



# THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

www.governmentgazette.sa.gov.au

PUBLISHED BY AUTHORITY

ALL PUBLIC ACTS appearing in this GAZETTE are to be considered official, and obeyed as such

ADELAIDE, THURSDAY, 18 DECEMBER 2003

## CONTENTS

	Page		Page
Appointments, Resignations, Etc.....	4470	<b>REGULATIONS—continued</b>	
Controlled Substances Act 1984—Notice .....	4472	Liquor Licensing Act 1997—	
Corporations and District Councils—Notices .....	4673	(No. 252 of 2003) .....	4571
Crown Lands Act 1929—Notice .....	4472	(No. 258 of 2003) .....	4594
Development Act 1993—Notices .....	4473	(No. 265 of 2003) .....	4631
Environment Protection Act 1993—Notice .....	4474	(No. 270 of 2003) .....	4661
Fisheries Act 1982—Notices.....	4474	Plumbers, Gas Fitters and Electricians Act 1995—	
Gas Act 1997—Notice .....	4475	(No. 253 of 2003) .....	4573
Housing Improvement Act 1940—Notices.....	4476	Radiation Protection and Control Act 1982	
Land Acquisition Act 1969-1972—Notices .....	4477	(No. 254 of 2003) .....	4575
Liquor Licensing Act 1997—Notices.....	4478	Public Corporations Act 1993 (No. 255 of 2003).....	4580
National Electricity (South Australia) Act 1996—		Lottery and Gaming Act 1936 (No. 256 of 2003).....	4583
Notice.....	4481	Victims of Crime Act 2001 (No. 257 of 2003).....	4585
National Parks and Wildlife Act 1972—Notices.....	4481	Southern State Superannuation Act 1994—	
Passenger Transport Act 1994—Notice .....	4486	(No. 259 of 2003) .....	4596
Pastoral Land Management and Conservation Act 1989—		Parliamentary Superannuation Act 1974—	
Notice .....	4484	(No. 260 of 2003) .....	4598
Private Advertisement .....	4675	Superannuation Act 1988 (No. 261 of 2003).....	4606
Proclamations .....	4524	Judges' Pensions Act 1971 (No. 262 of 2003) .....	4613
Public Sector Management Act 1995—Notice.....	4491	Police Superannuation Act 1990 (No. 263 of 2003).....	4620
Public Trustee Office—Administration of Estates .....	4674	Juries Act 1927 (No. 264 of 2003) .....	4629
Remuneration Tribunal—Determinations and Reports.....	4498	Passenger Transport Act 1994—	
<b>REGULATIONS</b>		(No. 266 of 2003) .....	4633
Prohibition of Human Cloning Regulations 2003—		(No. 267 of 2003) .....	4637
(No. 248 of 2003).....	4560	(No. 268 of 2003) .....	4639
Research Involving Human Embryos Regulations 2003		National Electricity (South Australia) Act 1996—	
(No. 249 of 2003).....	4562	(No. 269 of 2003) .....	4659
Reproductive Technology (Clinical Practices) Act 1988—		Senior Secondary Assessment Board of South Australia	
(No. 250 of 2003).....	4565	Act 1983 (No. 271 of 2003).....	4663
(No. 251 of 2003).....	4567	South Australian Health Commission Act 1976—Notice .....	4484
		State Emergency Service Act 1987—Notice.....	4484

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the National Electricity Tribunal, pursuant to the provisions of the National Electricity (South Australia) Act 1996:

Chairperson: (from 20 December 2003 until 19 December 2004)  
Jerrold Cripps

Deputy Chairperson: (from 20 December 2003 until 19 December 2004)  
Douglas Gilbert Williamson  
Alan Limbury

Member: (from 20 December 2003 until 19 December 2004)  
Hugh Outhred

By command,

J. WEATHERILL, for Acting Premier

MENE 019/03CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Resi Corporation Board, pursuant to the provisions of the Electricity Corporations Act 1994:

Director: (from 1 January 2004 until 31 December 2004)  
Andrew George Anastasiades

By command,

J. WEATHERILL, for Acting Premier

DTF 111/03CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

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

Governor: (from 18 December 2003 until 17 December 2006)  
Brenton Wright

By command,

J. WEATHERILL, for Acting Premier

ASA 004/02CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Forestry Corporation Board, pursuant to the provisions of the South Australian Forestry Corporation Act 2000:

Director: (from 1 January 2004 until 31 December 2004)  
Sybella Blencowe  
Stephen James Duncan  
Julie Ann Meeking  
Diana Lloyd  
John Stuart Ross

Chair: (from 1 January 2004 until 31 December 2004)  
Sybella Blencowe

By command,

J. WEATHERILL, for Acting Premier

MFOR 001/03CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Country Fire Service Board, pursuant to the provisions of the Country Fires Act 1989:

Member: (from 23 December 2003 until 28 February 2004)  
Russell Peate  
Brian Treloar

Member: (from 23 December 2003 until 22 December 2004)  
Russell Branson  
Patrick John Forster  
Raymond Laurence Dundon  
Lisien Loan

Presiding Member: (from 23 December 2003 until 22 December 2004)  
Raymond Laurence Dundon

Deputy Presiding Member: (from 23 December 2003 until 22 December 2004)  
Russell Branson

By command,

J. WEATHERILL, for Acting Premier

MES 026/03CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has been pleased to appoint Bruno Krumins, Member of the Order of Australia, as Governor's Deputy of South Australia for the period from 9 a.m. on Tuesday, 30 December 2003 until 9 a.m. on Tuesday, 20 January 2004.

By command,

J. WEATHERILL, for Acting Premier

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable Lea Stevens, Minister for Health and Minister Assisting the Premier in Social Inclusion to be also Acting Minister for Agriculture, Food and Fisheries and Acting Minister for Mineral Resources Development for the period 25 December 2003 to 18 January 2004 inclusive, during the absence of the Honourable Paul Holloway, MLC.

By command,

J. WEATHERILL, for Acting Premier

DPC 082/94PT1CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable John David Hill, Minister for Environment and Conservation, Minister for the River Murray, Minister for the Southern Suburbs and Minister Assisting the Premier in the Arts to be also Acting Minister for Infrastructure, Acting Minister for Energy and Acting Minister for Emergency Services for the period 12 January 2004 to 18 January 2004, inclusive, during the absence of the Honourable Patrick Frederick Conlon, MP.

By command,

J. WEATHERILL, for Acting Premier

DPC 082/94PT1CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable Paul Holloway, Minister for Agriculture, Food and Fisheries and Minister for Mineral Resources Development to be also Acting Minister for Infrastructure, Acting Minister for Energy and Acting Minister for Emergency Services for the period 19 January 2004 to 6 February 2004 inclusive, during the absence of the Honourable Patrick Frederick Conlon, MP.

By command,

J. WEATHERILL, for Acting Premier

DPC 082/94PT1CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable Patricia Lynne White, Minister for Education and Children's Services to be also Acting Attorney-General, Acting Minister for Justice, Acting Minister for Consumer Affairs and Acting Minister for Multicultural Affairs for the period 25 December 2003 to 11 January 2004 inclusive, during the absence of the Honourable Michael John Atkinson, MP.

By command,

J. WEATHERILL, for Acting Premier

DPC 082/94PT1CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable John David Hill, Minister for Environment and Conservation, Minister for the River Murray, Minister for the Southern Suburbs and Minister Assisting the Premier in the Arts to be also Acting Minister for Aboriginal Affairs and Reconciliation and Acting Minister for Correctional Services for the period 12 January 2004 to 18 January 2004 inclusive, during the absence of the Honourable Terance Gerald Roberts, MLC.

By command,

J. WEATHERILL, for Acting Premier

DPC 082/94PT1CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable Stephanie Wendy Key, Minister for Social Justice, Minister for Housing, Minister for Youth and Minister for the Status of Women to be also Acting Minister for Urban Development and Planning, Acting Minister for Administrative Services and Acting Minister for Gambling for the period 18 January 2004 to 30 January 2004 inclusive, during the absence of the Honourable Jay Wilson Weatherill, MP.

By command,

J. WEATHERILL, for Acting Premier

DTUP CE00009/03CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable John David Hill, Minister for Environment and Conservation, Minister for the River Murray, Minister for the Southern Suburbs and Minister Assisting the Premier in the Arts to be also Acting Deputy Premier, Acting Treasurer, Acting Minister Assisting the Premier in Economic

Development, Acting Minister for Police and Acting Minister for Federal/State Relations for the period 30 January 2004 to 2 February 2004 inclusive, during the absence of the Honourable Kevin Owen Foley, MP.

By command,

J. WEATHERILL, for Acting Premier

DTF 116/03CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable John David Hill, Minister for Environment and Conservation, Minister for the River Murray, Minister for the Southern Suburbs and Minister Assisting the Premier in the Arts to be also Acting Deputy Premier, Acting Treasurer, Acting Minister Assisting the Premier in Economic Development, Acting Minister for Police and Acting Minister for Federal/State Relations for the period 4 February 2004 to 8 February 2004 inclusive, during the absence of the Honourable Kevin Owen Foley, MP.

By command,

J. WEATHERILL, for Acting Premier

DTF 114/03CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable Patrick Frederick Conlon, Minister for Infrastructure, Minister for Energy and Minister for Emergency Services to be also Acting Deputy Premier, Acting Treasurer, Acting Minister Assisting the Premier in Economic Development, Acting Minister for Police and Acting Minister for Federal/State Relations for the period 9 February 2004 to 14 February 2004 inclusive, during the absence of the Honourable Kevin Owen Foley, MP.

By command,

J. WEATHERILL, for Acting Premier

DTF 114/03CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has been pleased to appoint Roger Sexton to the position of Chief Executive, Office of the Venture Capital Board, for a term of two years commencing on 18 December 2003, pursuant to Part 4 of the Public Sector Management Act 1995.

By command,

J. WEATHERILL, for Acting Premier

DBMT 160/003/021CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has been pleased to appoint John Maxwell Harley to the position of Public Advocate for a period of five years commencing on 14 January 2004 and expiring on 13 January 2009, pursuant to Section 19 of the Guardianship and Administration Act 1993.

By command,

J. WEATHERILL, for Acting Premier

DHS 73/03CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has been pleased to appoint John Gilbert Carey as a Competition Commissioner for the period 1 January 2004 to 31 December 2005, pursuant to Section 5 of the Government Business Enterprises (Competition) Act 1996.

By command,

J. WEATHERILL, for Acting Premier

DPC 039/03CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has been pleased to appoint Dr Jonathon Phillips as Chief Advisor in Psychiatry for a term commencing on 18 December 2003 and expiring on 17 August 2006, pursuant to Section 6 of the Mental Health Act 1993.

By command,

J. WEATHERILL, for Acting Premier

DHS 55/02CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has revoked the appointment of Robert David Park as a Deputy President on the Guardianship Board effective from 1 January 2004, pursuant to the Guardianship and Administration Act 1993 and the Acts Interpretation Act 1915.

By command,

J. WEATHERILL, for Acting Premier

MSJ 026/03CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has been pleased to appoint Robert David Park as the President to the Guardianship Board for a five year term commencing on 1 January 2004, pursuant to the Guardianship and Administration Act 1993.

By command,

J. WEATHERILL, for Acting Premier

MSJ 026/03CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has been pleased to appoint the persons listed as Justices of the Peace for South Australia, pursuant to Section 4 of the Justices of the Peace Act 1991.

Meredith Fiona Jane Baker  
Kelvin John Cannon  
Nino Colasante  
Cheri Joy Healy  
Andrew Michael Jelly  
Neale Maurice McLeod  
Carlo Phillip Mancini  
James Johnston Knox Mitchell  
Michael John Olive  
Bruce Allan Popplewell  
Simon Jeffrey Richards  
Karen Kaye Kirvan Trevena  
Ricky Trigg

By command,

J. WEATHERILL, for Acting Premier

ATTG 0039/03CS

Department of the Premier and Cabinet  
Adelaide, 18 December 2003

HER Excellency the Governor in Executive Council has removed from office the Justices of the Peace listed, pursuant to Section 6 of the Justices of the Peace Act 1991.

Gayle Anne Adams  
Graham Walter Bain  
Ian Kelvin Benjamin  
James Jeffrey Dadds  
Anthony Bernard Donnellan  
Diana Dibbins  
Norman Mons Dickson  
Christopher Robert Lloyd Diggins  
Colin Lawrence Ekers  
Alan Darrell Furler  
Ronald Stuart Wheatley Gaunt  
Beryl Patricia Hutchinson  
John Ivanoff  
Jeffrey Allan McDonald  
Annette Michelle Maddock  
Helen Therese Mallamo  
Christine Kaye Nancarrow  
John Francis Neale  
Harry Herman Hendrick Eduard Ostendorf  
Margaret Fay Pierson  
Lynette Elizabeth Reichstein  
Monica Simms  
Leighton Smith  
Susanna Surace  
Sonja Rose Van Amstel  
Kevin Kenneth Geoffrey Wilkins  
Max Erwin Zanker

By command,

J. WEATHERILL, for Acting Premier

ATTG 0046/03CS

## CONTROLLED SUBSTANCES ACT 1984

### *Prohibition*

TAKE notice that on 8 December 2003, the Minister for Health issued an order pursuant to section 57 (1) of the Controlled Substances Act 1984 in respect of:

Dr Donald Stevenson Smith  
49 Glen Osmond Road  
Eastwood, S.A. 5063

prohibiting him from supplying, prescribing, administering or having possession of any Prescription Drug being a Declared Drug of Dependence.

This order does not apply to any drug lawfully supplied or prescribed for the treatment of Dr Smith by another medical practitioner or dentist or by a veterinary surgeon for the treatment of an animal in his care. This order remains in force until revoked by the Minister for Health.

K. EVANS, operating under delegated authority pursuant to the Controlled Substances Act 1984, acting for and on behalf of the Minister for Health

## CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I, JOHN HILL, Minister for Environment and Conservation, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY:

1. Resume the lands defined in The First Schedule.
2. Dedicate the Crown Land defined in The Second Schedule as Recreation Reserves (two) and declare that such land shall be under the care, control and management of the Alexandrina Council.
3. Dedicate the Crown Land defined in The Third Schedule as a Caravan and Camping Reserve and declare that such land shall be under the care, control and management of the Alexandrina Council.

4. Dedicate the Crown Land defined in The Fourth Schedule as Public Roads.

#### The First Schedule

1. Recreation Reserve, now numbered as section 331, Hundred of Alexandrina, the proclamation of which was published in the *Government Gazette* of 9 October 1919 at pages 883 and 884, The Second Schedule, being the whole of the land contained in Crown Record Volume 5652 Folio 531.
2. Recreation Reserve, now numbered as allotment 1 of FP 40909, Hundreds of Bremer and Alexandrina, County of Hindmarsh, the proclamation of which was published in the *Government Gazette* of 12 July 1973 at page 112, The Fourth Schedule, being the whole of the land contained in Crown Record Volume 5647 Folio 301.
3. Portion of Recreation Reserve, section 182, Hundred of Alexandrina, County of Hindmarsh, the notice of which, together with other land was published in the *Government Gazette* of 22 January 1987 at page 177, The Second Schedule, being portion of the land contained in Crown Record Volume 5623 Folio 722.

#### The Second Schedule

Allotment 5 of DP 60618, Hundred of Alexandrina and allotment 7 of DP 60618, Hundreds of Alexandrina and Bremer, County of Hindmarsh, exclusive of all necessary roads.

#### The Third Schedule

Allotment 6 of DP 60618, Hundreds of Alexandrina and Bremer, County of Hindmarsh, exclusive of all necessary roads.

#### The Fourth Schedule

Allotments 8 and 9 of DP 60618, Hundreds of Alexandrina and Bremer, County of Hindmarsh, being within the Alexandrina district.

Dated 18 December 2003.

J. HILL, Minister for Environment and Conservation

DENR 12/0453

### DEVELOPMENT ACT 1993

#### *Alteration to the South Australian Housing Code*

##### *Preamble*

The Development Act 1993 requires that where a Code is adopted by the Regulations, notice of the alteration must be published before the alteration can take effect.

##### NOTICE

PURSUANT to sections 4 (7) and 108 (7) of the Development Act 1993, notice is given of an alteration to the 2002 edition of the South Australian Housing Code, which is called up in the South Australian Appendix to Volume Two of the Building Code of Australia 1996 edition, that alteration being Amendment No. 11 as published by Planning SA.

The alterations made by Amendment No. 11 to the South Australian Housing Code will take effect for the purposes of the Development Act 1993 on 26 January 2004.

Dated 18 December 2003.

J. WALSH, as Minister's Delegate, Executive Director, Planning SA

### DEVELOPMENT ACT 1993, SECTION 25 (17): CITY OF PLAYFORD—ELIZABETH REGIONAL CENTRE PLAN AMENDMENT

##### *Preamble*

1. The Development Plan amendment entitled 'City of Playford—Elizabeth Regional Centre Plan Amendment' (the Plan Amendment) has been finalised in accordance with the provisions of the Development Act 1993.

2. The Minister for Urban Development and Planning has decided to approve the Plan Amendment.

##### NOTICE

PURSUANT to section 25 of the Development Act 1993, I—

- (a) approve the Plan Amendment; and
- (b) fix the day on which this notice is published in the *Gazette* as the day on which the Plan Amendment will come into operation.

Dated 18 December 2003.

J. WEATHERILL, Minister for Urban Development and Planning

PLN 01/0530

### DEVELOPMENT ACT 1993, PORT ADELAIDE ENFIELD (CITY)—INDUSTRY (RESOURCE RECOVERY) ZONE PLAN AMENDMENT REPORT PREPARED BY THE MINISTER

#### *Draft For Public Consultation*

NOTICE is hereby given that the Minister for Urban Development and Planning has, pursuant to sections 24 and 26 of the Development Act 1993, prepared a draft Plan Amendment Report (PAR) to amend the Port Adelaide Enfield (City) Development Plan.

The draft PAR proposes to amend the Development Plan by introducing a new Industry (Resource Recovery) Zone, with associated objectives and principles of development control, to guide future waste management activities in part of the Gillman/Wingfield area.

The draft PAR will be on public consultation from 18 December 2003 to 18 February 2004.

Copies of the draft PAR are available during normal office hours at the Department for Transport and Urban Planning (Planning SA), Level 5, 136 North Terrace, Adelaide, or can be viewed on the Internet at:

[www.planning.sa.gov.au/resourcerecovery](http://www.planning.sa.gov.au/resourcerecovery). Alternatively the draft PAR is available for viewing during normal office hours at the Port Adelaide Enfield Council offices located at 163 St Vincent Street, Port Adelaide.

Written submissions regarding the draft PAR should be submitted no later than 5 p.m. on 18 February 2004. All submissions should be addressed to the Presiding Member, Development Policy Advisory Committee, c/o Steven Copus, G.P.O. Box 1815, Adelaide, S.A. 5001 and should clearly indicate whether you wish to be heard in support of your submission at the public hearing. If you wish to lodge your submission electronically, please email it to the Presiding Member, Development Policy Advisory Committee at: [copus.steven@saugov.sa.gov.au](mailto:copus.steven@saugov.sa.gov.au).

Copies of all submissions will be available for inspection by interested persons at Planning SA, Level 5, 136 North Terrace, Adelaide, or can be viewed on the Internet at: [www.planning.sa.gov.au/resourcerecovery](http://www.planning.sa.gov.au/resourcerecovery) from 5 p.m. on 18 February 2004 until the conclusion of the public hearing.

A public hearing will be held on 3 March 2004 at 7.30 p.m. at the City of Port Adelaide Enfield Town Hall, 163 St. Vincent Street, Port Adelaide, at which time interested persons may appear to be heard in relation to the draft PAR and the submissions. The public hearing will not be held if no submissions are received or if no submission makes a request to be heard.

If you would like further information about the draft PAR, contact Steven Copus of Planning SA on telephone 8303 0656 or via email at: [copus.steven@saugov.sa.gov.au](mailto:copus.steven@saugov.sa.gov.au).

P. COCKRUM, Secretary, Development Policy Advisory Committee

## ENVIRONMENT PROTECTION ACT 1993

*Approval of Additional Collection Depots*

I, STEPHEN RICHARD SMITH, Senior Adviser, Container Deposit Legislation, and Delegate of the Environment Protection Authority ('the Authority'), pursuant to section 69 of the Environment Protection Act 1993 (SA) ('the Act') hereby:

Vary the approval of the collection depot listed in Schedule 1 of this notice and identified by reference to the following matters:

- (a) the name of the collection depot described in column 1 of Schedule 1 of this Notice;
- (b) the name of the proprietor of the depot identified in column 3 of Schedule 1 of this Notice;
- (c) the location of the depot described in columns 4-6 of Schedule 1 of this Notice; and
- (d) the collection area in relation to which the collection depot is approved referred to in column 7 of Schedule 2 of this Notice.

The collection depot listed at Schedule 1 of this Notice is now approved in relation to all classes of containers that were approved under the Act, at or subsequent to the date of this Notice, as Category B Containers.

## SCHEDULE 1

*Variations to Approved Collection Depots*

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Depot Name	Company/ Trading Name	Proprietors	Depot Location Street	Depot Location Suburb	Certificate of Title No. Volume/Folio No.	Collection Area
Leo's Can & Bottle Collection Depot	Leo's Can & Bottle	Arthur Wrigley	142 Findon Road	Findon	n/a	Southern

## FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

## SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in waters of Spencer Gulf north and west of the line commencing at position latitude 33°16.00'S, longitude 137°50.00'E, then to position latitude 33°09.00'S, longitude 137°41.00'E, then to position latitude 33°16.00'S, longitude 137°33.00'E, then to position latitude 33°21.00'S, longitude 137°32.50'E, then to position latitude 33°25.00'S, longitude 137°29.00'E, then to position latitude 33°25.00'S, longitude 137°21.00'E.

## SCHEDULE 2

2030 hours on 17 December 2003 to 0600 hours on 20 December 2003.

Dated 15 December 2003.

