or other instrument that evidences the client's authority to enter into the contract on the recipient's behalf; or

(b) if the client does not have any authority to enter into the contract on the recipient's behalf—take reasonable steps to verify the recipient's lack of legal capacity.

(3) A pre-paid funeral contract must set out—

(a) the date of the contract; and

(b) the name, business address, email address and telephone number of the funeral director; and

(c) the name, business address, email address and telephone number of the approved investment manager with whom the costs of the funeral are to be deposited; and

(d) the name, residential address and email address of the client; and

(e) if the client is not the recipient—the name, residential address and email address of the recipient; and

(f) the name, address and, if available, email address and telephone number of the person or persons to be contacted in the event of the recipient's death.

(4) A pre-paid funeral contract must contain—

(a) the following particulars of the funeral to be arranged by the funeral director on the death of the recipient:

(i) the name and address of the church, crematorium, funeral chapel or other place at which the funeral service is to be held;

(ii) the manner of disposal of the recipient's remains;

(iii) if the recipient's remains are to be interred—the name and address of the cemetery at which they are to be interred;

(iv) the type and style of coffin or other container to be used, the materials of which it is made and details of linings, fittings and mountings;

(v) if the recipient's remains are to be cremated and interred in an urn or other container—the type and style of urn or other container and the materials of which it is made;

(vi) if there is an interment right in force for the benefit of the recipient—

(A) the name of the holder of the interment right; and

(B) the name of the cemetery authority that granted the right; and

(C) the period for which the interment right was granted; and

(D) the nature and location of the interment site;

(vii) if there is a separate contract for a pre-paid memorial for the recipient—

(A) the names of the parties; and

(B) a description of the memorial to be provided; and

(C) a statement as to whether the costs of the memorial have been fully paid; and

(b) particulars of the following matters associated with the funeral:

(i) floral arrangements;

(ii) death and funeral notices;

(iii) mourning coaches;

(iv) the funeral service, including use of clergy or a funeral celebrant;

(v) memorial work; and

(c) particulars of any other requirements associated with the funeral.

(5) A pre-paid funeral contract entered into on or after the commencement of this code must contain a cooling-off period of not less than 30 days commencing on the day on which the client signs the contract, during which the client may, by written notice to the funeral director, rescind the contract.

(6) If a client rescinds a pre-paid funeral contract by written notice to the funeral director within the cooling-off period, the funeral director must, within 14 days of receiving the notice, refund to the client any amount paid under the contract less 2% of the contract price or $200, whichever is the lesser (which the funeral director is entitled to retain).

(7) A pre-paid funeral contract must set out—

(a) the total cost of the funeral to be arranged under the contract; and

(b) the costs associated with each matter in relation to which particulars are provided under subclause (4); and

(c) the costs associated with any documentary material required in connection with funeral arrangements, such as a copy of the certificate of cause of death; and

(d) any charges that may be levied for transportation of the recipient's remains and the circumstances in which they will apply; and

(e) any amount to be retained by the funeral director for expenses to be incurred in advance of the recipient's death (such as the issue of an interment right); and

(f) the financial and other arrangements that will apply—

(i) if the funeral director ceases to carry on business before the contract is performed; or

(ii) if the funeral director is unable for any other reason to perform the contract; and

(g) if there is to be a right of cancellation (in addition to the right to rescind the contract during the cooling-off period)—

(i) the person who may exercise the right; and

(ii) the manner in which the right may be exercised; and

(iii) the financial arrangements that will apply, including the period of notice required for the withdrawal of funds deposited with the approved investment manager; and

(iv) the following note in bold type:

NOTE—FOR INFORMATION OF CANCELLING PARTY

It will be important to consider the taxation and social security implications of cancellation of the contract.; and

(h) the following note in bold type:

NOTE: Clients are advised to ensure that the recipient's next of kin and executor are aware of the existence of the pre-paid funeral contract.

(8) A funeral director who enters into a pre-paid funeral contract must ensure that, on the signing of the contract, a signed copy of it is given to all the parties.

(9) A funeral director who enters into a pre-paid funeral contract must, within 7 days of receiving money from a client (other than an amount referred to in subclause (7)(e)) or as soon as reasonably practicable after the expiration of the cooling-off period, whichever is the later—

(a) transfer the money to the approved investment manager specified in the contract; and

(b) give the approved investment manager a notice in writing setting out the provisions of the contract relating to the matters referred to in subclause (7)(f) and (g)(i), (ii) and (iii).

4—Obligations of approved investment manager

An approved investment manager must, within 28 days of receiving money from a funeral director for a pre-paid funeral—

(a) invest the money in an approved investment; and

(b) give the client and funeral director a written notice specifying—

(i) the name of the funeral director; and

(ii) the name of the client; and

(iii) if the client is not the recipient—the name of the recipient; and

(iv) the name of the approved investment manager; and

(v) the amount of money received; and

(vi) the amount of money paid for initial management expenses and commission to the approved investment manager or any other person; and

(vii) the amount of money invested; and

(viii) particulars of the form of the approved investment in which the money has been invested.

Schedule 2—Repeal and transitional provision

Part 1—Repeal of *Fair Trading (Pre-paid Funerals Industry Code) Regulations 2011*

1—Repeal of regulations

The *Fair Trading (Pre-paid Funerals Industry Code) Regulations 2011* are repealed.

Part 2—Transitional provision

2—Approved investment managers

A body approved or taken to have been approved by the Commissioner as an approved investment manager for the purposes of the *Pre-paid Funerals Industry Code 2011* will, if the approval was in force immediately before the commencement of this clause, be taken to have been approved by the Commissioner as an approved investment manager for the purposes of the *Pre-paid Funerals Industry Code 2026*.

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's Deputy

with the advice and consent of the Executive Council
on 30 July 2026

No 59 of 2026

South Australia

Security and Investigation Industry Regulations 2026

under the *Security and Investigation Industry Act 1995*

Contents

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Security and Investigation Industry Regulations 2026*.

2—Commencement

These regulations come into operation on 1 September 2026.

3—Interpretation

In these regulations—

Act means the *Security and Investigation Industry Act 1995*;

approved form means a form approved by the Commissioner;

auditor means a registered company auditor within the meaning of the *Corporations Act 2001* of the Commonwealth;

blood test information sheet means an information sheet in the approved form that sets out, for the benefit of sample collectors, the procedures prescribed under regulation 21;

BSB number (Bank State Branch number) means the number assigned to identify a particular branch of a particular ADI;

collection agent means an investigation agent who is authorised by a licence to perform 1 or more of the following functions:

(a) ascertaining the whereabouts of or repossessing goods that are subject to a security interest;

(b) collecting or requesting the payment of debts;

(c) executing legal process for the enforcement of a judgment or order of a court;

(d) executing distress for the recovery of rates, taxes or money;

former collection agent includes an agent who held a licence with the endorsement 1 or commercial agent under the *Commercial and Private Agents Act 1986* (repealed);

record includes information kept by computer, microfilm or other process;

trust account means an account in which trust money is required to be deposited by an agent;

trust money, in relation to a collection agent, means money—

(a) that is received by the agent when acting as an agent; and

(b) to which the agent is not wholly entitled in law and in equity,

but does not include money received on behalf of—

(c) a person by whom the agent is employed under a contract of service; or

(d) a person who is also a collection agent;

urine screening test means a test of a kind approved by the Commissioner for the conduct of urine screening tests.

Part 2—Application of Act

4—Exemption for loss adjusters and accountants—prescribed qualifications

(1) For the purposes of section 4(e) of the Act, the prescribed qualification in loss adjusting is membership of the Australasian Institute of Chartered Loss Adjusters.

(2) For the purposes of section 4(f)(ii) of the Act, the prescribed qualification in accountancy is a current practising certificate issued by either Chartered Accountants Australia and New Zealand or the CPA Australia Ltd.

5—Other exemptions

(1) A person is exempt from the requirement to hold a licence authorising the performance of the function of providing advice on security alarm or surveillance systems if—

(a) the person is registered as an architect under the *Architectural Practice Act 2009*; or

(b) the person holds the qualifications necessary for membership of Engineers Australia; or

(c) the person is employed under a contract of service and provides advice on security alarm or surveillance systems only to their employer in relation to premises owned or occupied by the employer; or

(d) the person does not, for the purpose of providing advice on security alarm or surveillance systems, attend at premises in relation to which the advice is provided.

(2) A person is exempt from the requirement to hold a licence authorising the performance of the function of hiring out or otherwise supplying security alarm or surveillance systems if the person does not, to perform that function, attend at premises for which a security alarm or surveillance system is supplied.

(3) A person employed in connection with the casino licensed under the *Casino Act 1997* is exempt, while acting in the ordinary course of that employment, from the requirement to hold a licence authorising the performance of 1 or more of the following functions:

(a) protecting or guarding a person or property or keeping a person or property under surveillance;

(b) preventing, detecting or investigating the commission of an offence in relation to a person or property;

(c) controlling crowds.

(4) The following persons are exempt from the requirement to hold a licence authorising the performance of the function of controlling crowds:

(a) a person who is not employed or engaged to deal with persons who behave in a disorderly manner or create a nuisance, unless the person is employed or engaged to control crowds on licensed premises;

(b) a licensee or a responsible person for licensed premises, whether or not the licensee or responsible person (as the case requires) performs the function of controlling crowds on licensed premises.

(5) In subregulation (4)—

licensed premises, ***licensee*** and ***responsible person*** have the same respective meanings as they do in the *Liquor Licensing Act 1997*.

Part 3—General provisions supporting Act

6—Classes of offences (sections 3, 9, 23, 23A, 23B and 23G of Act)

(1) For the purposes of sections 3(2)(a)(i) and 23 of the Act, the following is prescribed:

(a) the person has been convicted of a category A offence, or a category B offence, and the penalty imposed for the offence included detention or imprisonment of more than 30 months;

(b) the person has been convicted of a category A offence within the preceding 10 years;

(c) the person has been found guilty but not convicted of a category A offence within the preceding 5 years;

(d) the person has been found guilty but not convicted of a category B offence within the preceding 5 years and the penalty imposed or an order made in respect of the offence included any of the following:

(i) a fine of or greater than $500;

(ii) an order or a condition of a bond that the defendant be under the supervision of a community corrections officer;

(iii) a bond under which the defendant or a guarantor is obliged to pay a sum of or greater than $500 in the event of non-compliance with a condition of the bond;

(iv) a sentence or condition of a bond requiring the performance of 25 hours or more of community service;

(e) the person has been convicted of a category B offence within the preceding 10 years and the penalty imposed or an order made in respect of the offence included any of the following:

(i) a fine of or greater than $500;

(ii) an order or a condition of a bond that the defendant be under the supervision of a community corrections officer;

(iii) a bond under which the defendant or a guarantor is obliged to pay a sum of or greater than $500 in the event of non-compliance with a condition of the bond;

(iv) a sentence or condition of a bond requiring the performance of 25 hours or more of community service;

(v) detention;

(vi) imprisonment.

(2) For the purposes of section 9(7) and 23A of the Act, the following are prescribed offences:

(a) a category A offence;

(b) a category B offence.

(3) For the purposes of section 23B of the Act, the following are prescribed offences:

(a) a category A offence;

(b) a category B offence constituted of assault or an offence of violence alleged to have been committed in the course of, or in connection with, the performance by the person of the function of controlling crowds.

(4) For the purposes of section 23G of the Act, the following is prescribed:

(a) the person has been found guilty of a category A offence;

(b) the person has been found guilty of a category B offence constituted of assault or an offence of violence and the person is the holder of a security agents licence authorising the person to perform the function of controlling crowds and the offence was committed in the course of, or in connection with, the performance of that function;

(c) the person has been found guilty of a category B offence and the penalty imposed or an order made in respect of the offence included any of the following:

(i) a fine of or greater than $500;

(ii) an order or a condition of a bond that the defendant be under the supervision of a community corrections officer;

(iii) a bond under which the defendant or a guarantor is obliged to pay a sum of or greater than $500 in the event of non-compliance with a condition of the bond;

(iv) a sentence or condition of a bond requiring the performance of 25 hours or more of community service;

(v) detention;

(vi) imprisonment.

(5) In this regulation—

category A offence means—

(a) an indictable offence; or

(b) an offence against the *Controlled Substances Act 1984* in respect of a controlled drug, controlled precursor or controlled plant, other than an offence constituted of possession of a controlled drug, controlled precursor or controlled plant; or

(c) an offence against the *Police Act 1998*; or

(d) an offence against Part 5.3 or Part 5.3A of the Criminal Code set out in the Schedule to the *Criminal Code Act 1995* of the Commonwealth; or

(e) except in relation to a security agent authorised to perform only the function of controlling crowds—

(i) an offence against the *Listening and Surveillance Devices Act 1972* (repealed) or the *Surveillance Devices Act 2016*; or

(ii) an offence against the *Telecommunications (Interception and Access) Act 1979* of the Commonwealth; or

(f) an offence substantially similar to any of the above offences against the law of the Commonwealth, another State or a Territory, or a place outside Australia;

category B offence means—

(a) an offence against the Act or regulations made under the Act or the *Commercial and Private Agents Act 1986* (repealed) or regulations made under that Act; or

(b) an offence of dishonesty; or

(c) assault or an offence of violence; or

(d) an offence against the *Firearms Act 1977* (repealed), other than an offence against section 15C, 18, 21A, 21AB or 26 of that Act; or

(e) an offence against the *Firearms Act 2015*; or

(f) an offence against Part 3A of the *Summary Offences Act 1953*; or

(g) an offence against the *Controlled Substances Act 1984* constituted of possession of a controlled drug, controlled precursor or controlled plant; or

(h) an offence substantially similar to any of the above offences against the law of the Commonwealth, another State or a Territory, or a place outside Australia, but does not include a category A offence.

7—Annual fee and return

For the purposes of section 7C(1) of the Act, a licensed agent or a licensed security industry trainer must pay the fee and lodge the return on or before—

(a) the last day of the month in each year nominated in writing to the agent or trainer by the Commissioner; or

(b) if the Commissioner does not nominate a month—the last day of the month in each year that is the same month as the month in which the agent's or trainer's licence was granted.

8—Objection to application for licence

For the purposes of section 8A(3) of the Act, the prescribed period is 90 days.

9—Licence endorsements (section 11B of Act)

(1) If a licence is endorsed with the words "investigation agent", the endorsement indicates that the licence is an investigation agents licence.

(2) If an investigation agents licence is endorsed with 1 or more of the endorsements listed below or with words to the same effect, the endorsements indicate that the licence is subject to a restricted functions condition limiting the functions that may be performed under the authority of the licence to the functions indicated by the endorsements as set out below.

Endorsement	**Function**
collection work	ascertaining the whereabouts of or repossessing goods that are subject to a security interest; and
	collecting or requesting the payment of debts; and
	executing legal process for the enforcement of a judgment or order of a court; and
	executing distress for the recovery of rates, taxes or money
inquiry work	obtaining or providing (without the written consent of a person) information as to the personal character or actions of the person or as to the business or occupation of the person; and
	searching for missing persons; and
	obtaining evidence for the purpose of legal proceedings (whether the proceedings have been commenced or are prospective)

(3) If a licence is endorsed with the words "security agent", the endorsement indicates that the licence is a security agents licence.

(4) If a security agents licence is endorsed with 1 or more of the endorsements listed below or with words to the same effect, the endorsements indicate that the licence is subject to a restricted functions condition limiting the functions that may be performed under the authority of the licence to the functions indicated by the endorsements as set out below.

Endorsement	**Function**
body guarding	protecting or guarding a person or keeping a person under surveillance; and
	hiring out or otherwise supplying persons for the purpose of protecting or guarding a person or keeping a person under surveillance; and
	preventing, detecting or investigating the commission of an offence in relation to a person; and
	hiring out or otherwise supplying persons for the purpose of preventing, detecting or investigating the commission of an offence in relation to a person
crowd or venue control	controlling crowds; and
	hiring out or otherwise supplying persons for the purpose of controlling crowds
general guarding	protecting or guarding property or keeping property under surveillance (other than in a manner involving a dog or while in possession of a firearm); and
	hiring out or otherwise supplying persons for the purpose of protecting or guarding property or keeping property under surveillance (other than in a manner involving a dog or while in possession of a firearm); and
	preventing, detecting or investigating the commission of an offence in relation to property; and
	hiring out or otherwise supplying persons for the purpose of preventing, detecting or investigating the commission of an offence in relation to property
guarding with a dog	protecting or guarding property, or keeping property under surveillance, in a manner involving a dog; and
	hiring out or otherwise supplying persons for the purpose of protecting or guarding property or keeping property under surveillance, in a manner involving a dog; and
	hiring out or otherwise supplying dogs or other animals for the purpose of protecting or guarding property
guarding with a firearm	protecting or guarding property, or keeping property under surveillance, while possessing or using a firearm within the meaning of the *Firearms Act 2015*; and
	hiring out or otherwise supplying persons for the purpose of protecting or guarding property or keeping property under surveillance, while possessing or using a firearm within the meaning of the *Firearms Act 2015*
monitoring centre operations	protecting or guarding property, or keeping property under surveillance, by means of monitoring a security alarm or surveillance system whether from the place at which the property is located or from another place (but not by means of attendance in response to an alarm)

Endorsement	Function
security systems work	providing advice on security alarm or surveillance systems; and hiring out or otherwise supplying security alarm or surveillance systems or persons to provide advice on security alarm or surveillance systems; and installing or maintaining security alarm or surveillance systems; and hiring out or otherwise supplying persons for the purpose of installing or maintaining security alarm or surveillance systems
security systems work limited to providing sales and advice only	providing advice on security alarm or surveillance systems; and hiring out or otherwise supplying security alarm or surveillance systems or persons to provide advice on security alarm or surveillance systems

(5) If a licence is endorsed with the words "security industry trainer", the endorsement indicates that the licence is a security industry trainers licence.

(6) If a security agents licence or an investigation agents licence is endorsed with an endorsement listed below or with words to the same effect, the endorsement indicates that the licence is subject to the condition listed opposite in column 2.

Endorsement	Condition
employee	an employee condition preventing the holder of the licence from carrying on business as an agent
employee (supervision)	an employee (supervision) condition— (a) preventing the holder of the licence from carrying on business as an agent; and (b) requiring the holder of the licence to perform functions as an agent only under the supervision of a natural person who holds and has held, for the minimum period specified by the Commissioner in writing, a licence authorising the person to perform those functions personally without supervision
partnership, *followed by a name*	a partnership condition preventing the holder of the licence from carrying on business as an agent except in partnership with the person specified
partnership (business only), *followed by a name*	a partnership (business only) condition preventing the holder of the licence— (a) from carrying on business as an agent except in partnership with the person specified; and (b) from personally performing functions as an agent

Endorsement	**Condition**
in training	a training condition requiring the holder of the licence to satisfactorily complete a course of training, or gain experience, within a period of time, as specified by the Commissioner in writing

10—Review of licence

For the purposes of section 23H of the Act, the prescribed number of occasions is 2 and the prescribed period is 36 months.

Part 4—Crowd controllers

Division 1—Identification

11—Duty of person who carries on business or promotes event to provide crowd controllers with identification card and keep register

(1) A person who carries on a business or promotes an event at a place and employs (whether under contract of service or otherwise) 1 or more licensed security agents to perform the function of controlling crowds at the place must—

(a) ensure that each agent who personally performs the function of controlling crowds at the place is issued with an identification card in accordance with this regulation; and

(b) ensure that a register is kept for the place in accordance with this regulation.

Maximum penalty: $2 500.

Expiation fee: $160.

(2) The identification card—

(a) must legibly display in black characters on a white background—

(i) a number of up to 3 digits not less than 4 cm in height and comprised of lines not less than 5 mm in thickness; and

(ii) the word "security" in letters not less than 5 mm in height; and

(iii) the name of the place or the event in respect of which the card is issued in letters not less than 5 mm in height;

(b) may be issued to the agent on a permanent basis or periodically, before the agent commences each period of duty.

(3) If more than 1 agent is to perform the function of controlling crowds at the same place at the same time, the identification card issued to each agent must display a different number.

(4) The register must—

(a) contain the following information:

(i) the full name and address of the person who carries on the business or promotes the event;

(ii) the name and address of the place in respect of which the register is kept;

(iii) the licence number and full name and address of each agent who personally performs the function of controlling crowds at the place;

(iv) in relation to each period of duty performed by each agent—

(A) the time at which the agent starts and finishes the period of duty; and

(B) the number displayed on the identification card worn by the agent during the period of duty; and

(b) be kept—

(i) while the person carrying on the business or promoting the event continues to use the place in respect of which the register is kept—at that place;

(ii) in any other case—at some other place of business or residence of the person who carries on the business or promotes the event; and

(c) be retained for at least 6 months, or for such longer period as a police officer, the Commissioner or an authorised officer under the *Fair Trading Act 1987* requests by notice in writing.

(5) The person who carries on the business or promotes the event must ensure that the register is readily available for inspection (and copying) at the request of a police officer, an authorised officer under the *Fair Trading Act 1987* or a person authorised by the Commissioner.

Maximum penalty: $2 500.

Expiation fee: $160.

(6) In this regulation—

period of duty, in relation to an agent, means any period during which the agent is to or may perform the function of controlling crowds, and includes meal or rest breaks.

12—Duty of crowd controller to wear identification

For the purposes of section 20(2) of the Act, a licensed security agent who is issued with an identification card under regulation 11 must, while performing the function of controlling crowds at the place in respect of which the card is issued, wear the identification card on their chest securely attached to the outside of their clothing so that at all times the numbers on the card are clearly visible to other persons.

Division 2—Drug testing

13—Prescribed drugs and non-complying sample

For the purposes of Part 3A Division 2 of the Act—

(a) a ***prescribed drug*** is—

(i) a controlled drug (other than a drug of dependence) within the meaning of the *Controlled Substances Act 1984*; or

(ii) a drug referred to in Schedule 8 of the current Poisons Standard within the meaning of the *Therapeutic Goods Act 1989* of the Commonwealth; and

(b) a ***non-complying sample*** is a sample of blood or urine containing any trace of a prescribed drug.

14—Who may take samples

(1) The following persons may take a blood or urine sample from a licensee for the purposes of a drug testing procedure the licensee has been directed to undertake under section 23J(1) of the Act:

(a) in the case of a blood sample—a medical practitioner or a registered nurse;

(b) in the case of a urine sample—a medical practitioner or a registered nurse, or a police officer authorised by the Commissioner of Police to take such a sample.

(2) A police officer may not be authorised to take a urine sample unless the officer has completed to a satisfactory level a course of training approved by the Commissioner of Police.

15—Taking of blood samples

The following are the prescribed procedures in accordance with which a sample of a licensee's blood must be taken and dealt with for the purposes of section 23J of the Act:

(a) the sample must be taken by the sample collector in the presence of a police officer;

(b) the sample collector must place the sample, in approximately equal proportions, in 2 containers suitable for the purpose;

(c) each container must contain a sufficient quantity of blood to enable an accurate evaluation to be made of any concentration of any prescribed drug present in the blood and the sample of blood taken by the sample collector must be such as to furnish 2 such quantities of blood;

(d) the sample collector must seal each container by application of an adhesive seal bearing an identifying number;

(e) it is the duty of the sample collector to take such measures as are reasonably practicable in the circumstances to ensure that the blood is not adulterated and does not deteriorate so as to prevent a proper assessment of the concentration of any prescribed drug present in the blood of the licensee;

(f) the sample collector must then complete a certificate in the approved form by inserting the particulars required by the form, which must then be signed by the sample collector, the police officer in whose presence the sample has been taken and the licensee;

(g) the original of the signed certificate must then be delivered to the licensee together with 1 of the sealed containers containing part of the blood sample;

(h) a copy of the signed certificate must be delivered by the sample collector together with the other sealed container containing part of the blood sample to the police officer;

(i) the blood sample container and copy of the certificate referred to in paragraph (h) must not be delivered into the possession of the licensee;

(j) the licensee must comply with all reasonable directions of the sample collector or police officer in connection with the taking of the sample and the signing of the certificate.

16—Taking of urine samples

The following are the prescribed procedures in accordance with which a sample of a licensee's urine must be taken and dealt with for the purposes of section 23J of the Act:

(a) if the sample collector is not a police officer, the sample collector must carry out the functions under this regulation in the presence of a police officer;

(b) the sample collector must provide the licensee with a urine collection container and allow the licensee to provide the sample in private;

(c) the licensee must provide a sample of their urine in the container and then deliver the container to the sample collector immediately;

(d) the sample collector—

(i) must, within 4 minutes of receiving the sample, test the temperature, and conduct a visual examination, of the sample; and

(ii) may conduct any other test designed to determine whether or not the sample is a sample of the licensee's urine and is otherwise suitable for analysis;

(e) if the sample collector has reasonable cause to suspect that the sample—

(i) is not a sample of the licensee's urine or has been diluted or tampered with in any way; or

(ii) is not suitable for analysis for some other reason,

the sample collector, or the police officer accompanying the sample collector—

(iii) must require another sample to be provided in accordance with this regulation; and

(iv) may require the licensee to submit to a search before the additional sample is provided;

(f) if the sample collector or police officer requires the licensee to submit to a search, the search—

(i) may only be conducted by, and in the presence of, a person of the same sex as the licensee; and

(ii) must be carried out in private; and

(iii) must not be witnessed by any more persons than is reasonably necessary;

(g) if the licensee provides 2 samples that, in the opinion of the sample collector, are not samples of the licensee's urine or are otherwise unsuitable for analysis, the licensee will be taken to have failed to comply with a direction under section 23J;

(h) when the sample collector is satisfied that the licensee has provided a satisfactory sample of the licensee's urine, the sample collector may subject the sample to a urine screening test to determine whether the sample should be submitted for analysis;

(i) if the sample collector does not subject the sample to a urine screening test, or a urine screening test indicates that the sample may be a non-complying sample, the sample collector must, in the presence of the licensee, place such amount of the sample in a container (suitable for the purpose) as is necessary to enable an accurate evaluation to be made of any concentration of any prescribed drug present in the urine;

(j) the sample collector must then seal the container by application of an adhesive seal bearing an identifying number;

(k) it is the duty of the sample collector to take such measures as are reasonably practicable in the circumstances to ensure that the urine is not adulterated and does not deteriorate so as to prevent a proper assessment of the concentration of any prescribed drug present in the urine of the licensee;

(l) the sample collector must then complete a certificate in the approved form by inserting the particulars required by the form, which must then be signed by the sample collector, the licensee and, if the sample collector is not a police officer, the police officer in whose presence the sample has been taken;

(m) the original of the signed certificate must then be delivered to the licensee;

(n) if the sample collector is not a police officer, a copy of the signed certificate must be delivered by the sample collector to the police officer in whose presence the sample has been taken together with the sealed container containing the urine sample;

(o) the urine sample container and copy of the certificate referred to in paragraph (n) must not be delivered into the possession of the licensee;

(p) the licensee must comply with all reasonable directions of the sample collector or police officer in connection with the taking of the sample and the signing of the certificate.

17—Analysis of sample

(1) A police officer who takes or is given a sample of blood or urine, or a certificate, under regulation 15 or 16 must cause the sample and certificate to be delivered to Forensic Science SA as soon as reasonably practicable.

(2) The Director of Forensic Science SA must, as soon as possible following the delivery of a sample under subregulation (1), ensure that the sample is analysed by or under the supervision of an analyst to determine the level of any prescribed drug in the sample.

(3) The analyst must then complete and sign a certificate certifying as to the following matters:

(a) the date of receipt at Forensic Science SA of the sample container and the certificate accompanying the sample container;

(b) the identifying number appearing on the adhesive seal used to seal the sample container;

(c) the name and professional qualifications of the analyst;

(d) the presence of any prescribed drug found to be present in the sample;

(e) any factors relating to the sample or the analysis that might, in the opinion of the analyst, adversely affect the accuracy or validity of the analysis;

(f) any other information relating to the sample or analysis (or both) that the analyst thinks fit to include.

(4) The analyst's certificate must be sent by post to the licensee at the address shown as the licensee's address on the certificate accompanying the sample container.

(5) A copy of the analyst's certificate must be sent to the Commissioner and the Commissioner of Police.

(6) A urine sample delivered to Forensic Science SA under this regulation must be held by Forensic Science SA for a period of not less than 6 months following the delivery.

(7) A licensee from whom a urine sample was taken may arrange, at the expense of the licensee, for further testing of the sample while the sample is held by Forensic Science SA.

(8) A licensee from whom a blood sample was taken may cause the sample of blood as contained in the blood sample container delivered to that licensee to be analysed to determine the presence of any prescribed drug present in the blood.

18—Certificate evidence

In any proceeding under the Act, and in the absence of proof to the contrary, any of the following certificates is evidence of the matters certified in the certificate:

(a) a certificate purporting to be signed by a sample collector certifying that an identified urine sample was taken or collected—

(i) from a named person; and

(ii) at a specified date and time; and

(iii) in accordance with the regulations;

(b) a certificate purporting to be signed by a medical practitioner or registered nurse certifying that an identified blood sample was taken or collected—

(i) from a named person; and

(ii) at a specified date and time; and

(iii) in accordance with the regulations;

(c) a certificate purporting to be signed by an analyst certifying—

(i) that an identified blood or urine sample taken from a named person was analysed for drugs in accordance with these regulations; and

(ii) the results obtained from that analysis.

19—Prescribed form of identification

(1) Pursuant to section 23J(5)(c) of the Act, a licensee must produce 1 of the following forms of identification at the time a blood or urine sample is taken:

(a) a current photographic driver's licence issued under the *Motor Vehicles Act 1959* or under a corresponding law of another State or a Territory;

(b) a current photographic Proof of Age document issued by the Registrar of Motor Vehicles or by a corresponding public authority of the Commonwealth or another State or a Territory;

(c) a current passport issued by the Commonwealth or under the law of another country, bearing a photograph of the person and enabling the age of the person to be determined;

(d) a current photographic licence issued by the Commissioner under the Act.

(2) Failure by a licensee to produce identification as required by subregulation (1) will be taken to be a failure by the licensee to comply with a direction under section 23J of the Act.

Division 3—Alcohol testing

20—Conduct of alcotest and breath analysis

(1) A licensee required under the Act to submit to an alcotest or breath analysis must not refuse or fail to comply with all reasonable directions of a police officer in relation to the requirement and, in particular, must not refuse or fail to exhale into the apparatus by which the alcotest or breath analysis is conducted in accordance with the directions of a police officer.

(2) Pursuant to section 23K(4) of the Act, if a licensee submits to a breath analysis, the breath analysis must be conducted in the following manner:

(a) the licensee must provide 2 separate samples of breath for analysis;

(b) each sample must be provided in accordance with the directions of the operator of the breath analysing instrument and must consist of not less than 1 litre of breath;

(c) there must be an interval of not less than 2 minutes and not more than 10 minutes between the provision of the samples.

(3) Despite subregulation (2)—

(a) if, on analysing a sample of breath, the breath analysing instrument indicates an error in the analysis of the sample—

(i) that sample, or, if that sample was the second sample provided, both samples, must be disregarded; and

(ii) the licensee may be required to provide 2 further samples of breath for analysis using a different instrument (and such samples must be provided in accordance with subregulation (2)(b) and (c)); or

(b) if, on analysing a sample of breath, the breath analysing instrument indicates the presence of alcohol in the mouth of the licensee—

(i) that sample, or, if that sample was the second sample provided, both samples, must be disregarded; and

(ii) the licensee may be required to provide 2 further samples of breath for analysis (and such samples must be provided in accordance with subregulation (2)(b) and (c)); or

(c) if, on analysing 2 samples of breath, the breath analysing instrument indicates that the reading obtained on analysis of the second sample was more than 15% higher or lower than the reading obtained on analysis of the first sample—

(i) those samples must be disregarded; and

(ii) the licensee may be required to provide 2 further samples of breath for analysis (and such samples must be provided in accordance with subregulation (2)(b) and (c)); or

(d) if, for any reason, a second sample of breath is not provided within 10 minutes of the provision of the first sample—

(i) the first sample is to be disregarded; and

(ii) the licensee may be required to provide 2 further samples of breath for analysis (and such samples must be provided in accordance with subregulation (2)(b) and (c)).

(4) If a licensee submits to a breath analysis, the result of the breath analysis will, for the purposes of the Act, be taken to be the reading produced by the breath analysing instrument, on analysis of the samples of breath provided by the licensee in accordance with this regulation, that indicates the lower concentration of alcohol in the licensee's breath (not taking into account any samples that, in accordance with this regulation, are to be disregarded).

21—Procedures for voluntary blood test

The following are the prescribed procedures in accordance with which a sample of a licensee's blood must be taken and dealt with for the purposes of section 23M(2)(a) of the Act:

(a) the licensee must cause the sample to be taken by a medical practitioner or registered nurse of the licensee's choice (the ***sample collector***) and must deliver to the sample collector—

(i) the blood test kit supplied to the licensee under section 23M(5)(b) of the Act for use for that purpose; and

(ii) the blood test information sheet supplied to the licensee under regulation 23;

(b) the sample must be taken by the sample collector as soon as reasonably practicable but, in any event, within 4 hours of the licensee having submitted to the breath analysis indicating, for the purposes of the Act, the presence of the prescribed concentration of alcohol in the licensee's blood;

(c) the sample collector must place the sample, in approximately equal proportions, in 2 containers (being the containers provided as part of the blood test kit);

(d) each container must contain a sufficient quantity of blood to enable an accurate evaluation to be made of any concentration of alcohol present in the blood and the sample of blood taken by the sample collector must be such as to furnish 2 such quantities of blood;

(e) the sample collector must seal each container by application of the adhesive seal bearing an identifying number provided as part of the blood test kit;

(f) it is the duty of the sample collector to take such measures as are reasonably practicable in the circumstances to ensure that the blood is not adulterated and does not deteriorate so as to prevent a proper assessment of the concentration of alcohol present in the blood of the licensee;

(g) the sample collector must then complete a certificate in the approved form by inserting the particulars required by the form;

(h) the certificate must be signed by the sample collector certifying as to the matters set out in the form;

(i) the certificate must also bear the signature of the licensee, attested to by the signature of the sample collector;

(j) the original of the signed certificate must then be delivered to the licensee together with 1 of the sealed containers containing part of the blood sample;

(k) a copy of the signed certificate must be delivered by the sample collector together with the other sealed container containing part of the blood sample to a police officer who must, in turn, deliver that copy of the certificate and the blood sample container to Forensic Science SA;

(l) the blood sample container and copy of the certificate referred to in paragraph (k) must not be delivered into the possession of the licensee;

(m) on receipt of the blood sample container and certificate at Forensic Science SA, the blood in the container must be analysed as soon as reasonably practicable by or under the supervision of an analyst to determine the concentration of alcohol present in the blood expressed in grams in 100 millilitres of blood;

(n) the analyst must then complete and sign a certificate certifying as to the following matters:

   (i) the date of receipt at Forensic Science SA of the blood sample container and the certificate accompanying the blood sample container;

   (ii) the identifying number appearing on the adhesive seal used to seal the blood sample container;

   (iii) the name and professional qualifications of the analyst;

   (iv) the concentration of alcohol found to be present in the blood expressed in grams in 100 millilitres of blood;

   (v) any factors relating to the blood sample or the analysis that might, in the opinion of the analyst, adversely affect the accuracy or validity of the analysis;

   (vi) any other information relating to the blood sample or analysis or both that the analyst thinks fit to include;

(o) the analyst's certificate must be sent by post to the licensee at the address shown as the licensee's address on the certificate accompanying the blood sample container;

(p) a copy of the analyst's certificate must be sent to or retained on behalf of the Minister;

(q) a copy of the analyst's certificate must also be sent to the Commissioner and the Commissioner of Police;

(r) the licensee from whom the blood sample was taken may cause the sample of blood as contained in the blood sample container delivered to that licensee to be analysed to determine the concentration of alcohol present in the blood.

22—Oral advice and written notice on recording of positive breath analysis reading

(1) The oral advice required to be given for the purposes of section 23M(5)(a) of the Act must be as set out in Schedule 1 Part A.

(2) The written notice required to be delivered for the purposes of section 23M(5)(a) of the Act must be as set out in Schedule 1 Part B.

23—Request for approved blood test kit

(1) For the purposes of section 23M(5)(b) of the Act, a request for an approved blood test kit must be made in accordance with the following provisions:

(a) the request may, in the first instance, be made orally to the person operating the breath analysing instrument (the ***operator***);

(b) on such a request having been made by the licensee, the operator or any other police officer present at the scene must complete a written request form in the approved form by inserting the particulars required by the form;

(c) the licensee making the request must then sign the request form in the presence of the operator or other police officer and the licensee's signature must be attested to by the signature of the operator or other officer;

(d) the original of the signed request form may be retained by the licensee making the request;

(e) a copy of the signed request form must be delivered to the operator or other police officer.

(2) The copy of the request form delivered to the operator or other police officer must be delivered to the Commissioner or retained on the Commissioner's behalf for 12 months from the day on which the request form was signed by the licensee making the request.

(3) If a licensee requests an approved blood test kit, the operator or any other police officer must provide the licensee with a blood test information sheet.

Part 5—Collection agents

24—Requirement to keep trust account

(1) A collection agent must, as soon as practicable after receiving trust money, deposit the money in an account (in the name of the agent) at an ADI.

Maximum penalty: $2 500.

Expiation fee: $160.

(2) A collection agent must not pay any other money into the agent's trust account.

Maximum penalty: $2 500.

Expiation fee: $160.

(3) A collection agent must, when applying to open a trust account, inform the ADI that the account is to be a trust account for the purposes of this Part.

Maximum penalty: $2 500.

Expiation fee: $160.

25—General duty with respect to records

If a collection agent uses a computer program to keep records under section 14 of the Act and these regulations, the agent must ensure that—

(a) an electronic copy of all the records is made within 24 hours of any alteration of the records; and

(b) at least once in each month, an electronic copy of all the records is made and kept in a safe place at a location other than the premises where the computer program is operating (which, to avoid doubt, may be in a cloud storage system); and

(c) before any information is deleted from the computer records, a hard copy of the information is made and kept by the agent as part of the agent's records; and

(d) an up-to-date electronic copy of the computer program is made and kept in a safe place at a location other than the premises where the computer program is operating (which, to avoid doubt, may be in a cloud storage system).

Maximum penalty: $2 500.

Expiation fee: $160.

26—Keeping of records

A collection agent must keep detailed records of all trust money received by the agent and of any disbursement of, or other dealing with, that money and must compile detailed accounts of those receipts and disbursements that—

(a) accurately disclose the state of the trust account maintained by the agent; and

(b) enable the receipt and disposition of trust money to be conveniently and properly audited; and

(c) comply with the requirements set out in regulations 29, 30 and 31.

Maximum penalty: $2 500.

Expiation fee: $160.

27—Receipt of trust money

(1) A collection agent must, in respect of the receipt of trust money—

(a) make available to the person making payment a receipt that complies with this regulation; and

(b) make and retain a copy of the receipt as part of the agent's records.

Maximum penalty: $2 500.

Expiation fee: $160.

(2) The receipt—

(a) must be legibly written on a form comprised in a series of consecutively pre-numbered duplicate receipt forms marked with the name of the agent and the words "Trust Account"; and

(b) must contain the following information:

(i) —

(A) in the case of a payment made by electronic transfer of funds into an agent's trust account—the date on which the agent makes out the receipt; or

(B) in any other case—the date of the payment; and

(ii) the name of the person making the payment; and

(iii) whether the payment is by cash, cheque, bank cheque or electronic transfer of funds into the agent's trust account and, if the payment is by cheque or bank cheque, the name of the drawer of the cheque; and

(iv) the name of the person for whom the money is received; and

(v) brief particulars of the purpose of the payment; and

(vi) the amount of the payment.

(3) A collection agent must make out a receipt in accordance with subregulation (2)—

(a) in the case of a payment made by electronic transfer of funds into an agent's trust account—immediately the agent receives official confirmation that the payment has been made (whether that is by way of receipt by the agent of an ADI statement or some other way, whichever occurs sooner); or

(b) in any other case—immediately on receipt of the payment.

Maximum penalty: $2 500.

Expiation fee: $160.

28—Withdrawal of trust money

(1) A collection agent must not withdraw, or permit another person to withdraw, money from a trust account except—

(a) for payment to the person entitled to the money or in accordance with the directions of that person; or

(b) in satisfaction of a claim for commission, fees, costs or disbursements that the agent has against the person on behalf of whom the money is held; or

(c) to satisfy an order of a court against the person on behalf of whom the agent is holding the money; or

(d) for payment into a court before which proceedings have been instituted in relation to the money; or

(e) for the purpose of dealing with the money in accordance with the *Unclaimed Money Act 2021*; or

(f) for making any other payment authorised by law.

Maximum penalty: $2 500.

Expiation fee: $160.

(2) A collection agent must not make a payment of trust money in cash.

Maximum penalty: $2 500.

Expiation fee: $160.

(3) When a collection agent makes a payment of trust money by cheque, the agent—

(a) must ensure that the cheque is marked with the name of the agent and the words "Trust Account"; and

(b) must—

(i) cause the cheque to be crossed and endorsed "Not negotiable"; or

(ii) obtain from the person receiving the cheque a receipt that complies with subregulation (5) and keep the receipt as part of the agent's records.

Maximum penalty: $2 500.

Expiation fee: $160.

(4) When a collection agent makes a payment of trust money by cheque, the agent must prepare and keep as part of the agent's records a cheque stub or voucher containing the following information:

(a) the date and reference number of the cheque;

(b) the name of the payee;

(c) the client name or reference and brief particulars of the purpose of the payment;

(d) the amount of the cheque.

Maximum penalty: $2 500.

Expiation fee: $160.

(5) The receipt must be legible and contain the following information:

(a) the date and reference number of the cheque;

(b) particulars identifying the trust account against which the cheque is drawn;

(c) the name of the payee;

(d) brief particulars of the purpose of the payment;

(e) the amount of the cheque.

(6) When a collection agent authorises the payment of trust money by electronic transfer of funds, the agent—

(a) must prepare and keep as part of the agent's records the following information:

(i) the date and reference number of the payment;

(ii) the name of the payee;

(iii) the client name or reference and brief particulars of the purpose of the payment;

(iv) the name or style of the ADI account to which the payment is made, its number and the identifying numbers of the receiving ADI and its branch;

(v) the amount of the payment; and

(b) must, on receiving official written confirmation that the payment has been made, keep that confirmation as part of the agent's records.

Maximum penalty: $2 500.

Expiation fee: $160.

29—Cash books

(1) A collection agent must keep as part of the agent's records—

(a) a cash receipts book in which the agent records the following information in respect of each receipt of trust money:

(i) the date and reference number of the receipt;

(ii) the name of the person from whom the money is received;

(iii) the client name or reference to which the transaction relates;

(iv) brief particulars of the purpose of the receipt;

(v) the amount of the receipt; and

(b) a cash payments book in which the agent records the following information in respect of each payment of trust money:

(i) the date and reference number of the cheque or electronic transfer of funds by which the payment was made;

(ii) the name of the payee;

(iii) the client name or reference to which the transaction relates;

(iv) brief particulars of the purpose of the payment;

(v) the amount of the cheque or electronic transfer of funds.

(2) A collection agent need not keep a cash receipts book or a cash payments book as required by subregulation (1) if the agent uses a computer program to record the information referred to in that subregulation in respect of each receipt or payment of trust money and the program—

(a) requires input in each field of a data entry screen intended to receive information in respect of a receipt or payment so that all of the information referred to in subregulation (1) is recorded in respect of each receipt and payment; and

(b) is capable, at any time, of producing—

(i) a report of the information in respect of receipts of trust money in the order in which they were received; and

(ii) a report of the information in respect of payments of trust money in the order in which they were made.