J. PRESSER, Principal Fisheries Manager

P047/03

## FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

## SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in waters of Spencer Gulf within the area commencing at position latitude 33°22.00'S, longitude 137°34.00'E, then to position latitude 33°22.00'S, longitude 137°37.00'E, then to position latitude 33°30.00'S, longitude 137°37.00'E, then to position latitude 33°30.00'S, longitude 137°34.00'E, then back to position latitude 33°22.00'S, longitude 137°34.00'E.

## SCHEDULE 2

2030 hours on 17 December 2003 to 0600 hours on 22 December 2003.

Dated 15 December 2003.

J. PRESSER, Principal Fisheries Manager

P049/03

## FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

## SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in waters of Spencer Gulf north and west of a line commencing at position latitude 33°16.20'S, longitude 137°50.00'E, then to position latitude 33°09.20'S, longitude 137°41.00'E, then to position latitude 33°16.00'S, longitude 137°33.20'E, then to position latitude 33°21.00'S, longitude 137°32.70'E, then to position latitude 33°25.00'S, longitude 137°29.00'E, then back to position latitude 33°25.00'S, longitude 137°21.00'E.

## SCHEDULE 2

2030 hours on 20 December 2003 to 0600 hours on 22 December 2003.

Dated 15 December 2003.

J. PRESSER, Principal Fisheries Manager

P048/03

## FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

## SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in waters of Spencer Gulf within the area commencing at position latitude 33°19.00'S, longitude 137°51.00'E, then to position latitude 33°22.30'S, longitude 137°47.30'E, then to position latitude 33°37.00'S, longitude 137°33.00'E, then to position latitude 33°46.00'S, longitude 137°44.00'E.

## SCHEDULE 2

2030 hours on 17 December 2003 to 0600 hours on 24 December 2003.

Dated 15 December 2003.

J. PRESSER, Principal Fisheries Manager

P050/03

## FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

## SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in waters of Spencer Gulf within the area commencing at position latitude 33°38.00'S, longitude 137°13.00'E, then to position latitude 33°45.00'S, longitude 137°24.00'E, then to position latitude 33°52.00'S, longitude 137°17.00'E, then to position latitude 33°55.00'S, longitude 137°20.00'E, then to position latitude 34°02.00'S, longitude 137°01.00'E, then to position latitude 34°00.00'S, longitude 136°59.00'E, then to position latitude 34°06.00'S, longitude 136°46.00'E, then to position latitude 33°57.00'S, longitude 136°33.00'E.

## SCHEDULE 2

2030 hours on 17 December 2003 to 0600 hours on 22 December 2003.

Dated 15 December 2003.

J. PRESSER, Principal Fisheries Manager

P051/03

## FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

## SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in waters of Spencer Gulf north of a line commencing at position latitude 34°08.00'S, longitude 137°35.00'E, then to position latitude 34°08.00'S, longitude 136°49.00'E, then to position latitude 33°57.00'S, longitude 136°33.00'E.

## SCHEDULE 2

2030 hours on 22 December 2003 to 0600 hours on 24 December 2003.

Dated 15 December 2003.

J. PRESSER, Principal Fisheries Manager

P052/03

## FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

## SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in waters of Spencer Gulf within the area commencing at position latitude 34°19.00'S, longitude 137°30.00'E, then to position latitude 34°19.00'S, longitude 137°20.00'E, then to position latitude 34°23.00'S, longitude 137°15.00'E, then to position latitude 34°54.00'S, longitude 137°15.00'E.

## SCHEDULE 2

2030 hours on 17 December 2003 to 0600 hours on 24 December 2003.

Dated 15 December 2003.

J. PRESSER, Principal Fisheries Manager

P053/03

## FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

## SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in all waters of Spencer Gulf.

## SCHEDULE 2

From 0600 hours to 2030 hours from 18 December to 23 December 2003.

Dated 15 December 2003.

J. PRESSER, Principal Fisheries Manager

P054/03

## FISHERIES ACT 1982: SECTION 43

TAKE note that the notice number D046/03 made under Section 43 of the Fisheries Act 1982, and published in the *South Australian Government Gazette*, page 4262, dated 27 November 2003 being the fifth notice on that page, referring to the Spencer Gulf prawn fishery, is hereby revoked from 2030 hours on 17 November 2003.

Dated 15 December 2003.

J. PRESSER, Principal Fisheries Manager

R024-03

## FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to take the species listed in Schedule 1 from the area described in Schedule 2 during the period commencing on 15 December 2003 and ending on 31 January 2004.

## SCHEDULE 1

All filter-feeding shellfish including, but not limited to, oysters, mussels, scallops, cockles and razorfish.

## SCHEDULE 2

All waters of Smoky Bay between the high water mark and a notional line running 15 km parallel to the high water mark along the coastline between Windip Hill and Cape D'Estrees and including the waters around Eyre Island.

Dated 15 December 2003.

W. ZACHARIN, Director of Fisheries, Delegate of the Minister for Agriculture, Food and Fisheries

## GAS ACT 1997: APPROVAL AND LABELLING OF GAS APPLIANCES

*Notice by the Technical Regulator*

PURSUANT to section 60 of the Gas Act 1997, I:

- (a) declare gas appliances to which a certification approval scheme operated by the Australian Gas Industry Product Certification Schemes Limited (ACN 004 206 044) applies that are defined within the certification approval scheme as Type A gas appliances to be a declared class of gas appliances for the purposes of that section; and
- (b) declare the Australian Gas Industry Product Certification Schemes Limited (ACN 004 206 044) to be a declared body for the purposes of that section.

Dated 15 December 2003.

R. FAUNT, Technical Regulator

## HOUSING IMPROVEMENT ACT 1940

WHEREAS by notice published in the *Government Gazette* on the dates mentioned in the following table the South Australian Housing Trust did declare the houses described in the said table to be substandard for the purposes of Part 7 of the Housing Improvement Act 1940, the South Australian Housing Trust in the exercise of the powers conferred by the said Part, does hereby fix as the maximum rental per week which shall be payable subject to section 55 of the Residential Tenancies Act 1995, in respect of each house described in the following table the amount shown in the said table opposite the description of such house and this notice shall come into force on the date of this publication in the *Gazette*.

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published	Maximum rental per week payable in respect of each house \$
		Volume	Folio		
45 First Avenue, Forestville	Allotment 237 in Filed Plan 9319, Hundred of Adelaide	5224	987	30.10.03, page 3902	140.00
26 Bradford Road, Goolwa Beach	Allotment 820 in Deposited Plan 6596, Hundred of Goolwa	5252	61	25.9.03, page 3620	95.00
8 Whysall Road, Greenacres	Allotment 394 in Deposited Plan 3732, Hundred of Yatala	5345	875	25.9.03, page 3620	85.00
22 and 22A South Terrace, Kapunda	Allotment 327 of portion of section 1469, Hundred of Kapunda	5773	733	27.11.80, page 1995	—
17 Way Street, Kapunda	Allotment 91 in Filed Plan 174445, portion of section 1402, Hundred of Kapunda	5860	907	4.1.01, page 13	130.00
26 Gynea Way, Ingle Farm	Allotment 981 in Deposited Plan 9189, Hundred of Yatala	5563	614	25.9.03, page 3620	100.00
73 Nashwauk Crescent, Moana (also known as 324 Esplanade)	Allotment 1 in Deposited Plan 3752, Hundred of Willunga	5348	386	24.7.03, page 3086	100.00
4 Cobby Drive, Modbury Heights	Allotment 222 in Deposited Plan 9754, Hundred of Yatala	5405	45	25.9.03, page 3620	120.00
129 Mead Street, Peterhead	Allotment 77 of portion of section 1099, Hundred of Port Adelaide	5717	380	17.9.70, page 1279	100.00
39 Da Costa Avenue, Prospect	Allotment 86 of portion of section 348, Hundred of Yatala	5723	450	29.6.95, page 3061	135.00
234A Henley Beach Road, Torrensville	Allotment 42 in Filed Plan 122836, Hundred of Adelaide	5718	666	6.1.01, page 13	170.00
Front Shack at 14 Walls Street, Whyalla	Allotment 60, Town of Whyalla, Hundred of Randell	5320	806	17.9.70, page 1279	90.00
Rear Shack at 14 Walls Street, Whyalla	Allotment 60, Town of Whyalla, Hundred of Randell	5320	806	17.9.70, page 1279	5.00

Dated at Adelaide, 18 December 2003.

M. DOWNIE, General Manager, Housing Trust



## HOUSING IMPROVEMENT ACT 1940

WHEREAS by notice published in the *Government Gazette* on the dates mentioned in the following table the South Australian Housing Trust did declare the houses described in the said table to be substandard for the purposes of Part 7 of the Housing Improvement Act 1940, and whereas the South Australian Housing Trust is satisfied that each of the houses described hereunder has ceased to be substandard, notice is hereby given that, in exercise of the powers conferred by the said Part, the South Australian Housing Trust does hereby revoke the said declaration in respect of each house.

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published
		Volume	Folio	
24 Sturt Avenue, Colonel Light Gardens	Allotment 619 in Deposited Plan 3171, Hundred of Adelaide	5152	936	24.4.97, page 1622
20 Booyoolie Street, Laura	Allotment 1 of portion of section 6 in the area of Laura	5395	607	11.4.91, page 1221
17 Second Street, Nuriootpa	Allotment 731 of portion of section 156, Hundred of Nuriootpa	5646	823	26.11.92, page 1636
51 Mackay Street, Port Augusta	Allotment 39 of section 104, Hundred of Davenport	5498	328	28.10.93, page 2118
151 Magill Road, Stepney	Allotment 376 in Filed Plan 17333, Hundred of Adelaide	5637	928	29.11.87, page 232
3 Lydia Avenue, Surrey Downs	Allotment 7 in Deposited Plan 7615, Hundred of Yatala	5510	984	25.9.03, page 3620
10 Torrens Avenue, West Hindmarsh	Allotment 8 of part section 372, Hundred of Yatala	5741	896	3.6.76, page 2915

Dated at Adelaide, 18 December 2003.

M. DOWNIE, General Manager, Housing Trust

## LAND ACQUISITION ACT 1969

*Notice of Acquisition*

SOUTH AUSTRALIAN WATER CORPORATION, (the Authority), Level 15, SA Water House, 77 Grenfell Street, Adelaide, S.A. 5000 acquires the following interests in the following land:

Comprising the fee simple of that piece of land being portion of allotment 118 in filed plan 37009, Hundreds of Encounter Bay and Goolwa and being portion of the land comprised and described in Certificate of Title volume 5891, folio 121 and more particularly delineated as allotment 101 in Deposited Plan No. 63628 subject to an easement for sewerage purposes over portion of the said land marked 'E' as created by Acquisition No. 9509333.

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

*Compensation*

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

*Inquiries*

Inquiries should be directed to:

The Property Manager  
SA Water Corporation  
Level 15, SA Water House  
77 Grenfell Street  
Adelaide, S.A. 5000

Telephone No. 8204 1674

Dated 18 December 2003.

A. CARUSO for E. LEWANDOWSKI, Manager  
Property, By order of the Authority

## LAND ACQUISITION ACT 1969

## (SECTION 16)

*Notice of Acquisition*

THE COMMISSIONER OF HIGHWAYS, Level 12, Roma Mitchell House, 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

Firstly, comprising the fee simple of that piece of land situated on The Parade, Kensington, being portion of the land contained in certificate of title register book volume 5271, folio 948 and being the whole of the land described as Allotment 11 in the plan lodged in the Registrar-General's Office and numbered DP 61746.

Secondly, comprising the fee simple of that piece of land situated on The Parade, Kensington, being portion of the land contained in certificate of title register book volume 5186, folio 227 and being the whole of the land described as Allotment 10 in the plan lodged in the Registrar-General's Office and numbered DP 61746.

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

*Compensation*

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

*Inquiries*

Inquiries should be directed to:

Charles Bertram,  
Transport SA,  
P.O. Box 1,  
Walkerville, S.A. 5081  
Phone (08) 8343 2453

Dated 11 December 2003.

The Common Seal of the Commissioner of Highways was affixed hereto by the authority of the Minister in the presence of:

D. WOODS, Manager, Land Acquisition  
and Disposal, Transport SA

## LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Barrick Pty Ltd has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 55 Twartz Road, Roseworthy, S.A. 5371 and to be known as Misty Rose Limousine & Vintage Cars.

The application has been set down for hearing on 16 January 2004 at 9 a.m.

*Conditions*

The following licence conditions are sought:

- To sell liquor in accordance with section 40 of the Liquor Licensing Act 1997 and any other conditions of this licence.
- For consumption on or adjacent to the licensed vehicles (provided that the passengers are always under the supervision and control of the drivers of the subject vehicles) on any day at any time (except Good Friday).
- The Extended Trading Authorisation does not allow trading between the hours of midnight and 5 a.m. on Good Friday, the day after Good Friday or the day after Christmas Day.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 2 December 2003.

Applicant

## LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Michael Keith Hackett and Francesca Hackett, c/o Kelly & Co., Level 17, Santos House, 91 King William Street, Adelaide, S.A. 5000 have applied to the Licensing Authority for the transfer of a Hotel Licence, Extended Trading Authorisation and Entertainment Consent in respect of premises situated at Weymouth Street, Manoora, S.A. 5414 and known as Manoora Hotel.

The application has been set down for hearing on 16 January 2004 at 9 a.m.

*Conditions*

The following licence conditions are sought:

- Extended Trading Authorisation to apply to Areas 1 to 3 during the following hours:
  - Friday and Saturday: Midnight to 2 a.m. the following day;
  - Sunday preceding a Monday Public Holiday: 8 a.m. to 11 a.m. and 8 p.m. to 10 p.m.;
  - Christmas Day: Midnight to 2 a.m. the following day.
- Entertainment Consent to apply to Area 2 during the following hours:
  - Friday and Saturday: 11 a.m. to 2 a.m. the following day;
  - Sunday: 11 a.m. to 8 p.m.;
  - Sunday preceding a Monday Public Holiday: 11 a.m. to 10 p.m.;
  - The day preceding Christmas Day: 11 a.m. to 2 a.m. the following day;
  - The day preceding New Year's Day: 11 a.m. to 2 a.m. the following day.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 10 December 2003.

Applicants

## LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Norman Edward Stoeckel has applied to the Licensing Authority for a Residential Licence, an Extended Trading Authorisation and an Entertainment Consent in respect of premises situated at 1 Museum Drive, Paringa, S.A. 5340 and to be known as Paringa House B & B Stone Cottages.

The application has been set down for hearing on 16 January 2004 at 9 a.m.

*Conditions*

The following licence conditions are sought:

- Extended Trading Authorisation—Sunday: 8 p.m. to 9 p.m.
- Approval pursuant to section 33 (1) (b) to serve liquor without a meal to persons:
  - (a) seated at a table; and
  - (b) attending a function at which food is provided.
- Entertainment Consent is sought in areas shown on the plan lodged with this office.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 11 December 2003.

Applicant

## LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Lady Bay Vineyard Pty Ltd, c/o David Watts and Associates, Liquor Licensing Consultants, has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Lot 1002, Willis Road, Yankalilla, S.A. 5203 and to be known as Lady Bay Vineyard.

The application has been set down for hearing on 16 January 2004 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Applicant

## LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Woolworths Limited, 599 Main North Road, Gepps Cross, S.A. 5094 has applied to the Licensing Authority for the removal of a Retail Liquor Merchant's Licence in respect of premises situated at 445-449 Main North Road, Enfield and known as BWS—Beer Wine Spirits to premises situated at 398 Main North Road, Blair Athol, S.A. 5084 and to be known as BWS.

The application has been set down for hearing on 16 January 2004 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 8 December 2003.

Applicant

---

## LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that McLaren Wines Pty Ltd, has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 44 Kestrel Terrace, Aldinga Beach, S.A. 5173 and to be known as McLaren Wines.

The application has been set down for hearing on 16 January 2004 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 9 December 2003.

Applicant

---

## LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Sueanne and Sean Delaney have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Lot 3, Colonial Drive, Norton Summit, S.A. 5136 and known as Sinclairs Gully.

The application has been set down for hearing on 16 January 2004 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 10 December 2003.

Applicants

---

## LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Aberex Pty Ltd as Trustee for the Russell Hotel Trust, c/o Duncan Basheer Hannon, has applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence with a variation to the Extended Trading Authorisation in respect of premises situated at 126 Port Road, Hindmarsh, S.A. 5007 and known as the Territorian Pub.

The application has been set down for hearing on 16 January 2004 at 9 a.m.

*Conditions*

The following licence conditions are sought:

A variation to the Extended Trading Authorisation from midnight to 5 a.m. the following day on Monday to Sunday inclusive.

The current Extended Trading Authorisation is from midnight to 3 a.m. the following day on Monday to Saturday and 8 p.m. to midnight on Sunday.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 15 December 2003.

Applicant

---

## LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Peter Frank Moore and Rosslyn Burgess Moore, c/o Foreman Legal, 69 Mount Barker Road, Stirling, S.A. 5152 have applied to the Licensing Authority for the transfer of a Hotel Licence in respect of premises situated at Main Street, Carrieton, S.A. 5432 and known as Carrieton Hotel.

The application has been set down for hearing on 19 January 2004 at 11.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 4 December 2003.

Applicants

---

## LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Hotelos Pty Ltd, as Trustee for the Oyster Unit Trust, c/o David Watts and Associates, has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at 10 East Terrace, Adelaide, S.A. 5000 and known as Darley's Oyster and Wine Bar.

The application has been set down for hearing on 19 January 2004 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 10 December 2003.

Applicant

---

LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Neville James Clark and Kayleen Joy Clark, c/o Kelly and Co., Lawyers have applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence in respect of premises situated at Main Street, Wasleys, S.A. 5400 and known as Ridley Arms Hotel.

The application has been set down for hearing on 19 January 2004 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 3 December 2003.

Applicants

---

LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that John and Christine Joan Potts have applied to the Licensing Authority for the transfer of a Residential Licence in respect of premises situated at 30-32 Stuart Street, Melrose, S.A. 5483 and known as Bluey Blundstone's Blacksmith Shop.

The application has been set down for hearing on 19 January 2004.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 8 December 2003.

Applicants

---

LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that SJFH Pty Ltd, as trustee for the Wright and Hill Family Trust, c/o Kelly & Co. Lawyers, has applied to the Licensing Authority for the transfer of a Hotel Licence in respect of premises situated at 1 Hallett Street, Tarlee, S.A. 5411 and known as Sir James Fergusson Hotel.

The application has been set down for hearing on 19 January 2004 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 9 December 2003.

Applicant

---

LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Ivana and Mary Rignanese have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 127 Pirie Street, Adelaide, S.A. 5000 and known as Fontana Di Trevi Restaurant.

The application has been set down for hearing on 20 January 2004 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 10 December 2003.

Applicants

---

LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Wayne Bevin Boden and Stuart Bowman Woolford have applied to the Licensing Authority for the transfer of a Restaurant Licence and Special Circumstances Licence in respect of premises situated at 23 Gilbert Place, Adelaide, S.A. 5000 and known as Red Star Espresso Bar.

The application has been set down for hearing on 20 January 2004.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 10 December 2003.

Applicants

---

LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Just Cos Pty Ltd, c/o Foreman Legal, 69 Mount Barker Road, Stirling, S.A. 5152, has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 18-22 Leigh Street, Adelaide, S.A. 5000 and known as Amadora Restaurant.

The application has been set down for hearing on 20 January 2004 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 11 December 2003.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Perks Hotel Pty Ltd, acting for the Perks Hotels Trust, c/o Foreman Legal has applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence in respect of premises situated at 110 Grenfell Street, Adelaide, S.A. 5000 and known as Players Hotel.

The application has been set down for hearing on 20 January 2004 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 12 December 2003.

Applicant

#### NATIONAL ELECTRICITY (SOUTH AUSTRALIA) ACT 1996

##### NOTICE UNDER SECTION 6 (2) OF THE NATIONAL ELECTRICITY LAW AND NATIONAL ELECTRICITY CODE

##### *Stage 1 of Integrating the Energy Market and Network Services Code Changes*

NOTICE is hereby given pursuant to section 6 (2) of the National Electricity Law, which forms the Schedule to the National Electricity (South Australia) Act 1996; and clause 8.3.9 (d) of the National Electricity Code approved under section 6 of the National Electricity Law, that amendments are made to clauses 3.6.1 and 3.6.2, a new clause is substituted for clause 3.6.2A, new clause 3.6.2B is inserted and Schedule 3.2 is deleted in Chapter 3, and new and amended definitions are inserted in Chapter 10 of the National Electricity Code. These amendments to the National Electricity Code are introduced to implement forward looking loss factors and commence on 1 January 2004.

As required by clause 8.3.9 (d) of the National Electricity Code, a copy of the ACCC's letter granting final authorisation dated 3 October 2002 is set out below.

The amendments referred to above and a copy of the ACCC's letter dated 3 October 2002 can be viewed on the Internet website of National Electricity Code Administrator Limited (ACN 073 942 775) ('NECA') at [www.neca.com.au](http://www.neca.com.au) under 'The Code—Gazette notices' section of that website.

The National Electricity Code can be viewed on the NECA Internet website at [www.neca.com.au](http://www.neca.com.au) and at the offices of NECA and National Electricity Market Management Company Limited (ACN 072 010 327). A list of addresses where the Code can be viewed is available on the NECA website.

Dated 18 December 2003.

#### *ACCC Letter of Authorisation*

3 October 2002

Mr Stephen Kelly  
Managing Director  
NECA  
Level 5, 41 Currie Street  
Adelaide SA 5000

Dear Stephen

#### *Determination—Stage 1 of Integrating the Energy Market and Network Services*

On 27 March 2002, the Australian Competition and Consumer Commission (Commission) received applications for authorisation (A90826, 90827, A90828) of National Electricity Code (code) changes. The purpose of the code changes is to implement the conclusions and recommendations of NECA's stage 1 report into the scope for integrating the energy market and network services. The applications were submitted by the National Electricity Code Administrator (NECA), Under Part VII of the Trade Practices Act 1974 (TPA).

Please find enclosed a copy of the Commission's determination in respect of these applications for authorisation. The Commission's determination outlines its analysis and views on the proposed Code changes. The Commission has granted authorisation, conditional upon a number of amendments to the proposed Code changes being made. The conditions are specified in Chapter 8 of the determination.

In accordance with s.101 of the TPA, a person dissatisfied with the Commission's determination may apply to the Australian Competition Tribunal for a review of the determination. Each application must be lodged on the appropriate form within 21 days of the date of the determination, with the Registrar of the Tribunal. The Tribunal is located in the Office of the Registrar of the Federal Court in each State.

A copy of this letter together with the determination will be placed on the Public Register kept by the Commission.

If you have any queries or require further information please call Maxine Helmling on (02) 6243 1246.

Yours sincerely,

SEBASTIAN ROBERTS,  
Acting General Manager,  
Regulatory Affairs—Electricity

#### NATIONAL PARKS AND WILDLIFE ACT 1972

##### OPEN SEASON FOR THE TAKING OF PROTECTED ANIMALS

##### *Open Season for Ducks*

PURSUANT to section 52 of the National Parks and Wildlife Act 1972, I, John Hill, Minister for Environment and Conservation, being the Minister for the Crown to whom the administration of the National Parks and Wildlife Act is for the time being committed, declare an open season for the taking of protected animals as set out in this notice.

##### 1. *General Open Season*

##### 1.1 *Area of the State*

- 1.1.1 the open season applies to those species of protected animal listed in clause 1.1.2 over the whole of the State, excluding any reserves constituted under the National Parks and Wildlife Act 1972 or any wilderness protection area or any wilderness protection zone constituted under the Wilderness Protection Act 1992, other than the game reserves listed in Clause 2 of this notice.
- 1.1.2 Grey Teal (*Anas gracilis*)  
Chestnut Teal (*Anas castanea*)  
Pacific Black Duck (*Anas superciliosa*)  
Australian Wood Duck (Maned Duck) (*Chenonetta jubata*)  
Australian Shelduck (Mountain Duck) (*Tadorna tadornoides*)  
Pink-eared Duck (*Malacorhynchus membranaceus*)

### 1.2 *Period*

- 1.2.1 Subject to clause 1.2.2 of this notice, the open season for those areas described in Clause 1.1 of this notice is from 6.25 a.m. on Saturday, 14 February 2004 to 5.35 p.m. on Sunday, 27 June 2004.
- 1.2.2 A person shall not, without the written permission of the Director, National Parks and Wildlife, take the abovementioned species of duck during the period between half an hour after sunset on any one day of the open season and a quarter of an hour before sunrise on the next day.

### 2. *Open Season in Game Reserves*

The open season for the taking of the abovementioned species of duck in game reserves is as follows:

#### 2.1 *Chowilla Game Reserve*

##### *Area*

- 2.1.1 The open season applies to all the Reserve, other than, for safety reasons, all of the area within 500 m radius centred upon the Chowilla Homestead, shearing shed, Woolshed Creek, Lock 6 on the River Murray, Coombool Outstation (Homestead), Chowilla Creek, and excluding the wildlife refuge of Coombool Swamp, all waters of Horseshoe Lagoon and land on Punkah Island within 500 m of these waters.

##### *Period*

- 2.1.2 Subject to clause 2.1.3 of this notice, the period of the open season for the Chowilla Game Reserve is:  
 Saturday, 14 February and Sunday, 15 February 2004, 6.25 a.m. to 8.35 p.m.; Saturday, 28 and Sunday, 29 February 2004, 6.35 a.m. to 8.20 p.m.; Saturday, 13 and Sunday, 14 March 2004, 6.55 a.m. to 7.55 p.m.; Saturday, 1 and Sunday, 2 May 2004, 6.30 a.m. to 6 p.m.; Saturday, 22 May and Sunday, 23 May 2004, 6.45 a.m. to 5.40 p.m.; Saturday 5 and Sunday, 6 June 2003, 6.55 a.m. to 5.35 p.m.; Saturday, 19 June and Sunday, 20 June 2004, 7 a.m. to 5.35 p.m.
- 2.1.3 A person shall not, without the written permission of the Director, National Parks and Wildlife, take duck during the period between half an hour after sunset on any one day of the open season and a quarter of an hour before sunrise on the next day.

#### 2.2 *Moorook Game Reserve*

##### *Area*

- 2.2.1 The open season applies to all the Reserve, other than the strip of land 100 m wide on the western boundary of Sections 474, 475 and 476, Hundred of Moorook, County of Albert, adjacent to the Kingston-Loxton Highway.

##### *Period*

- 2.2.2 Subject to clause 2.2.3 of this notice, the period of the open season for the Moorook Game Reserve is:  
 Saturday, 14 February and Sunday, 15 February 2004, 6.25 a.m. to 8.35 p.m.; Saturday, 28 and Sunday, 29 February 2004, 6.35 a.m. to 8.20 p.m.; Saturday, 13 and Sunday, 14 March 2004, 6.55 a.m. to 7.55 p.m.; Saturday, 1 and Sunday, 2 May 2004, 6.30 a.m. to 6 p.m.; Saturday, 22 May and Sunday, 23 May 2004, 6.45 a.m. to 5.40 p.m.; Saturday, 5 and Sunday, 6 June 2003, 6.55 a.m. to 5.35 p.m.; Saturday, 19 June and Sunday, 20 June 2004, 7 a.m. to 5.35 p.m.
- 2.2.3 A person shall not, without the written permission of the Director, National Parks and Wildlife, take duck during the period between half an hour after sunset on any one day of the open season and a quarter of an hour before sunrise on the next day

### 2.3 *Loch Luna Game Reserve*

##### *Area*

- 2.3.1 The open season applies to all creeks and associated backwaters of the Reserve north of the marked navigation channel of Chambers Creek, excluding a 500 m radius of any house or out-building, and within 300 m of any road or bridge; and for safety reasons, the open season does not apply to all of the area within 500 m radius of the homestead of Section 706, McIntosh Division, Hundred of Cobdogla Irrigation Area

Note: Access to Loch Luna is mainly by boat—all hunters should be aware of dangerous quicksand in a number of areas.

##### *Period*

- 2.3.2 Subject to clause 2.3.3 of this notice, the period of the open season for the Loch Luna Game Reserve is:  
 Saturday, 14 February and Sunday, 15 February 2004, 6.25 a.m. to 8.35 p.m.; Saturday, 28 and Sunday, 29 February 2004, 6.35 a.m. to 8.20 p.m.; Saturday, 13 and Sunday, 14 March 2004, 6.55 a.m. to 7.55 p.m.; Saturday, 1 and Sunday, 2 May 2004, 6.30 a.m. to 6 p.m.; Saturday, 22 May and Sunday, 23 May 2004, 6.45 a.m. to 5.40 p.m.; Saturday, 5 and Sunday, 6 June 2003, 6.55 a.m. to 5.35 p.m.; Saturday, 19 June and Sunday, 20 June 2004, 7 a.m. to 5.35 p.m.
- 2.3.3 A person shall not, without the written permission of the Director, National Parks and Wildlife, take duck during the period between half an hour after sunset on any one day of the open season and a quarter of an hour before sunrise on the next day.

#### 2.4 *Tolderol Game Reserve*

##### *Area*

- 2.4.1 The open season applies to all the Reserve, other than, Section 349, Hundred of Freeling, County of Sturt, as the area containing the ponded wetlands.

##### *Period*

- 2.4.2 Subject to clause 2.4.3 of this notice, the period of the open season for the Tolderol Game Reserve is:  
 Saturday, 14 February 2004 from 6.25 a.m. to 5.35 p.m. on Sunday, 27 June 2004.
- 2.4.3 A person shall not, without the written permission of the Director, National Parks and Wildlife, take duck during the period between half an hour after sunset on any one day of the open season and a quarter of an hour before sunrise on the next day.

#### 2.5 *Currency Creek Game Reserve, Lake Robe Game Reserve, Mud Islands Game Reserve and Bucks Lake Game Reserve.*

##### *Area*

- 2.5.1 The open season applies to the whole area of the Reserves.

##### *Period*

- 2.5.2 Subject to clause 2.5.3 of this notice, the period of the open season for the Currency Creek Game Reserve, Lake Robe Game Reserve, Mud Islands Game Reserve and Bucks Lake Game Reserve is:  
 Saturday, 14 February 2004 from 6.25 a.m. to 5.35 p.m. on Sunday, 27 June 2004.
- 2.5.3 A person shall not, without the written permission of the Director, National Parks and Wildlife, take duck during the period between half an hour after sunset on any one day of the open season and a quarter of an hour before sunrise on the next day.

#### 2.6 *Poocher Swamp Game Reserve*

##### *Area*

- 2.6.1 The Open season applies to all of the Reserve.

*Period*

2.6.2 Subject to clause 2.6.3 of this notice, the period of the open season for Poocher Swamp Game Reserve is:

Saturday, 14 February 2004 from 6.25 a.m. until 12 p.m. and Saturday, 28 February from 6.35 a.m. until 12 p.m.

2.6.3 A person shall not, without the written permission of the Director, National Parks and Wildlife, take duck during the period between half an hour after sunset on any one day of the open season and a quarter of an hour before sunrise on the next day.

3. *Prohibition Against Taking Eggs*

3.1 A person shall not take duck eggs during the open season.

4. *Bag Limit*

4.1 For the abovementioned open season, there is no bag limit on Australian Wood Duck (Maned Duck) (*Chenonetta jubata*)

4.2 On the first day of the open season, a person shall not have possession, or control, of more than 8 protected animals of the following species:

Grey Teal (*Anas gracilis*)  
Chestnut Teal (*Anas castanea*)  
Pacific Black Duck (*Anas superciliosa*)  
Australian Shelduck (Mountain Duck) (*Tadorna tadornoides*)  
Pink-eared Duck (*Malacorhynchus membranaceus*)

4.3 On any other day of the open season, a person shall not take more than 8 protected animals of the following species:

Grey Teal (*Anas gracilis*)  
Chestnut Teal (*Anas castanea*)  
Pacific Black Duck (*Anas superciliosa*)  
Australian Shelduck (Mountain Duck) (*Tadorna tadornoides*)  
Pink-eared Duck (*Malacorhynchus membranaceus*)

Dated 11 December 2003.

J. HILL, Minister for Environment and Conservation

*Open Season for Stubble Quail*

PURSUANT to section 52 of the National Parks and Wildlife Act 1972, I, John Hill, Minister for Environment and Conservation, being the Minister for the Crown to whom the administration of the National Parks and Wildlife Act is for the time being committed, declare an open season for the taking of protected animals as set out in this notice.

1. *General Open Season*1.1 *Area of the State*

1.1.1 the open season applies to those species of protected animal listed in clause 1.1.2 over the whole of the State, excluding any reserves constituted under the National Parks and Wildlife Act 1972 or any wilderness protection area or any wilderness protection zone constituted under the Wilderness Protection Act 1992.

1.1.2 Stubble Quail (*Coturnix pectoralis*)

1.2 *Period*

1.2.1 Subject to clause 1.2.2 of this notice, the open season for those areas described in clause 1.1 of this notice is from 6.25 a.m. on Saturday, 14 February 2004 to 5.35 p.m. on Saturday, 31 July 2004.

1.2.2 A person shall not, without the written permission of the Director, National Parks and Wildlife, take the abovementioned species of quail during the period between sunset on any one day of an open season and sunrise on the next day.

2. *Prohibition Against Taking Eggs*

2.1 A person shall not take quail eggs during the open season.

3. *Bag Limit*

3.1 On the first day of the open season, a person shall not have possession, or control, of more than 25 Stubble Quail (*Coturnix pectoralis*).

3.2 On any other day of the open season, a person shall not take more than 25 Stubble Quail (*Coturnix pectoralis*).

Date 11 December 2003.

J. HILL, Minister for Environment and Conservation

*Hunting on Unalienated Crown Lands*

PURSUANT to section 68B of the National Parks and Wildlife Act 1972 and all other powers, I, John David Hill, Minister for Environment and Conservation, being the Minister for the Crown to whom the administration of the National Parks and Wildlife Act is for the time being committed:

1. Hereby revoke all previous notices in respect of hunting ducks on unalienated Crown lands published pursuant to section 68B of the National Parks and Wildlife Act 1972.

2. Declare that hunting on unalienated Crown land is approved for the 2004 hunting season, with the exception of the following locations:

- Pieces 9 and 10 in Deposited Plan 49150, Hundred of Cadell (Cadell Evaporation Basin).
- Lot 103 in Deposited Plan 46453, Chaffey Irrigation Area (Cooltong Evaporation Basin).
- Allotment 2 in Deposited Plan 34467, Hundred of Waikerie (Hart Lagoon).
- Pieces 2 and 3 in Deposited Plan 46088, Cobdogla Division, Cobdogla Irrigation Area (Cobdogla Evaporation Basin).
- Section 388, Hundred of Holder (Riverfront Reserve) adjacent to Maize Island Lagoon Conservation Park.
- Sections 23, 172, 247, 295 and 296, Hundred of Gordon (Thieles Flat).
- Sections 1781 and 1784, Allotments 3, 4 and 5 in Deposited Plan 23536, Berri Irrigation Area (Berri Evaporation Basin).
- Allotment 99 in Deposited Plan 26809, Hundred of Ettrick.
- The waters of the River Murray within 150 m either side of any lock or weir structure.
- Allotments 1 to 4 in Deposited Plan 23394, Hundreds of Hindmarsh and Riddoch (Lake Leake).
- Section 725, Hundred of Caroline (Eight Mile Creek).
- Section 710, Hundred of Baker.
- Pieces 1, 2, 3, 4, 6, 7, 8, 9 and 10 in Deposited Plan 60311, Hundred of Santo (Morella Basin).
- Section 583, Hundred of Waterhouse (Lake Eliza) and environs.
- Section 582, Hundred of Waterhouse (Lake St Clair) and environs.
- Section 80, Hundred of Lake George (Lake St Clair) and environs.

- Sections 679, 680, 681, 686, 687, 688, 693, 694, 695 and 697, Hundred of Port Gawler (Port Gawler).
- Section 2349, Allotment 60 in Deposited Plan 27952 and Allotment 72 in Deposited Plan 28222, Hundred of Wallaroo (Wallaroo Mines).
- Allotments 10 and 11 in Deposited Plan 52109, Hundred of Goolwa (Goolwa).
- Sections 2082, 2083, 2084 and 2086, Hundred of Kondoparinga (Bullock Hill).
- Section 537, Hundred of Nangkita (Cox Scrub).
- Allotments 2, 3, 4, 5 and 6 in Deposited Plan 36415, Hundred of Seymour.
- Allotment 500 in Deposited Plan 27081, Hundred of Koolywurtie (Porter's Scrub).
- Allotment 1 in Deposited Plan 30408, Hundred of Carribe (Gleeson's Landing).
- Allotment 2 in Deposited Plan 29815, Hundred of Carribe (Gleeson's Landing).
- Allotments 10, 13, 20, 21, 22, 26 and 27 in Deposited Plan 31429, Hundreds of Clinton and Cunningham (Wills Creek).
- Allotment 10 in Deposited Plan 37980, Hundred of Lake Wangary.
- Allotment 2 in Deposited Plan 34847 (Finniss Springs).
- Block 422 in Deposited Plan 832300, Hundred of Kopperamanna (Tirari Desert).
- The Port Adelaide River estuary and Barker Inlet contained within the following area:  
 Extending westerly to the line of Longitude 138°25'0"E, extending northerly to a line of Latitude 34°39'0"S, extending southerly to a line of Latitude 34°51'0"S and extending easterly to the medium high water mark in the Hundreds of Port Gawler and Port Adelaide.
- On land within 2 km from the medium high water mark in the Hundreds of Port Gawler and Port Adelaide.

Dated 11 December 2003.

J. HILL, Minister for Environment and Conservation

PASTORAL LAND MANAGEMENT AND CONSERVATION ACT 1989: SECTION 45

TAKE notice that pursuant to the Pastoral Land Management and Conservation Act 1989, I, John Chappel, Manager, Pastoral Program, Delegate appointed by the Pastoral Board, do hereby dedicate the Pastoral Land defined in The Schedule as a Public Access Route.

THE SCHEDULE

Public Access Route No. 19 (Algebuckina Bridge)—That portion of Pastoral Blocks 2408 and 2432, Out of Hundreds (Oodnadatta) situated between MGA Co-ordinates E0579463, N6914005 and E0580015, N6912149 and E0581072, N6914053 delineated in pastoral map 'Allandale' and 'The Peake' deposited in the Department of Water, Land and Biodiversity Conservation.

Dated 10 December 2003.

J. CHAPPEL, Manager, Pastoral Program

SOUTH AUSTRALIAN HEALTH COMMISSION ACT 1976

*Notice by the Minister*

PURSUANT to section 61 (2) of the South Australian Health Commission Act 1976 ('the Act'), I, Lea Stevens, Minister for Health, being of the opinion that the organisation in the schedule represents the interests of a significant number of officers or employees of incorporated hospitals or incorporated health centres, declare that organisation to be a recognised organisation for the purposes of the Act.

SCHEDULE

Association of Professional Engineers, Scientists and Managers, Australia—South Australian Branch.

LEA STEVENS, Minister for Health

STATE EMERGENCY SERVICE ACT 1987

*Notice of Registration of SES Unit*

NOTICE is hereby given that pursuant to section 9 (1) of the State Emergency Service Act 1987, the following unit is registered as an SES Unit:

South East Headquarters SES Unit

Dated 11 December 2003.

B. F. LANCASTER, Director





## **Christmas/New Year Holiday Publishing Information**

*Last Gazette for 2003 will be Thursday, 18 December 2003*

Closing date for notices for publication will be  
**4 p.m. Tuesday, 16 December 2003**

*First Gazette for 2004 will be Thursday, 8 January 2004*

Closing date for notices for publication will be  
**4 p.m. Tuesday, 6 January 2004**

*(There will **NOT** be a Gazette in the period between these two dates)*

---

**It would be appreciated if *Government Gazette* notices for publication be addressed to:**

**Government Publishing SA**  
Box 9  
Plaza Level  
Riverside Centre  
North Terrace, Adelaide, S.A. 5000

---

**AusDoc subscribers:**

**Government Publishing SA**  
DX 56508

**Facsimile transmission of notices:**

(08) 8207 1040  
Attention: *Government Gazette* Section

**Inquiries telephone: 8207 1045**

---

**Email address for *Government Gazette* notices:**

governmentgazette@saugov.sa.gov.au

When sending a document via Email please confirm your transmission with a faxed copy, including the date the notice is to be published.

South Australia

## Passenger Transport Act 1994—Section 26

### *Delegation by the Minister*

1. Pursuant to section 26(1) of the *Passenger Transport 1994*, I delegate to the persons and body specified in the Schedules the functions and powers of the Minister—

- (a) under the provisions of the Act; or
- (b) under the regulations in force under the Act,

appearing under the respective headings to those Schedules.