(3) A collection agent who uses a computer program as referred to in subregulation (2) must ensure that—

(a) at the end of each month, hard copies of each of the following reports are produced:

(i) a report of the information in respect of receipts of trust money received during that month in the order in which they were received;

(ii) a report of the information in respect of payments of trust money made during that month in the order in which they were made; and

(b) those hard copies are kept as part of the agent's records.

(4) The records of receipts and payments must be made by the agent in accordance with this regulation in the order in which they are received or made, each such record being made within 2 working days after the receipt or payment in question.

(5) Subregulation (4) does not apply in relation to receipts or payments by way of electronic transfer of funds, a record of which must be made within 2 working days after the agent receives official confirmation that the transfer has occurred.

30—Separate trust ledger accounts

(1) A collection agent must ensure that the agent's trust ledger accounts are kept separately in respect of each of the agent's clients.

(2) The agent must record in each of the separate accounts the following details:

(a) the name and address of the client to whom the accounts relate;

(b) a brief description of the service provided and the transaction to which the accounts relate;

(c) in respect of each receipt or disbursement of trust money—

(i) the date and reference number of the receipt or disbursement;

(ii) the name of the person from whom the money is received or to whom the money is disbursed;

(iii) brief particulars of the purpose of the receipt or disbursement;

(iv) the amount received or disbursed.

(3) The agent must ensure that any changes in the details referred to in subregulation (2)(a) or (b) are recorded in a manner that enables the changes and the order in which they occurred to be identified.

(4) If the agent transfers money between any of the separate accounts, the transfer must be clearly recorded—

(a) in both accounts; and

(b) in a transfer journal,

in sufficient detail that the transfer may be clearly understood.

(5) The records of receipts, disbursements and transfers must be made by the agent in accordance with this regulation in the order in which the receipts, disbursements or transfers are received or made, each such record being made within 2 working days after the receipt, disbursement or transfer in question.

(6) Subregulation (5) does not apply in relation to receipts or payments by way of electronic transfer of funds, a record of which must be made within 2 working days after the agent receives official confirmation that the transfer has occurred.

(7) If a collection agent uses a computer program to keep trust ledger accounts or a transfer journal, the agent must ensure that—

(a) the program is incapable of—

(i) recording a transaction that would result in a debit balance in a trust ledger account unless a separate contemporaneous record of the transaction is also made so that, at any time, a hard copy may be produced of all such transactions in chronological order; and

(ii) deleting from its records the information relating to a trust ledger account unless—

(A) the balance of the account is zero; and

(B) a hard copy of all of the information required under these regulations relating to the account has been produced; and

(iii) changing existing information relating to a transaction otherwise than by making a further entry showing a separate transaction to effect the change; and

(b) the program automatically inserts consecutive page numbers into any hard copy report produced by use of the program; and

(c) the program requires input in each field of a data entry screen intended to receive information for the purposes of a trust ledger account or transfer journal so that the entry contains all of the information required by this regulation.

Maximum penalty: $2 500.

Expiation fee: $160.

(8) If a collection agent uses a computer program to keep trust ledger accounts or a transfer journal, the agent must, within 2 working days of a request from the Commissioner or the agent's auditor, produce hard copies of the trust ledger accounts or transfer journal.

Maximum penalty: $2 500.

Expiation fee: $160.

31—Reconciliation statements

(1) A collection agent must, at the end of each month, prepare and keep as part of the agent's records—

(a) a statement reconciling the balance of the agent's cash books, or equivalent computer records, kept under regulation 29 with the balance of the agent's trust account; and

(b) a statement reconciling the balances of the ledgers comprised in the agent's trust ledger accounts with the balance of the agent's trust account.

(2) The agent is not required to set out a list of individual balances, or the names of the clients on whose behalf money is held, when preparing the statement referred to in subregulation (1)(b).

32—Transfer of money from trust account to office account

A collection agent who becomes entitled to money held in the agent's trust account in or towards satisfaction of the agent's commission, fees, costs or disbursements must, as soon as practicable and in any event within 3 months, transfer the money to an account maintained by the agent for receipts other than trust money.

Maximum penalty: $2 500.

Expiation fee: $160.

33—Statement of dealings to be provided to interested person

A collection agent must, at the request of a person who has an interest in trust money, provide that person with a statement setting out details of dealings by the agent with the money.

Maximum penalty: $2 500.

Expiation fee: $160.

34—Retention of accounts and records

A collection agent must keep the accounts and records referred to in this Part in a legible written form, or so as to be readily convertible into such a form, for at least 5 years.

Maximum penalty: $2 500.

Expiation fee: $160.

35—Audit of trust accounts

(1) Subject to subregulation (2), a collection agent who maintains a trust account must have the accounts and records kept under this Part audited by an auditor in each year in respect of the period from—

(a) the end of the agent's last audit period; or

(b) in the case of an agent being granted a licence—the date of the grant of the licence,

until—

(c) 2 months before the date next occurring on which the agent must lodge an annual return; or

(d) if the Commissioner fixes some other date at the request of the agent—the date next occurring fixed by the Commissioner.

Maximum penalty: $2 500.

Expiation fee: $160.

(2) If no trust money was held in a collection agent's trust account during a particular audit period, no audit is required under subregulation (1) in relation to that period.

36—Requirement to submit audit statement or declaration

(1) Subject to subregulation (2), a collection agent who maintains a trust account must, within 2 months after the end of each audit period, lodge with the Commissioner a statement relating to the audit prepared by the auditor in accordance with these regulations.

Maximum penalty: $2 500.

Expiation fee: $160.

(2) If regulation 35(2) applies in relation to a collection agent's trust account during a particular audit period, the collection agent must, instead of lodging a statement under subregulation (1) in respect of that audit period, lodge with the Commissioner a declaration in accordance with this regulation setting out the reasons for not holding any money in the trust account during that period.

Maximum penalty: $2 500.

Expiation fee: $160.

(3) A collection agent who did not maintain a trust account during a particular audit period, must make and lodge with the Commissioner a declaration in accordance with this regulation setting out the reasons for not maintaining a trust account during that period.

Maximum penalty: $2 500.

Expiation fee: $160.

(4) A declaration required under this regulation—

(a) must be in the form approved by the Commissioner; and

(b) must be lodged within 2 months after the end of the audit period.

(5) If a collection agent fails to lodge the audit statement or declaration within the time allowed, the Commissioner may, by notice in writing, require the agent to make good the default.

(6) If the agent fails to comply with the notice within 28 days after service of the notice, the agent's licence is cancelled.

(7) The Commissioner must notify the agent of the cancellation of the agent's licence.

37—Agent's statement to auditor

(1) A collection agent who is required to have accounts and records audited must, before the completion of the audit, certify—

(a) under their own hand; or

(b) in the case of a firm of agents—under the hands of not less than 2 partners of the firm; or

(c) in the case of a body corporate agent—under the hands of not less than 2 directors of the body,

and deliver to the auditor a notice verified in accordance with this regulation setting out in detail, as of the last day of the period to which the audit relates, particulars of—

(d) the names of all persons on whose behalf the agent is holding trust money and the amount of the credit of each such person; and

(e) all negotiable or bearer securities or deposit receipts in the name of the agent which represent money drawn from the agent's trust account and which were held by the agent on that day; and

(f) —

(i) the names of the trust accounts in which the balance of the agent's trust money is lodged and the balances on that date of those accounts; and

(ii) if the trust account balances are not in agreement with the balances of the agent's ledger accounts—a statement reconciling those balances.

Maximum penalty: $2 500.

Expiation fee: $160.

(2) The agent must give the auditor making the next succeeding audit of the agent's accounts and records—

(a) at the request of the auditor, a copy of the notice, together with a signed copy of the auditor's statement of the last preceding audit of the agent's accounts and records; or

(b) if the agent's accounts and records are being audited for the first time or, if for any other reason a copy of the notice cannot be produced for the purpose of the audit—before completion of the audit, a notice containing the same particulars as to money, negotiable or bearer securities and deposit receipts held on the first day of the period to which the audit relates.

Maximum penalty: $2 500.

Expiation fee: $160.

38—Requirements of audit

(1) In carrying out an audit, the auditor must—

(a) make checks that will enable the auditor to give an opinion as to whether the agent has, during the period covered by the audit, complied with these regulations relating to the agent's accounts and records; and

(b) ascertain whether a trust account under these regulations was kept by the agent during that period; and

(c) make a general test examination of any trust account kept by the agent and of the pass books and statements relating to any such account during that period; and

(d) make a comparison as to no fewer than 2 dates (1 to be the last day of the period of the audit and 1 other to be a date within that period selected by the auditor) between—

(i) the liabilities of the agent to the agent's clients as shown by the agent's trust ledger accounts and the records kept under these regulations; and

(ii) the aggregate of the balances standing to the credit of the agent's trust account; and

(e) ask for such information and explanations as the auditor may require for the purposes of this regulation.

(2) The statement prepared by the auditor for lodging with the Commissioner must set out all matters relating to the agent's accounts and records that should, in the auditor's opinion, be communicated to the Commissioner and, in particular, deal with each of the following matters:

(a) whether the accounts and records appear to have been kept regularly and properly written up at all times;

(b) whether the accounts and records have been ready for examination at the periods appointed by the auditor;

(c) whether the agent has complied with the auditor's requirements;

(d) whether, at any time during the period of the audit, the agent's trust account was overdrawn and, if so, the full explanation for that given by the agent;

(e) whether the agent has, or has had, any debit balances in their trust account and the explanation or reason for such a debit given by the agent;

(f) whether the auditor has received and examined the notice given to the auditor under regulation 37 and the result of that examination;

(g) if the agent uses a computer program to keep the agent's accounts and records—whether the program allows for the accounts and records to be conveniently and properly audited.

(3) The statement prepared by the auditor for lodging with the Commissioner must include the name, number and relevant BSB number of each trust account included in the audit.

(4) The auditor must give a signed copy of the statement to the agent.

(5) If the auditor in the course of auditing the agent's accounts and records discovers—

(a) that they are not kept in a manner that enables them to be properly audited; or

(b) a matter that appears to the auditor to involve dishonesty or a breach of the law by the agent; or

(c) a loss or deficiency of trust money or a failure to pay or account for trust money; or

(d) a failure to comply with this Part,

the auditor must, as soon as possible, give a report in respect of the discovery to the Commissioner and the agent concerned.

Maximum penalty: $2 500.

Expiation fee: $160.

(6) Subregulations (2) and (5)(c) do not apply in relation to losses and deficiencies in a trust account that have been promptly rectified and were due to inadvertence (provided that the total of the losses and deficiencies have not exceeded $100 in any 3 month period).

39—Audit when agent ceases to carry on business

(1) If a collection agent ceases to carry on business as a collection agent, the agent, or, if the agent has died, the agent's personal representative, must—

(a) cause the agent's accounts and records kept under these regulations to be audited and reported on by an auditor for the period from the previous audit up to the date on which the agent's affairs are wound up; and

(b) submit a copy of the auditor's statement to the Commissioner within 4 months of the winding up of the agent's affairs or within such further period as the Commissioner may allow.

Maximum penalty: $2 500.

Expiation fee: $160.

(2) The relevant provisions of this Part apply (subject to such modifications as may be necessary) to the audit and statement required by this regulation.

(3) The collection agent, or their personal representative, must continue to comply with these regulations as if the agent had not ceased to carry on business until the agent's affairs (so far as they relate to trust money and other matters required to be recorded under these regulations) are properly and finally wound up.

Maximum penalty: $2 500.

Expiation fee: $160.

(4) The preceding provisions of this regulation do not apply to a collection agent who, before ceasing to carry on business, was a member of a firm if all continuing members of the firm and (unless the agent is dead) the agent certify to the Commissioner that the trust money and other matters in respect of which records are required to be kept under these regulations are under the proper administration and control of the continuing partners or some of them.

(5) In this regulation—

agent or ***collection agent*** includes a former collection agent.

40—Audit and report etc for firm operates for each partner

An audit of accounts and records kept by a firm of collection agents and the auditor's statement and attached notice relating to the firm's accounts and records will be taken to operate as an audit, statement and notice in respect of each agent who is a member of the firm.

41—Certain persons may not audit accounts and records of agent

A person must not audit the accounts and records of a collection agent if the person—

(a) is, or has been within 2 years, an employee or partner of the agent; or

(b) is an employee of another collection agent actually carrying on business as a collection agent; or

(c) is a collection agent carrying on business as a collection agent.

Maximum penalty: $2 500.

Expiation fee: $160.

42—Obtaining information for purposes of audit

(1) An auditor employed by a collection agent to make an audit of the trust accounts of the agent may require the agent or any other person in a position to do so—

(a) to produce all the accounts (including accounts that are not trust accounts) relating to the business of the agent and all documents and records relating to those accounts, including written records that reproduce in a readily understandable form information kept by computer, microfilm or other process; and

(b) to provide any relevant information relating to the operation of the accounts.

(2) The manager or other principal officer of an ADI or other financial institution with which a collection agent has deposited money, whether in their own account or in a general or separate trust account, must, on being required to do so by an auditor employed or appointed to make an audit under this Part, disclose every such account (including all deposit slips, cancelled cheques and other documents relating to the operation of the account) to the auditor.

Maximum penalty: $2 500.

Expiation fee: $160.

(3) A person who is required by this regulation to produce documents to an auditor must permit the auditor to make a copy of the whole, or any part, of those documents.

Maximum penalty: $2 500.

Expiation fee: $160.

(4) In this regulation—

account includes a record required to be kept under this Part in relation to the receipt and disposition of trust money;

agent or ***collection agent*** includes a former collection agent.

43—ADIs etc to report deficiencies in trust accounts

An ADI with which a trust account has been established must, as soon as practicable, and in any event within 14 days, after becoming aware of a deficiency in that account, report the deficiency to the Commissioner.

Maximum penalty: $2 500.

Expiation fee: $160.

44—Confidentiality

(1) An auditor must not divulge information that has come to the auditor's knowledge in the course of performing functions under these regulations or the *Commercial and Private Agents Act 1986* (repealed) except—

(a) to the collection agent; or

(b) to the Commissioner; or

(c) as otherwise required by law.

Maximum penalty: $2 500.

Expiation fee: $160.

(2) A person engaged in the administration of the Act or these regulations, must not divulge information disclosed in a report provided under this Part or the *Commercial and Private Agents Act 1986* (repealed) except—

(a) for the purpose of confidential consideration of the report by the Minister or the Commissioner; or

(b) as is otherwise necessary for the proper administration of the Act or these regulations; or

(c) as is otherwise permitted or required by law.

Maximum penalty: $2 500.

Expiation fee: $160.

45—ADIs etc not affected by notice of trust

(1) Subject to subregulation (2), an ADI is not affected by notice of a specific trust to which money deposited in a trust account is subject, and is not bound to satisfy itself of the due application of that money.

(2) This regulation does not relieve an ADI of liability for negligence.

46—Failing to comply with requirement of auditor

A person must not—

(a) refuse or fail to comply with a requirement of an auditor under this Part; or

(b) hinder, delay or obstruct an auditor in the performance of functions under this Part by altering or destroying relevant documents or by any other means.

Maximum penalty: $2 500.

Expiation fee: $160.

Part 6—Miscellaneous

47—Notification of change in circumstances

(1) If there is any change in the residential address or the address for service of a licensed agent, licensed security industry trainer or holder of an approval as a security industry training provider, the agent, trainer or training provider must, within 14 days after that change, give written notice to the Commissioner of the new address.

Maximum penalty: $2 500.

Expiation fee: $160.

(2) The holder of an approval as a security industry training provider, or a licensed agent who carries on a business as an agent, must notify the Commissioner of changes as follows:

(a) if there is any change in—

(i) the business or trading name under which the approved security industry training provider or licensed agent carries on business; or

(ii) the address at which the approved security industry training provider or licensed agent carries on business; or

(iii) the address of the registered corporate office of an approved security industry training provider or licensed agent that is a body corporate,

the training provider or the agent must, within 14 days after that change, give written notice to the Commissioner of the new name or address;

(b) within 14 days after ceasing to carry on business as a security industry training provider or agent, the training provider or agent must give written notice to the Commissioner of that fact;

(c) within 14 days after entering into partnership to carry on business as a security industry training provider or an agent or ceasing to be in such a partnership, the training provider or agent must give written notice to the Commissioner of that fact, together with the names of the members of the new or former partnership.

Maximum penalty: $2 500.

Expiation fee: $160.

(3) If a person is appointed as a director of a body corporate that is the holder of an approval as a security industry training provider or is a licensed agent, the training provider or the agent must, within 14 days after the appointment—

(a) notify the Commissioner in the manner and form approved by the Commissioner of the appointment of the new director; and

(b) provide the Commissioner with any information required by the Commissioner for the purposes of determining whether the new director meets the requirements for directors under section 9(2) or 23AAA(2) of the Act, as the case requires.

Maximum penalty: $2 500.

Expiation fee: $160.

48—Return etc of licence

(1) If a licensed agent or licensed security industry trainer surrenders their licence, the agent or trainer must, at the direction of the Commissioner, return the licence to the Commissioner.

Maximum penalty: $2 500.

Expiation fee: $160.

(2) The Commissioner may issue to a licensed agent or licensed security industry trainer a licence in replacement of a current licence if satisfied that—

(a) the current licence has been lost, destroyed or damaged; or

(b) any photograph of the agent or trainer on the current licence should be replaced with a more recent photograph of the agent or trainer; or

(c) any particulars appearing on the current licence are incorrect.

(3) If the Commissioner issues to a licensed agent or licensed security industry trainer a replacement licence, the agent or trainer must, at the direction of the Commissioner, return the original (or previous duplicate) licence to the Commissioner.

Maximum penalty: $2 500.

Expiation fee: $160.

49—Waiver etc of fees

The Commissioner may waive, reduce or refund a fee (or part of a fee) prescribed for the purposes of the Act if satisfied that it is appropriate to do so in a particular case.

Schedule 1—Prescribed oral advice and written notice

Part A—Oral advice for the purposes of section 23M(5)(a) of *Security and Investigation Industry Act 1995*

The breathalyser reading just taken shows that you had a prohibited level of alcohol in your blood.

Therefore, it appears that your security agents licence may be cancelled by the Commissioner for Consumer Affairs under the *Security and Investigation Industry Act 1995*.

It will be presumed by the Commissioner that the breathalyser accurately indicated your blood alcohol level at the time of the reading and for the preceding 2 hours. However, the *Security and Investigation Industry Act 1995* allows for contrary evidence based on the results of a blood test.

If you want to have such a blood test you will have to make your own arrangements and follow certain procedures, using a special blood test kit. This blood test kit will be supplied to you on your signing a written request. You will also be supplied with an information sheet that sets out the relevant procedures. You must give the information sheet to the medical practitioner or registered nurse who takes your blood sample.

If you obtain a blood test kit and want to have your blood tested, you should take the kit promptly to a hospital or medical practitioner in order to have a sample of your blood taken.

Alternatively, you may have the sample taken by a registered nurse.

The blood sample must be taken by the medical practitioner or registered nurse within 4 hours of the breath analysis that indicated the presence of alcohol in your blood.

You must not consume any more alcohol before having a sample of your blood taken and must not open the blood test kit before delivering it to a medical practitioner or registered nurse.

Under the blood test procedure, the sample of blood is divided and sealed in 2 containers. You will have to sign a form that will be given to you by the medical practitioner or registered nurse.

One of the sealed containers will be given to you and you may make your own arrangements to have the blood in that container analysed.

In any event, the blood in the other container will be analysed by Forensic Science SA and you will be given written notice of the results of the analysis.

Further information as to these matters is contained in the written notice which will be delivered to you shortly.

Part B—Written notice for the purposes of section 23M(5)(a) of the *Security and Investigation Industry Act 1995*

Operation of *Security and Investigation Industry Act 1995* in relation to results of breath analysis

1 Cancellation of licence

A security agents licence may be cancelled by the Commissioner for Consumer Affairs if the results of a breath analysis demonstrate that the prescribed concentration of alcohol (as defined in section 23I of the *Security and Investigation Industry Act 1995*) was present in the licensee's blood when the licensee was performing the function of controlling crowds.

2 Breath analysis

Your breath has just been analysed by means of a breath analysing instrument which indicated that the prescribed concentration of alcohol was present in your blood.

Accordingly, it appears that your security agents licence may be cancelled as described above.

3 Legal effect of breath analysis result

The result of the breath analysis will be presumed to accurately record the concentration of alcohol in your blood at the time of the analysis and throughout the preceding 2 hours (section 23M(1) and (3)).

You will be able to challenge the accuracy of the breath analysis reading—

- if you have a sample of your blood taken and analysed as described below AND
- if the result of analysis of the blood sample shows that the breath analysing instrument gave a false reading of the concentration of alcohol present in your blood (section 23M(2)).

Procedures for optional blood test

1 You may have a sample of your blood taken and analysed if you wish.

2 For that purpose, you must request the breath analysis operator to supply you with an approved blood test kit (you must sign a written request form for the kit and should retain a copy of the signed request form).

3 You should then proceed promptly to a hospital or a medical practitioner or registered nurse of your choice and request that a sample of your blood be taken (using the blood test kit). You must give the medical practitioner or registered nurse the blood test information sheet that was supplied to you with the blood test kit.

4 The sample of your blood must be taken within 4 hours of the breath analysis that indicated the presence of alcohol in your blood.

5 Do not consume any further alcohol before the sample is taken.

6 Do not open the blood test kit.

7 The medical practitioner or registered nurse taking the sample of your blood will divide it and place it into 2 containers and seal the containers. One container will be delivered to you—do not break the seal on this container.

8 Sign the form presented to you by the medical practitioner or registered nurse—the original of the form will be given to you which you should retain.

9 You may, if you wish, have the blood sample (in the container delivered to you) analysed at a laboratory to determine the concentration of alcohol present in the blood.