2. A function or power delegated by this instrument of delegation may be further delegated.

3. This instrument will take effect on 1 January 2004.

### **Schedule 1—Delegations to the person for the time being holding or acting in the position of Chief Executive of the Department of Transport and Urban Planning**

1. Functions and powers under the following provisions of the Act:

Section 4(1), definition of "**designated taxi-stand**"  
Section 22  
Section 24  
Sections 27 to 31 (inclusive)  
Section 32(1) and (2)  
Section 33(2)  
Section 34(1), (4) and (5)  
Section 35  
Section 36(5) and (6)  
Section 38(5) and (6)  
Section 39(2), (2a)(a), (3), (3b) and (3c)  
Sections 40 to 46 (inclusive)  
Section 47(1), (2) and (3)  
Sections 48 to 50 (inclusive)  
Sections 52 to 54 (inclusive)  
Section 56(8)  
Sections 57(4), definition of "**prescribed officer**"  
Sections 61 to 63 (inclusive)  
Section 64(3)(b)

2. Functions and powers under the following regulations under the *Passenger Transport (General) Regulations 1994*:

Regulation 3(1), definition of "**appropriate driver's licence**"

Regulation 3(1), definition of "**authorised officer**"

Regulation 3(1), definition of "**taxi sign**"

Regulation 3(1), definition of "**work sheet**"

Regulations 4A to 14 (inclusive)

Regulation 16

Regulations 18 to 20 (inclusive)

Regulations 22 and 23

Regulation 25

Regulations 27 and 28

Regulations 30 and 31

Regulations 33 to 36 (inclusive)

Regulations 38 to 41 (inclusive)

Regulations 41B to 43 (inclusive)

Regulations 46 and 46A

Regulations 47 and 48

Regulation 50

Regulation 52

Regulations 54 and 55

Regulation 57

Regulations 61 to 61C (inclusive)

Regulations 61E to 61G (inclusive)

Regulations 61I to 61K (inclusive)

Regulations 62 and 63

Regulations 65 and 66

Regulations 71 and 72

Regulations 73 to 74A (inclusive)

Regulations 75A and 76

Regulation 78

Regulations 81 and 82

Regulation 85

Regulation 87

Regulation 88

Regulations 90A and 91

Regulation 94

Schedules 1 and 2

3. Functions and powers under the following regulations under the *Passenger Transport (Regular Passenger Services; Conduct of Passengers) Regulations 1994*:

Regulation 3, definition of "**authorised person**"  
Regulation 3, definition of "**student identification card**"  
Regulation 3, definition of "**ticket**"  
Regulations 4 and 5  
Regulation 8  
Regulation 31, definition of "**pedestrian crossing**"  
Regulation 33  
Regulations 35 and 36  
Regulation 38  
Regulation 39  
Regulation 41

## **Schedule 2—Delegations to the person for the time being holding or acting in the position of Executive Director, Office of Public Transport, in the Department of Transport and Urban Planning**

1. Functions and powers under the following provisions of the Act:

Section 4(1), "**designated taxi standard**"  
Section 22  
Section 27 to 31 (inclusive)  
Section 32(1) and (2)  
Section 33(2)  
Section 34(1), (4) and (5)  
Section 35  
Section 38(5) and (6)  
Section 39(2), (2a)(a), (3), (3b) and (3c), other than in relation to contracts forming part of the "**Metroticket**" network within Metropolitan Adelaide  
Sections 40 to 44, other than in relation to contracts forming part of the "**Metroticket**" network within Metropolitan Adelaide  
Sections 45 and 46  
Section 47(1), (2) and (3)  
Sections 48 to 50  
Section 52  
Section 54(1), definition of "**prescribed requirements or standards**"  
Section 54(3), (4), (5), (13) and (19)  
Section 61  
Section 63(2)(c)  
Section 64(3)(b)

2. Functions and powers under the following regulations under the *Passenger Transport (General) Regulations 1994*:

Regulation 3(1), definition of "**appropriate driver's licence**"

Regulation 3(1), definition of "**taxi stand**"

Regulation 3(1), definition of "**work sheet**"

Regulations 4A to 14 (inclusive)

Regulation 16

Regulations 18 to 20 (inclusive)

Regulations 22 and 23

Regulation 25

Regulations 27 and 28

Regulations 30 and 31

Regulations 33 to 36 (inclusive)

Regulations 38 to 41 (inclusive)

Regulations 41B to 43 (inclusive)

Regulations 46 and 46A

Regulations 47 and 48

Regulation 50

Regulation 52

Regulations 54 and 55

Regulation 57

Regulations 61 to 61C (inclusive)

Regulations 61E to 61G (inclusive)

Regulations 61I to 61K (inclusive)

Regulations 62 and 63

Regulations 65 and 66

Regulations 71 and 72

Regulations 73 to 74A (inclusive)

Regulations 75A and 76

Regulation 78

Regulations 81 and 82

Regulation 85

Regulation 87

Regulation 88

Regulation 91

Regulation 94

Schedules 1 and 2

3. Functions and powers under the following regulations under the *Passenger Transport (Regular Passenger Services; Conduct of Passengers) Regulations 1994*:

Regulation 3, definition of "**student identification card**"

Regulation 3, definition of "**ticket**"

Regulations 4 and 5

Regulation 8

Regulation 31, definition of "**pedestrian crossing**"

Regulation 33(5)

Regulations 35 and 36

Regulation 41

### Schedule 3—Delegations to the Passenger Transport Standards Committee

**1. Functions and powers under the following provisions of the Act:**

Sections 27 and 28  
Section 30(2), (3) and (4)  
Section 31  
Section 32(1) and (2)  
Sections 33(2)  
Section 34(4) and (5)  
Section 35(3) and (4)  
Section 45(3), (5) and (6)  
Section 46(1)  
Section 47(1), (2) and (3)  
Section 48(4)  
Sections 49 and 50  
Section 54(3), (4), (5), (13) and (19)  
Section 61

**2. Functions and powers under the following regulations under the *Passenger Transport (General) Regulations 1994*:**

Regulation 6 and 7  
Regulations 9 and 10  
Regulation 16  
Regulations 19 and 20  
Regulation 22  
Regulation 27  
Regulation 30  
Regulations 33 to 36 (inclusive)  
Regulations 38 and 39  
Regulation 41  
Regulation 41B  
Regulations 65 and 66  
Regulation 72  
Regulation 85  
Regulation 87

**3. Functions and powers under the following provisions of the *Passenger Transport (Regular Passenger Services; Conduct of Passengers) Regulation 1994*:**

Regulation 41

Dated 15 December 2003.

MICHAEL WRIGHT, Minister for Transport

---

## PUBLIC SECTOR MANAGEMENT ACT 1995

## Section 69

IN terms of sections (5) and (6) of the Public Sector Management Act 1995, the following details of all appointments to the Ministers' personal staff under this section (other than those described in previous reports under this section) is provided:

APPOINTEE	POSITION	SALARY
<b>MINISTER: Minister for Infrastructure, Minister for Energy, Minister for Emergency Services</b>		
<b>Mahoney</b>	Brigid Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$70 040
<b>MINISTER: Attorney-General, Minister for Justice, Minister for Consumer Affairs, Minister for Multicultural Affairs</b>		
<b>Kitschke</b>	Bradley Ministerial Adviser <i>reasonable personal use of mobile telephone</i>	\$76 590

In terms of sections (5) (b) and (c) and (6) of the Public Sector Management Act 1995, the following information relating to the appointment of persons for the time being employed on the Minister's personal staff under this section, their remuneration and other conditions of appointment is provided as at 12 December 2003:

APPOINTEE	POSITION	SALARY
<b>MINISTER: Premier, Minister for Economic Development, Minister for the Arts, Minister for Volunteers</b>		
	NUMBER OF MINISTERIAL STAFF	<b>29</b>
<b>Halliday</b>	Stephen Chief of Staff <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park, private plated motor vehicle, home delivered newspapers</i>	\$143 917
<b>Chataway</b>	Peter Executive Assistant <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, home delivered newspapers</i>	\$127 926
<b>Bottrall</b>	Jill Principal Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$121 530
<b>Worrall</b>	Lance Senior Adviser—Economic Policy <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$121 530
<b>Flanagan</b>	Paul Media Unit Manager <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$119 025
<b>Alexandrides</b>	Nick Senior Legal Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$98 325
<b>Hannon</b>	Catherine Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$95 945
<b>Kent</b>	John Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$93 150
<b>Duigan</b>	Angela Adviser Social Inclusion, Community Cabinet <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$90 563
<b>Gale</b>	Penelope Arts Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park, home delivered newspapers</i>	\$90 563
<b>Bignell</b>	Leon Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$87 975
<b>Lower</b>	Richard Media Adviser <i>reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$81 765
<b>Rodda</b>	Rachel Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$81 765
<b>Sweeney</b>	Loine Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$81 765
<b>Dignam</b>	Stuart Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$81 765

APPOINTEE	POSITION	SALARY
<b>Heath</b> David	Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$81 765
<b>Manuel</b> Leah	Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$81 765
<b>Talbot</b> Nicholas	Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$81 765
<b>Thomas</b> Nicole	Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$81 765
<b>Jarvis</b> Justin	Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$77 625
<b>Purman</b> Victoria	Adviser—Communications <i>0.9 FTE (Salary based on working 4.5 days per week), reasonable personal use of mobile telephone, car</i>	\$76 756
<b>Grant</b> Julia	Policy Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$76 590
<b>Virgo</b> Michele	Chief Administration Officer <i>car park</i>	\$71 310
<b>Jones</b> Tamsin	Policy Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$62 100
<b>Lange</b> Ethne	Appointment Secretary	\$58 100
<b>Thomas</b> Robyn	Personal Assistant to the Chief of Staff and Executive Assistant	\$57 960
<b>Nicholson</b> Catherine	Assistant to the Media Unit <i>reasonable personal use of mobile telephone</i>	\$48 645
<b>Rasch</b> Andrew	Personal Assistant—Policy Unit	\$43 988
<b>Hasler</b> Anne	Personal Assistant—Policy Unit <i>0.8 FTE (to be adjusted to reflect rostered part time hours)</i>	\$37 904
<b>MINISTER: Deputy Premier, Treasurer, Minister Assisting the Premier in Economic Development, Minister for Police, Minister for Federal/State Relations</b>		
	NUMBER OF MINISTERIAL STAFF	<b>5</b>
<b>Wall</b> Cressida	Chief of Staff <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$111 935
<b>Mullighan</b> Stephen	Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$76 590
<b>Brown</b> Michael	Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, car park</i>	\$76 590
<b>Tuffnell</b> Benjamin	Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$76 590
<b>Wilding</b> Amy	Personal Assistant <i>reasonable personal use of mobile telephone</i>	\$51 703
<b>MINISTER: Minister for Agriculture, Food and Fisheries, Minister for Mineral Resources Development</b>		
	NUMBER OF MINISTERIAL STAFF	<b>5</b>
<b>Gent</b> Kevin	Chief of Staff <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$101 275
<b>Hubert</b> Paula	Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$76 590
<b>Kenyon</b> Thomas	Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$76 590
<b>Rodwell</b> Helen	Parliamentary Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>	\$76 590
<b>Holmes</b> Rickee	Personal Assistant	\$47 972



APPOINTEE	POSITION	SALARY
<b>MINISTER: Minister for Infrastructure, Minister for Energy, Minister for Emergency Services</b>		
	NUMBER OF MINISTERIAL STAFF	<b>6</b>
<b>King</b>	Catherine Chief of Staff <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$111 935
<b>Duggan</b>	Michael Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$76 590
<b>Duggin</b>	Susan Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$76 590
<b>Ryan</b>	Paul Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$76 590
<b>Bailey</b>	Melissa Parliamentary Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>	\$76 590
<b>Zacharoyannis</b>	Calliope Personal Assistant	\$47 972
<b>MINISTER: Attorney-General, Minister for Justice, Minister for Consumer Affairs, Minister for Multicultural Affairs</b>		
	NUMBER OF MINISTERIAL STAFF	<b>5</b>
<b>Lamb</b>	Andrew Chief of Staff <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$101 275
<b>Brown</b>	Sally Ministerial Adviser <i>reasonable personal use of mobile telephone</i>	\$76 590
<b>Karzis</b>	George Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$76 590
<b>Louca</b>	Procopis Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$76 590
<b>Bradley</b>	Anna Personal Assistant	\$50 343
<b>MINISTER: Minister for Aboriginal Affairs and Reconciliation, Minister for Correctional Services, Minister Assisting the Minister for Environment and Conservation</b>		
	NUMBER OF MINISTERIAL STAFF	<b>4</b>
<b>Maher</b>	Kyam Chief of Staff <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$101 275
<b>Mills</b>	Richard Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$76 590
<b>Sutherland</b>	John Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$76 590
<b>Kalionis</b>	Josephine Personal Assistant	\$50 104
<b>MINISTER: Minister for Health, Minister Assisting the Premier in Social Inclusion</b>		
	NUMBER OF MINISTERIAL STAFF	<b>5</b>
<b>Loveday</b>	Geoffrey Chief of Staff <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$111 935
<b>Broderick</b>	Danny Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$80 730
<b>Forest</b>	Teresa Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$80 730
<b>Vincent</b>	Michelle Personal Assistant	\$47 972
<b>Christopoulos</b>	Adriana Personal Assistant to the Chief of Staff and Parliamentary Secretary	\$47 972

APPOINTEE	POSITION	SALARY
<b>MINISTER: Minister for Education and Children's Services</b>		
	NUMBER OF MINISTERIAL STAFF	<b>3</b>
<b>Deslandes</b> Moira	Chief of Staff	\$106 605
	<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	
<b>Gaynor</b> Jeremy	Ministerial Adviser	\$76 590
	<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	
<b>Simpson</b> Susan	Personal Assistant	\$51 703
<b>MINISTER: Minister for Environment and Conservation, Minister for the River Murray, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts</b>		
	NUMBER OF MINISTERIAL STAFF	<b>2</b>
<b>Winter-Dewhirst</b> Kym	Chief of Staff	\$101 275
	<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	
<b>Adams</b> Brer	Ministerial Adviser	\$76 590
	<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	
<b>MINISTER: Minister for Social Justice, Minister for Housing, Minister for Youth, Minister for the Status of Women</b>		
	NUMBER OF MINISTERIAL STAFF	<b>4</b>
<b>Story</b> Angas	Chief of Staff	\$101 275
	<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	
<b>Boswell</b> Lois	Ministerial Adviser	\$76 590
	<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	
<b>Fairley</b> Alan	Ministerial Adviser	\$76 590
	<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	
<b>Georganas</b> Wendy	Personal Assistant	\$50 343
<b>MINISTER: Minister for Transport, Minister for Industrial Relations, Minister for Recreation, Sport and Racing</b>		
	NUMBER OF MINISTERIAL STAFF	<b>4</b>
<b>Baynes</b> Geoffrey	Chief of Staff	\$101 275
	<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	
<b>Ats</b> Michael	Ministerial Adviser	\$80 730
	<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	
<b>Westley</b> Annette	Ministerial Adviser	\$80 730
	<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	
<b>Stillwell</b> Kimberley	Personal Assistant	\$47 972
<b>MINISTER: Minister for Tourism, Minister for Science and Information Economy, Minister for Employment, Training and Further Education</b>		
	NUMBER OF MINISTERIAL STAFF	<b>4</b>
<b>Fraser</b> Gael	Chief of Staff	\$101 275
	<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	
<b>Hecker</b> Kylie	Ministerial Adviser	\$76 590
	<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	
<b>Crafter</b> Samuel	Ministerial Adviser	\$76 590
	<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	
<b>Gregory</b> Vicky	Personal Assistant	\$58 100

APPOINTEE	POSITION	SALARY
<b>MINISTER: Minister for Urban Development and Planning, Minister for Administrative Services, Minister for Gambling</b>		<b>18</b>
<b>Portolesi</b>	Grace Chief of Staff <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$101 275
<b>Green</b>	Peter Media Monitoring Service Manager <i>reasonable personal use of mobile telephone, home computer/fax line rental and calls, car park</i>	\$93 984
<b>Georganas</b>	Steve Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$76 590
<b>Hansen</b>	Patrick Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$76 590
<b>Laris</b>	Sky Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$76 590
<b>Cooper</b>	Angelina Principal Monitor, Media Monitoring Service	\$58 633
<b>Makin</b>	Jeremy Ministerial Officer <i>reasonable personal use of mobile telephone</i>	\$52 571
<b>Bartlett</b>	Naomi Ministerial Officer <i>reasonable personal use of mobile telephone</i>	\$52 571
<b>Vaughan</b>	Julienne Personal Assistant	\$50 343
<b>Burford</b>	Christine Media Monitor	\$48 397
<b>Church</b>	Susan Media Monitor	\$48 397
<b>Allen</b>	Connie Media Monitor	\$44 453
<b>Bukva</b>	Renata Media Monitor	\$44 453
<b>Marsden</b>	Belinda Media Monitor	\$44 453
<b>Moloney</b>	Kaye Media Monitor	\$44 453
<b>Young</b>	Patricia Personal Assistant to Chief of Staff and Ministerial Advisers	\$43 708
<b>Buntain</b>	Nicholle Media Monitor	\$40 510
<b>Pengelly</b>	Elisabeth Media Monitor	\$40 510
<b>MINISTER: Minister for Industry, Trade and Regional Development, Minister for Small Business, Minister for Local Government, Minister for Forests</b>		<b>5</b>
<b>Bowers</b>	Hugh Chief of Staff <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$101 275
<b>Ellis</b>	Katherine Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$76 590
<b>Goulder</b>	Samone Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$72 450
<b>Pinnegar</b>	Matthew Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$72 450
<b>Mallia</b>	Callista Personal Assistant	\$51 703

Dated 18 December 2003.

MIKE RANN, Premier

## GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2002

	\$		\$
Agents, Ceasing to Act as.....	34.10	Firms:	
Associations:		Ceasing to Carry on Business (each insertion) .....	22.70
Incorporation .....	17.40	Discontinuance Place of Business .....	22.70
Intention of Incorporation .....	43.00	Land—Real Property Act:	
Transfer of Properties .....	43.00	Intention to Sell, Notice of.....	43.00
Attorney, Appointment of.....	34.10	Lost Certificate of Title Notices .....	43.00
Bailiff's Sale .....	43.00	Cancellation, Notice of (Strata Plan).....	43.00
Cemetery Curator Appointed.....	25.50	Mortgages:	
Companies:		Caveat Lodgment.....	17.40
Alteration to Constitution .....	34.10	Discharge of .....	18.30
Capital, Increase or Decrease of .....	43.00	Foreclosures.....	17.40
Ceasing to Carry on Business .....	25.50	Transfer of .....	17.40
Declaration of Dividend.....	25.50	Sublet.....	8.75
Incorporation .....	34.10	Leases—Application for Transfer (2 insertions) each.....	8.75
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each.....	25.50
First Name.....	25.50	Licensing.....	51.00
Each Subsequent Name.....	8.75	Municipal or District Councils:	
Meeting Final.....	28.75	Annual Financial Statement—Forms 1 and 2 .....	481.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	341.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name .....	68.00
First Name.....	34.10	Each Subsequent Name.....	8.75
Each Subsequent Name.....	8.75	Noxious Trade .....	25.50
Notices:		Partnership, Dissolution of.....	25.50
Call.....	43.00	Petitions (small) .....	17.40
Change of Name.....	17.40	Registered Building Societies (from Registrar-	
Creditors.....	34.10	General).....	17.40
Creditors Compromise of Arrangement .....	34.10	Register of Unclaimed Moneys—First Name.....	25.50
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name .....	8.75
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	43.00	Rate per page (in 8pt) .....	218.00
Release of Liquidator—Application—Large Ad .....	68.00	Rate per page (in 6pt) .....	288.00
—Release Granted.....	43.00	Sale of Land by Public Auction.....	43.50
Receiver and Manager Appointed.....	39.75	Advertisements.....	2.40
Receiver and Manager Ceasing to Act.....	34.10	Advertisements, other than those listed are charged at \$2.40 per	
Restored Name.....	32.25	column line, tabular one-third extra.	
Petition to Supreme Court for Winding Up.....	59.50	Notices by Colleges, Universities, Corporations and District	
Summons in Action.....	51.00	Councils to be charged at \$2.40 per line.	
Order of Supreme Court for Winding Up Action .....	34.10	Where the notice inserted varies significantly in length from	
Register of Interests—Section 84 (1) Exempt.....	77.00	that which is usually published a charge of \$2.40 per column line	
Removal of Office.....	17.40	will be applied in lieu of advertisement rates listed.	
Proof of Debts .....	34.10	South Australian Government publications are sold on the	
Sales of Shares and Forfeiture.....	34.10	condition that they will not be reproduced without prior	
Estates:		permission from the Government Printer.	
Assigned .....	25.50		
Deceased Persons—Notice to Creditors, etc.....	43.00		
Each Subsequent Name.....	8.75		
Deceased Persons—Closed Estates .....	25.50		
Each Subsequent Estate.....	1.10		
Probate, Selling of .....	34.10		
Public Trustee, each Estate.....	8.75		

All the above prices include GST

## GOVERNMENT GAZETTE NOTICES

ALL private advertisements forwarded for publication in the *South Australian Government Gazette* must be PAID FOR PRIOR TO INSERTION; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to **Government Publishing SA** so as to be *received no later than 4 p.m. Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: governmentgazette@saugov.sa.gov.au.* Send as attachments in Word format and please confirm your transmission with a faxed copy of your document, including the date the notice is to be published and to whom the notice will be charged.

## MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2003

## Acts, Bills, Rules, Parliamentary Papers and Regulations

Pages	Main	Amends	Pages	Main	Amends
1-16	2.05	0.90	497-512	29.20	28.00
17-32	2.80	1.75	513-528	30.00	28.80
33-48	3.65	2.60	529-544	30.90	29.90
49-64	4.60	3.50	545-560	31.70	30.90
65-80	5.40	4.45	561-576	32.50	31.70
81-96	6.25	5.20	577-592	33.60	32.20
97-112	7.15	6.05	593-608	34.40	33.25
113-128	8.00	7.00	609-624	35.20	34.30
129-144	9.00	7.95	625-640	35.90	34.80
145-160	9.85	8.80	641-656	36.80	35.85
161-176	10.80	9.65	657-672	37.40	36.60
177-192	11.60	10.60	673-688	39.00	37.40
193-208	12.50	11.50	689-704	39.80	38.40
209-224	13.30	12.25	705-720	40.30	39.50
225-240	14.20	13.10	721-736	41.80	40.00
241-257	15.10	13.80	737-752	42.30	41.30
258-272	16.00	14.75	753-768	43.40	41.80
273-288	16.90	15.80	769-784	43.90	43.10
289-304	17.60	16.60	785-800	44.70	43.90
305-320	18.60	17.50	801-816	45.50	44.40
321-336	19.40	18.30	817-832	46.50	45.50
337-352	20.40	19.30	833-848	47.50	46.25
353-368	21.20	20.20	849-864	48.30	47.00
369-384	22.10	21.10	865-880	49.00	48.30
385-400	22.90	21.90	881-896	49.60	48.80
401-416	23.70	22.60	897-912	51.20	49.60
417-432	24.80	23.60	913-928	51.70	51.20
433-448	25.60	24.50	929-944	52.50	51.70
449-464	26.50	25.30	945-960	53.50	52.20
465-480	27.00	26.20	961-976	54.50	53.25
481-496	28.20	27.00	977-992	55.60	54.00

**Legislation—Acts, Regulations, etc:**

\$

## Subscriptions:

Acts .....	180.00
All Bills as Laid .....	431.00
Rules and Regulations .....	431.00
Parliamentary Papers .....	431.00
Bound Acts .....	199.00
Index .....	99.00

**Government Gazette**

Copy .....	4.70
Subscription .....	238.00

**Hansard**

Copy .....	13.00
Subscription—per session (issued weekly) .....	374.00
Cloth bound—per volume .....	161.00
Subscription—per session (issued daily) .....	374.00

**Legislation on Disk**

Whole Database .....	2 763.00
Annual Subscription for fortnightly updates .....	849.00
Individual Act(s) including updates .....	POA

**Compendium**

## Subscriptions:

New Subs .....	1 638.00
Updates .....	578.00

(All the above prices include GST)

All Legislation, Government Gazette, Hansard and Legislation on disk are available from:

**Counter Sales  
and Mail Orders:**

**Service SA, Government Legislation<sup>+</sup> Outlet**  
Lands Titles Office, 101 Grenfell Street, Adelaide  
Phone: 13 23 24 (local call cost), Fax: (08) 8204 1909  
Postal: G.P.O. Box 1707, Adelaide, S.A. 5001

**Online Shop:**[www.shop.service.sa.gov.au](http://www.shop.service.sa.gov.au)**Subscriptions and  
Standing Orders:**

**Government Publishing SA**  
Box 9, Plaza Level, Riverside Centre, North Terrace, Adelaide, S.A. 5000  
Phone: (08) 8207 0908, (08) 8207 0910, Fax: (08) 8207 1040

**DETERMINATION AND REPORT OF THE REMUNERATION TRIBUNAL****COUNTRY RESIDENT MAGISTRATES****1. INTRODUCTION**

- 1.1 Determination and Report No. 7 of 2002 determined a salary for Mr Frederick R Field whilst he performed additional duties in undertaking the role of Resident Magistrate, Port Augusta. The salary determined was that applicable to Stipendiary Magistrate directed by the Chief Magistrate to perform the duties of a Regional Manager. In addition it was determined that a four-wheel drive vehicle be provided at no extra cost.
- 1.2 The direction to perform these additional duties was for a trial period and the Tribunal was informed that if the trial was successful the concept of Country Resident Magistrates would be introduced into other country centres. The Tribunal noted at paragraph 11 of Determination and Report No. 7 of 2002 that "an evaluation of the pilot program is to be completed by the end of 2003 following which the Tribunal expects to be advised of any on going role of Resident Magistrate, Port Augusta and the functions and duties at that time".

**2. EVALUATION OF PILOT PROGRAM**

- 2.1 On the 16 October 2003 the Chief Magistrate forwarded to the Tribunal a copy of his report to the Attorney-General which concluded that the appointment of the Stipendiary Magistrate at Port Augusta was successful and there was overwhelming support from the community for such an appointment to continue.
- 2.2 The Chief Magistrate advised that he had recommended, and the Attorney-General had approved, further Country Resident Magistrates be established at Port Augusta (additional position), Mount Gambier and Berri (subject to suitable court facilities being built). Mr Field has agreed to serve another twelve months at Port Augusta.
- 2.3 The South Australian Government publicly announced on 18 July 2003 its support for three Resident Magistrates in regional South Australia next year.

**3. TRIBUNAL HEARING AND SUBMISSIONS**

- 3.1 The Tribunal invited submissions from the Minister responsible for the Remuneration Act, the Attorney-General, the Chief Magistrate and Members of the Magistrates Court on the appropriate remuneration arrangements for the proposed appointments of Resident Magistrate. A hearing regarding the matter was convened on 17<sup>th</sup> November 2003.

Written submissions were received from:

Mr Kelvyn Prescott, Chief Magistrate;  
The Premier on behalf of the Government of the State of South Australia;  
Mr Frederick Field SM, Resident Magistrate Port Augusta;  
Mr Greg Clark and Mr Charles Eardley on behalf of the Magistrates Association of South Australia;  
Ms Rosanne McInnes SM;  
Mr Jonathon Harry SM;  
Ms Susan O'Connor SM;

The College of Magistrates (South Australia); and  
Mr Kent Patrick SM also on behalf of the College of Magistrates (South Australia).

- 3.2 The following attended the hearing on the 17<sup>th</sup> November and made oral submissions:

Mr Kelvyn Prescott, Chief Magistrate;  
Mr David Watts representing the Minister;  
Mr Charles Eardley SM and Mr Kym Millard SM, as Executive Members of the Magistrates Association of South Australia; and  
Ms Susan O'Connor SM, Mr Kent Patrick and Mr Richard Kleinig SM, as Members of the College of Magistrates, South Australia.

- 3.3 The submissions both written and oral are summarised as follows:

#### **3.3.1 Mr Kelvyn Prescott, Chief Magistrate**

Residencies will be re-introduced at Mount Gambier and Port Augusta (two residencies, one of whom will be responsible for the Whyalla Court) and when facilities are available to Berri. The level of responsibility, community liaison and direct management of the court make the current remuneration an appropriate level of remuneration. The provision of a four-wheel drive vehicle was not requested for Mount Gambier.

#### **3.3.2 Mr David Watts on behalf of the Minister**

The salary determined for Mr Field whilst under taking duties of Resident Magistrate, Port Augusta in Determination and Report No. 7 of 2002 is an appropriate determination for all Country Resident Magistrates. It was agreed that a four-wheel drive vehicle was not appropriate for Mount Gambier and that Country Resident Magistrates appointed in areas where sealed roads predominate who want a four-wheel drive vehicle should bear the additional costs of the four-wheel drive if they chose such a vehicle.

#### **3.3.3 Mr Frederick Field SM at Port Augusta**

The management responsibility of the Country Resident Magistrate has been clearly demonstrated by personal experience as equivalent to that of a Regional Manager. The significant, extensive and additional responsibilities required of a Country Resident Magistrate are not required by an Adelaide or metropolitan based Magistrate. Mr Field agreed entirely with the submission of the Magistrates Association of South Australia.

#### **3.3.4 Magistrates Association of South Australia**

The judicial and administrative tasks to be undertaken by the Country Resident Magistrate amply justify the annual remuneration of such Magistrates at the salary level of Regional Manager. The duties of a Country Resident Magistrate were stated as follows:

- “Establish and monitor court calendars for each sitting place, scheduling the days on which particular types of matters will be listed and the number of such matters that may be listed;
- Be responsible for the listing of general matters, applications and the like;
- Be responsible for the listing of trials;
- Monitor workloads and trial delays;

- Resolve problems peculiar to particular sitting places affecting the despatch of work at those places;
- Be responsible for the equitable distribution of the work of the court between the several registries and sitting places;
- Liaise with the Registrars of the Magistrates Court within his or her area of management on matters affecting the efficient function of the Court;
- Liaise with officers of the Courts Administration Authority who have responsibility for provision of support staff and equipment to the Country Resident Magistrate.”

The Tribunal has obtained a copy of the instrument of delegation from the Chief Magistrate to Mr Field, directing him to perform the special duties of Regional Manager, and the duties listed in that document concur with those duties listed above.

It was submitted that all Country Resident Magistrates be supplied with four-wheel drive vehicles with no extra costs to the Magistrate. In the oral submission this request was limited to those stationed at Port Augusta and Berri. The Association also reminded the Tribunal that under Sections 7 and 8 of the *Magistrates Act* the Chief Magistrate is responsible for the control and administration of the Magistrates Courts and not the Tribunal, as some of the Magistrates have suggested.

### **3.3.5 Ms Rosanne McInnes SM**

Drew attention to the Tribunal's Determination for Country Members of Parliament Accommodation Allowance and suggested that an allowance would be appropriate to compensate Magistrates who are required to be resident in country regions. The submission considered the current approach fundamentally misconceived and respectfully submitted “that by rewarding regional managers with additional remuneration, the Tribunal has placed the South Australian public at risk of having their cases heard and determined by magistrates whose independence is compromised and who may be subject to influence the outcome of the cases that they hear”. A copy of the decision of the Supreme Court of Queensland, Mackenzie J Judge in the matter of *Gribbin and Anor v Fingleton* (2002) QSC 390 was provided to the Tribunal in support of her submission.

### **3.3.6 College of Magistrates (South Australia)**

The submission brought to the attention of the Tribunal certain matters of concern to the College which related primarily to the present system of what may be called “middle management” in the Magistracy of this State. The College considers the current arrangements are inconsistent with those of judicial independence and impartiality in the strict sense. It suggested there is good scope for argument that every Magistrate should receive the higher remuneration for being a Magistrate appointed to the middle management structure on the premise that every Magistrate is indeed a Manager. The submission drew attention to Sections 3, 4, 5 and 6 of the *Magistrates Act* and suggested that only the titles of Stipendiary Magistrate, Supervising Magistrate and Assistant Supervising Magistrate are relevant. There is no reference in the Act to the office, or a person for the time being acting in the office or discharging the duties of the office of Regional Manager.

It was submitted that so called Regional Managers have wrongly been paid an incremental salary since 1992, based upon an improper association of their non-existent office with the office or category of Supervising Magistrate or Assistant Supervising Magistrate. Methods of appointment were also discussed with



suggestions for a better way, starting with amendments to the *Magistrates Act* to dispose of middle management levels.

The submission concluded with a recommendation as follows:

“COM (SA) recommends to the Remuneration Tribunal :

- (1) that any existing Determinations with respect to ‘middle management’ positions cease to have effect;
- (2) that only the Chief Magistrate and Magistrates serving in country residencies should receive any additional remuneration or allowance;
- (3) that, apart from the Chief Magistrate and Magistrates serving in country residencies, all Magistrates should receive precisely the same remuneration.”

Mr Kleinig made the oral submission of behalf of the College of Magistrates (South Australia).

### **3.3.7 Mr Kent Patrick SM**

In support and on behalf of the submission of the South Australian College of Magistrates this submission dealt with three topics, governance in the Magistracy, middle management and judicial independence, which it was claimed are indivisible concepts and were referred to integrally as “judicial independence”. It was also claimed that all purported appointments as Regional Managers were null and void as were any appointments of Magistrate in Charge. Page 8 of the submission stated:

“For these reasons, it is submitted that the last two paragraphs on page 1 of Determinations 1 and 4 of 2003 are nugatory and the administrative practice of payment of remuneration to “Regional Managers” at precisely the same rate as Supervising Magistrates (and “Magistrates-in-Charge” at a lesser rate, but nevertheless in excess of the rate for Stipendiary Magistrates) is and has never been permissible by statutory authority. As such, authority under section 19 of the Remuneration Act does not exist for the payment from the Consolidated Account of remuneration to which those two paragraphs relate and remuneration cannot be paid out of the General Revenue of the State therefore under section 13(4) *Magistrates Act 1983*.

On the basis of the foregoing, the consequences of unauthorized payment of remuneration since perhaps as early as October 1995 will need careful consideration, but unavoidably, the Auditor-General will have to be consulted. No doubt the Tribunal will wish to consider obtaining legal advice from a suitable source. To the extent that advice from the Crown Solicitor may be under consideration, I express my objection to any such proposal. Officers of that office are paid at various rates, but some thereof are paid on the same basis as Stipendiary Magistrates. To that extent a conflict of interest will exist.”

In a further submission dated 24 November 2003 Mr Patrick further advised the Tribunal:

“I understand that the Tribunal will seek an opinion from Senior Counsel on the terms of my submission, before reconvening. Although nothing was said at the hearing on 17 November on the subject, I expect that the Tribunal will circulate either a copy or a comprehensive summary of the opinion and will

allow stakeholders wishing to do so to address the Tribunal again in relation to it, before the Tribunal hands down its Determination.

Having said that, I wish to inform you that COM(SA) members will meet in the near future to consider its position and particularly whether it should take certain action independently of the scope of the Tribunal's jurisdiction.

For the avoidance of discourtesy, I wish to inform you of this fact, and so that there will be no misconstruction of the intentions of members of COM(SA) or their reason for proceeding elsewhere before the Tribunal hands down its Determination, should that event be regarded as necessary."

### **3.3.8 Ms Susan O'Connor SM**

The submission declared an interest in the conditions attached to country residencies and in any determination impacting on the parity of remuneration of magistrates on the basis that she will be directed to do a country residency. It raised occupational health and safety issues as well as the availability of suitable and secure accommodation. Payment of an accommodation allowance was supported. Ms O'Connor also identified her concern as to why a magistrate directed to work in a country court would be performing special management tasks.

### **3.3.9 Mr Jonathan Harry SM**

Strongly rejected the proposition that the position of Residential Magistrate has increased managerial responsibility over and above that of any magistrate working in the urban area. He recognised it is a condition of appointment to the magistracy that one will serve as a Resident Magistrate and that this should be remunerated by way of an allowance as outlined in the submission of Magistrate McInnes. He submitted, "the allowance paid to Residential Magistrates should be generous funding to remove the longstanding hurdle to South Australians living in rural areas receiving the same consistent service expected by their metropolitan Adelaide counterparts."

## **4. TRIBUNAL CONSIDERATIONS**

- 4.1 The Tribunal has fully considered all submissions and decided not to seek senior counsel's opinion on its past decisions or those of previous Tribunals. The Tribunal is satisfied that the use of titles of "Regional Manager" and "Magistrate-in-Charge" are really local designations to describe the positions of those Stipendiary Magistrates who have been directed by the Chief Magistrate with the concurrence of the Attorney-General to perform special duties.

Section 7(3), Section 8(1) and Section 13 (1a) of the *Magistrates Act 1983*, as detailed below are all relevant to the above conclusion:

7(3) The Chief Magistrate may (without derogation from his own powers) delegate to any magistrate any of his administrative powers or functions.

8(1) A magistrate (being a stipendiary magistrate or an acting magistrate) is responsible to the Chief Magistrate in relation to administrative matters and, in particular, is subject to direction by the Chief Magistrate as to the duties to be performed by him and the times and places at which those duties are to be performed.

13 (1a) A stipendiary magistrate, while performing special duties for the time being directed by the Chief Magistrate with the concurrence of the Attorney-General, shall be entitled to such additional remuneration as may be determined by the Remuneration Tribunal.

- 4.2 Many of the issues raised in relation to the suitability of accommodation, occupational health and safety, the number of middle managers and the method of their appointment, are not issues relevant to the consideration of the Tribunal. The Tribunal's responsibility is to determine appropriate remuneration and it rejects the proposition that its past determinations have impacted on impartiality and compromised judicial independence.
- 4.3 The current determination for Mr Field prescribes a salary for the time he is required to undertake the role of Resident Magistrate, Port Augusta. In order to avoid any further concern and discussion in relation to the legality of the Regional Manager or Resident Manager we will incorporate a clause in our Determination as follows:
- “A Stipendiary Magistrate directed by the Chief Magistrate with the concurrence of the Attorney-General to perform special administrative duties in a region (Regional Manager) or in a residential country area (Country Resident Magistrate) paid the allowance shown for as long as that person continues to perform such duties.”
- 4.4 We have come to this conclusion based on the agreement between the Chief Magistrate and the Government, the submission of the Magistrates Association and on our understanding of the additional duties to be undertaken and the extra responsibilities and accountability involved.
- 4.5 The Tribunal also agrees that four-wheel drive vehicles should only be supplied to the Country Resident Magistrates at Port Augusta.

#### **DETERMINATIONS AND DATE OF OPERATION**

- 5.1 Accordingly, the Tribunal makes the following determination:

A Stipendiary Magistrate directed by the Chief Magistrate with the concurrence of the Attorney-General to perform special administrative duties in a region (Regional Manager) or in a residential country area (Country Resident Magistrate) paid an allowance of \$13,110 per annum for as long as that person continues to perform such duties.

- 5.2 A four-wheel drive vehicle will be supplied for the Country Resident Magistrates at Port Augusta only whilst undertaking the above duties at no extra cost above that of current vehicle provisions provided for in Determination No. 5 of 2001.
- 5.3 The allowance and vehicle provisions prescribed in clauses 5.1 and 5.2 above shall operate from 1 January 2004.

H R Bachmann  
**PRESIDENT**

D Flux  
**MEMBER**

J Meeking  
**MEMBER**

## No. 9 of 2003

**DETERMINATION OF THE REMUNERATION TRIBUNAL****MEMBERS OF THE JUDICIARY, MEMBERS OF THE INDUSTRIAL RELATIONS COMMISSION, THE STATE CORONER, COMMISSIONERS OF THE ENVIRONMENT, RESOURCES & DEVELOPMENT COURT**1. **SCOPE OF DETERMINATION**

This Determination applies to the undermentioned Members of the Judiciary and to the undermentioned Statutory Office Holders.

2. **SALARY**2.1 **Members of the Judiciary**

2.1.1 The annual salaries and allowances for the members of the judiciary will be as follows:-

	\$ per annum
Chief Justice of the Supreme Court	289,110
Puisne Judges of the Supreme Court	258,140
Masters of the Supreme Court	227,970
Chief Judge of the District Court	258,140
Other District Court Judges	227,970
Masters of the District Court	201,330
Chief Magistrate	213,250
Deputy Chief Magistrate	198,820
Supervising Magistrates	193, 860
Assisting Supervising Magistrate of the Adelaide Magistrates Court	189,980
Stipendiary Magistrates	180,750
Supervising Industrial Magistrate	180,750
Other Industrial Magistrates	180,750
Stipendiary Magistrate directed by the Chief Magistrate with the concurrence of the Attorney-General to perform special administrative duties in a region (Regional Manager) or in a residential country area (Country Resident Magistrate) paid the allowance shown for as long as that person continues to perform such duties	13,110
Stipendiary Magistrate directed by the Chief Magistrate with the concurrence of the Attorney-General to perform special administrative duties at a particular court (Magistrate-in-Charge) paid the allowance shown for as long as that person continues to perform such duties	5,090

	\$ per annum
Stipendiary Magistrate appointed Warden under the Mining Act 1971 as amended and performing the duties of Senior Warden paid the salary shown for as long as that person continues to perform such duties	185,840
His Honour Judge WD Jennings, Senior Judge of the Industrial Relations Court and President of the Industrial Relations Commission paid the salary shown for as long as he continues to perform both functions.	251,550
Other Judges of the Industrial Relations Court who hold joint commissions in the Australian Industrial Relations Commission and the Industrial Relations Commission of South Australia	227,970

- 2.1.2 Where a person is appointed as Acting Chief Justice of the Supreme Court or as Acting Chief Judge of the District Court and such appointment extends for a continuous period of more than one week, the person appointed shall be paid a salary equal to the salary specified herein for the Chief Justice or the Chief Judge, as appropriate, for the whole of the period the appointment is in effect.

## 2.2 Statutory Office Holders

The annual salaries for the following statutory office holders will be as follows:-

	Salary \$ per annum
Mr W Chivell, State Coroner whilst he continues to perform this function under his current conditions of employment	210,880
Deputy Presidents of the Industrial Relations Commission	199,250
Commissioners of the Industrial Relations Commission	173,260
Commissioners of the Environment, Resources & Development Court	173,260

## 3. TRAVELLING AND ACCOMMODATION ALLOWANCES

Allowances to be paid will be in accordance with the Tribunal's most recent Determination on these allowances as amended from time to time.

4. **TELEPHONE RENTAL AND CALLS ALLOWANCE**

When a person to whom this Determination applies is required to have a telephone at home for official purposes, that person shall be paid the whole of the telephone rental for a single point connection without extra services and one third of the cost of metered local calls.

Reimbursement should be made for international and STD official calls on the basis of actual costs incurred.

5. **CONVEYANCE ALLOWANCES**

Allowances to be paid will be in accordance with the Tribunal's most recent Determination on these allowances as amended from time to time.

6. **DATE OF OPERATION**

Salaries and allowances prescribed in Clause 2 are operative on and from 1 November 2003, and supersede those of all previous Determinations covering persons whose office is listed herein.

HR Bachmann  
**PRESIDENT**

D Flux  
**MEMBER**

JA Meeking  
**MEMBER**

11 December 2003

**REMUNERATION TRIBUNAL****REPORT RELATING TO DETERMINATION NO. 9 OF 2003****1. INTRODUCTION**

- 1.1 In accordance with the provisions of the *Remuneration Act 1990*, the Remuneration Tribunal by letters dated 17 October, 2003 invited those members of the judiciary and statutory office holders whose offices are listed under Section 13 of the Act, as well as those covered by relevant sections of the *Industrial and Employee Relations Act 1994* to make submissions in relation to the remuneration of members of the judiciary and those office holders. The Tribunal also invited the Minister to make submissions in the public interest.
- 1.2 On 5 November 2003 the following notice was published in *The Advertiser* newspaper.

**REMUNERATION TRIBUNAL  
REVIEW OF REMUNERATION FOR MEMBERS OF THE JUDICIARY AND  
OTHER STATUTORY OFFICERS**

Section 8(2) of the *Remuneration Act 1990* requires the Tribunal to sit at least once a year to review its previous determinations. Accordingly, the Tribunal is conducting a review of the salaries payable to members of the Judiciary and other Statutory Officers.

Interested persons, organisations and associations are invited to submit **in writing** any views they consider should be taken into account in the above review.

The closing date is **Wednesday, 19 November 2003** and submissions should be forwarded to:

**The Secretary  
Remuneration Tribunal  
GPO Box 1072  
ADELAIDE SA 5001**

Or alternatively submissions can be forwarded via the Tribunal's website:  
**[www.remtribunal.sa.gov.au](http://www.remtribunal.sa.gov.au)**

**Telephone (08) 8226 4013  
Facsimile (08) 8226 4174**

- 1.3 The Tribunal received three written submissions, one from the Judicial Remuneration Co-ordinating Committee (JRCC), on behalf of all the Justices and Masters of the Supreme Court, the Judges and Masters of the District Court, the Judges of the Industrial Relations Court, Stipendiary and Industrial Magistrates, the lay Deputy Presidents and Commissioners of the Industrial Relations Commission, the Commissioners of the Environment Resources and Development Court and the State Coroner; one from Mr David Watts on behalf of the Minister, and the other from a member of the public in response to the notice. Oral submissions were also heard at

the Tribunal hearing held on the 27 November 2003. Justice Bleby, Chair of the JRCC, Judge Anderson and Judge Rice presented on behalf of the JRCC and Mr David Watts presented on behalf of the Minister.

- 1.5 In summary, the JRCC submissions discussed:
- judicial remuneration and remuneration-related conditions in South Australia, the federal jurisdiction and other States and Territories. Copies of the most recent determinations of other Tribunals were included as part of the submissions;
  - the use of the ABS survey of Average Weekly Ordinary Time Earnings and Wage Cost Index and the relevance of the South Australian economic climate;
  - the deep concerns it has about recruitment and retention of judicial officers both in the short and long term; and
  - the proposed operative date for any determined increase in salaries, which it was submitted should be 1 July 2003 in the interest of fairness and equity.
- 1.6 Mr Watts presented submissions on behalf of the Minister that discussed relevant factors that the Tribunal has previously considered when making judicial determinations including judicial independence, recruitment and retention; general productivity movements; and public interest. It was submitted that the Government supports the continuance of this approach, but with an emphasis on the economic factors and indicators applicable to South Australia.

The submission also included information relating to:

- South Australia's economic factors, such as data relating to the Adelaide Consumer Price Index and wage and salary levels when compared with the national average;
- annual percentage public sector salary increases for both executive and non executive employees; and
- previous and current salary levels for judicial remuneration in the federal jurisdiction and other States and Territories.

Attached to the submission was a statement from Mr Stuart Hocking, Director, Economics in the South Australian Department of Treasury and Finance.