10 The other blood sample container will, in any event, be sent to Forensic Science SA where the blood will be analysed. The results of this analysis will be sent to you at your address (as indicated on the form presented to you by the medical practitioner or registered nurse who took the blood sample).

Schedule 2—Repeal and transitional provisions

Part 1—Repeal of *Security and Investigation Industry Regulations 2011*

1—Repeal of *Security and Investigation Industry Regulations 2011*

The *Security and Investigation Industry Regulations 2011* are repealed.

Part 2—Transitional provisions

2—Preliminary

In this Part—

repealed regulations means the *Security and Investigation Industry Regulations 2011*.

3—Person authorised to inspect register

A person who was, immediately before the commencement of these regulations, a person authorised by the Commissioner under regulation 11(5) of the repealed regulations to inspect a register will, on that commencement, be taken to be a person authorised by the Commissioner under regulation 11(5) of these regulations to inspect a register.

4—Police officer authorised to take urine sample

A police officer who was, immediately before the commencement of these regulations, authorised by the Commissioner of Police to take a urine sample under regulation 14(1)(b) of the repealed regulations will, on that commencement, be taken to be a person authorised by the Commissioner of Police to take a urine sample under section 14(1)(b) of these regulations.

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's Deputy

with the advice and consent of the Executive Council
on 30 July 2026

No 60 of 2026

South Australia

Forest Property Regulations 2026

under the *Forest Property Act 2000*

Contents

1—Short title

These regulations may be cited as the *Forest Property Regulations 2026*.

2—Commencement

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

3—Interpretation

In these regulations—

Act means the *Forest Property Act 2000*.

4—Fees

For the purposes of section 11 of the Act, the fee payable to the Registrar-General on an application under section 11 is the fee fixed under the *Real Property Act 1886* for registration of an instrument of a miscellaneous nature.

Schedule 1—Repeal of *Forest Property Regulations 2014*

The *Forest Property Regulations 2014* are repealed.

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's Deputy

with the advice and consent of the Executive Council
on 30 July 2026

No 61 of 2026

RULES

SUPREME COURT ACT 1935
DISTRICT COURT ACT 1991
ENVIRONMENT, RESOURCES AND DEVELOPMENT COURT ACT 1993
MAGISTRATES COURT ACT 1991
YOUTH COURT ACT 1993
SOUTH AUSTRALIA

Joint Criminal (No 11) Amending Rules 2026

By virtue and in pursuance of the *Supreme Court Act 1935*, the *District Court Act 1991*, the *Environment, Resources and Development Court Act 1993*, the *Magistrates Court Act 1991* and the *Youth Court Act 1993*, and all other enabling powers, we, the Chief Justice of the Supreme Court, the Chief Judge of the District Court, the Senior Judge of the Environment, Resources and Development Court, the Chief Magistrate of the Magistrates Court, and the Judge of the Youth Court make the following *Joint Criminal (No 11) Amending Rules 2026*.

1. These Rules may be cited as the *Joint Criminal (No 11) Amending Rules 2026.*
2. The *Joint Criminal Rules 2022* ('the Rules') are amended as set out below.
3. The amendments made by these rules come into effect on the later of—
   (a) 21 July 2026; or
   (b) the date of their publication in the Gazette.
4. In these Rules, the ***commencement date*** means the date on which these rules come into effect under rule 3.
5. Schedule 2, Form 34A—Warrant of Remand or Mandate is deleted and substituted as follows:

Form 34A

To be inserted by Court

Case Number:

Date Filed:

FDN:

Hearing Date and Time:

Hearing Location:

WARRANT OF REMAND OR MANDATE

[*SUPREME/DISTRICT/MAGISTRATES/YOUTH/ENVIRONMENT RESOURCES AND DEVELOPMENT*]
Select one COURT OF SOUTH AUSTRALIA
CRIMINAL JURISDICTION

[*FULL NAME*]
Informant/R

v

[*FULL NAME*]
[*Defendant/Youth*]

<table>
<tr><td colspan="5">Subject of Remand or Mandate</td></tr>
<tr><td>[Defendant/Youth]</td><td colspan="4">Full Name</td></tr>
<tr><td rowspan="3">Address</td><td colspan="4">Street Address (including unit or level number and name of property if required)</td></tr>
<tr><td>City/town/suburb</td><td>State</td><td>Postcode</td><td>Country</td></tr>
<tr><td colspan="4">Email address</td></tr>
<tr><td>Date of Birth and Licence number</td><td colspan="2">Date of Birth</td><td colspan="2">Driver's Licence No</td></tr>
<tr><td>Phone Details</td><td colspan="2">Type (eg. home; work; mobile) – Number</td><td colspan="2">Another number</td></tr>
</table>

Next box displayed if warrant issued under *Criminal Procedure Act 1921* or *Magistrates Court Act 1991*

To: The Sheriff

The Commissioner of Police for the State of South Australia and each member of the Police Force for the State

The Chief Executive of the Department [*for Correctional Services/of Human Services, Youth Justice*]

Introduction

(a) The [*defendant/youth*] has been charged with the [*offence/offences*] described in the Information dated [*date*].

(b) The Court is satisfied that the [*defendant/youth*] should be remanded in custody pursuant to section 60(1), section 104(a) or section 104(b)(i) of the *Criminal Procedure Act 1921,* section 9(3) or 9(7) of the *Magistrates Court Act 1991,* or section 59(2) of the *Criminal Procedure Act 1921*.

(c) The Court has remanded the [*defendant/youth*] to appear on [*date*] at [*time*] in the [*name of court*] at [*location*].

[*Warrant/Mandate*]

1. The Sheriff and the Commissioner of Police and members of the police force are directed to take the [*defendant/youth*] to a [*correctional institution/training centre*].

2. The Chief Executive of the Department [*for Correctional Services/of Human Services, Youth Justice*] is directed to receive and detain the [*defendant/youth*] until the day and time specified; and on that day and at that time, to have the [*defendant/youth*] appear before the Court to which the [*defendant/youth*] was remanded to be further dealt with according to law, unless some other order is made in the meantime.

Next box displayed if warrant issued under *Criminal Law Consolidation Act 1935*

To:The Sheriff

The Commissioner of Police for the State of South Australia and each member of the Police Force for the State

The Minister for Health and Wellbeing

not displayed if warrant issued under section 269X(2)(b) The Chief Executive of the Department [*for Correctional Services/of Human Services, Youth Justice*]

Introduction

(a) The Court declared the [*defendant/youth*] liable to supervision on [*date*] and there are unresolved questions about how the Court is to deal with the [*defendant/youth*] and the Court considers that the [*defendant/youth*] should be committed to an appropriate form of custody under section 269X(2)(b) of the *Criminal Law Consolidation Act 1935*, as determined by the Minister, until the [*defendant/youth*] is next to be brought before the Court.

(b) The Court has remanded the [*defendant/youth*] to appear on [*date*] at [*time*] in the [*name of Court*] at [*location*].

[Warrant/Mandate]

1. The Sheriff and the Commissioner of Police and members of the police force are directed to take the [*defendant/youth*] to a secure mental health facility or another appropriate form of custody determined from time to time by the Minister for Health and Wellbeing.
2. The Chief Executive of the Department [*for Correctional Services/of Human Services, Youth Justice*] and the Minister for Health and Wellbeing, as the case may be, are directed, unless some other order is made in the meantime, to detain the [*defendant/youth*] until the day and time specified above and on that day and at that time to have the [*defendant/youth*] before the Court to which the [*defendant/youth*] was remanded to be further dealt with according to law.

Next box displayed if warrant issued under the 'General power of the Court' on input

To:The Sheriff

The Commissioner of Police for the State of South Australia and each member of the Police Force for the State

The Chief Executive of the Department [*for Correctional Services/of Human Services, Youth Justice*]

Introduction

(a) The [*defendant/youth*] is charged with an offence or offences in the Court.

(b) The Court has remanded the [*defendant/youth*] to appear on [*date*] at [*time*] in the [*name of court*] at [*location*].

[*Warrant/Mandate*]

1. The Sheriff and the Commissioner of Police and members of the police force are directed to take the [*defendant/youth*] to a [*correctional institution/training centre*].
2. The Chief Executive of the Department [*for Correctional Services/of Human Services, Youth Justice*] is directed to receive and detain the [*defendant/youth*] until the day and time specified; and on that day and at that time, to have the [*defendant/youth*] appear before the Court to which the [*defendant/youth*] was remanded to be further dealt with according to law, unless some other order is made in the meantime.

Next box displayed if warrant issued under other specific statutory provision

To: The Sheriff

The Commissioner of Police for the State of South Australia and each member of the Police Force for the State

[*The Minister for Health and Wellbeing*]

[*The Chief Executive of the Department* [*for Correctional Services/of Human Services, Youth Justice*]]

[O*ther*]

Introduction

(a) [*list jurisdictional facts and criteria*]. **provision for multiple**

(b) The Court has determined that a [*warrant/mandate*] should issue pursuant to [*section/regulation number*] of the [*Act or Regulations*].

(c) The Court has remanded the [*defendant/youth*] to appear on [*date*] at [*time*] in the [*name of court*] at [*location*].

[Warrant/*Mandate*]

1. [*terms of warrant/mandate*]. **provision for multiple**

…………………………………………
Signature of Court Officer
[*title and name*]

Date *[warrant/mandate]* signed: [*date*]

6. In Chapter 7 part 4 division 4, rule 154.5 is amended as follows:

Division 4—Specific sentencing orders

154.1—Community service order

(1) If the Court imposes a sentence of community service under section 25 of the Sentencing Act, a formal community service order and acknowledgement in the prescribed form must be issued and given to the defendant or youth.

Prescribed form—

Form 142G Community Service Order and Acknowledgement

(2) A community service order and acknowledgement may be acknowledged by the defendant or youth before a witness who is a judicial officer, a Registrar of the Court, or a Justice of the Peace.

154.2—Firearms prohibition order

(1) This rule applies if the Court makes an order after a finding of guilt that a defendant or youth be subject to a firearms prohibition order until further order under section 66(1) of the *Firearms Act 2015*.

(2) The written record of an order that a defendant or youth be subject to a firearms prohibition order must be in the prescribed form.

Prescribed form—

Form 141 Record of Outcome

(3) The Principal Registrar must cause a formal order in the prescribed form to be issued and served on the defendant or youth.

Prescribed form—

Form 142H Firearms Order and Acknowledgement

(4) A firearms prohibition order may be acknowledged by the defendant or youth before a witness who is a judicial officer, a Registrar of the Court, or a Justice of the Peace.

(5) The Principal Registrar must cause the Registrar of Firearms to be notified of the order by service of the order electronically on the Registrar of Firearms as soon as practicable.

Note—

Section 66(4) of the *Firearms Act 2015* requires the Registrar to notify the Registrar of Firearms of the details of the order.

154.3—Protection orders

(1) If the Court makes an intervention order under section 28 of the Sentencing Act, a formal intervention order in the prescribed form must be issued and given to the defendant or youth.

Prescribed form—

Form 142I Intervention Order

(2) If the Court makes a place restriction order or non-association order under section 27 of the Sentencing Act, a formal place restriction order or non-association order in the prescribed form must be issued and given to the defendant or youth.

Prescribed form—

Form 142L Order—Place Restriction and/or Non-Association and Acknowledgment

(3) If the Court makes a paedophile restraining order under section 28 of the Sentencing Act, a formal paedophile restraining order in the prescribed form must be issued and given to the defendant or youth.

Prescribed form—

Form 142K Paedophile Restraining Order and Acknowledgement

All Courts except Youth Court

(4) If the Court makes a child protection restraining order under section 28 of the Sentencing Act, a formal child protection restraining order in the prescribed form must be issued and given to the defendant or youth.

Prescribed form—

Form 142J Child Protection Restraining Order and Acknowledgement

154.4—Vehicle forfeiture and impounding

If the Court makes an order relating to the forfeiture or impounding of a vehicle under section 12 of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*, a formal order in the prescribed form must be issued.

Prescribed form—

Form 142R Order – Forfeiture or Impounding of Motor Vehicle

154.5—Deleted by No 11 Amending Rules 2026

7. Schedule 2 is amended to delete the Form under the respective header as follows:

Schedule 2—Forms

Index to Schedule 2—Forms

11—Conviction & sentence

***

Form 142O—Order – Declaring a Youth to be a Recidivist Young Offender

***

8. Schedule 2, Form 142O—Order—Declaring a Youth to be a Recidivist Young Offender is deleted.

In accordance with the *Supreme Court Act 1935*, the *District Court Act 1991* and the *Magistrates Court Act 1991*, and all other enabling powers, the *Joint Criminal (No 11) Amending Rules 2026* have been made—

as rules of the Supreme Court by 3 or more Judges of the Supreme Court; and

- as rules of the District Court by the Acting Chief Judge and 2 or more other Judges of that Court; and
- as rules of the Magistrates Court by the Chief Magistrate and 2 or more other Magistrates; and
- as rules of the Environment, Resources and Development Court by the Senior Judge and 1 other Judge; and
- as rules of the Youth Court by the Judge and the magistrates who are members of the principal judiciary of that Court,

and such rules will apply to and in relation to the Court in accordance with their terms.

Dated: 21 July 2026.

CHIEF JUSTICE STEIN
ACTING CHIEF JUDGE SOULIO
SENIOR JUDGE DURRANT
CHIEF MAGISTRATE HRIBAL
JUDGE SUTCLIFFE

SUPREME COURT ACT 1935
DISTRICT COURT ACT 1991
ENVIRONMENT, RESOURCES AND DEVELOPMENT COURT ACT 1993
MAGISTRATES COURT ACT 1991
YOUTH COURT ACT 1993
SOUTH AUSTRALIA

Uniform Special Statutory (No 11) Amending Rules 2026

By virtue and in pursuance of the *Supreme Court Act 1935*, the *District Court Act 1991*, the *Environment, Resources and Development Court Act 1993*, the *Magistrates Court Act 1991* and the *Youth Court Act 1993*, and all other enabling powers, we, the Chief Justice of the Supreme Court, the Chief Judge of the District Court, the Senior Judge of the Environment, Resources and Development Court, the Chief Magistrate of the Magistrates Court, and the Judge of the Youth Court make the following *Uniform Special Statutory (No 11) Amending Rules 2026*.

1. These Rules may be cited as the *Uniform Special Statutory (No 11) Amending Rules 2026.*
2. The *Uniform Special Statutory Rules 2022* ('the Rules') are amended as set out below.
3. The amendments made by these rules come into effect on the later of—
   (a) 21 July 2026; or
   (b) the date of their publication in the Gazette.
4. In these Rules, the ***commencement date*** means the date on which these rules come into effect under rule 3.
5. Chapter 3, Part 13A is amended as follows:

Part 13A—Declared street gangs: Supreme Court

Division 1—General

136.1—Scope of Part

This Part applies to all proceedings under Part 3BA of the *Criminal Law Consolidation Act 1935*.

136.2—Definitions

In this Part—

Act means the *Criminal Law Consolidation Act 1935*;

group means the group the subject of an application under section 83GI(1) or declaration under section 84GK of the Act or a corresponding declaration.

declared street gang means a group declared under section 83GK of the Act

Division 2—Declarations

137.1—Application for declaration

(1) An application under section 83GI(1) of the Act for a declaration that a ***group*** be declared street gang must be—

(a) in the prescribed form that;

(i) identifies the particular ***group*** in respect of which the declaration is sought; and

(ii) describes the nature and any distinguishing characteristics of the ***group***; and

(iii) sets out the grounds of the application; and

Note—

Where an existing Declared Street Gang order exists under section 83GK of the Act, and the group the subject of this declaration is known by different identifying or distinguishing characteristics that was not included in the original application, the Commissioner of Police may make an application to the Court for a further declaration relating to this ***group***. The latest application may reference details of an earlier application.

(b) supported by an affidavit in the prescribed form.

Prescribed forms—

Form 4DSG Originating Application—Declared Street Gang

Form 7 Affidavit

(2) The supporting affidavit must—

(a) identify the ***group*** (by name or otherwise), its nature and its distinguishing characteristics;

(b) depose to the facts forming the basis for the application;

(c) verify the grounds of the application; and

(d) identify any previous applications for a declaration in relation to the ***group*** and their outcome.

Note—

Section GJ(1) of the Act requires the Commissioner of Police to publish notice of the application in the Gazette and a newspaper circulating generally throughout the State. Further, to advise interested parties of their rights relating to making or providing submissions to the Court at the hearing of the application.

(3) The Court may make an order joining a person as a party to the action or for the giving of notice of the action to a person or class of persons.

138.2—Inspection of documents

An application under section 83GI(4)(d) of the Act for inspection of the originating application or supporting affidavit must be made—

(a) by an interlocutory application and supporting affidavit which, unless the Court otherwise orders, must be filed not less than 7 days before the return date; or

(b) by oral application at the hearing on the return date.

Note—

Section 83GI(4) of the Act requires the Commissioner of Police, subject to preserving confidentiality in criminal intelligence, to make a copy of an application and supporting affidavit available for inspection by a representative, member or former member of the group, person who may be directly affected by the outcome of the application and any other person whom the Court considers should be provided with an opportunity to inspect them.

138.3—Response and responding affidavit

An interested party—

(a) who wishes to adduce evidence or make submissions in relation to the orders sought in an originating application must file a response in accordance with rule 83.1 of the Uniform Civil Rules; and

(b) who wishes to adduce evidence in relation to the orders sought in an originating application must file an affidavit in response in accordance with rule 83.2 of the Uniform Civil Rules.

138.4—Hearing and determination

(1) An application under section 83GO(1) of the Act to make written submissions or under section 83GO(4) of the Act to adduce evidence or cross-examine the deponent of an affidavit at the hearing of the application must be made—

(a) by interlocutory application in the prescribed form and supported by an affidavit in the prescribed form, which, unless the Court otherwise orders, must be filed not less than 7 days before the return date; or

Prescribed forms—

Form 61 Interlocutory Application

Form 7 Affidavit

(b) by oral application at the hearing on the return date.

Note—

Section 83GQ of the Act provides that the Court is not bound by the rules of evidence but may inform itself on any matter as it thinks fit and must act according to equity, good conscience and the substantial merits of the case without regard to technicalities and legal forms.

(2) The Court may make a declaration under section 83GK of the Act where there has been an application under section 83GI of the Act.

Note—

Declaration made under section 83GZI(1) of the Act, following application by the Director of Public Prosecutions, provides that the during criminal proceedings, the court is satisfied beyond reasonable doubt that a group at a particular time met the criteria of a street gang, within the meaning of paragraph (a) of the definition of street gang in section 83GH(1) of the Act.

(3) A record of outcome of a declaration must be in the prescribed form.

Prescribed form—

Form 91 Record of Outcome

(4) If the Court makes a declaration, the Court will issue a formal order in the prescribed form.

Prescribed form—

Form 92DSG Order

Note—

Section 83GL(1) of the Act requires the Commissioner of Police to publish notice of a declaration made under Division 2, in the Gazette, a newspaper circulating generally throughout the State and on a website maintained by the Commissioner

Division 3—Revocation

139.1—Application to revoke declaration

(1) An application under section 83GN(1) of the Act to revoke a declaration that a ***group*** is a declared street gang must be—

(a) in the prescribed form; and

(b) supported by an affidavit in the prescribed form.

Prescribed forms—

Form 111RD Originating Application to Revoke Declaration

Form 7 Affidavit

Note—

Section 83GN(1) of the Act specifies who has standing to make an application.

(2) The supporting affidavit must—

(a) identify the interest and standing of the person applying for revocation;

(b) depose to the facts forming the basis for the application;

(c) verify the grounds of the application; and

(d) identify any previous applications for revocation of the declaration in relation to the ***declared street gang*** and their outcome.

(3) If it not an application made by the Commissioner of Police, they must be joined as the respondent.

Notes—

Section 83GN(3) of the Act requires the grounds and information supporting the grounds to be set out and verified by affidavit.

Section 83GN(4) requires the application and supporting affidavit, if not made by the Commissioner of Police, to be served on the Commissioner of Police.

139.2—Application for leave to make application

(1) If leave is required under section 83GN(1)(b)(iii) or section 83GN(2) of the Act—

(a) the application must be made in the ordinary way in accordance with rule 139.1;

(b) the originating application must seek the necessary leave; and

(c) the application for leave must be supported by an affidavit deposing to the grounds on which leave is sought.

Notes—

Section 83GN(1)(b)(iii) of the Act specifies who has standing to apply for permission to make the application.

Section 83GN(2) provides that permission of the Court is required if a revocation application has been made within the preceding 12 months and been refused or not finally determined.

(2) The Court may determine an application for leave in chambers on the basis of the supporting affidavit or make orders for its determination.

(3) If an application seeking leave is filed under this rule—

(a) the revocation application is conditional on leave being granted; and

(b) if leave is refused, the revocation application lapses.

139.3—Hearing and determination

(1) An application under section 83GO(1) of the Act to make written submissions or under section 83GO(4) of the Act to adduce evidence or cross-examine the deponent of an affidavit at the hearing of the application must be made—

(a) by interlocutory application in the prescribed form and supported by an affidavit in the prescribed form, which, unless the Court otherwise orders, must be filed not less than 7 days before the return date; or

Prescribed forms—

Form 61 Interlocutory Application

Form 7 Affidavit

(b) by oral application at the hearing on the return date.

Note—

Section 83GQ of the Act provides that the Court is not bound by the rules of evidence but may inform itself on any matter as it thinks fit and must act according to equity, good conscience and the substantial merits of the case without regard to technicalities and legal forms.

(2) A record of outcome of revocation must be in the prescribed form.

Prescribed form—

Form 114 Record of Outcome [Variation or Revocation]

(3) If the Court makes a revocation order, the Court will issue a formal order in the prescribed form.

Prescribed form—

Form 115RD Order for Revocation

Note—

Section 83GN(7) requires the Commissioner of Police to publish notice of the application in the Gazette, a newspaper circulating generally throughout the State and make reasonable effort to notify in relation to the revocation any persons who made or provided submissions on the making of the declaration.