In summary it was submitted that if there is to be an increase in judicial salaries, that the increase be no more than 3.6%, in line with movements in the Consumer Price Index in the period since the last review and that the South Australian economic factors were more relevant than the national framework for judicial remuneration. It was also submitted that an operative date of the first pay period commencing on or after 1 November 2003 would be appropriate, therefore allowing the 2003 annual review determination to have an operative date of at least 12 months.

## 2. COMPARISON OF FEDERAL, STATE AND TERRITORY JUDICIAL SALARIES

- 2.1 As in previous reviews the Tribunal examined the Federal and other State and Territory judicial salaries. As indicated above, the JRCC and Government submissions presented to the Tribunal also referred to salaries presently payable in other relevant jurisdictions to the office of Puisne Judge.
- 2.2 The Tribunal is aware of the determination made by the Commonwealth Tribunal in November 2002, in relation to its major review of judicial and related offices'



remuneration. This determination awarded a three stage increase for High Court, Federal Court and Family Court judges, the first stage being 7% to operate from 1 July 2002, 5% to operate from 1 July 2003 and 5% payable from 1 July 2004, with the latter two increase being in addition to any annual review based on economic indices.

- 2.3 In June 2003 the Commonwealth Tribunal issued Determination 2003/12 that provided for an additional 4% increase for commonwealth judicial and related offices as part of the 2003 annual review.
- 2.4 The Tribunal is advised that the present relevant judicial salaries (for the Puisne Judges in States and Territories) are as follows:

COURT/STATE/TERRITORY	SALARY	OPERATIVE DATE
New South Wales	\$258,960	1.10.2003
Northern Territory	\$237,100	1.7.2002
Australian Capital Territory	\$258,920	1.7.2003
Western Australia	\$264,872	1.1.2004
Tasmania	\$238,790	1.7.2003
Queensland	\$233,205	1.7.2002
Victoria	\$227,100	29.10.2002
South Australia	\$236,390	1.11.2002
Commonwealth - Federal & Family Court	\$258,920	1.7.2003

- 2.5 The Tribunal is aware that Victoria and Queensland are currently considering the Commonwealth Tribunal determination in their annual reviews of state judicial remuneration. The current salaries in those jurisdictions are operative from 29.10.2002 and 1.7.2002 respectively. The Northern Territory salary has traditionally followed the Commonwealth determination and will increase to \$258,920.

### 3. ATTRACTION AND RETENTION FACTORS

- 3.1 Attraction and retention factors were highlighted as a matter of deep concern by the JRCC. It was submitted that:

“As the JRCC has previously pointed out, primary considerations in the public interest are the independence of the judiciary, public confidence in the judicial system as an independent third arm of Government and, in order to achieve that, ensuring the continued supply of appointees of the highest quality. It is only by that means that the Courts of this State will maintain the highest possible standing and authority in the community, which they must have if our present system of democratic government is to continue.

It is in that context and the context of the submission in par 3 (relating to a determination of appropriate and fair remuneration for the judiciary) that the JRCC brings to the attention of the Tribunal again a matter of great concern. In past submissions we have pointed to the appointment of judges of the Supreme Court and senior barristers to judicial positions in other better remunerated jurisdictions. That position continues to deteriorate to the great disadvantage of the Supreme Court.”

- 3.2 The JRCC provided the Tribunal with information relating to the number of persons lost from the Supreme and District Courts to appointments within the federal jurisdiction at the Federal and Family Courts. The JRCC submitted that a number of these losses were due to much more generous remuneration conditions and invited the Tribunal to speak privately with some of those persons.

The JRCC further submitted that “in the long term, substantial depression of salaries will have an adverse effect on those willing to offer themselves for judicial service” and that it “is an urgent problem which requires addressing both by the Tribunal, the Executive Government and the Parliament. Otherwise this State will end up with a second rate judiciary.”

- 3.3 The Minister submitted that there had been a number of appointments to both the judiciary and magistracy during 2003 and provided details of persons appointed from the independent Bar to Judges of the District Court and Managing Solicitors from the Crowns Solicitor’s Office appointed as Magistrates. The Government was not aware of any factors arising during the period in review with respect to recruitment to and retention within the judiciary.
- 3.4 Consequently, the President of the Tribunal met with the Chief Justice to discuss the matter of recruitment and retention within the judiciary. The Chief Justice expressed concern regarding this issue, particularly in relation to the losses of some of the most senior and experienced judicial officers in this State. He also expressed concern with the disparity between the South Australian and federal remuneration conditions, as he believed it has contributed to the losses.
- 3.5 The Tribunal therefore reiterates that its past approach of setting salaries in a “national framework” continues to be appropriate and in the public interest to ensure that the JRCC’s assertions do not further materialise and that the Minister can continue to submit that there are no difficulties in the recruitment or retention of judges in South Australia.
- 3.6 Having regard to the significant increases awarded to judges elsewhere, the Tribunal does not accept the Minister’s submission to limit increases to 3.6% based on economic factors and indications applicable to South Australia.

#### 4. **SOUTH AUSTRALIAN ECONOMIC CIRCUMSTANCES**

- 4.1 As stated earlier, the submission from the Minister included a number of details in relation to the economic position of South Australia, the salaries increases paid within the public sector to both executive and non executive employees, and the capacity of the employer. A copy of a statement issued by Mr Stuart Hocking, Director, Economics in the South Australian Department Treasury and Finance was provided.

The statement included the following details:

- The Adelaide Consumer Price Index between the September quarter 2002 and the September quarter 2003 increased by 3.6% which was 1.0 percentage point higher than the national average;
- Through the year to the June quarter 2003, wages growth as measured by the ABC Wage Cost Index in South Australia was 4.0%, 0.4 of a percentage point above national growth of 3.6%;
- Since the commencement of the Wage Cost Index (WCI) in 1997:

- Judicial salaries have increased 33%
- The WCI has increased 22%
- The Adelaide CPI has increased 20%;
- Estimates of the level of earnings are available in the ABS Survey of Average Weekly Earnings. The survey shows that for the August 2003 quarter, average weekly ordinary time earnings for full-time adult employees were:
  - in the private sector \$819.20 in South Australia and \$903.30 for Australia, South Australian wages are lower by 9.3%;
  - in the public sector, \$999.90 in South Australia and \$1019.20 for Australia, South Australian wages are lower by 1.9%;
  - the total for both sectors, \$863.90 in South Australia, compared with \$929.60 nationally, South Australian wages are lower by 7.1%; and
- Clause 29 of the statement reads:

“In summary, unanticipated increases in wages within the public sector would add to the task of placing the South Australian Government’s finances on a more sustainable footing, including in respect of the impact that increases for one group of public sector employees may have on precedents or expectations among the broader public sector workforce.”

- 4.2 The JRCC expressed their concerns with the Minister’s submission, particularly relating to the implication that judicial officers are employees, the relevance of the economic climate in terms of capacity to pay for any occupational group, and the use of the Average Weekly Ordinary Time Earnings (AWOTE) and Wage Cost Index figures.

It was submitted that the proper use of the AWOTE index is by way of comparison of the rate of increase over a period of time. A table of relative increases for the past four years was submitted based on the Minister’s submission. The figures indicate that the rate of judicial salary increases has not matched that of the AWOTE.

- 4.3 The Tribunal agrees with the JRCC in that it is not appropriate to make comparisons with public sector employees. It also agrees that members of the judiciary are not public sector employees and is not aware of any precedents that this determination may have on the broader public sector workforce.

The Tribunal did note however, based on a comparison of the data provided in 2002 (10.0% for the difference in private sector; 2.4% for public sector difference and 8.4% for the difference in the average of both sectors), that there is a slight improvement in the gap in the average weekly ordinary time earnings between South Australia and Australia as a whole both in the private and public sector.

## 5. **OTHER ISSUES BEFORE THE TRIBUNAL**

### 5.1 **Comparative Conditions**

- 5.1.1 The JRCC once again drew attention to the substantially inferior conditions enjoyed by judges in South Australia in the three areas of annual leave, long service leave and judicial pensions. The submission again quoted the Commonwealth Tribunal from its determination of its major review of November 2002 which stated:

“The Tribunal considers that the judicial pension plays an important role in terms of overall remuneration and its significance should not be dismissed. The Tribunal considers that reference to the salary component alone does not provide an accurate picture of the true level of judicial remuneration.”

5.1.2 The JRCC submitted that, “The Tribunal’s obligation is to determine appropriate and fair ‘remuneration’ for the judiciary. It cannot do so without taking into account all the components that go to make up a judge’s remuneration. If that requires the determination of the salary component at a higher level than others, the Tribunal should not shrink from making that determination.”

5.1.3 The Tribunal reiterates its understanding that the reference in the Commonwealth Tribunal determination detailed above relates to the total package of remuneration of judicial salaries not to the conditions under which the work is performed. The Wage Fixation principles determined by the Industrial Relations Commission of South Australia state that the expression “the conditions under which the work is performed” relates to the environment in which the work is done and does not refer to other conditions such as leave entitlements and judicial pensions.

5.1.4 The Tribunal has considered similar submissions from the JRCC in each of the last six years and repeats that it is not prepared to set an allowance or provide for any other remuneration for such differences in entitlements over which it has no control. If South Australia is so out of line with other jurisdictions it seems more appropriate for these issues to be considered by the Parliament or other determining authorities as appropriate. The Tribunal is concerned that this issue is continuously raised in lieu of it being addressed by Parliament or other appropriate authority. It is the Tribunal’s view that these disparities should be considered by the Government and/or the Parliament.

## 5.2 **Productivity**

Whilst no evidence in relation to productivity was included in the submissions before the Tribunal, the Tribunal considers it important in the public interest to be informed of efficiencies and productivity improvements and intends to continue this practice.

## 5.3 **Telephone Rental and Calls Allowance**

The Telephone Rental and Calls Allowance for members of the Judiciary, members of the Industrial Relations Commission, the State Coroner, Commissioners of the Environment, Resources and Development Court are currently prescribed in Determination No. 3 of 2001. These allowances, as adjusted in February 2001, will remain unaffected by this Determination

## 5.4 **Conveyance Allowance**

Conveyance Allowances for Judges, Statutory Officers and Court Offices are currently prescribed in Determination No. 5 of 2001. These allowances were last adjusted in August 2001 and will remain unaffected by this Determination.

### 5.5 **Travelling and Accommodation Allowances**

Travelling and Accommodation Allowances for Judges, Statutory Officers and Court Offices are currently prescribed in Determination No. 2 of 2002. These allowances were adjusted in April 2002 and will remain unaffected by this determination.

## 6. **DETERMINATION AND OPERATIVE DATE**

6.1 The JRCC submitted that the date of operation for the determination should be 1 July 2003. It submitted that:

“The Tribunal in the recent past has made its Determinations operative from 1 November. This, in itself, creates a substantial and further disadvantage when compared with the date of operation now applied to all Federal Courts, those of the Territories, Queensland and New South Wales. All now back date the whole or part of the increase awarded to the same date, namely 1 July.”

6.2 The Minister submitted that the Tribunal has in the past fixed operative dates having regard to the particular requirement of each hearing and against the background of the requirement for an annual review as set out in Section 8(2) of the *Remuneration Act 1990*, and that it is reasonable that the 2003 Determination have an operative date of at least twelve months. It was submitted that there was no basis for any substantive period of retrospectivity and that an operative date of the first pay period commencing on or after 1 November 2003 would be appropriate.

6.3 Having regard to the submissions made to the Tribunal and Section 15 of the Remuneration Act which requires the Tribunal when determining remuneration under this Act to have regard to the constitutional principle of judicial independence and the current salary levels in other jurisdictions the Tribunal has determined, that the salary of the Puisne Judge of the Supreme Court will be \$258,140 per annum from 1 November 2002.

6.4 The salaries for all other judicial officers listed in the Determination have also been increased, from the same date to the annual amounts shown in the Determination being pro-rata increases.

6.5 The salaries of Mr. W. Chivell, State Coroner (for as long as he continues to perform this function with his current conditions of employment), lay Deputy Presidents and Commissioners of the Industrial Relations Commission and Commissioners of the Environment, Resources and Development Court have also been increased, from the same date to the annual amounts shown in the Determination being pro-rata increases.

Hedley R. Bachmann

**PRESIDENT**

11 December 2003

No. 10 of 2003

**DETERMINATION AND REPORT OF THE REMUNERATION TRIBUNAL****MINISTERS OF THE CROWN AND OFFICERS AND MEMBERS OF PARLIAMENT****1. INTRODUCTION**

- 1.1 Section 4(1)(c) of the *Parliamentary Remuneration Act 1990* confers jurisdiction on the Remuneration Tribunal to determine from time to time electorate allowances and other allowances and expenses for Members of Parliament.
- 1.2 On the 12 May 2003 the Tribunal issued Determination No 2 of 2003 - Ministers of the Crown and Officers and Members of Parliament, as a result of the annual review that commenced in January 2003.
- 1.3 The determination provided for a minimal adjustment to the electorate allowances only based on the movement in the Consumer Price Index and the report detailed the Tribunal's decision to conduct an extensive review of electorate allowances payable to Members of Parliament by way of a survey. It wrote to all Members on 30 May 2003, requesting this survey be completed for the period 1 July 2003 to 30 June 2004 and returned to the Tribunal by 31 July 2004.
- 1.4 The Tribunal determined not to increase the other allowances provided for within the determination, namely the Country Member's Accommodation Allowance; Expense Allowances of Ministers of the Crown and Officers of Parliament; and the Travelling and Accommodation Allowances of Ministers and the Leader and Deputy Leader of the Opposition at the time, as it had received no submissions nor had been provided with any evidence regarding the measure of increase (if any) in costs and/or expenses relating to the allowances.
- 1.5 Consequently, on the 30 May 2003 the Tribunal wrote to all Ministers of the Crown and Officers of Parliament regarding these allowances and requested additional information in order to be satisfied that any increase to the allowances would be justified.
- 1.6 In addition, the Tribunal invited country Members to also provide submissions on the Country Member's Accommodation Allowance. The Tribunal advised that it would be reviewing the policy regarding the allowance as a result of two submissions received which detailed benefits potentially gained by Country Members who utilise the allowance to subsidise the purchase of a second residence in Adelaide.

The Tribunal advised that it would be considering a rate for those not using commercial accommodation at a figure considerably less than that determined for those using commercial accommodation. It also advised it would consider replacing the overnight allowance for commercial accommodation with reimbursement of actual costs incurred up to a maximum overnight rate and annual ceiling.

- 1.7 Similarly, the Tribunal decided to review the basis of the travelling and accommodation allowance for Ministers and the Leader and Deputy Leader of the

Opposition. Consequently, the Tribunal also invited submissions from Ministers of the Crown and the Leader and Deputy Leader of the Opposition on this allowance and advised that it would be considering determining a rate for those not using commercial accommodation at a figure considerably less than that determined for those using commercial accommodation, and considering replacing the overnight allowance for commercial accommodation with reimbursement of actual costs incurred up to a maximum overnight rate.

## **2. ELECTORATE ALLOWANCE**

- 2.1 The Tribunal will review this allowance further after 31 July 2004, following receipt of the completed surveys regarding this allowance. The Tribunal therefore encourages all Members to complete and return the surveys in a timely manner to allow a full and proper assessment of the allowance to be undertaken.

## **3. COUNTRY MEMBER'S ACCOMMODATION ALLOWANCE**

- 3.1 The Tribunal received a written submission regarding the Country Member's Accommodation Allowance from the Hon Ron Roberts on behalf of the country Members of the South Australian Parliament. The submission was supported by oral presentations at the Tribunal hearing on 21 August 2003 by the Hon Caroline Schaefer, the Hon Graham Gunn and the Hon Ron Roberts.

The written submission emphasised extracts from Taxation Ruling TR 2002/12 from the Australian Taxation Office, detailing 'reasonable daily travel allowance amounts according to salary levels and destinations for the 2002-03 income year' and the "effect of which is that an employee who receives these allowances from an employer is able to claim without substantiation". It was submitted that in comparison to the amounts contained within the TR country Members were being "underpaid".

At the hearing, discussion took place regarding the advantages and disadvantages of staying in either commercial or non-commercial accommodation and the overall costs that would be entailed for each.

Further submissions were made with regard to parliamentary travelling rates in general, and it was submitted that they should be equivalent to the public sector travelling rates. In summary, it was submitted that the policy regarding the eligibility and claiming of the Country Member's Accommodation Allowance remains fair and should not be changed, however, the daily rate contained in the allowance should be increased by a quantum to be determined by the Tribunal.

- 3.2 Having regard to the submissions made at the hearing the Tribunal then sought additional information from country Members to assist in the further review of the allowance. A letter was forwarded to all country Members on the 2<sup>nd</sup> September 2003 requiring information relating to the type of accommodation utilised, either rental, purchased or commercial, and the outgoing costs of that accommodation when required to stay in Adelaide overnight in order to attend parliamentary duties, be actively involved in community affairs, or represent and assist constituents in dealings with governmental and other public agencies and authorities.
- 3.3 On the 17 September 2003 the Tribunal received an additional written submission from the Hon Ron Roberts on behalf of the county Members. The submission

reiterated the reference to the taxation ruling and provided an updated copy, Taxation Ruling TR 2003/7. It was also submitted "that there should be a substantial increase in daily rates and for all days where a country Member is required to be present in Adelaide for parliamentary duties as defined or a minimum of 22 days extra to reflect the real commitments of country Members." It was further submitted "that the rules that cover country Members have always been met and the fact that they have never been abused is evidence that they are adequate and appropriate to do the job for which they are intended and that they have stood the test of time."

The Tribunal was also advised on the 17 September 2003 that country Members had met regarding the requests contained in the letter dated 2<sup>nd</sup> September and had engaged counsel to represent their views before the Tribunal in the matter.

The Hon Ian Gilfillan and Mr Ivan Venning did however respond to the request and provided the information sought by the Tribunal and the Hon Rory McEwen sought to present an oral submission to the Tribunal.

- 3.4 Consequently the Tribunal reconvened on the 16th October 2003 to hear further submissions in relation to this matter from the Hon Rory McEwen and Mr Richard White QC, engaged as counsel for the fifteen country Members of Parliament.

The Hon Rory McEwen discussed his various options for travel and accommodation when in Adelaide for parliamentary business and the costs associated with each. He also discussed expenses associated with his electorate and the number and variety of functions he is required to attend.

Mr Richard White QC, appearing on behalf of the fifteen country Members, submitted "that each of the daily rate and maximum amount which can be paid in one year for the Country Member's Accommodation Allowance should be increased. In the alternative, at the very least, the annual maximum should be increased."

Factors submitted to indicate an increase in the daily rate is appropriate included

- it is more that two and a half years since the daily rate was last adjusted;
- in the period from 1 July 2000 to 30 June 2003 the quarterly increases in the CPI have totalled 12.5%;
- "government" rates for accommodation, breakfast and dinner at an indicative hotel (Stamford Plaza) ranging from \$152.50 (standard room) to \$190.50 (City view);
- the rates provided for in the Taxation Ruling TR 2003/7 accepted as being reasonable with substantiation for the 2003/04 years, as a deduction for travel allowance expenses (accommodation, meals and incidentals) for Adelaide;
- comparison with the costs of purchasing and maintaining a house or home; and
- the commercial rate of \$215.00 for Commonwealth Parliamentarians for overnights stays in Adelaide.

Factors submitted to indicate an increase in the annual maximum rate is appropriate included a summary of the overnight stays of each of the country Members in the financial year ending 30 June 2003 and reasons for the variations between the Members.



- 3.5 To enable full consideration and review of this allowance to be undertaken, the Tribunal also sought and examined data from a number of different other sources, namely:
- Country Member's accommodation allowances paid to Members of Parliament in other States and Territories;
  - The federal determination in relation to the Canberra rate for Commonwealth parliamentarians;
  - Current public sector rates payable to employees for accommodation, meals and incidentals when staying overnight within Metropolitan Adelaide and the applicable conditions;
  - Rental and Serviced Apartment rates payable within the Adelaide Metropolitan Region;
  - The Real Estate Institute of South Australia's June 2003 Quarterly Statistics which indicate an average mean price for rental of a 3 bedroom unit on a 12 monthly lease basis in the Adelaide middle locations is \$190 per week; and
  - The number of parliamentary sitting days over the past 4 calendar years.
- 3.6 The Tribunal has had regard to all the submissions received and the data sought from other sources and has spent considerable time and effort reviewing this allowance.
- 3.7 Particular note of the Objects of the Taxation Ruling TR 2003/7 was taken, which states:

Clause 5

"In setting the reasonable amount for purposes of this Ruling the Commissioner does not determine the amount of allowance an employee should receive or an employer should pay their employees. The amount of an allowance is a matter to be determined between the payer and the payee. The Commissioner determines the reasonable amount only for the purposes of the tax law i.e. the amount that will be accepted for exception from the requirement to obtain and keep written evidence for substantiation purposes. It is not provided for the purpose of being used for employment or industrial relations purposes in setting the amount of allowances paid. The Commissioner is not entitled under the tax law to have any specific regard to the fairness or appropriateness of the allowance paid as part of any remuneration arrangement."

Clause 7

The ruling has application "where it is reasonable to expect that expenses up to at least the amount of the allowance will be incurred by the employee".

- 3.8 The Tribunal advises that it was severely hindered by the lack of responses received from country Members in relation to its request for details on the type of accommodation utilised, either rental, purchased or commercial, and the outgoing costs of that accommodation when required to stay in Adelaide overnight in order to attend parliamentary duties.
- 3.9 Having had regard to all of the above, the Tribunal has determined that an increase in the Country Member's Accommodation Allowance is not justified at this stage, however it will continue to monitor the number of parliamentary sitting days in regard to this allowance.

- 3.10 The Tribunal advises that it will be further reviewing this allowance prior to the next election. It envisages two different accommodation rates will be determined, one for commercial accommodation and the other for non commercial accommodation. The commercial rate is likely to continue to be aligned to the public sector commercial rate and the average number of sitting days and the non commercial rate is likely to be a substantially reduced rate based on rental rates within the Adelaide metropolitan area.

It is further envisaged that the revised Country Members Accommodation Allowances will be applicable immediately following the next election and will be applicable to all newly elected and re-elected country Members of Parliament.

**4. EXPENSE ALLOWANCES OF MINISTERS OF THE CROWN AND OFFICERS OF PARLIAMENT**

**AND**

**TRAVELLING AND ACCOMMODATION ALLOWANCE FOR MINISTERS AND THE LEADER AND DEPUTY LEADER OF THE OPPOSITION**

- 4.1 As detailed at clause 3.4 above the Tribunal heard an oral submission from the Hon Rory McEwen in relation to his ministerial and parliamentary expenses. The expenses discussed however centred more on those incurred in travelling from Mt Gambier to Adelaide and those associated with the Electorate Allowance, including the number and range of different functions he is required to attend.
- 4.2 The Tribunal did not receive any other additional information or submissions in response to its requests relating to either the Expense Allowances of Ministers of the Crown and Officers of Parliament or the Travelling and Accommodation Allowance for Ministers and the Leader and Deputy Leader of the Opposition.
- 4.3 As the Tribunal did not receive any submissions to increase these allowances and has had no evidence put before it as to the measure of increase in costs (if any) during this review process, the Tribunal decided not to increase either of these allowances.

The Tribunal has therefore determined that:

- no increase will be made to the Expense Allowances of Ministers of the Crown and Officers of Parliament; and
- no increase will be made to the Travelling and Accommodation Allowance for Ministers and the Leader and Deputy Leader of the Opposition at this time; and
- this allowance will also be reviewed in conjunction with the Country Member's Accommodation Allowance prior to the next election.

HR Bachmann  
**PRESIDENT**

D Flux  
**MEMBER**

JA Meeking  
**MEMBER**

11 December 2003

## No. 11 of 2003

**DETERMINATION AND REPORT OF THE REMUNERATION TRIBUNAL****MINISTERS OF THE CROWN AND OFFICERS AND MEMBERS OF PARLIAMENT****1. INTRODUCTION**

- 1.1 Section 4(1)(c) of the *Parliamentary Remuneration Act 1990* confers jurisdiction on the Remuneration Tribunal to determine from time to time electorate allowances and other allowances and expenses for Members of Parliament.
- 1.2 On the 31 July 2003 the *Parliamentary Remuneration (Powers of Remuneration Tribunal) Amendment Act 2003* (the Amendment Act) was assented to and the *Parliamentary Remuneration Act 1990* was amended.

The particular amendments make provision for the Remuneration Tribunal to make determinations with regard to the provision of non-monetary benefits for Members of Parliament that may:

- provide for the provision (at the option of the member) of any article, motor vehicle, equipment or service to members;
- specify the terms and conditions which are to apply to the provision and use of such article, motor vehicles, equipment or services;
- provide for the calculation and imposition of any contribution which the member is required to make towards the cost of providing the article, motor vehicle, equipment or service; and
- make any other provision necessary to give effect to the determination.

In addition, the transitional provisions of the Amendment Act require the Remuneration Tribunal to conduct a review of any determinations that are in force under the *Parliamentary Remuneration Act 1990* within 2 months after commencement of the Act.

- 1.3 Accordingly, the Remuneration Tribunal wrote to all Members of Parliament on the 13 August 2003, inviting submissions on any matter relevant to the Tribunal's review and on the 15 August 2003 the following was published in *The Advertiser* newspaper:-

**REMUNERATION TRIBUNAL****PARLIAMENTARY REMUNERATION ACT 1990**

*The Parliamentary Remuneration (Powers of Remuneration Tribunal) Amendment Act 2003* was assented to on the 31<sup>st</sup> July 2003. This Act amends the *Parliamentary Remuneration Act 1990* and makes related amendments to the *Parliamentary Superannuation Act 1974*.

Section 4(1)(c) of the newly amended *Parliamentary Remuneration Act 1990* confers jurisdiction on the Remuneration Tribunal to determine from time to time electorate allowances and other allowances, expenses and **benefits** for members of Parliament.

**Benefits** is defined in the Act to include non-monetary benefits which may include any article, motor vehicle, equipment or service to members; specify the terms and conditions of application; and provide for the calculation and imposition of any contribution towards the cost of the benefit.

The new legislation requires the President of the Remuneration Tribunal to convene a sitting within 2 months after commencement of the Act to review any determinations that are in force under the *Parliamentary Remuneration Act 1990*.

The determination in force at 31 July 2003 is Determination No. 2 of 2003, titled Ministers of the Crown and Officers and Members of Parliament and incorporates:

- Electorate allowances (to compensate members of Parliament for the expenses they necessarily incur in the performance of their duties;
- Expense Allowances of Ministers of the Crown;
- Expense Allowances of Officers of Parliament;
- Country Member's Accommodation Allowance; and
- Travelling and Accommodation Allowances.

The President of the Remuneration Tribunal has convened a sitting of the Tribunal and interested persons, organisations and associations are invited to submit in **writing** any views they consider should be taken into account in the above reviews.

The **closing date is Friday, 29 August 2003** and submissions should be forwarded to:

**The Secretary  
Remuneration Tribunal  
GPO Box 1651  
ADELAIDE SA 5001**

Or alternatively submissions can be forwarded via the Tribunal's website: [www.remtribunal.sa.gov.au](http://www.remtribunal.sa.gov.au).

**Telephone: (08) 8226 4013  
Facsimile: (08) 8226 4174**

- 1.4 The Tribunal heard oral submissions on 11 and 23 September 2003 in relation to this matter.
- 1.5 Nineteen written submissions were received from the public in response to the publication in *The Advertiser*, including one from Mr Ralph Clarke who subsequently appeared before the Tribunal on the 23 September. The public views varied from very strong objection to the provision of motor vehicles for Members of Parliament to concerns regarding the potential abuse of such a benefit and ensuring the real cost of providing a vehicle was recouped.
- 1.6 The following written and/or oral submissions were received from Members of Parliament :
  - 1.6.1 **Joint submission on behalf of Members from the Australian Labor Party and Liberal Party**

A joint submission was made on behalf of the Parliamentary Australian Labor Party and the Parliamentary Liberal Party, representing 58 of the 69 members of the South Australian Parliament. The submission was prepared and presented on their behalf by Mr Richard White QC.

The Members represented submitted:

- that the Tribunal should make a determination which provides for the provision of a motor vehicle at the option of each Member;
- that the Tribunal must have regard to the provisions relating to the Commonwealth Parliament under the Remuneration Tribunal Act 1973 in its determination regarding the provision of a motor vehicle and the terms and conditions to apply to that provision; and
- the Tribunal must not reduce electorate and other allowances by reason of its determination that a motor vehicle may be provided.

In addition the submission discussed the composition of the remuneration for Members of Parliament; the amendments made to the *Parliamentary*

*Remuneration Act 1990* and the reasons for those amendments, particularly in relation to the Tribunal's Determination and Report No. 2 of 2003; and the Tribunal's functions and powers and exercising those powers in relation to the constraints for the provision of a motor vehicle including the application of the State Wage Fixation Principles and the *Industrial and Employee Relations Act 1994*.

### 1.6.2 Individual submissions made by Members of Parliament

A number of individual submissions were received by Members of Parliament, either independently or in addition to the joint submission.

Their submissions included the following:

- Concern with the wording of the legislation and the constraints it may have for the Tribunal's independence to deal with the matter and the suggestion that legal advice should be obtained by the Tribunal;
- Members of Parliament should receive the benefit of a motor vehicle only on the basis of a salary sacrifice equivalent to that applicable to SA public servants electing to have use of a government vehicle;
- No objection to Members of Parliament being able to substitute part of their electorate allowance, make a salary sacrifice or other payment directly to Treasury for new benefits. However, objection to the possibility that granting of such benefits would amount to a back-door pay rise. Any granting of cars or other new benefits must not come at further expense to the taxpayer and must be revenue neutral;
- A car should be a standard item of equipment provided to every Member of Parliament and due to the low personal use any payment for such should be minimal;
- A vehicle should be provided to Members of Parliament as it is a basic tool of trade and that vehicle should be a work vehicle with a component for private use only;
- The Tribunal has the power to avoid Members of Parliament double dipping by incorporating a private useage component in the financial contribution to be made, plus an appropriate work-related component, to be funded either out of salary or directly by cash contribution;
- Federal Members of Parliament receive an insured, fully maintained vehicle (with fuel) at a cost of \$750 per year and it is believed that this is reasonable. If a vehicle was available in this way it would offset the inadequacy of the electorate allowance (claimed to be more than \$5000 per year);
- Summaries of electorate expenses totalling \$18,784 for 2001/02 financial year and \$25,747 for the 2000/01 financial year with the expenses including \$11,386 for vehicle related expenses in 2001/02 and \$14,127 in 2002/03;
- Details of electorate expenses covering a 12 month period that totalled \$19,545 and included \$16,247 to \$17,147 for expenses in relation to a vehicle;
- Summaries of expenses in relation to the electorate allowances that were:
  - 1999 – allowance \$41,484, claimed expenditure \$56,612, hire of motor vehicle \$12092;
  - 2000 – allowance \$42,021, claimed expenditure \$66,790, hire of motor vehicle \$10,947;

2001 – allowance \$42 604, claimed expenditure \$71,526, hire of motor vehicle \$10,993;  
2002 – allowance \$43,335, claimed expenditure \$68 045, hire of motor vehicle \$12,259;  
2003 – allowance \$43,652, claimed expenditure \$66,407, hire of motor vehicle \$12,000.

- A summary of expenses for the period from July 2002 to June 2003 totalling \$33,618. Motor vehicle expenses included petrol, metropolitan parking, car wash, insurance, tyres, and registration totalling \$9,537. This figure did not include depreciation or alternative loan or lease payments that were expected to be an extra expense of between \$6,000 and \$12,000.
- Advice that should extra benefits be provided below cost, it would be the intention of the Member to move a Private Member's Bill to amend the Act to require strict revenue neutrality in regard to these extra benefits; and
- Summaries of information obtained from other jurisdictions in relation to this matter.

In addition to the above submissions a number of other Members of Parliament have made prior submissions to the Tribunal for the allocation of motor vehicles to South Australian Members of Parliament on the basis that all other States had arrangements in this regard.

## **2. ELECTORATE ALLOWANCES**

- 2.1 On the 12 May 2003 the Tribunal issued Determination No. 2 of 2003 - Ministers of the Crown and Officers and Members of Parliament, as a result of the annual review that commenced in January 2003.
- 2.2 The determination provided for a minimal adjustment only to electorate allowances based on the movement in the Consumer Price Index and the report detailed the Tribunal's decision to conduct an extensive review of this allowance by way of a survey. It wrote to all Members of parliament on 30 May 2003, requesting this survey be completed for the period 1 July 2003 to 30 June 2004 and returned to the Tribunal by 31 July 2004.

The Tribunal outlined the reasons for providing electorate allowances to Members of Parliament, which are to compensate them for the expenses they necessarily incur in the performance of their duties. It also advised that a significant component of the electorate allowance covers the cost of running a motor vehicle in the servicing of electorates, and if vehicles are provided to Members of Parliament the Tribunal would need to consider a downward adjustment of the electorate allowance.

## **3. PROVISION OF NON-MONETARY BENEFITS – MOTOR VEHICLES**

- 3.1 The Tribunal has been informed of the terms and conditions relating to the provision of a motor vehicle to Federal Members of parliament along with Members in Victoria, Western Australia, the Northern Territory and the ACT. Members in New South Wales, Tasmania and some Members in Queensland do not have vehicles provided.

- 3.2 The Tribunal also sought and received advice from the Crown Solicitor in relation to the interpretation of the new legislation and matters that can be referenced and given regard to in its considerations for a determination relating to the provision of a motor vehicle to Members of Parliament.
- 3.3 The Tribunal has had drawn to its attention a "Schedule of Motor Vehicles and Costs", issued by the Commissioner for Public Employment. The schedule details the cost of providing vehicles which vary from \$10,686 for a Magna TL ES Sedan 3.5L to \$14,867 for a Calais Sedan VYII 3.8L.
- 3.4 For many years the Tribunal has endeavoured to obtain the true costs of servicing an electorate to the Members of Parliament. However, when the Tribunal has sought this information in the past it has received very limited responses from Members in relation to the expenses associated within their electorate, including the costs of running a vehicle in servicing the electorate.

The Tribunal has again forwarded a request to all Members of Parliament for completion of a survey in relation to expenses incurred in the 2003/2004 financial year (as detailed in Clause 2.2 above). The survey includes a request for information relating to the running of a motor vehicle for servicing the electorate.

For many years determinations of the Tribunal have specifically stated that a significant component of the electorate allowance covers the cost of running a motor vehicle in the servicing of electorates. Therefore, notwithstanding that Parliament has determined that the electorate allowance cannot be reduced if a car is provided, the Tribunal has concluded that it will await the information sought to be included in that for which it shall have regard before making a determination in relation to the review of the electorate allowance or the provision of a motor vehicle.

The Tribunal has come to this conclusion having regard to its primary task to independently and objectively assess the impact of the information, evidence and arguments presented to the Tribunal, and to arrive at a decision in accordance with equity, good conscience and the substantial merits of the case as presented.

The information sought will enable a fair and reasonable assessment to be made of the expenses and conditions associated with the running of a motor vehicle when determining an appropriate contribution for the provision of a vehicle should one be provided.

Consequently, the Tribunal has determined that it will defer any decision in relation to the provision of a motor vehicle to Members of Parliament until after the surveys are returned in July 2004 and strongly encourages all Members to provide this information by the requested date to enable this matter to be further reviewed.

HR Bachmann  
**PRESIDENT**

D Flux  
**MEMBER**

JA Meeking  
**MEMBER**

11 December 2003

---

---

South Australia

## **Lottery and Gaming (Lottery Inspectors) Amendment Act (Commencement) Proclamation 2003**

### **1—Short title**

This proclamation may be cited as the *Lottery and Gaming (Lottery Inspectors) Amendment Act (Commencement) Proclamation 2003*.

### **2—Commencement of Act**

The *Lottery and Gaming (Lottery Inspectors) Amendment Act 2003* (No 48 of 2003) will come into operation on 1 March 2004.

### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

T&F03/107CS

South Australia

## **National Electricity (South Australia) (New Penalty) Amendment Act (Commencement) Proclamation 2003**

### **1—Short title**

This proclamation may be cited as the *National Electricity (South Australia) (New Penalty) Amendment Act (Commencement) Proclamation 2003*.

### **2—Commencement of Act**

The *National Electricity (South Australia) (New Penalty) Amendment Act 2003* (No 51 of 2003) will come into operation on 18 December 2003.

### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

MEN03/020CS



South Australia

## **National Environment Protection Council (South Australia)(Miscellaneous) Amendment Act (Commencement) Proclamation 2003**

### **1—Short title**

This proclamation may be cited as the *National Environment Protection Council (South Australia)(Miscellaneous) Amendment Act (Commencement) Proclamation 2003*.

### **2—Commencement of Act**

The *National Environment Protection Council (South Australia)(Miscellaneous) Amendment Act 2003* (No 58 of 2003) will come into operation on 20 December 2003.

### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

EC03/0092CS

South Australia

## **Passenger Transport (Dissolution of Passenger Transport Board) Amendment Act (Commencement) Proclamation 2003**

### **1—Short title**

This proclamation may be cited as the *Passenger Transport (Dissolution of Passenger Transport Board) Amendment Act (Commencement) Proclamation 2003*.

### **2—Commencement of Act**

The *Passenger Transport (Dissolution of Passenger Transport Board) Amendment Act 2003* (No 54 of 2003) will come into operation on 1 January 2004.

### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

CPTB2003/008CS

South Australia

## **Prohibition of Human Cloning Act (Commencement) Proclamation 2003**

### **1—Short title**

This proclamation may be cited as the *Prohibition of Human Cloning Act (Commencement) Proclamation 2003*.

### **2—Commencement of Act**

The *Prohibition of Human Cloning Act 2003* (No 17 of 2003) will come into operation on 18 December 2003.

### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

DHS34/03CS

South Australia

## **Research Involving Human Embryos Act (Commencement) Proclamation 2003**

### **1—Short title**

This proclamation may be cited as the *Research Involving Human Embryos Act (Commencement) Proclamation 2003*.

### **2—Commencement of Act**

The *Research Involving Human Embryos Act 2003* (No 18 of 2003) will come into operation on 18 December 2003.

### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

DHS34/03CS

South Australia

## **Statutes Amendment (Division of Superannuation Interests under Family Law Act) Act (Commencement) Proclamation 2003**

### **1—Short title**

This proclamation may be cited as the *Statutes Amendment (Division of Superannuation Interests under Family Law Act) Act (Commencement) Proclamation 2003*.

### **2—Commencement of Act**

The *Statutes Amendment (Division of Superannuation Interests under Family Law Act) Act 2003* (No 49 of 2003) will come into operation on 18 December 2003.

### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

AGO0304/03CS

South Australia

## **Statutes Amendment (Expiation of Offences) Act (Commencement) Proclamation 2003**

### **1—Short title**

This proclamation may be cited as the *Statutes Amendment (Expiation of Offences) Act (Commencement) Proclamation 2003*.

### **2—Commencement of Act and suspension of certain provisions**

- (1) The *Statutes Amendment (Expiation of Offences) Act 2003* (No 53 of 2003) will come into operation on 18 December 2003.
- (2) The operation of sections 5, 6, 10 and 11 of the Act are suspended until a day to be fixed by subsequent proclamation.

### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

AGO0032/03CS

South Australia

## **Administrative Arrangements (Committal of Acts to Minister for Health) Proclamation 2003**

under section 5 of the *Administrative Arrangements Act 1994*

### **1—Short title**

This proclamation may be cited as the *Administrative Arrangements (Committal of Acts to Minister for Health) Proclamation 2003*.

### **2—Commencement**

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

### **3—Committal of Acts to Minister**

The administration of the following Acts is committed to the Minister for Health:

- (a) *Prohibition of Human Cloning Act 2003*;
- (b) *Research Involving Human Embryos Act 2003*.

### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

DHS34/03CS

South Australia

## **Animal and Plant Control (Agricultural Protection and Other Purposes) (Declaration of Classes of Plants to which Act Applies) Proclamation 2003**

under section 51 of the *Animal and Plant Control (Agricultural Protection and Other Purposes) Act 1986*

### **1—Short title**

This proclamation may be cited as the *Animal and Plant Control (Agricultural Protection and Other Purposes) (Declaration of Classes of Plants to which Act Applies) Proclamation 2003*.

### **2—Declaration**

- (1) In respect of each entry in the table in Schedule 1—
  - (a) the provisions of the Act specified in the second column are declared to apply to the class of plants specified in the first column; and
  - (b) for the purposes of the application of those provisions to that class of plants, the areas specified in the third column are declared to be control areas.
- (2) Section 54(1) and (2) of the Act is declared to apply to all classes of plants specified in Schedule 1 except—
  - (a) the detached fruit of plants of class 3c; and
  - (b) the following varieties of plants of class 3c:
    - (i) Black Satin;
    - (ii) Dirksen Thornless;
    - (iii) Silvan;
    - (iv) Smoothstem;
    - (v) Tayberry;
    - (vi) Thornfree;
    - (vii) Tummelberry; and
  - (c) classes 5d, 5e, 7a, 7b, 7c, 7d and 8.
- (3) Section 60 of the Act is declared to apply to all classes of plants specified in Schedule 1 except classes 4, 5a, 5b, 5c, 8, 9, 10 and 11.

## Schedule 1—Plants

Plants	Provisions of the Act which apply	Control areas
<b>Class 1a—Prohibited aquatic plants</b>		
Alligator weed ( <i>Alternanthera philoxeroides</i> )	Sections 52(1), 52(2), 56(1), 56(2) and 57(1)	The whole of the State.
Arrowhead ( <i>Sagittaria montevidensis</i> )		
Elodea ( <i>Elodea canadensis</i> )		
Eurasian water-milfoil ( <i>Myriophyllum spicatum</i> )		
Hydrocotyle ( <i>Hydrocotyle ranunculoides</i> )		
Lagarosiphon ( <i>Lagarosiphon major</i> )		
Leafy elodea ( <i>Egeria densa</i> )		
Salvinia ( <i>Salvinia molesta</i> )		
Senegal tea plant ( <i>Gymnocoronis spilanthoides</i> )		
Water caltrop ( <i>Trapa natans</i> )		
Water hyacinth ( <i>Eichhornia crassipes</i> )		
Water soldier ( <i>Stratiotes aloides</i> )		
<b>Class 1b—Established aquatic plants</b>		
Sagittaria ( <i>Sagittaria graminea</i> )	Sections 52(1) and 52(2)	The whole of the State.
	Sections 56(1), 56(2) and 57(1)	The whole of the State except the area specified in relation to section 57(2).
	Section 57(2)	That part of the area of the Mid Murray control board generally south of Walkers Flat ferry crossing and generally north of Mannum ferry crossing.
<b>Class 1c—Prohibited terrestrial plants</b>		
Class 1c(i)		
Alkali sida ( <i>Malvella leprosa</i> )	Sections 52(1), 52(2), 56(1), 56(2) and 57(1)	The whole of the State.
Broad-kernel espartillo ( <i>Achnatherum caudatum</i> )		

<b>Plants</b>	<b>Provisions of the Act which apply</b>	<b>Control areas</b>
Cane needlegrass ( <i>Nassella hyalina</i> )		
Mexican feathergrass ( <i>Nassella tenuissima</i> )		
Khaki weed ( <i>Alternanthera pungens</i> )		
Parthenium weed ( <i>Parthenium hysterophorus</i> )		
Perennial thistle ( <i>Cirsium arvense</i> )		
Pink pampas grass ( <i>Cortaderia jubata</i> )		
Poison buttercup ( <i>Ranunculus sceleratus</i> )		
Primrose willow ( <i>Ludwigia peruviana</i> )		
Ragwort ( <i>Senecio jacobaea</i> )		
Serrated tussock ( <i>Nassella trichotoma</i> )		
Toe toe ( <i>Cortaderia richardii</i> )		
<b>Class 1c(ii)</b>		
Mesquite ( <i>Prosopis</i> spp.) (not seasoned dry timber)	Sections 52(1), 52(2), 56(1) and 57(1)	The whole of the State.
Parkinsonia ( <i>Parkinsonia aculeata</i> )		
<b>Class 1c(iii)</b>		
Prickly pear ( <i>Opuntia</i> spp.) (excluding spineless <i>Opuntia ficus-indica</i> )	Sections 52(1), 52(2) and 57(2)	The whole of the State.
<b>Class 1c(iv)</b>		
Horsetail ( <i>Equisetum</i> spp.) (excluding dead shoots)	Sections 52(1), 52(2), 56(1), 56(2) and 57(1)	The whole of the State.
<b>Class 1c(v)</b>		
Rampion mignonette ( <i>Reseda phyteuma</i> )	Sections 52(1), 52(2), 56(1) and 56(2) Section 57(1)	The whole of the State.  The whole of the State except the areas specified in relation to section 57(2).