6. Chapter 3, Part 17 is deleted as follows:

Part 17—Deleted by No 11 Amending Rules 2026

7. Chapter 3, Part 19 is inserted into the Table of Contents and amended as follows:

Part 19—Street gang control orders: Supreme Court and Youth Court

Division 1—General

168.1—Scope of Part

This Part applies to all proceedings under Part 3AB of the *Criminal Law Consolidation Act 1935*.

168.2—Definitions

In this Part—

Act means the *Criminal Law Consolidation Act 1935*;

associate means a person alleged to be an associate of the subject for the purpose of section 83GT(2)(b)(ii) or (c) of the Act;

street gang means the group the subject of a declaration under section 83GK(1) of the Act or a corresponding declaration;

subject means the person who is the subject of a street gang control order or an application for a street gang control order under section 83GT of the Act or a corresponding control order.

Division 2—Street gang control orders

169.1—Application for street gang control order

(1) An application under section 83GT(1) of the Act for a street gang control order must be—

(a) in the prescribed form; and

(b) supported by an affidavit in the prescribed form.

Prescribed forms—

Form 1SG Originating Application—Street Gang Control Order

Form 7 Affidavit

(2) The supporting affidavit must—

(a) if the application is made under section 83GT(2)(a) or (b)—identify the street gang;

(b) if the application is made under section 83GT(2)(b)(ii) or (c)—identify the associates of the subject;

(c) if the application is made under section 83GT(2)(a) or (b)(i)—identify the nature of the subject's participation in the group;

(d) if the application is made under section 83GT(2)(b)(ii)—identify the serious criminal activity engaged in;

(e) depose to the facts forming the basis of the application;

(f) verify the grounds of the application;

(g) identify any previous applications for a street gang control order against the subject and their outcome;

(h) address the following matters relevant to the exercise of the discretion to make a control order—

(i) the likelihood that the respondent will engage in serious criminal activity if they are not subject to an order;

(ii) if applicable, the reasons given by the court for making the relevant declaration in relation to the street gang;

(iii) the extent to which a control order might assist in preventing the subject from participating or further participating in a street gang;

(iv) the prior criminal record (if any) of the subject and any alleged associate;

(v) any legitimate reason the subject may have for associating with an associate; and

(vi) any other matter relevant to the exercise of discretion; and

(i) if an interim street gang control order is sought—depose to the facts on the basis of which the interim order is sought.

(3) The application must be accompanied by a draft order in the prescribed form.

Prescribed Form—

Form 92SG Order – Street Gang Control Order

(4) The applicant must join the subject as the respondent.

(5) Subject to subrule (6), the applicant must serve a multilingual notice in the prescribed form at the same time as serving the originating application and supporting affidavit.

Prescribed form—

Form 21 Multilingual Notice

(6) If the applicant applies for an interim street gang control order without notice under section 83GU of the Act, the originating application, supporting affidavit, and draft order need not be served in the first instance.

169.2—Interim street gang control order

(1) A record of outcome of an application for an interim street gang control order must be in the prescribed form.

Prescribed form—

Form 31 Record of Outcome (Interim Order)

(2) If the Court makes an interim street gang control order without notice—

(a) the Court will issue a formal order and notice about objection in the prescribed form; and

(b) the applicant must serve the interim street gang control order, together with the originating application, supporting affidavit, draft order, and multilingual notice in the prescribed form, on the subject as soon as practicable.

Prescribed forms—

Form 33SG Order (Interim)—Street Gang Control Order

Form 36C Multilingual Notice—Interim Order and Notice about Objection

(3) If the Court makes an interim street gang control order with notice—

(a) the Court will issue a formal order in the prescribed form; and

(b) the applicant must serve the interim order on the subject as soon as practicable, which may be served at the subject's address for service if the subject has one.

Prescribed forms—

Form 33SG Order (Interim)—Street Gang Control Order

Notes—

Section 83GW of the Act requires the Commissioner of Police to serve an interim variation order on the subject by personal service if the order was not made in the presence of the subject or their lawyer.

Section 83GZJ(3) provides for alternative service if a process server is unable to gain access to the respondent, at premises at which the process server has reasonable cause to believe that the person is present, for the purpose of effecting personal service.

Section 83GZJ(4) empowers the Court to make such orders as to service of an application, order or other document relating to a proceeding in the Court as it thinks fit.

Section 83GZA(3) of the Act requires that where the subject of a street gang control order is a child, the Commissioner of Police must give written notice of the making of an order or variation or revocation of an order to a parent or guardian of the child, or if unable to after making reasonable attempts, any other prescribed person or person of a prescribed class.

169.3—Objection when interim order made without notice

(1) A notice of objection under section 83GX of the Act to an interim order made without notice must be in the prescribed form.

Prescribed form—

Form 63 Notice of Objection

Note—

Section 83GX(3) of the Act requires that the Commissioner of Police be served with the notice of objection by registered post.

(2) An application for an extension of time in which to lodge a notice of objection must be made by interlocutory application in the prescribed form and supported by an affidavit in the prescribed form.

Prescribed forms—

Form 61 Interlocutory Application

Form 7 Affidavit

Note—

Section 83GX(2) of the Act requires a notice of objection to be lodged within 14 calendar days of service of the interim street gang control order or such longer period as the court may allow.

169.4—Hearing and determination of street gang control order application

(1) A record of outcome on an application for a street gang control order must be in the prescribed form.

Prescribed form—

Form 91 Record of Outcome

(2) If the Court makes a street gang control order, the Court will issue a formal order in the prescribed form—

Prescribed Form—

Form 92SG Order – Street Gang Control Order

(3) If the Court makes a street gang control order, unless the subject is present in court when the order is made, the applicant must serve the order on the subject as soon as practicable.

Notes—

Section 83GV(1)(b) and (2) of the Act require the Commissioner of Police to serve a control order on the respondent by personal service if the order was not made in the presence of the respondent or their lawyer.

Section 83GZJ(3) provides for alternative service if a process server is unable to gain access to the respondent, at premises at which the process server has reasonable cause to believe that the person is present, for the purpose of effecting personal service.

Section 83GZJ(4) empowers the Court to make such orders as to service of an application, order or other document relating to a proceeding in the Court as it thinks fit.

Section 83GZA(3) of the Act requires that where the subject of a street gang control order is a child, the Commissioner of Police must give written notice of the making of an order or variation or revocation of an order to a parent or guardian of the child, or if unable to after making reasonable attempts, any other prescribed person or person of a prescribed class.

Division 3—Variation and revocation

170.1—Application to vary or revoke street gang control order

(1) An application under section 83GW(1) of the Act to vary, or revoke a street gang control order must be—

(a) in the prescribed form; and

(b) supported by an affidavit in the prescribed form.

Prescribed forms—

Form 111SG Originating Application to Vary or Revoke Order—Street Gang Control Order

Form 7 Affidavit

(2) The supporting affidavit must—

(a) depose to the facts forming the basis for the application; and

(b) if an interim variation order is sought—

(i) set out the grounds for seeking an interim variation order; and

(ii) set out whether the interim variation order is sought without notice and if so the grounds and whether it is sought to defer service of the originating application until the hearing and determination of the application for an interim order.

(3) If a variation is sought, the application must be accompanied by a draft order in the prescribed form.

Prescribed form—

Form 115SG Order for Variation or Revocation – Street Gang Control Order

(4) If an interim variation is sought, the application must be accompanied by a draft order in the prescribed form.

Prescribed form—

Form 116SG Order for Interim Variation—Street Gang Control Order

(5) The applicant must join the respondent—

(a) if the applicant is the subject—the Commissioner of Police; and

(b) if the applicant is the Commissioner of Police—the subject.

(6) Subject to subrule (7), if the applicant is the Commissioner of Police, the applicant must serve a multilingual notice in the prescribed form on the subject at the same time as serving the originating application and supporting affidavit.

Prescribed form—

Form 113A Multilingual Notice—Variation or Revocation of Order

(7) If the applicant applies for an interim variation order without notice under section 83GW(5) of the Act, the originating application and supporting affidavit need not be served on the respondent in the first instance.

(8) An application to vary or revoke an interim street gang control order is to be made on the prescribed form.

Prescribed forms—

Form 61 Interlocutory Application

170.2—Application for leave to make application

(1) If leave is required under section 83GW(2) of the Act—

(a) the application must be made in the ordinary way in accordance with rule 170.1;

(b) the application must seek the necessary leave; and

(c) the application for leave must be supported by an affidavit deposing to the grounds on which leave is sought.

Note—

Section 83GW(2) of the Act provides that permission of the of the Court is required if the application is made by the respondent. Under rule 2.4, a statutory reference to permission is equivalent to a reference in these Rules to 'leave'.

(2) The Court may determine an application for leave in chambers on the basis of the supporting affidavit or make orders for its determination.

(3) If an originating application seeking leave is filed under this rule—

(a) the revocation or variation application is conditional on leave being granted; and

(b) if leave is refused, the application lapses.

170.3—Hearing and determination of interim variation order application

(1) A record of outcome of an application for an interim variation order must be in the prescribed form.

Prescribed form—

Form 31 Record of Outcome (Interim Order)

(2) If the Court makes an interim variation order without notice—

(a) the Court will issue a formal order in the prescribed form; and

(b) the applicant must serve the interim order, together with the originating application, supporting affidavit, and a multilingual notice in the prescribed form on the subject as soon as practicable.

Prescribed form—

Form 116SG Order for Interim Variation—Street Gang Control Order

Form 36C Multilingual Notice—Interim Order and Notice about Objection

(3) If the Court makes an interim variation order with notice—

(a) the Court will issue a formal order in the prescribed form; and

(b) the applicant must serve the interim order on the respondent as soon as practicable.

Prescribed form—

Form 116SG Order for Interim Variation—Street Gang Control Order

Notes—

Section 83GW(8) of the Act requires the Commissioner of Police to serve an interim variation order on the subject by personal service if the order was not made in the presence of the subject or their lawyer.

Section 83GZJ(3) provides for alternative service if a process server is unable to gain access to the respondent, at premises at which the process server has reasonable cause to believe that the person is present, for the purpose of effecting personal service.

Section 83GZJ(4) empowers the Court to make such orders as to service of an application, order or other document relating to a proceeding in the Court as it thinks fit.

Section 83GZA(3) of the Act requires that where the subject of a street gang control order is a child, the Commissioner of Police must give written notice of the making of an order or variation or revocation of an order to a parent or guardian of the child, or if unable to after making reasonable attempts, any other prescribed person or person of a prescribed class.

170.4—Objection when interim variation order made without notice

(1) A notice of objection under section 83GX of the Act to an interim variation order made without notice must be made by filing a notice of objection in the prescribed form.

Prescribed form—

Form 63 Notice of Objection

Note—

Section 83GX(3) of the Act requires that the Commissioner of Police be served with the notice of objection by registered post.

(2) An application for an extension of time to lodge a notice of objection must be made by interlocutory application in the prescribed form and supported by an affidavit in the prescribed form.

Prescribed form—

Form 61 Interlocutory Application

Form 7 Affidavit

Note—

Section 83X(2) of the Act requires a notice of objection to be lodged within 14 calendar days of service of the interim variation order or such longer period as the Court may allow.

170.5—Hearing and determination of variation or revocation application

(1) A record of outcome of an application for a variation or revocation order must be in the prescribed form.

Prescribed form—

Form 114 Record of Outcome [Variation or Revocation]

(2) If the Court makes a variation or revocation order, the Court will issue a formal variation or revocation order in the prescribed form.

Prescribed form—

Form 115SG Order for Variation or Revocation—Street Gang Control Order

(3) If the Court makes a revocation or variation order on the application of the Commissioner of Police, unless the subject is present in court when the order is made, the applicant must serve the order on the subject as soon as practicable.

Notes—

Section 83GW(8) of the Act requires the Commissioner of Police to serve an interim variation order on the subject by personal service if the order was not made in the presence of the subject or their lawyer.

Section 83GZJ(3) provides for alternative service if a process server is unable to gain access to the respondent, at premises at which the process server has reasonable cause to believe that the person is present, for the purpose of effecting personal service.

Section 83GZJ(4) empowers the Court to make such orders as to service of an application, order or other document relating to a proceeding in the Court as it thinks fit.

Section 83GZA(3) of the Act requires that where the subject of a street gang control order is a child, the Commissioner of Police must give written notice of the making of an order or variation or revocation of an order to a parent or guardian of the child, or if unable to after making reasonable attempts, any other prescribed person or person of a prescribed class.

8. Chapter 7, Part 2 is amended as follows:

Chapter 7—Applications ancillary to criminal penalties

Part 2—Chief Recovery Officer enforcements: Magistrates and Youth Courts

Division 1—General

***

302.2—Definitions

In this Part—

***

Division 3—Community service order

304.1—Application

(1) An application under section 46(1) (including as applied by section 10) of the Act for a community service order must be—

(a) in the prescribed form; and

(b) supported by an affidavit in the prescribed form.

Prescribed forms—

Form 1L Originating Application—Fines Enforcement—Community Service Order

Form 7 Affidavit

***

304.3—Hearing and determination

(2) A record of outcome making a community service order must be in the prescribed form.

***

(3) If the Court makes a community service order, the Court will issue a formal order in the prescribed form.

Prescribed form—

Form 92V Order—Fines Enforcement Act—Community Service Order

Division 4—Revocation of community service order

305.4—Application

(1) An application by the Chief Recovery Officer under section 46(11) of the Act to revoke a community service order must be—

(a) in the prescribed form;

(b) supported by an affidavit in the prescribed form.

Prescribed forms—

Form 111B Originating Application to Vary or Revoke Order—Community Service Order

Form 7 Affidavit

(2) The supporting affidavit must—

***

***

(h) exhibit the community service order; and

305.6—Hearing and determination

***

(2) A record of outcome revoking a community service order must be in the prescribed form.

Prescribed form—

Form 114 Record of Outcome [Variation or Revocation]

(3) If the Court revokes a community service order, the Court will issue a formal order in the prescribed form.

Prescribed form—

Form 115C Order for Revocation—Revocation of Community Service Order and Restoration of Monetary Amount

Division 5—Enforcement of community service order

306.1—Application

(1) An application by the Chief Recovery Officer under section 47(4) of the Act for an order for failure to comply with a community service order must be—

(a) in the prescribed form; and

(b) supported by an affidavit in the prescribed form.

Prescribed forms—

Form 1 Originating Application

Form 7 Affidavit

(2) The supporting affidavit must—

(a) depose to the facts on which the applicant relies;

(b) exhibit the community service order allegedly breached;

***

9. Schedule 1 is amended to amend the Forms under the respective headers as follows:

Schedule 1—Forms

Index to Schedule 1—Forms

1—Origination

Form 1L—Originating Application—Fines Enforcement – Community Service Order

7—Final order

Form 92V—Order – Fines Enforcement Act—Community Service Order

9—Variation

Form 111B—Originating Application to Vary or Revoke Order – Community Service Order

Form 115C—Order for Revocation—Revocation of Community Service Order and Restoration of Monetary Amount

10. Schedule 1 is amended to delete the Forms under the respective headers as follows:

Schedule 1—Forms

Index to Schedule 1—Forms

1—Origination

Form 1A—Originating Application—Ageing and Adult Safeguarding Order (Interim Order Sought)

Form 1B—Originating Application—Ageing and Adult Safeguarding Order

3—Interim order

Form 33A—Order—Ageing and Adult Safeguarding Order (Interim)

7—Final order

Form 92A—Order—Ageing and Adult Safeguarding Order

11. Schedule 1, Form 1A—Originating Application—Ageing and Adult Safeguarding Order (Interim Order Sought) is deleted.
12. Schedule 1, Form 1B—Originating Application—Ageing and Adult Safeguarding Order is deleted.
13. Schedule 1, Form 33A—Order—Ageing and Adult Safeguarding Order (Interim) is deleted.
14. Schedule 1, Form 92A—Order—Ageing and Adult Safeguarding Order is deleted.

15. Schedule 1, Form 1L—Originating Application—Fines Enforcement—Community Service Order and or Approved Treatment Program is deleted and substituted as follows:

Form 1L

To be inserted by Court
Case Number:
Date Filed:
FDN:

Hearing Date and Time:
Hearing Location:

ORIGINATING APPLICATION—FINES ENFORCEMENT—COMMUNITY SERVICE ORDER

[*MAGISTRATES/YOUTH*] **select one** COURT OF SOUTH AUSTRALIA
SPECIAL STATUTORY JURISDICTION

[*FULL NAME*]
Applicant

[*FULL NAME*]
Respondent

Duplicate panel if multiple Applicants

Applicant	**Full Name**			
Name of law firm/solicitor **If any**	**Law Firm**		**Responsible Solicitor**	
Address for service	**Street Address (including unit or level number and name of property if required)**			
	City/town/suburb	**State**	**Postcode**	**Country**
	Email address			
Phone Details	**Type (eg. Home; work; mobile) – Number**		**Another number (optional)**	

Duplicate panel if multiple Respondents

Respondent	**Full Name**			
Address	**Street Address (including unit or level number and name of property if required)**			
	City/town/suburb	**State**	**Postcode**	**Country**
	Email address			
Phone Details	**Type (eg. Home; work; mobile) – Number**		**Another number (optional)**	

Application Details

Matter type: *[Enter matter type]*

This Application is for a Community Service Order.

This Application is made under section 46(1) of the *Fines Enforcement and Debt Recovery Act 2017.*

The Applicant seeks the following orders:
Enter orders sought in separately numbered paragraphs.

1. That the [*debtor/alleged offender*] perform community service in relation to [*Enter* penalt*y/ies*] [*Enter number(s)*].

This Application is made on the grounds:

☐ set out in the accompanying Affidavit sworn by [*name*] on [*date*].

☐ 1. **Adult only** that the [*debtor/alleged offender*] **Select one** does not have, and is not likely within a reasonable time to have the means to satisfy a monetary amount without the [*debtor/alleged *offender*] Select one or their dependants suffering hardship, as set out in the outline of the financial circumstances of the [*debtor/alleged offender*] Select one to this Application.

☐ 2. that the number of hours available for community service is [*Enter hours*].

☐ 3. that the [*debtor/alleged offender*]'s suitability for community service has been confirmed, as set out in the supporting document[*s*] attached.

☐ 4. Youth only That the [*debtor/alleged offender*] Select one was under the age of 18 when the offence was committed in respect of which the pecuniary sum was imposed.

☐ 5. [*Enter other grounds*].

Penalty details

1. provision for multiple The [*debtor/alleged offender*] Select one was convicted of committing [*Enter offence*] on [*date*] and was issued penalty number [*Enter number*] with an amount due of $[*Enter amount*].
2. The [*debtor/alleged offender*] Select one is also liable to pay
   a. $[*Enter amount*] in Victims of Crime Levy.
   b. $[*Enter amount*] in Court costs.
   ☐ c. $[*Enter amount*] in compensation.
3. total amount is equal to the amounts above added together The total amount owed by the [*debtor/alleged offender*] Select one is $[*Enter amount*].
4. The total number of hours of community service currently ordered is [*Enter number*].

Only complete if applicable otherwise delete
The Application is urgent because
Enter grounds in separately numbered paragraphs where more than one

1.

To the Other Parties: WARNING

This Application will be considered at the Hearing at the date and time set out at the top of this document.

If you wish to oppose the Application or make submissions about it:

- you must attend the hearing; and
- you must file and serve on all parties a Response within 14 days of the service of the Application; and
- if you wish to rely on any facts in addition to or contrary to those relied on by the party seeking the orders, you must file and serve on all parties an Affidavit within14 days after service of the Application.

If you do not do so, the Court may proceed in your absence and orders may be made **finally determining** this proceeding without further warning.

For instructions on how to file a response to an application and how to obtain access to the file, visit https://courtsa.courts.sa.gov.au/?g=node/482

Service

The party filing this document is required to serve it on all other parties in accordance with the Rules of Court.

Accompanying Documents

Accompanying this Application is a:

- ☐ Multilingual Notice **mandatory**
- ☐ Supporting Affidavit **mandatory**
- ☐ Notice to Respondent Served Interstate **mandatory when address of party to be served is interstate**
- ☐ Notice to Respondent Served in New Zealand **mandatory when address of party to be served is in NZ**
- ☐ Notice to Respondent Served outside Australia **mandatory when address of party to be served is overseas & not in NZ**
- ☐ If other additional document(s) please list below:

16. Schedule 1, Form 34C—Order and Summons - Fines Enforcement Order and Summons (Show Cause) is deleted and substituted as follows:

Form 34C

To be inserted by Court Case Number: Date Filed: FDN:

Hearing Date and Time: **Hearing Location:**

ORDER AND SUMMONS—FINES ENFORCEMENT ORDER AND SUMMONS (SHOW CAUSE)

[*MAGISTRATES/YOUTH*] COURT OF SOUTH AUSTRALIA
SPECIAL STATUTORY JURISDICTION

[*FULL NAME*]
Applicant

[*FULL NAME*]
Respondent

Introduction

Hearing

Hearing Location: [*suburb*]
[*Hearing date*]

[*Presiding Officer*]

Appearances

[*Applicant Appearance Information*]

Remarks

The Court is satisfied that

(a) it appears from evidence given on oath on [*date*] that the Respondent has failed to comply with the Community Service Order by way of the breaches alleged in the Application for Enforcement dated [*date*].

(b) a Summons should be issued under section 47(4)(a) of the *Fines Enforcement and Debt Recovery Act 2017*.

Order

Date of Order: [*date*]

Terms of Order

It is ordered that:

Orders in separately numbered paragraphs.

☐ 1. The Respondent appear before the Court at the time and place shown above to show cause why a warrant of commitment should not be issued against them for the default.

☐ 2. [*other orders*].

To the Respondent: WARNING

You are summoned to attend before the Court at the date and time set out at the top of this document to show cause why a warrant of commitment should not be issued against the person for the default.

The Court will hear the Application, or make orders for the hearing of the Application, at the hearing.

If you wish to oppose the Application or make submissions about it:

- you **must attend the hearing** and
- if you wish to rely on any facts in addition to or contrary to those relied on by the party seeking the orders you **must** file and serve on all parties an Affidavit within 14 days after service of this order and summons.

If you do not appear at the hearing or on any day to which this matter is adjourned:

- the Court may issue a **warrant for your arrest**.
- you may be in contempt of court and liable to **imprisonment and/or a fine** or other punishment.
- the Court may proceed in your absence and orders may be made against you **finally determining** this proceeding without further warning.

Accompanying Documents

Accompanying this Interim Order and Summons is a:

- ☐ Multilingual Notice **mandatory**
- ☐ Originating Application and Supporting Affidavit **mandatory**
- ☐ Notice to Respondent Served Interstate **mandatory when address of party to be served is interstate**
- ☐ Notice to Respondent Served in New Zealand **mandatory when address of party to be served is in NZ**
- ☐ Notice to Respondent Served outside Australia **mandatory when address of party to be served is overseas & not in NZ**
- ☐ **if applicable** [*identify additional documents*]

Authentication

…………………………………………

Signature of Court Officer

[*title and name*]

17. Schedule 1, Form 70C—Warrant of Apprehension—Fines Enforcement Debt Recovery Act is deleted and substituted as follows:

Form 70C

To be inserted by Court Case Number: Date Signed: FDN:

WARRANT OF APPREHENSION—FINES ENFORCEMENT DEBT RECOVERY ACT

[*MAGISTRATES/YOUTH*] **select one** COURT OF SOUTH AUSTRALIA
SPECIAL STATUTORY JURISDICTION

[*FULL NAME*]
Applicant

[*FULL NAME*]
Respondent

Lodging party	**Party title**	**Full Name of party**
Name of law firm/office **If applicable**	**Law firm/office**	**Responsible Solicitor**
Name of authorised officer **If body corporate and no law firm/office**	**Full Name**	

Person subject to warrant				
Respondent	**Full Name**			
Address	**Street Address (including unit or level number and name of property if required)**			
	City/town/suburb	**State**	**Postcode**	**Country**
	Email address			

Date of Birth and Licence number	**Date of Birth**	**Driver's Licence No**
Phone Details	**Type (eg. home; work; mobile) – Number**	**Another number**

To the Commissioner of Police for the State of South Australia and each member of the Police Force for the State of South Australia

Introduction

An Application has been brought to enforce the terms of the Community Service Order imposed by [*name of Judicial Officer*] on [*date*] on the grounds the Respondent ('the Subject') has breached the terms in the manner described therein.

The Court is satisfied:

☐ (a) from information given on [*oath/affirmation*] on [*date*] that the Subject has failed to comply with a condition of the Community Service Order by way of the breaches alleged in the Application dated [*date*]. **section 47(4)(b) of the *Fines Enforcement Debt Recovery Act 2017***

☐ (b) that the Subject has failed to appear before the Court as required by the Summons issued under section [*[115(3)(a)/116(1)(b)] of the Sentencing Act 2017*] [*47(4)(a) of the Fines Enforcement and Debt Recovery Act 2017*] dated [*date*] in relation to proceedings for the breaches alleged in the Application dated [*date*]. **section 47(5) of the *Fines Enforcement and Debt Recovery Act 2017***

☐ (c) that a warrant should issue under section [*47(4)(b)/47(5)*] of the *Fines Enforcement and Debt Recovery Act 2017.*

Warrant

YOU ARE DIRECTED to arrest and deliver the Subject before the Court for examination.

next box not displayed on output form

Eligibility for Bail

Is the Subject a person eligible for bail under section 4 of the *Bail Act 1985*?

☐ Yes

☐ No

Next box only displayed if applicable

Endorsement

Pursuant to section 5(2) of the *Bail Act 1985*, the Court orders that following arrest

☐ [*person or class of persons*] [*is/are*] [*authorised/required*] to release the Subject on bail.

☐ the Subject may be released on bail at the discretion of a member of the police force who is of, or above, the rank of Sergeant, or who is the responsible officer for a police station.

☐ the Subject may not be released on bail.

Authentication

…………………………………………
Signature of Court Officer
[*title and name*]

18. Schedule 1, Form 92V—Order - Fines Enforcement Act—Community Service Order and or Approved Treatment Program is deleted and substituted as follows:

Form 92V

To be inserted by Court

Case Number:

Date Filed:

FDN:

ORDER—FINES ENFORCEMENT ACT—COMMUNITY SERVICE ORDER

[*MAGISTRATES/YOUTH*] **Select one** COURT OF SOUTH AUSTRALIA
SPECIAL STATUTORY JURISDICTION

[*FULL NAME*]
Applicant

[*FULL NAME*]
Respondent

Introduction

Hearing

Hearing Location: [*suburb*]
[*Hearing date*] [*Listed starting time*]

Hearing type:

[*Presiding Officer*]

Appearances

[*Applicant/Appellant Appearance Information*]
[*Respondent Appearance Information*]

Remarks

Pursuant to section 46 of the *Fines Enforcement and Debt Recovery Act 2017* the Court is satisfied that:

☐ (a) the Respondent (‘the Subject’) does not have, and is not likely within a reasonable time to have, the means to satisfy the monetary amount owed, namely [*amount*] without they or their dependents suffering hardship.

☐ (b) **Youth Court only** the [Applicant/Respondent] (‘the Subject’) is a youth who wishes to complete community service in lieu of paying the monetary amount owed, namely [*amount*].

Order

Date of Order: [*date*]

Terms of Order

It is ordered that:

Orders in separately numbered paragraphs.

☐ 1. Pursuant to section 46 of the *Fines Enforcement and Debt Recovery Act 2017*, the Subject perform [*number of hours*] **must not exceed 7.5 if monetary amount is less than $200. If monetary amount is greater than $200, 7.5 hours for each $200 and for any fraction left after dividing the sum by 200- see *Fines Enforcement and Debt Recovery Act 2017* s 46(3)(a)** hours of community service within [*number of years*] [*number of months*] [*number of days*] **must not exceed 18 months – see *Sentencing Act 2017* s 105(1)(c) and *Fines Enforcement and Debt Recovery Act 2017* s 46(7)(b)** from the date of this order and obey the directions of the [*Community Corrections/Department of Human Services, Youth Justice*] Officer assigned for the purposes of the community service.

☐ 2. The Subject be under the supervision of a [*Community Corrections/Department of Human Services, Youth Justice*] Officer for a period of [*number of years*] [*number of months*] [*number of days*] and obey the lawful directions of the [*Community Corrections/Department of Human Services, Youth Justice*] Officer assigned for the purposes of supervision during that period. **s 106 and 107 *Sentencing Act 2017* applies see *Fines Enforcement and Debt Recovery Act 2017* s 46(7)(c) and s 46(7)(d).**

☐ 3. The Subject report within 2 working days of this order at the offices of the Department [*for Correctional Services/of Human Services, Youth Justice*] at [*location*]. The Department [*for Correctional Services/of Human Services, Youth Justice*] may be contacted by telephone on [*(08) 8224 2500/1800 621 425*]. **Note that reporting is not required if the Department within that 2 day period notifies the Respondent that it is not necessary to do so.**

☐ 4. The Subject must not, during the period for which the order applies, leave the State for any reason except in accordance with the written permission of the Chief Recovery Officer. **see s 46(3)(b) *Fines Enforcement and Debt Recovery Act 2017***

☐ 5. [*other*]

Authentication

…………………………………………
Signature of Court Officer
[*title and name*]

To the *Subject*: WARNING

Pursuant to section 47 of the *Fines Enforcement and Debt Recovery Act 2017*, if you fail to comply with any part of this order, you can be sentenced to [*imprisonment/detention*].

Acknowledgement by Subject

I acknowledge that I have received a copy of the Community Service Order. I understand its conditions and I understand what will happen if I fail to obey these conditions.

…………………………………………
Signature of Subject

…………………………………………
Name printed

…………………………
Date

Witness

………………………………………………
Signature of authorised witness

witness must be the Judicial Officer making order, the registrar or deputy registrar of a Court, a justice of the peace, a police officer of or above the rank of sergeant or the responsible officer for a police station, the manager of a training centre if the Respondent is in a training centre, the person in charge of a prison if the Respondent is in a prison, or a delegate of any of these persons or any other person or class of persons specified by the Court

next item not displayed if witness is sentencing Judicial Officer

…………………………………………
Printed name and title of witness **stamp here if applicable**

…………………………
Date

19. Schedule 1, Form 93L—Warrant of Commitment—Fines Enforcement Act is deleted and substituted as follows:

Form 93L

To be inserted by Court Case Number: Date Filed: FDN:

WARRANT OF COMMITMENT—FINES ENFORCEMENT ACT

[*MAGISTRATES/YOUTH*] COURT OF SOUTH AUSTRALIA
SPECIAL STATUTORY JURISDICTION

[*FULL NAME*]
Applicant

[*FULL NAME*]
Respondent

Person subject to warrant				
Respondent	**Full Name**			
Address	**Street Address (including unit or level number and name of property if required)**			
	City/town/suburb	**State**	**Postcode**	**Country**
	Email address			
Date of Birth and Licence number	**Date of Birth**		**Driver's Licence No**	
Phone Details	**Type (eg. home; work; mobile) – Number**		**Another number**	

To: The Sheriff

The Commissioner of Police for the State of South Australia and each member of the Police Force for the State

The Chief Executive of the Department [*for Correctional Services/of Human Services, Youth Justice*]

Introduction

(a) The respondent was ordered on [*date*] under section 47 of the *Fines Enforcement and Recovery Act 2017* to serve term of imprisonment of [*no of years*] [*no of months*] [*no of days*] in default of compliance with an order for community service.

Warrant

1. The Sheriff and the Commissioner of Police and members of the police force are directed to take the respondent to a correctional institution.
2. The Chief Executive of the Department [*for Correctional Services/of Human Services, Youth Justice*] is directed to receive and detain the respondent for the period of time specified in this warrant.

Authentication

…………………………………………
Signature of Court Officer
[*title and name*]

Date warrant signed: [*date*]

20. Schedule 1, Form 111B—Originating Application to Vary or Revoke Order - Community Service Order or Approved Treatment Program Order is deleted and substituted as follows:

Form 111B

To be inserted by Court Case Number: Date Filed: FDN:

Hearing Date and Time: **Hearing Location:**

ORIGINATING APPLICATION TO VARY OR REVOKE ORDER—COMMUNITY SERVICE ORDER

[*SUPREME/DISTRICT/MAGISTRATES/YOUTH*] Select one COURT OF SOUTH AUSTRALIA
SPECIAL STATUTORY JURISDICTION

[*FULL NAME*]
Applicant

[*FULL NAME*]
Respondent

Applicant	**Full Name**			
Name of law firm/solicitor If any	**Law Firm**		**Responsible Solicitor**	
Address for service	**Street Address (including unit or level number and name of property if required)**			
	City/town/suburb	**State**	**Postcode**	**Country**
	Email address			

Phone Details	Number	Alternative number (optional)

Respondent	Full Name			
Address	Street Address (including unit or level number and name of property if required)			
	City/town/suburb	State	Postcode	Country
	Email address			
Phone Details	Number		Alternative number (optional)	

Application details

Matter type: [*Enter matter type*]

Original Case Number: [*Enter original case number*]

This Application is for revocation of a Community Service Order and restoration of the monetary amount.

This Application is made under section 46(11) of the *Fines Enforcement and Debt Recovery Act 2017*.

The applicant seeks the following orders:

Enter numbered paragraphs

☐ The Community Service Order made on [*date*] [*Enter Court file number*] be revoked.

☐ The restoration of the monetary amount of [*Enter amount*].

This Application is made on the grounds

☐ set out in the accompanying Affidavit sworn by [*full name*] on [*Enter date*].

☐ that:

Enter grounds in numbered paragraphs

1.

Complete if applicable otherwise delete

This Application is urgent on the grounds

☐ set out in the accompanying Affidavit sworn by [*full name*] on [*date*].

☐ that:

Enter grounds in numbered paragraphs

1.

Complete if applicable otherwise delete

This Application is made with the consent of the [*Enter party title*] [*full name*] as evidenced by [*Enter evidence*] **eg letter or email from party's solicitor provision for multiple**

To the Respondent: WARNING

This Application will be considered at the hearing at the date and time set out at the top of this document.

If you wish to oppose the Application or make submissions about it:

- you must attend the hearing; and
- if you wish to rely on any facts in addition to or contrary to those relied on by the party seeking the orders, you must file and serve on all parties an Affidavit within14 days after service of the Application.

If you do not do so, the Court may proceed **in your absence** and **orders may be made against you** without further warning.

For instructions on how to obtain access to the file, visit https://courtsa.courts.sa.gov.au/?g=node/482

Service

The party filing this document is required to serve it on all other parties in accordance with the Rules of Court.

Accompanying documents

Accompanying this Application is a:

☐ Supporting Affidavit **mandatory**
☐ Original order **mandatory**
☐ If other additional document(s) please list below:

21. Schedule 1, Form 115C—Order for Revocation—Revocation of Community Service Order or Approved Treatment Program Order and Restoration of Monetary Amount is deleted and substituted as follows:

Form 115C

To be inserted by Court

Case Number:

Date Filed:

FDN:

ORDER FOR REVOCATION—REVOCATION OF COMMUNITY SERVICE ORDER AND RESTORATION OF MONETARY AMOUNT

MAGISTRATES COURT OF SOUTH AUSTRALIA
SPECIAL STATUTORY JURISDICTION

[*FULL NAME*]
Applicant

[*FULL NAME*]
Respondent

Introduction

Hearing

Hearing Location: [*suburb*]
[*Hearing date*]

Hearing type:

[*Presiding Officer*]

Appearances

[*Applicant Appearance Information*]
[*Respondent Appearance Information*]

Remarks

(a) The Court is satisfied that the Respondent, being a person subject to an order under section 46 of the *Fines Enforcement and Debt Recovery Act 2017* made by the [*Court*] on [*date*] in [*case* *number*] for the payment of $[*amount*], has the means to pay the amount without the Respondent or the Respondent's dependants suffering hardship.

Order

Date of Order: [*date*]

Terms of Order

Pursuant to section 46(11) of the *Fines Enforcement and Debt Recovery Act 2017*, it is ordered that:
Orders in separately numbered paragraphs.

☐ 1. The Community Service Order made on [*date*] [*Court case number*] by [*Judicial Officer*], be revoked.

☐ 2. The monetary amount, namely $[*amount*], be restored.

☐ 3. [*other orders*].

Authentication

…………………………………………
Signature of Court Officer
[*title and name*]

In accordance with the *Supreme Court Act 1935,* the *District Court Act 1991* and the *Magistrates Court Act 1991,* and all other enabling powers, the *Uniform Special Statutory (No 11) Amending Rules 2026* have been made—

- as rules of the Supreme Court by 3 or more Judges of the Supreme Court; and
- as rules of the District Court by the Acting Chief Judge and 2 or more other Judges of that Court; and
- as rules of the Magistrates Court by the Chief Magistrate and 2 or more other Magistrates; and
- as rules of the Environment, Resources and Development Court by the Senior Judge and 1 other Judge; and
- as rules of the Youth Court by the Judge and the magistrates who are members of the principal judiciary of that Court,

and such rules will apply to and in relation to the Court in accordance with their terms.

Dated: 21 July 2026.

CHIEF JUSTICE STEIN
ACTING CHIEF JUDGE SOULIO
SENIOR JUDGE DURRANT
CHIEF MAGISTRATE HRIBAL
JUDGE SUTCLIFFE

STATE GOVERNMENT INSTRUMENTS

ENERGY RESOURCES ACT 2000

Suspension of Petroleum Exploration Licence—PEL 499

Pursuant to Section 90 of the *Energy Resources Act 2000*, notice is hereby given that the abovementioned Petroleum Exploration Licence has been suspended for the period from 20 April 2026 to 19 October 2026 inclusive, pursuant to delegated powers.

The expiry date of PEL 499 is now determined to be 31 October 2026.

Dated: 24 July 2026

MICHAEL SMITH
Director, Regulatory Risk and Resource Tenure
Regulation and Compliance Division
Department for Energy and Mining
Delegate of the Minister for Energy and Mining

FISHERIES MANAGEMENT ACT 2007

SECTION 115

Ministerial Exemption: ME9903427

Take notice that pursuant to Section 115 of the *Fisheries Management Act 2007*, I Professor Gavin Begg, as delegate for the Minister of Primary Industries and Regional Development, hereby exempt, Mr Samuel Hardy of the Murraylands and Riverland Landscape Board, 2 Reserve Road Murray Bridge SA 5253 (the 'exemption holder') and his nominated agents, from Section 70, 71(1) and 71(2) of the *Fisheries Management Act 2007* and Regulation 5 and Clauses 40, 42, 44, 45, 47, 74 and 90 of Schedule 6 of the *Fisheries Management (General) Regulations 2017*, but only insofar as the exemption holder or nominated agents may engage in activities of the Murraylands and Riverland Landscape Board supporting the seasonal monitoring and conservation of fish populations in the South Australian River Murray wetlands from the waters described in Schedule 1, using the gear specified in Schedule 2, subject to the conditions set out in Schedule 3, from 24 July 2026 until 23 July 2027, unless varied or revoked earlier.

SCHEDULE 1

Wetlands within the SA Murray-Darling Basin between the South Australian border and the Murray Mouth, including the fringing wetlands of Lakes Alexandrina and Albert and the Murray Mouth. Sites listed under Ministerial permit MP0268 and MP0269 and the site of North Purnong wetland listed under Ministerial permit MP0271.

SCHEDULE 2

- 25 × fyke net-single wing (6mm mesh, 7m wing)
- 25 × fyke net-single wing (4mm mesh, 7m and 4m wing)
- 6 × fyke net-double wing (4mm mesh, 5m wings)
- 2 × seine net (2mm mesh, 5m length)
- 30 × shrimp trap (4mm mesh)
- 6 × dip net (4mm mesh)

SCHEDULE 3

1. The exemption holder will be deemed responsible for the conduct of all persons conducting the exempted activities under this notice. Any person conducting activities under this exemption must be provided a copy of this notice, which they must have signed as an indication that they have read and understand the conditions under it.
2. All native fish taken pursuant to the exempted activity must be returned to the water in the locations where they were captured, other than fish listed in Condition 3 and subject to Condition 5.
3. During the exempted activity a maximum of 5,000 Yarra Pygmy Perch (*Nannoperca obscura*), a maximum of 5,000 Southern Pygmy Perch (*N australis*), a maximum of 5,000 Southern Purple-Spotted Gudgeon (*Mogurnda adspersa*), and a maximum of 30,000 Murray Hardyhead (*Craterocephalus fluviatilis*) may be retained.
4. All noxious species captured during the exempted activity must not be returned to the water and must be destroyed and disposed of appropriately, unless otherwise permitted and in accordance with the conditions of Ministerial permit MP0271 (or any subsequent permit).
5. Any specimens collected or retained by the exemption holder must be translocated in accordance with the conditions of Ministerial permit MP0268 or MP0271 (or any subsequent permits) or be held in accordance with MP0269 or MP0271 (or any subsequent permits) for scientific and research purposes only and must not be sold.
6. Fyke nets may only be deployed after 1500 hours and retrieved before 1130 hours the following morning.
7. Each fyke net must be deployed with at least one float >10cm diameter in the cod end (final chamber).
8. The following persons are nominated agents under this exemption ME9903427:
   - Kate Mason—2 Sturt Reserve Road, Murray Bridge, SA 5253
   - Amy Rice—2 Sturt Reserve Road, Murray Bridge, SA 5253
   - Steph Robinson—28 Vaughan Terrace, Berri, SA 5343
   - Emily Reynolds—28 Vaughan Terrace, Berri, SA 5343
   - Ashton Thompson—28 Vaughan Terrace, Berri, SA 5343
   - Aleisha Casson—2 Sturt Reserve Road, Murray Bridge, SA 5253
   - Darren Willis—2 Sturt Reserve Road, Murray Bridge, SA 5253.
9. Before undertaking the exemption activity, the exemption holder or a person acting as his agent must contact the Department of Primary Industries and Regions (PIRSA) FISHWATCH on 1800 065 522 and answer a series of questions about the exemption activity. The exemption holder or nominated agent will need to have a copy of the exemption at the time of making the call and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of agents undertaking the exemption activity and other related questions.

10. The exemption holder must provide a written report detailing the outcomes of the collection of organisms pursuant to this notice to PIRSA, Fisheries and Aquaculture, (PIRSA.Ministerialexemptionsandpermits@sa.gov.au) within 2 weeks of completion of the last activity, or within 2 weeks of the expiry of this notice, whichever occurs first, giving the following details:
    - the date, soak time and location of collection;
    - the number of nets or traps used;
    - the description of all species collected;
    - the number of each species collected; and
    - any other relevant information.
11. While engaging in the exempted activity, the exemption holder or his/her nominated agent must be in possession of a copy of this notice. Such notice must be produced to a Fisheries Officer upon request.
12. The exemption holder or agents must not contravene or fail to comply with the *Fisheries Management Act 2007* or any Regulations made under that Act, except where specifically exempted by this notice.

This notice does not purport to override the provisions or operation of any other Act including, but not limited to, the *River Murray Act 2003*.

Dated: 23 July 2026

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

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FISHERIES MANAGEMENT ACT 2007

SECTION 115

Ministerial Exemption: ME9903434—
Participation of Marine Scalefish Licence Holders in Fishery-Dependent
Surveys of Southern Calamari in the Spencer Gulf Fishing Zone

Take notice that pursuant to Section 115 of the *Fisheries Management Act 2007* (the Act), I, Prof Gavin Begg as delegate of the Minister for Primary Industries and Regional Development, exempt persons described in Schedule 1 from Section 79 of the Act but only insofar as they may target and temporarily retain Southern Calamari for the purpose of undertaking fishery-dependent surveys as part of the Algal Bloom Fisheries Research Program of the South Australian Research Development Institute (SARDI), within the waters of the Spencer Gulf Fishing Zone, subject to the conditions set out in Schedule 2, from 24 July 2026 until 30 April 2027, unless varied or revoked earlier.

SCHEDULE 1

The holder of a Marine Scalefish Fishery licence or their registered master who have been engaged by and are acting under the direction of the Principal Scientist and Subprogram Leader, Community-Based Fisheries, SARDI, to undertake fishery-dependent surveys of Southern Calamari.

SCHEDULE 2

1. The exemption holder or their registered master may only engage in the exempted activity as directed by the Principal Scientist and Subprogram Leader, Community-Based Fisheries, SARDI.
2. The exemption holder or their registered master must carry the written evidence of participation in the fishery-dependent surveys as part of the Algal Bloom Fisheries Research Program when undertaking the exempted activity and provide this upon request to a Fisheries Officer.
3. All Southern Calamari temporarily retained under this exemption must be stored and handled as follows:
    (a) kept in aerated seawater until they are returned to the water
    (b) handled and stored in a manner that minimises injury and stress, including minimising unnecessary handling wherever practicable
    (c) must be returned alive to the water as soon as practicable following completion of fishing in one location prior to moving to another fishing location
    (d) Southern Calamari must be released at, or as close as practicable to, the location at which they were captured.
4. At least 1 hour before conducting the exempted activity, the exemption holder or her/his agents must complete a report to the Department of Primary Industries and Regions (PIRSA) through either:
    (a) The Commercial Fishing SA App—commence using an exemption report
    (b) Fishwatch on 1800 065 522—exemption/commence exemption call report.
5. The exemption holder or nominated agent of the Marine Scalefish Fishery licence must be in possession of a copy of this notice at all times whilst undertaking the exemption activities and be able to produce it to a PIRSA Fisheries Officer upon request.
6. The exemption holder or agents must not contravene or fail to comply with the *Fisheries Management Act 2007*, or any Regulations made under that Act including the *Fisheries Management (General) Regulations 2017* and *Fisheries Management (Marine Scalefish Fishery) Regulations 2017* and all licence conditions, except where specifically exempted by this notice.

For the purpose of this Notice:

Spencer Gulf Fishing Zone has the same meaning as in the *Fisheries Management (Marine Scalefish Fishery) Regulations 2017*.

This notice does not purport to override the provisions or operation of any other Act including, but not limited to, the *Marine Parks Act 2007*. The exemption holder and his agents must comply with any relevant regulations, permits, requirements and directions from the Department for Environment and Water when undertaking activities within a marine park.

Dated: 23 July 2026

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

FISHERIES MANAGEMENT ACT 2007

SECTION 115

Ministerial Exemption: ME9903441

Take notice that pursuant to Section 115 of the *Fisheries Management Act 2007*, Mr Robert Brandle, Senior Conservation Ecologist, National Parks & Wildlife Service, Department for Environment and Water, 9 Mackay St, Port Augusta SA 5700 (the 'exemption holder') and his nominated agents, are exempt from Sections 70, 71(1)(b) and 71(2) of the *Fisheries Management Act 2007* and Regulation 5, Clause 42(1) of Schedule 6 of the *Fisheries Management (General) Regulations 2017*, but only insofar as the exemption holder may engage in native fish monitoring activities within the inland waters described in Schedule 1, using the gear specified in Schedule 2 (the 'exempted activity'), subject to the conditions set out in Schedule 3, from 2 August 2026 to 1 August 2027, unless varied or revoked earlier.

SCHEDULE 1

- Cooper Creek on Innamincka Regional Reserve
- Dalhousie Springs complex in Witjira National Park
- Creeks within the Flinders Ranges.

SCHEDULE 2

- Three (3) Fyke nets (1m hoop)
- Twenty (20) mesh box-style fish traps (280 × 280 × 400 or 600mm) baited with manufactured cat food
- Four (4) hand held dip nets with 300mm diameter hoop or smaller square net.

SCHEDULE 3

1. All protected fish captured pursuant to the exempted activity must be returned to the water immediately upon completion of monitoring activities at the locations where they were captured.
2. All non-native or noxious species of fish that may be caught during the exempted activity must be destroyed and disposed of appropriately.
3. All nets left unattended must be clearly marked with the exemption holder's name and Ministerial exemption number on a tag attached to the net if set close to shore or on a 2L buoy attached to the net if set away from the shore.
4. All nets left unattended must be removed from the water and cleared every 12 hours.
5. At least 1 hour before the commencement of fishing activities under this exemption, the Department of Primary Industries and Regions (PIRSA) must be informed by telephone on 1800 065 522 of the following information:
   (a) the name of the person making the telephone call;
   (b) the date on which, and the time at which, the fishing activities are to be engaged in;
   (c) the location at which the fishing activities are to be engaged in;
   (d) the number of the exemption under which the fishing activities are to be engaged in;
   (e) the name of the holder of the exemption; and
   (f) if a nominated agent is to be engaged in the fishing activities—the name of the nominated agent.
6. The exemption holder must provide a written report detailing the outcomes of the monitoring of fish pursuant to this notice to PIRSA, Fisheries and Aquaculture,(PIRSA.MinisterialExemptionsandPermits@sa.gov.au) within 14 days of the expiry of this exemption, giving the following details:
   - the date, soak time and location of collection;
   - the number of nets or traps used on each date;
   - the description of all species surveyed; and
   - the number of each species surveyed.
7. While engaging in the exempted activity, the exemption holder or nominated agents must be in possession of a copy of this notice and any associated permit. Such notice must be produced to a Fisheries Officer upon request.
8. The exemption holder or agents must not contravene or fail to comply with the *Fisheries Management Act 2007* or any regulations made under that Act, except where specifically exempted by this notice.

This notice does not purport to override the provisions or operation of any other Act, including but not limited to the *National Parks and Wildlife Act 1972*.

Dated: 23 July 2026

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

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FISHERIES MANAGEMENT ACT 2007

SECTION 115

Ministerial Exemption: ME9903443

Take notice that pursuant to Section 115 of the *Fisheries Management Act 2007*, I Professor Gavin Begg, Executive Director Fisheries and Aquaculture, delegate of the Minister for Primary Industries and Regional Development, hereby exempt Mr Garry Ian Warrick of 1979 Kingston Road, New Residence SA 5333, holder of River Fishery licence number R27 (the 'exemption holder'), and his nominated agent, from Sections 53(2) and 70 of the *Fisheries Management Act 2007* and Regulation 5, Schedule 6 and Schedule 7 of the *Fisheries Management (General) Regulations 2017* but only insofar as the exemption holder may use the devices described in Schedule 1 (the 'exempted activity') to take the species specified in Schedule 2 from the areas specified in Schedule 3, subject to the conditions set out in Schedule 4, from 26 September 2026 until 25 September 2027, unless varied or revoked earlier.

SCHEDULE 1

- 30 × gill net with a ply greater than 5, having a maximum length of 50 metres and a minimum mesh size of 10 centimetres and a maximum mesh size not exceeding 18 centimetres (“carp nets”)
- 2 × Carp Separation Cages forming part of Lock 1 in Blanchetown on the River Murray
- 1 × Backpack electro fisher (Smith-Root LR24)
- 1 × Boat electro fisher (Smith-Root 5.0kW GPP).

SCHEDULE 2

- European Carp (*Cyprinus carpio*)
- Bony Bream (*Nematalosa erebi*).

SCHEDULE 3

1. The exemption holder and nominated agent may conduct fishing activities using the Carp nets and electro fishing gear specified in Schedule 1 in the following areas of the waters connected to the River Murray:
   - Lake Bonney and connected Chambers Creek
   - Wachtels Lagoon
   - Spectacle Lakes and unnamed connected creek
   - Yatco Lagoon
   - Gurra Gurra Lakes.
2. The exemption holder and nominated agent may conduct fishing activities using the Carp Separation Cages which form part of Lock 1 at Blanchetown on the River Murray consistent with any requisite approvals and requirements of SA Water.

SCHEDULE 4

1. The exemption holder and nominated agent must not use more than the permitted number of devices specified in Schedule 1 at any one time.
2. The exemption holder and nominated agent may only engage in the exempted activity when also fishing pursuant to River Fishery licence number R27 and may only use a boat to engage in the exempted activity if that boat is registered by endorsement on River Fishery licence number R27.
3. The exempted activity may only be conducted by the exemption holder or his nominated agent:
   - Mr Jayden Warrick, 1979 Kingston Road New Residence 5333.
4. Use of the electrofisher gear must comply with guidelines set out by the *Australian Code of Electrofishing Practice*. All persons using the devices must be trained in accordance with these guidelines.
5. All native fish (excluding Bony Bream (*Nematalosa erebi*)) taken in the course of the exempted activity must be immediately returned to the water, and consistent with the *Australian Code of Electrofishing Practice*, when native species are encountered while electrofishing, electrofishing must be discontinued until the native species recovers and escapes.
6. Immediately prior to commencing the exempted activity, the exemption holder or nominated agent must contact the Department of Primary Industries and Regions (PIRSA) Fishwatch on 1800 065 522 and provide the following details:
   - The licence number and person(s) conducting the activity; and
   - The exact location(s) of the fishing activities; and
   - The gear type and quantity being used; and
   - Ministerial exemption number: ME9903443.
7. The exemption holder and or nominated agent must ensure that the carp nets are checked and all fish removed at least once during any 24 hour period during which they are in the water. All noxious species captured during these activities must not be returned to the water and disposed of appropriately.
8. Carp nets must be removed from the water when fishing pursuant to this exemption notice ceases.
9. Where the exemption holder or nominated agent moves the carp nets more than 3 kilometres from the location of the nets reported to the Department under condition 6, or removes any of the nets from the river completely, the exemption holder or nominated agent must provide an additional report to the PIRSA Fishwatch on 1800 065 522 and either provide details as required under condition 6 of this exemption notice, or report that fishing with carp nets and carp separation cages has ceased.
10. While engaging in the exempted activity, the exemption holder and his nominated agent must be in possession of a copy of this notice. Such notice must be produced to a Fisheries Officer as requested.
11. The exemption holder must not contravene or fail to comply with the *Fisheries Management Act 2007* or any regulations made under that Act, except where specifically exempted by this notice.

Dated: 23 July 2026

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

GEOGRAPHICAL NAMES ACT 1991

Notice to Assign a Name to a Feature

Notice is hereby given that, pursuant to Section 11B(1)(a) of the *Geographical Names Act 1991*, I, the Honourable Nick Champion MP, Minister for Planning, Minister of the Crown to whom the administration of the *Geographical Names Act 1991* is committed, do hereby;

- Assign the name **NGALTINGGA WAUWA WAADLAKATHA**, meaning Aldinga Beach Bridge, to new state-maintained transport infrastructure located at Aldinga, as shown marked on the image below.

This notice is to take effect immediately upon its publication in the Government Gazette.

Further information can be found at www.sa.gov.au/placenameproposals

Dated: 30 July 2026

HON NICK CHAMPION MP
Minister for Planning

DHUD: 2025/05082/01

HOUSING IMPROVEMENT ACT 2016

Rent Control

In the exercise of the powers conferred by the *Housing Improvement Act 2016*, the Delegate of the Minister for Housing and Urban Development hereby fixes the maximum rental amount per week that shall be payable subject to Section 55 of the *Residential Tenancies Act 1995*, in respect of each premises 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
18 O'Brien Street, Davoren Park SA 5113	Allotment 941 Deposited Plan 7712 Hundred of Munno Para	CT5357/714	$234.00

Dated: 30 July 2026

CRAIG THOMPSON
Registrar, Housing Regulation
Housing Safety Authority
Delegate of the Minister for Housing and Urban Development

HOUSING IMPROVEMENT ACT 2016

Rent Control Revocations

In the exercise of the powers conferred by the *Housing Improvement Act 2016*, the Delegate of the Minister for Housing and Urban Development hereby revokes the maximum rental amount per week that shall be payable subject to Section 55 of the *Residential Tenancies Act 1995*, in respect of each premises described in the following table.

Address of Premises	Allotment Section	Certificate of Title Volume/Folio
13 Mary Crescent, Newton SA 5074	Allotment 66 Deposited Plan 7833 Hundred of Adelaide	CT5326/155
24 Clark Street, Wayville SA 5034	Allotment 20 Filed Plan 10397 Hundred of Adelaide	CT5356/996

Dated: 30 July 2026

DAVID OSBORNE
Manager
Housing Safety Authority
Delegate of the Minister for Housing and Urban Development

HYDROGEN AND RENEWABLE ENERGY ACT 2023

Application for Grant of Associated Infrastructure Licence—AILA 19

Pursuant to Section 32(3) of the *Hydrogen and Renewable Energy Act 2023*, notice is hereby given that an application for an Associated Infrastructure Licence over area described below has been received from:

CI Summerfield North BESS ProjectCo Pty Ltd as the Trustee for Summerfield North BESS Project Trust

Description of Application Area

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

All coordinates GDA2020, Zone 54

335783.07mE 6131226.67mN
337186.68mE 6130791.76mN
337080.14mE 6129798.04mN
336619.55mE 6129847.75mN
336467.75mE 6130202.77mN
336167.06mE 6130760.44mN
335783.07mE 6131226.67mN

Excluding:

336860.13mE 6130387.43mN
336843.49mE 6130184.61mN
336877.11mE 6130144.49mN
336881.77mE 6130142.31mN
336864.30mE 6129973.79mN
336939.68mE 6129965.74mN
336958.00mE 6130121.34mN
336963.66mE 6130136.86mN
336971.10mE 6130204.04mN
337069.09mE 6130196.42mN
337072.63mE 6130212.76mN
337086.13mE 6130353.80mN
336860.13mE 6130387.43mN

Also Excluding:

336610.83mE 6130086.33mN
336617.29mE 6130079.61mN
336608.00mE 6130065.75mN
336617.13mE 6130047.77mN
336647.02mE 6130022.48mN
336671.37mE 6130020.48mN
336695.63mE 6129999.51mN
336807.18mE 6129983.52mN
336825.59mE 6129987.79mN
336835.79mE 6130007.88mN
336846.64mE 6130082.04mN
336844.25mE 6130100.02mN
336817.47mE 6130125.46mN
336795.57mE 6130130.81mN
336747.12mE 6130145.72mN
336731.23mE 6130155.48mN
336698.71mE 6130155.03mN

336679.22mE	6130166.00mN
336597.93mE	6130181.78mN
336591.01mE	6130176.42mN
336579.16mE	6130189.14mN
336554.27mE	6130198.79mN
336536.50mE	6130195.56mN
336529.00mE	6130176.22mN
336532.27mE	6130173.20mN
336548.08mE	6130128.50mN
336589.24mE	6130086.85mN
336610.83mE	6130086.33mN

AREA: **0.84** square kilometres approximately

The application may be inspected at the offices of the Department for Energy and Mining located at Level 4, 11 Waymouth Street, Adelaide, SA 5000. To arrange an inspection, please contact the Department via email at DEM.ERDLicensing@sa.gov.au.

Dated: 19 June 2026

MICHAEL SMITH
Director, Regulatory Risk and Resource Tenure
Regulation and Compliance Division
Department for Energy and Mining
Delegate of the Minister for Energy and Mining

HYDROGEN AND RENEWABLE ENERGY ACT 2023

Statement of Environmental Objectives—Approval

Pursuant to Section 65(1) of the *Hydrogen and Renewable Energy Act 2023* (the Act) I, Paul De Ionno, Executive Director Regulation and Compliance Division, Department for Energy and Mining do hereby publish the following document as having been approved as a statement of environmental objectives under the Act.

Documents:

- Plains Energy Project Pty Ltd, Plains BESS Project Statement of Environmental Objectives, 2 July 2026

This document is available for public inspection on the Hydrogen and Renewable Energy Register section of the following webpage: (https://www.energymining.sa.gov.au/industry/hydrogen-and-renewable-energy/hydrogen-and-renewable-energy-act/hydrogen-and-renewable-energy-register).

Dated: 30 July 2026

PAUL DE IONNO
Executive Director
Regulation and Compliance Division
Department for Energy and Mining
Delegate of the Minister for Energy and Mining

JUSTICES OF THE PEACE ACT 2005

SECTION 4

Notice of Appointment of Justices of the Peace for South Australia
by the Commissioner for Consumer Affairs

I, Brett Humphrey, Commissioner for Consumer Affairs, delegate of the Attorney-General, pursuant to Section 4 of the *Justices of the Peace Act 2005*, do hereby appoint the people listed as Justices of the Peace for South Australia as set out below.

For a period of ten years for a term commencing on 25 August 2026 and expiring on 24 August 2036:

Edward Kam Tao WONG
Karen Jean WALLACE
Saloni Nikul UPADHYAY
Mark Alexander THOMPSON
Mark Andrew SLATTERY
Amanda Jayne SHOPOV
Dylan Kyle RUSSELL
Tanja Samira Jorgic RUDD
Meg Louise ROWLAND
Lucrezia RANIERI
Peter James RADFORD
Wendy Alison POOLE
Deborah Jane OPHOF
Linda Michelle MORGAN
Renee Colleen MONAGHAN
Jack Arthur MONAGHAN
Neil Patrick MC BREARTY
Lydia Martha MAKIV
Sohbat LUTFI
Phillip Andrew LAWSON
Rojan JOSE
Simone Mary JONES

Marjory Jean JONES
Michael Edward JOHNSON
Kevin William JOHNSON
Esther Ruth Jane HUNTLEY
Katherine Ann COTELLESSA
Darryl Stewart BUCHANAN
Meg BOSWELL

Dated: 26 July 2026

BRETT HUMPHREY
Commissioner for Consumer Affairs
Delegate of the Attorney-General

JUSTICES OF THE PEACE ACT 2005

SECTION 4

Notice of Appointment of Justices of the Peace for South Australia by the Commissioner for Consumer Affairs

I, Brett Humphrey, Commissioner for Consumer Affairs, delegate of the Attorney-General, pursuant to Section 4 of the *Justices of the Peace Act 2005*, do hereby appoint the people listed as Justices of the Peace for South Australia as set out below. It being a condition of appointment that the Justices of the Peace must take the oaths required of a justice under the *Oaths Act 1936* and return the oaths of office form to Justice of the Peace Services within three months after the date of appointment.

For a period of ten years for a term commencing on 6 August 2026 and expiring on 5 August 2036:

Shaun Daniel WILLIAMS
Kylie Jane WELTMAN
Edward William WATSON
Andrew Heath TELFER
Andrea Dawn SLARK
Angela Margaret SHOOLBREAD
Sallee Kate SHEPHERD
Samuel SEBENZO
Bahar SALEHI
Richard David ROUTLEY
Gabriele John PIANTEDOSI
Lisa Jane O'DANIEL
Dipika MISTRY
Rebecca Jane MCROSTIE
Max Doyun KIM
Matthew Alexander JAMES
Kenneth Edwin HUBERT
Ella Charlie GRUMMET
Tyler Bradley GREEN
Karen Jane GILLESPIE
Sebastian Hugh DAVIS
Wai Kwok CHU
Callum Shaun Douglas BARROTT-WALSH
Rubina AMIN

Dated: 26 July 2026

BRETT HUMPHREY
Commissioner for Consumer Affairs
Delegate of the Attorney-General

LABOUR HIRE LICENSING ACT 2017

Exemption

Pursuant to Section 46(1) of the *Labour Hire Licensing Act 2017* ("the Act"), I, Brett Humphrey, Commissioner for Consumer Affairs for the State of South Australia, hereby exempt the following class of persons from the operation of Section 11 of the Act:

A person who—

1. was not required to hold a labour hire licence immediately before 29 January 2026 because the labour hire services provided by the person did not involve the supply of an individual to undertake prescribed work within the meaning of the Act as in force immediately before that date; and
2. lodged an application for a licence under Section 15 of the Act on or before 29 July 2026 (which was subsequently accepted by the Commissioner for assessment and for which the prescribed fee has been paid); and
3. whose application has not been determined.

I further exempt the following class of persons from the operation of Section 12 of the Act:

A person who enters into an arrangement for the provision of labour hire services with a person who is exempt from the operation of Section 11 of the Act under this Notice.

Dated: 28 July 2026

BRETT HUMPHREY
Commissioner for Consumer Affairs

LAW OF PROPERTY ACT 1936

South Australia

Law of Property (Declaration of Bodies) Proclamation 2026

under Section 41A of the *Law of Property Act 1936*

1—Short title

This proclamation may be cited as the *Law of Property (Declaration of Bodies) Proclamation 2026*.

2—Commencement

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

3—Declaration of body

The bodies set out in Schedule 1 are declared to be bodies for the purposes of Section 41A(1)(a)(iii) of the *Law of Property Act 1936*.

Schedule 1—Declared bodies

Alano Utilities (Adelaide Plains) Pty Ltd (ACN 153 366 066)

Alano Utilities Pty Ltd (ACN 118 218 572)

Alano Utilities (Two Wells) Pty Ltd (ACN 163 459 783)

Made by the Minister for Planning

On 24 July 2026

PASTORAL LAND MANAGEMENT AND CONSERVATION ACT 1989

PUBLIC ACCESS ROUTE CANCELLATION OF CLOSURE 2026

Notice of Intent to Cancel the Temporary Closure of Public Access Route Number 13, Named Halligan Point

Notice is hereby given of the intent to cancel the temporary closure of the Halligan Point Public Access Route from the Oodnadatta Track to Lake Eyre National Park, from 28 July 2026 until further notice, pursuant to Section 45(7) of the *Pastoral Land Management and Conservation Act 1989*. Notification of the re-opening of the Public Access Route will be provided on the Department for Infrastructure and Transport's Outback Road Warnings website at https://www.dit.sa.gov.au/OutbackRoads/outback_road_warnings/special_notices.

Notice of Intent to Cancel the Temporary Closure of Public Access Route Number 18, Named Lake Cadibarrawirracanna

Notice is hereby given of the intent to cancel the temporary closure of the Lake Cadibarrawirracanna Public Access Route from William Creek road to Lake Cadibarrawirracanna, from 28 July 2026 until further notice, pursuant to Section 45(7) of the *Pastoral Land Management and Conservation Act 1989*. Notification of the re-opening of the Public Access Route will be provided on the Department for Infrastructure and Transport's Outback Road Warnings website at https://www.dit.sa.gov.au/OutbackRoads/outback_road_warnings/special_notices.

Dated: 28 July 2026

KATE HEPPNER
Pastoral Board Delegate
A/Program Leader, Pastoral Operations
Department for Environment and Water

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

SECTION 76

Amendment to the Planning and Design Code

Preamble

It is necessary to amend the Planning and Design Code (the Code) in order to make the following minor or operational amendments:

- Amendment to the Gas and Liquid Petroleum Pipelines Overlay and the Gas and Liquid Petroleum Pipelines (Facilities) Overlay to include the provision of guidance documentation to support an agreement under Section 123 of the *Planning, Development and Infrastructure Act 2016*.
- inclusion of a provisionally listed State Heritage Place at Beltana in Part 11—Heritage Places.
- amendment of the Council name 'Grant' to 'Southern Limestone Coast' in Part 11—Heritage Places.

1. Pursuant to Section 76 of the *Planning, Development and Infrastructure Act 2016* (the Act), I hereby amend the Code in order to make the following minor or operational amendments:
   (a) In Part 3—Overlays, under the Gas and Liquid Petroleum Pipelines Overlay and Gas and Liquid Petroleum Pipelines (Facilities) Overlay, insert the following note immediately following Desired Outcome DO1:

Note	Guidance documents to support an agreement under Section 123 of the *Planning, Development and Infrastructure Act 2016* for the purposes of development applications in the vicinity of pipelines, as prepared and published by the administrative unit of the Public Service responsible for assisting a Minister in the administration of the *Energy Resources Act 2000* can be found here.

   (b) Amend the spatial layer of the State Heritage Place Overlay, as it applies to 'Lot 1055 Old Beltana Road, Beltana (CR 5327/206), and update the Heritage Adjacency Overlay to reflect this change.
   (c) In Part 11—Heritage Places, under 'State Heritage Places' in the section applying to 'Out of Council Areas' insert the following row in the table of State Heritage Places immediately after the row applying to 'Wentworth-Cooltong, Renmark Road, near Border Cliffs via Renmark':

Lot 1055 Old Beltana Road, Beltana	Beltana Lime Kilns		29329

   (d) In Part 11—Heritage Places, in the section relating to State Heritage Places, replace the Council name 'Grant' with the name 'Southern Limestone Coast'.
   (e) In Part 13—Table of Amendments, update the publication date, Code version number, amendment type and summary of amendments within the 'Table of Planning and Design Code Amendments' to reflect the amendments to the Code as described in this Notice.
2. Pursuant to Section 76(5)(a) of the Act, I further specify that the amendments to the Code as described in this Notice will take effect upon the date those amendments are published on the SA planning portal.

Dated: 27 July 2026

AMY BARRATT
Acting Manager Code Amendments
Department for Housing and Urban Development
Delegate of the Minister for Planning

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

SECTION 76

Amendment to the Planning and Design Code

Preamble

It is necessary to amend the Planning and Design Code (the Code) in operation at 16 July 2026 (Version 2026.13) in order to make changes of form relating to the Code's spatial layers and their relationship with land parcels. Note: There are no changes to the application of zone, subzone or overlay boundaries and their relationship with affected parcels or the intent of policy application as a result of this amendment.

1. Pursuant to Section 76 of the *Planning, Development and Infrastructure Act 2016* (the Act), I hereby amend the Code in order to make changes of form (without altering the effect of underlying policy), correct errors and make operational amendments as follows:
   (a) Undertake minor alterations to the geometry of the spatial layers and data in the Code to maintain the current relationship between the parcel boundaries and Code data as a result of the following:
      (i) New plans of division deposited in the Land Titles Office between 8 July 2026 and 21 July 2026 affecting the following spatial and data layers in the Code:
         A. Zones and subzones
         B. Technical and Numeric Variations
            - Building Heights (Levels)
            - Building Heights (Metres)
            - Finished Ground and Floor Levels
            - Minimum Frontage
            - Minimum Site Area
            - Minimum Primary Street Setback
            - Minimum Side Boundary Setback
            - Future Local Road Widening Setback
            - Site Coverage
         C. Overlays
            - Affordable Housing
            - Airport Building Heights (Regulated)
            - Coastal Flooding
            - Environment and Food Production Area
            - Future Local Road Widening
            - Hazards (Bushfire—High Risk)
            - Hazards (Bushfire—Medium Risk)
            - Hazards (Bushfire—General Risk)
            - Hazards (Bushfire—Urban Interface)
            - Hazards (Bushfire—Regional)
            - Hazards (Bushfire—Outback)

- Heritage Adjacency
- Local Heritage Place
- Regulated and Significant Trees
- River Murray Flood Plain Protection Area
- Significant Retirement Facility and Supported Accommodation Sites
- State Heritage Place
- Stormwater Management
- Urban Tree Canopy

(b) In Part 13 of the Code—Table of Amendments, update the publication date, Code version number, amendment type and summary of amendments within the 'Table of Planning and Design Code Amendments' to reflect the amendments to the Code as described in this Notice.

2. Pursuant to Section 76(5)(a) of the Act, I further specify that the amendments to the Code as described in this Notice will take effect upon the date those amendments are published on the SA planning portal.

Dated: 23 July 2026

GREG VAN GAANS
Director, Geospatial Information Services,
Department for Housing and Urban Development
Delegate of the Minister for Planning

RETAIL AND COMMERCIAL LEASES ACT 1995

Exemption

Pursuant to Section 77(2) of the *Retail and Commercial Leases Act 1995* (SA) I, Hon. Dan van Holst Pellekaan, Small Business Commissioner for the State of South Australia, exempt the proposed Ground Lease between Mount Barker District Council (ABN 54 250 395 713) and Mt Barker Summit CC Pty Ltd (ACN 698 943 994) as trustee for the Mt Barker Summit CC Unit Trust, from the entirety of the Act, in relation to a portion of the Land comprised in Certificate of Title Volume 6260 Folio 699, commonly known as 304 Springs Road, Mount Barker SA 5251.

This exemption is granted conditionally on the basis that it may be revoked at any time.

Dated: 23 July 2026

HON. DAN VAN HOLST PELLEKAAN
Small Business Commissioner

RETAIL AND COMMERCIAL LEASES ACT 1995

Exemption

Pursuant to Section 77(2) of the *Retail and Commercial Leases Act 1995* (SA) I, Hon. Dan van Holst Pellekaan, Small Business Commissioner for the State of South Australia, exempt the Lease agreements between Sandhurst Trustees Limited (ACN 004 030 737), Edge Early Learning South Australia Pty Ltd (ACN 647 929 048) and Edge Early Learning Holdings Pty Ltd (ACN 618 253 197) from the entirety of the Act, in relation to the following sites;

- The whole of the land comprised in Certificate of Title Volume 288 Folio 605 commonly known as 95-97 Kings Road, Salisbury Downs SA
- The whole of the land comprised in Certificate of Title Volume 6297 Folio 332, commonly known as 53 Ifould Road, Elizabeth Park SA
- The whole of the comprised in Certificate of Title Volume 6316 Folio 806 and Certificate of Title Volume 5800 Folio 635, commonly known as 66-68 Bolton Court, Flagstaff Hill SA
- The whole of the land comprised in Certificate of Title Volume 6302 Folio 105, commonly known as 2 Calum Grove, Seacombe Heights SA
- The whole of the land comprised in Certificate of Title Volume 6301 Folio 935 and Certificate of Title Volume 5138 Folio 171, commonly known as 1-3 Freya Avenue, Hallet Cove SA
- The whole of the land comprised in Certificate of Title Volume 6227 Folio 21, commonly known as 1 Saverio Boulevard, Angle Vale SA
- The whole of the land comprised in Certificate of Title Volume 6247 Folio 888, commonly known as 38 Hartley Walk, Gawler East SA
- The whole of the land comprised in Certificate of Title Volume 6235 Folio 191, commonly known as 1181 Andrews Road, Munno Para West SA
- The whole of the land comprised in Certificate of Title Volume 6194, Folio 543, commonly known as 2 Grantchester Avenue, Mount Barker SA
- The whole of the land comprised in Certificate of Title Volume 6171 Folio 731 and 732, commonly known as 6 North Parade, Strathalbyn SA
- The whole of the land comprised in Certificate of Title Volume 6191 Folio 106, commonly known as 47 Juniper Boulevard, Virginia SA
- The whole of the land comprised in Certificate of Title Volume 6214 Folio 673, commonly known as 38 Bond Street, Port Augusta West SA
- The whole of the land comprised in Certificate of Title Volume 6277 Folio 585, 586 and 587, commonly known as 5 Merlot Road, Angle Vale SA.

This exemption is granted conditionally on the basis that it may be revoked at any time.

Dated: 23 July 2026

HON. DAN VAN HOLST PELLEKAAN
Small Business Commissioner

LOCAL GOVERNMENT INSTRUMENTS

ADELAIDE PLAINS COUNCIL

Adoption of Valuations and Declaration of Rates

Notice is hereby given that the Adelaide Plains Council, at an Ordinary meeting held on 15 July 2026, in respect of the financial year ending 30 June 2027, adopted its Annual Business Plan and Budget and made the following decisions:

Adoption of Valuations

Pursuant to Section 167(2)(a) of the *Local Government Act 1999*, the Council adopted, for rating purposes, the most recent valuations of the Valuer-General available to the Council of the capital value of land within the Council's area totalling $4,807,621,580, of which $4,758,218,458 is the total capital value of rateable land.

Declaration of Rates and Service Charges

General Rates

Pursuant to Sections 152(1)(c), 153(1)(b) and 156(1)(a) of the *Local Government Act 1999*, the Council declared differential general rates on all rateable land within its area comprising two components:

(a) one component being a differential rate based on the capital value of rateable land varying according to land use as follows:
- 0.323622 cents in the dollar on rateable land attributed with a land use category of Residential;
- 0.430740 cents in the dollar on rateable land attributed with a land use category of Commercial Shop;
- 0.507762 cents in the dollar on rateable land attributed with a land use category of Commercial Office or Commercial Other;
- 0.459543 cents in the dollar on rateable land attributed with a land use category of Industry Light;
- 0.574428 cents in the dollar on rateable land attributed with a land use category of Industry Other;
- 0.307117 cents in the dollar on rateable land attributed with a land use category of Primary Production; and
- 0.331065 cents in the dollar on rateable land attributed with a land use category of Vacant Land; and
- 0.324269 cents in the dollar on rateable land attributed with a land use category of Other;

(b) the other component being a fixed charge of $584.

Kerbside Waste Collection Annual Service Charges

Pursuant to Section 155(2) of the *Local Government Act 1999*, the Council imposed;

- an annual service charge of $227 per assessment in respect of all occupied land to which Council provides or makes available the prescribed service of kerbside waste collection 3-bin service (noting that this service is provided within the townships of Mallala, Two Wells and Dublin), and;
- an annual service charge of $227 per assessment in respect of all occupied land to which Council provides the prescribed service of kerbside waste collection 2-bin service (noting that this service is provided outside the townships of Mallala, Two Wells and Dublin) upon the (existing or future) application to participate in such service by the ratepayer,

provided that the sliding scale provided for in regulations will apply to reduce the service charge, as prescribed.

Community Wastewater Management Systems Annual Service Charges

Pursuant to Section 155(2) of the *Local Government Act 1999*, the Council imposed annual service charges of the following amounts in respect of all land to which the service of collecting, treating and disposing of wastewater as part of the Council's Community Wastewater Management Systems is provided or made available:

Middle Beach	*Mallala Township*
$597 Per Property	$906 Per Property

Regional Landscape Levy

Pursuant to Section 69 of the *Landscape Act 2019* and Section 154 of the *Local Government Act 1999*, the Council declared a separate rate of 0.008214 cents in the dollar on all rateable land within its area and within the area of the Northern and Yorke Landscape Board for the purpose of raising the amount of $388,643 to reimburse the Council for the amount payable to the Northern and Yorke Landscape Board.

Payment of Rates

Pursuant to Section 181(2) of the *Local Government Act 1999*, the Council determined all rates and annual service charges shall be due in four equal or approximately equal instalments payable on 2 September 2026, 2 December 2026, 3 March 2027 and 2 June 2027.

Dated: 30 July 2026

JAMES MILLER
Chief Executive Officer

DISTRICT COUNCIL OF LOXTON WAIKERIE

2026/2027 Aerodromes (SA Aerodrome Fees Act 1998)—Waikerie and Loxton (GST Inclusive)

Landing Fee Under 750kg .... No Charge

Landing Fee* per tonne $18.50

Royal Flying Doctor Service & Babcok Mission Critical Services .... No Charge

**Charges may also apply for training activity*

Dated: 30 July 2026

DAVID BEATON
Chief Executive Officer

PORT PIRIE REGIONAL COUNCIL

Adoption of Valuation and Declaration of Rates 2026/2027

Notice is hereby given that the Port Pirie Regional Council, at its special meeting held 15 July 2026 in exercise of the powers contained in Chapter 10 of the *Local Government Act 1999* and for the year ending 30 June 2027:

Adoption of Valuations

Adopted for rating purposes, pursuant to Section 167(2)(a) of the *Local Government Act 1999*, the most recent valuations of the Valuer General available to the Council of the capital value of land within the area of the Council totalling $4,888,565,140, of which $4,746,530,960 is the capital value of rateable land.

Fixed Charge Component of Differential General Rates

Declared, pursuant to Section 151(1)(c)(ii) and 152(1)(c)(ii) of the *Local Government Act 1999*, a fixed charge component of general rates of $680 on rateable land within the area of the Council.

Component of Differential General Rates based on Value of Land

Declared, pursuant to Section 151(1)(c)(i), 152(1)(c)(i), 153(1)(b) and 156 of the *Local Government Act 1999* the following differential general rates as a component of its general rates based on the capital value of the land varying according to the locality of the land and its use in accordance with Regulation 14 of the *Local Government (General) Regulations 2013* as follows:

1. Rateable Land within the locality of the Significant Industry subzone of the Strategic Employment zone as defined by the Planning and Design Code in force as at the date of the declaration, and with the land use:
   - Category (a)—Residential: 0.298 cents in the dollar;
   - Category (b)—Commercial—Shop: 0.957 cents in the dollar;
   - Category (c)—Commercial Office: 0.957 cents in the dollar;
   - Category (d)—Commercial Other: 0.957 cents in the dollar;
   - Category (e)—Industry—Light: 0.527 cents in the dollar;
   - Category (f)—Industry—Other: 3.543 cents in the dollar;
   - Category (g)—Primary Production: 0.178 cents in the dollar;
   - Category (h)—Vacant Land: 0.585 cents in the dollar;
   - Category (i)—Other: 0.418 cents in the dollar.
2. Rateable land within all other localities, being the balance of the Strategic Employment zone outside the scope of paragraph (1) above and all other zones and subzones as defined by the Planning and Design Code in force as at the date of this declaration, and with the land use:
   - Category (a)—Residential: 0.298 cents in the dollar;
   - Category (b)—Commercial—Shop: 0.957 cents in the dollar;
   - Category (c)—Commercial Office: 0.957 cents in the dollar;
   - Category (d)—Commercial Other: 0.957 cents in the dollar;
   - Category (e)—Industry—Light: 0.527 cents in the dollar;
   - Category (f)—Industry—Other: 0.527 cents in the dollar;
   - Category (g)—Primary Production: 0.178 cents in the dollar;
   - Category (h)—Vacant Land: 0.585 cents in the dollar;
   - Category (i)—Other: 0.418 cents in the dollar.

Annual Service Charge—Community Wastewater Management System

Imposed, pursuant to Section 155(2) of the *Local Government Act 1999* and Regulation 12 of the *Local Government (General) Regulations 2013*, an annual service charge on both rateable and non-rateable land to which it provides or makes available the prescribed service comprising a community wastewater management system based on the nature of the service and the number of property units that apply with respect to the relevant land, as determined under the CWMS Property Units Code and for that annual service charge to vary on the basis of land being occupied or vacant as follows:

Crystal Brook CWMS

- Occupied $246.00 per property unit;
- Vacant $180.00 per property unit.

Napperby CWMS

- Occupied $570.00 per property unit;
- Vacant $420.00 per property unit.

Annual Service Charge—Waste Management

Imposed, pursuant to Section 155(2) of the *Local Government Act 1999*, an annual service charge of $289.00 on all land ascribed the residential land use category within the Council's area to which Council provides the prescribed service of waste collection, treatment and disposal based on the nature of the service and category of land use, provided that the sliding scale set out in Regulation 13 of the *Local Government (General) Regulations 2013* will apply to reduce the service charge, as prescribed.

Separate Rate—Regional Landscape Levy

Declared, pursuant to Section 69 of the *Landscape South Australia Act 2019* and Section 154 of the *Local Government Act 1999* and Regulation 12 of the *Landscape South Australia (General) Regulations 2020*, a separate rate of 0.008150 cents in the dollar on all rateable land located within the area of the Council in the region of the Northern & Yorke Landscape Board, in order to reimburse the Council the amount to be contributed to the Northern & Yorke Landscape Board.

Due Dates for Payment of Rates

Determined, pursuant to Section 181 of the *Local Government Act 1999,* all rates (including all separate rates) and annual service charges shall be payable by four equal (or approximately equal) instalments which are due for payment on 9 September 2026, 9 December 2026, 10 March 2027 and 9 June 2027.

Dated: 21 July 2026

C. DAVEY
Chief Executive Officer

WUDINNA DISTRICT COUNCIL

Adoption of Annual Business Plan and Budget, Valuations and Declaration of Rates for 2026-2027

Notice is hereby given that at its Ordinary Council Meeting held 21 July 2026, the Wudinna District Council resolved the following:

Adoption of Annual Business Plan and Budget 2026-2027

Pursuant to Section 123(8) of the *Local Government Act 1999* and Regulation 6 of the *Local Government (Financial Management) Regulations 2011* adopted its Annual Business Plan and Budget for the 2026-2027 year.

Adoption of Valuations

Adopted for rating purposes the capital valuations made by the Valuer-General totalling $832,064,000. for rateable and non-rateable land in the Council area.

Declaration of Rates

Declared differential general rates on rateable land within its area by reference to locality as follows:

Pursuant to Section 151(1)(a), 152(1)(a), 153(1)(b) and 156(1)(c) of the *Local Government Act 1999* (as amended) Council hereby declare differential general rates on rateable land within its area which rates vary by the use of land:

Residential 0.005422
Commercial Shop 0.007049
Commercial Office..0.007049
Commercial Other...0.007591
Industrial Light 0.007049
Industrial Other 0.007049
Primary Production 0.004609
Vacant Land..0.016267
Other 0.005422
Employment Bulk Handling Zone (Silos).................0.025095

Minimum Rate

Declared a minimum amount payable by way of rates of $700 in respect to all rateable land within the area of Council.

Annual Service Charges

(a) Imposed an annual service charge where a septic effluent disposal connection is provided within the Township of Wudinna of **$404** per unit for all occupied properties and **$362** for all unoccupied properties.

(b) Imposed an annual service charge to properties that have an occupiable dwelling, outbuilding or other class of structure to which the Council provides or makes available the prescribed service of the collection, treatment and disposal of waste via Council's waste collection service of **$332** per mobile garbage bin.

Separate Rate

Declared a separate rate of **$228** based on a proportional basis of expenditure incurred in maintaining the area of the cottage home units within portion Section 175, Hd of Pygery—Wudinna Homes for the Aged identified as being assessments:

9270269037	9270269067	9070269097	9270269127	9270269157	9270269187
9270269047	9270269077	9070269107	9270269137	9270269167	
9270269057	9270269087	9270269117	9270269147	9270269177	

Regional Landscape Levy

Declared differential separate rates varying on the basis of land use on all rateable land in the area of the Council in order to reimburse the Council for the amount contributed to the Eyre Peninsula Natural Resource Management Board.

(a) A land use of Primary Production, a Separate Rate of **$193.55** per assessment;

(b) A land use of:

(i) Commercial

(ii) Industrial

A separate rate of **$145.17** per assessment;

(c) A land use of:

(i) Residential

(ii) Vacant Land

(iii) Other

A separate rate of **$96.78** per assessment.

Dated: 30 July 2026

CALVIN HOYE
Acting Chief Executive Officer

PUBLIC NOTICES

NATIONAL GAS LAW

Notice of Final Determination and Final Rule

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

Under ss 311 and 313, the making of the *National Gas Amendment (Gas cyber security roles and responsibilities for AEMO) Rule 2026 No. 6* (Ref. GRC0091) and related final determination. All provisions commence on **30 July 2026**.

Under ss 311 and 313, the making of the *National Gas Amendment (Minor changes 1 2026) Rule 2026 No. 7* (Ref. GRC0092) and related final determination. Provisions commence as follows: **Schedule 1 commences on 30 July 2026. Schedule 2 commences on the same day as, and immediately following, commencement of the *National Gas Amendment (Establishing a regulatory framework for retail customer initiated gas abolishment) Rule 2026 No. 1*. Schedule 3 commences on the same day as, and immediately following, commencement of the *National Gas Rules (Gas Pipelines) Amendment Rules 2023* in Western Australia. Schedule 4 commences on the same day as, and immediately following, commencement of the *National Gas Amendment (Other Gases) Rule 2024* in Western Australia.**

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

Dated: 30 July 2026

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:

- Title—the governing legislation
- Subtitle—a summary of the notice content
- Body—structured text, which can include numbered lists, tables, and images
- Date—day, month, and year of authorisation
- Signature block—name, role, and department/organisation authorising the notice

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