<b>Plants</b>	<b>Provisions of the Act which apply</b>	<b>Control areas</b>
	Section 57(2)	That part of the area of the Lower North control board within the Hundred of Clare.
<b>Class 1d—Dodder</b>		
Class 1d(i)		
Golden dodder ( <i>Cuscuta campestris</i> )	Sections 52(1), 52(2), 54(1) and 54(2)	The whole of the State.
	Section 57(1)	The whole of the State except the areas specified in relation to section 57(2).
	Section 57(2)	The areas of the following control boards: Loxton Waikerie, Mid Murray, Riverland; and the areas of Counties Hamley and Young.
Class 1d(ii)		
Chilean dodder ( <i>Cuscuta suaveolens</i> )	Sections 52(1), 52(2), 54(1), 54(2), 56(1), 56(2) and 57(2)	The whole of the State.
Red dodder ( <i>Cuscuta planiflora</i> )		
Class 1d(iii)		
Large-seeded dodder ( <i>Cuscuta indecora</i> )	Sections 52(1), 52(2), 54(1), 54(2), 56(1), 56(2) and 57(1)	The whole of the State.
Class 1d(iv)		
Dodders ( <i>Cuscuta</i> ) (all other species of <i>Cuscuta</i> not specifically referred to in this Schedule)	Sections 52(1), 52(2), 54(1) and 54(2)	The whole of the State.
<b>Class 1e—Toxicodendrons</b>		
Poison ivy ( <i>Toxicodendron radicans</i> )	Section 57(1)	The whole of the State.
Rhus tree ( <i>Toxicodendron succedaneum</i> )		
<b>Class 1f—Water-dropwort</b>		
Water-dropwort ( <i>Oenanthe pimpinelloides</i> )	Section 52(2) and 57(2)	The whole of the State.



Plants	Provisions of the Act which apply	Control areas
	Sections 56(1) and 56(2)	<p>The whole of the State excluding the following areas:</p> <p>All of the land contained in Sections 54, 111, 125, 132, 133, 557, 773, 774, 775, 857, 858, 859, 860, 3320, 3426, 3456, 3457, 3458, 3459, 3460, 3463, 3465, 3466, 3467, 3468, 3470, 3471, 3472, 3474, 3475, 3477, 3478, 3479, 3480, 3485 and 3504, Hundred of Kuitpo and roads abutting this area and the area of land within the township of Meadows.</p>
<b>Class 1g—Broomrapes</b>		
Broomrapes ( <i>Orobanche</i> ) (all species except <i>Orobanche australiana</i> )	Sections 52(1), 52(2), 54(1), 54(2), 56(1), 56(2) and 57(1)	The whole of the State.
<b>Class 2a—Dangerous agricultural weeds</b>		
Creeping knapweed ( <i>Acroptilon repens</i> )	Sections 52(2), 56(1) and 57(2)	The whole of the State.
Hoary cress ( <i>Cardaria draba</i> )		
Silverleaf nightshade ( <i>Solanum elaeagnifolium</i> )		
<b>Class 2b—Noogoora burr</b>		
Noogoora burr complex including Californian burr and Noogoora burr ( <i>Xanthium strumarium</i> sp. agg.)	Sections 52(1), 52(2) and 56(1)	The whole of the State
	Section 57(1)	The whole of the State except the areas specified in relation to section 57(2).
	Section 57(2)	<p>The area of each control board.</p> <p>The area contained in the Yadlamalka pastoral lease.</p> <p>The areas of Counties Hamley and Young.</p>

<b>Plants</b>	<b>Provisions of the Act which apply</b>	<b>Control areas</b>
<b>Class 2c—Statewide pest plants</b>		
Class 2c(i)		
African boxthorn ( <i>Lycium ferocissimum</i> )	Sections 52(2) and 57(2)	The whole of the State.
African lovegrass ( <i>Eragrostis curvula</i> ) (excluding the variety Consol)		
Bridal creeper ( <i>Asparagus asparagoides</i> and <i>Asparagus declinatus</i> )		
Field garlic ( <i>Allium vineale</i> )		
Gorse or Furze ( <i>Ulex europaeus</i> )		
Three corner jack ( <i>Emex</i> spp.)		
Class 2c(ii)		
Bladder campion ( <i>Silene vulgaris</i> )	Sections 52(2) and 57(2)	The whole of the State.
Calomba daisy ( <i>Oncosiphon suffruticosum</i> )	Section 56(1)	The area of the Elliston LeHunte control board.
<b>Class 2d—Bathurst burr</b>		
Bathurst burr ( <i>Xanthium spinosum</i> )	Sections 52(2) and 57(2)	The whole of the State.
<b>Class 2e—Caltrop</b>		
Caltrop ( <i>Tribulus terrestris</i> )	Sections 52(2) and 57(2) Section 56(1)	The whole of the State. The areas of the following control boards: Elliston LeHunte and Yorke Peninsula.
<b>Class 2f—Cape tulip</b>		
One-leaf Cape tulip ( <i>Moraea flaccida</i> )	Sections 52(2) and 57(2)	The whole of the State.
Two-leaf Cape tulip ( <i>Moraea miniata</i> )	Section 56(1)	The area of the Elliston LeHunte control board.
<b>Class 2g—Cutleaf mignonette</b>		
Cutleaf mignonette ( <i>Reseda lutea</i> )	Sections 52(2) and 57(2)	The whole of the State.

Plants	Provisions of the Act which apply	Control areas
	Section 56(1)	The whole of the State except the areas of the following control boards:  Northern Yorke Peninsula, Yorke Peninsula.
<b>Class 2h—Innocent weed</b>		
Innocent weed ( <i>Cenchrus incertus</i> or <i>Cenchrus longispinus</i> )	Sections 52(2) and 57(2)	The whole of the State.
	Section 56(1)	The areas of the following control boards:  Adelaide Plains, Barossa Ranges, Coorong, Eastern Eyre, Elliston LeHunte, Fleurieu, Grant, Goyder, Kangaroo Island, Lacepede Tatiara Robe, Lower Flinders, Lower North, Lucindale Naracoorte, Mid Murray, Mount Lofty Ranges, Northern, Northern Yorke Peninsula, Salisbury, Upper North, Wattle Range, Western, Yorke Peninsula.  Any area of the State that is not within the area of a control board.
<b>Class 2i—Skeleton weed</b>		
Skeleton weed ( <i>Chondrilla juncea</i> )	Sections 52(2) and 57(2)	The whole of the State.
	Section 56(1)	The areas of the following control boards:  Adelaide Plains, Eastern Eyre, Elliston LeHunte, Fleurieu, Grant, Lucindale Naracoorte, Southern Eyre, Wattle Range, Western.  The areas of Counties Kintore and Hopetoun.

<b>Plants</b>	<b>Provisions of the Act which apply</b>	<b>Control areas</b>
<b>Class 2j—Perennial ragweed</b>		
Perennial ragweed ( <i>Ambrosia</i> spp.)	Sections 52(2) and 57(2)	The whole of the State.
	Sections 56(1) and 56(2)	The whole of the State except the areas of the following control boards:  Burnside, Campbelltown, Charles Sturt, City of Adelaide, Holdfast Bay, Kensington and Norwood, Marion, Mitcham, Payneham, Port Adelaide Enfield, Prospect, Salisbury, St Peters, Tea Tree Gully, Unley, Walkerville, West Torrens.
<b>Class 2k—False caper</b>		
False caper ( <i>Euphorbia terracina</i> )	Sections 52(2) and 57(2)	The whole of the State.
<b>Class 2l—Stipoid grasses</b>		
Chilean needlegrass ( <i>Nassella neesiana</i> )	Sections 52(1), 52(2), 56(1), 56(2) and 57(2)	The whole of the State.
Plumerillo ( <i>Jarava plumosa</i> )		
Texas needlegrass ( <i>Nassella leucotricha</i> )		
<b>Class 3a—African feathergrass</b>		
African feathergrass ( <i>Pennisetum macrourum</i> )	Section 52(2)	The whole of the State.

Plants	Provisions of the Act which apply	Control areas
	Section 57(2)	<p>The areas of the following control boards:</p> <p>Adelaide Plains, Barossa Ranges, City of Mt Gambier, Coorong, Eastern Eyre, Elliston LeHunte, Fleurieu, Grant, Goyder, Kangaroo Island, Lacepede Tatiara Robe, Lower Flinders, Lower North, Loxton Waikerie, Lucindale Naracoorte, Mid Murray, Mitcham, Mount Lofty Ranges, Northern, Northern Yorke Peninsula, Riverland, Salisbury, Southern Eyre, Southern Mallee, Upper North, Wattle Range, Western, Yorke Peninsula.</p>
<b>Class 3b—African rue</b>		
African rue ( <i>Peganum harmala</i> )	Sections 52(2) and 57(2) Section 56(1)	<p>The whole of the State.</p> <p>The areas of the following control boards:</p> <p>Coorong, Eastern Eyre, Elliston LeHunte, Goyder, Lower Flinders, Loxton Waikerie, Mid Murray, Murray Lands, Northern, Riverland, Southern Mallee, Upper North, Western.</p> <p>Any area of the State that is not within the area of a control board.</p>

Plants	Provisions of the Act which apply	Control areas
<b>Class 3c—Blackberry</b>		
Blackberry ( <i>Rubus fruticosus</i> sp. agg.) (excluding— (a) any detached fruit; and (b) the following varieties when planted and maintained for domestic or commercial purposes under conditions approved by the Animal and Plant Control Commission: (i) Black Satin; (ii) Dirksen Thornless; (iii) Silvan; (iv) Smoothstem; (v) Tayberry; (vi) Thornfree; (vii) Tummelberry.)	Sections 52(1) and 52(2) Section 57(2)	The whole of the State. The areas of the following control boards: Barossa Ranges, Burnside, Charles Sturt, City of Mt Gambier, Elliston LeHunte, Fleurieu, Goyder, Grant, Holdfast Bay, Kangaroo Island, Lacepede Tatiara Robe, Lower Flinders, Lower North, Loxton Waikerie, Lucindale Naracoorte, Mid Murray, Mitcham, Mount Lofty Ranges, Murray Bridge, Northern, Northern Yorke Peninsula, Port Adelaide Enfield, Prospect, Riverland, Southern Eyre, Tea Tree Gully, Wattle Range, Western.
<b>Class 3d—Briars</b>		
Class 3d(i)		
Dog rose ( <i>Rosa canina</i> )	Section 52(2) Section 57(2)	The whole of the State. The area of the following control boards: Barossa Ranges, City of Mt Gambier, Fleurieu, Grant, Loxton Waikerie, Mid Murray, Mitcham, Mount Lofty Ranges, Wattle Range.
Class 3d(ii)		
Sweet briar ( <i>Rosa rubiginosa</i> )	Section 52(2)	The whole of the State.

<b>Plants</b>	<b>Provisions of the Act which apply</b>	<b>Control areas</b>
	Section 57(2)	The areas of the following control boards:  Barossa Ranges, City of Mt Gambier, Fleurieu, Grant, Loxton Waikerie, Mid Murray, Mitcham, Mount Lofty Ranges.
<b>Class 3e—Horehound</b>		
Horehound ( <i>Marrubium vulgare</i> )	Section 52(2)	The whole of the State.
	Section 57(2)	The areas of the following control boards:  Adelaide Plains, Barossa Ranges, Coorong, Eastern Eyre, Elliston LeHunte, Fleurieu, Grant, Goyder, Kangaroo Island, Lacepede Tatiara Robe, Lower Flinders, Lower North, Loxton Waikerie, Lucindale Naracoorte, Mid Murray, Mount Lofty Ranges, Murray Bridge, Murray Lands, Northern, Northern Yorke Peninsula, Port Adelaide Enfield, Riverland, Salisbury, Southern Eyre, Southern Mallee, Upper North, Western, Yorke Peninsula.
<b>Class 3f—Lincoln weed</b>		
Lincoln weed ( <i>Diplotaxis tenuifolia</i> )	Section 52(2)	The whole of the State.
	Section 57(2)	The areas of the following control boards:  Barossa Ranges, City of Mt Gambier, Coorong, Eastern Eyre, Elliston LeHunte, Fleurieu, Grant, Goyder, Holdfast Bay, Kangaroo Island, Lacepede Tatiara Robe, Lower Flinders, Lower North, Loxton Waikerie, Lucindale

Plants	Provisions of the Act which apply	Control areas
		Naracoorte, Mid Murray, Mount Lofty Ranges, Murray Bridge, Murray Lands, Northern, Northern Yorke Peninsula, Riverland, Salisbury, Southern Eyre, Southern Mallee, Upper North, Wattle Range, Yorke Peninsula.
<b>Class 3g—Pheasant's eye</b>		
Pheasant's eye ( <i>Adonis microcarpa</i> )	Section 52(2)	The whole of the State.
	Section 56(1)	The areas of the following control boards:
		Eastern Eyre, Lower North
	Section 57(2)	The areas of the following control boards:
		Alexandrina, Coorong, Eastern Eyre, Elliston LeHunte, Goyder, Kangaroo Island, Lacepede Tatiara Robe, Lower Flinders, Lower North, Loxton Waikerie, Lucindale Naracoorte, Mid Murray, Murray Lands, Northern, Riverland, Southern Eyre, Upper North, Western, Yankalilla/Onkaparinga, Yorke Peninsula.
		Any area of the State that is not within the area of a control board.
<b>Class 3h—Salvation Jane</b>		
Salvation Jane ( <i>Echium plantagineum</i> )	Section 52(2)	The whole of the State.
	Section 56(1)	The area of the Grant control board.



Plants	Provisions of the Act which apply	Control areas
	Section 57(2)	<p>The areas of the following control boards:</p> <p>Adelaide Plains, Barossa Ranges, Charles Sturt, City of Mt Gambier, Coorong, Eastern Eyre, Elliston LeHunte, Fleurieu, Grant, Holdfast Bay, Kangaroo Island, Lacepede Tatiara Robe, Lower Flinders, Lower North, Loxton Waikerie, Lucindale Naracoorte, Mid Murray, Mitcham, Mount Lofty Ranges, Murray Bridge, Murray Lands, Port Adelaide Enfield, Southern Eyre, Wattle Range, West Torrens, Western, Yorke Peninsula.</p> <p>The areas of Counties Hopetoun and Kintore.</p>
<b>Class 3i—Soldier thistle</b>		
Soldier thistle ( <i>Picnoman acarna</i> )	Section 52(2)	The whole of the State.
	Section 57(2)	<p>The areas of the following control boards:</p> <p>Adelaide Plains, Barossa Ranges, Coorong, Fleurieu, Goyder, Lacepede Tatiara Robe, Lower Flinders, Lower North, Loxton Waikerie, Lucindale Naracoorte, Mid Murray, Murray Lands, Northern, Northern Yorke Peninsula, Upper North, Yorke Peninsula.</p>

Plants	Provisions of the Act which apply	Control areas
<b>Class 3j—Soursob</b>		
Soursob ( <i>Oxalis pes-caprae</i> )	Section 52(2)	The whole of the State.
	Section 57(2)	The areas of the following control boards:
		Eastern Eyre, Elliston LeHunte, Grant, Lacepede Tatiara Robe, Lucindale Naracoorte, Mount Lofty Ranges.
		The area of Counties of Hopetoun and Kintore.
		The area of any land in the State used for the extraction or removal of soil, loam, sand or gravel.
<b>Class 3k—Variegated thistle</b>		
Variegated thistle ( <i>Silybum marianum</i> )	Section 52(2)	The whole of the State.
	Section 57(2)	The areas of the following control boards:
		Adelaide Plains, Barossa Ranges, City of Mt Gambier, Coorong, Eastern Eyre, Elliston LeHunte, Fleurieu, Goyder, Grant, Holdfast Bay, Kangaroo Island, Lacepede Tatiara Robe, Lower North, Loxton Waikerie, Lucindale Naracoorte, Marion, Mid Murray, Mitcham, Mount Lofty Ranges, Murray Bridge, Northern, Northern Yorke Peninsula, Salisbury, Southern Eyre, Wattle Range, Western.
<b>Class 3l—Wild artichoke</b>		
Wild artichoke ( <i>Cynara cardunculus</i> )	Section 52(2)	The whole of the State.

Plants	Provisions of the Act which apply	Control areas
	Section 57(2)	<p>The areas of the following control boards:</p> <p>Adelaide Plains, Barossa Ranges, Burnside, Coorong, Fleurieu, Goyder, Lacepede Tatiara Robe, Lower Flinders, Lower North, Loxton Waikerie, Lucindale Naracoorte, Mid Murray, Mitcham, Mount Lofty Ranges, Murray Bridge, Northern, Northern Yorke Peninsula, Riverland, Salisbury, Tea Tree Gully, Upper North, Wattle Range.</p>
<b>Class 3m—Yellow burrweed</b>		
Yellow burrweed ( <i>Amsinckia</i> spp.)	Section 52(2)	The whole of the State
	Section 56(1)	<p>The areas of the following control boards:</p> <p>Adelaide Plains, Barossa Ranges, City of Mt Gambier, Coorong, Eastern Eyre, Elliston LeHunte, Fleurieu, Goyder, Grant, Holdfast Bay, Kangaroo Island, Lacepede Tatiara Robe, Lower Flinders, Lower North, Loxton Waikerie, Lucindale Naracoorte, Mid Murray, Mount Lofty Ranges, Murray Bridge, Murray Lands, Northern, Northern Yorke Peninsula, Riverland, Salisbury, Southern Eyre, Upper North, Wattle Range, Western, Yorke Peninsula.</p> <p>The areas of Counties Hopetoun and Kintore.</p>

Plants	Provisions of the Act which apply	Control areas
	Section 57(2)	<p>The areas of the following control boards:</p> <p>Adelaide Plains, Barossa Ranges, City of Mt Gambier, Coorong, Eastern Eyre, Elliston LeHunte, Fleurieu, Goyder, Grant, Holdfast Bay, Kangaroo Island, Lacepede Tatiara Robe, Lower Flinders, Lower North, Loxton Waikerie, Lucindale Naracoorte, Mid Murray, Mount Lofty Ranges, Murray Bridge, Murray Lands, Northern, Northern Yorke Peninsula, Riverland, Salisbury, Southern Eyre, Southern Mallee, Upper North, Wattle Range, Western, Yorke Peninsula.</p> <p>The areas of Counties Hopetoun and Kintore.</p>
<b>Class 4—Boneseed</b>		
Boneseed ( <i>Chrysanthemoides monilifera</i> )	Sections 52(2) and 57(2)	The whole of the State.
<b>Class 5a—Hawthorns</b>		
Azzarola ( <i>Crataegus sinaica</i> )	Section 52(2)	The whole of the State.
May ( <i>Crataegus monogyna</i> )	Section 57(2)	<p>The areas of the following control boards:</p> <p>Burnside, Mount Lofty Ranges, Wattle Range.</p>
<b>Class 5b—Brooms</b>		
Class 5b(i)		
Cape or Montpellier broom ( <i>Genista monspessulana</i> )	Section 52(2)	The whole of the State.

<b>Plants</b>	<b>Provisions of the Act which apply</b>	<b>Control areas</b>
	Section 57(2)	The areas of the following boards:  Barossa Ranges, Charles Sturt, City of Mt Gambier, Fleurieu, Grant, Holdfast Bay, Kangaroo Island, Mid Murray, Mitcham, Mount Lofty Ranges.
<b>Class 5b(ii)</b>		
English or Scotch Broom ( <i>Cytisus scoparius</i> )	Section 52(2)	The whole of the State.
	Section 57(2)	The areas of the following control boards:  Barossa Ranges, Charles Sturt, City of Mt Gambier, Fleurieu, Holdfast Bay, Kangaroo Island, Mid Murray, Mount Lofty Ranges, Wattle Range.
<b>Class 5c—Bulbil watsonia</b>		
Bulbil watsonia ( <i>Watsonia meriana</i> var. <i>bulbillifera</i> )	Section 52(2)	The whole of the State.
	Section 57(2)	The areas of the following control boards:  Barossa Ranges, Fleurieu, Mid Murray, Mitcham, Mount Lofty Ranges, Wattle Range.
<b>Class 5d—Olive</b>		
Olive ( <i>Olea europaea</i> ) (not planted and maintained for domestic or commercial use)	Section 57(2)	The whole of the State.
<b>Class 5e—Pine</b>		
Aleppo pine ( <i>Pinus halepensis</i> ) (not planted and maintained for domestic or commercial use)	Section 57(2)	The areas of the following control boards:  Mitcham, Southern Eyre.
<b>Class 6—Weeds spread in soil</b>		
Field bindweed ( <i>Convolvulus arvensis</i> )	Section 52(2)	The whole of the State

<b>Plants</b>	<b>Provisions of the Act which apply</b>	<b>Control areas</b>
Nutgrass ( <i>Cyperus rotundus</i> )	Section 57(1)	The area of any land in the State used for the extraction or removal of soil, loam, sand or gravel.
<b>Class 7a—Onion weed</b>		
Onion weed ( <i>Asphodelus fistulosus</i> )	Section 57(2)	The areas of the following control boards:  Coorong, Goyder, Lacedpede Tatiara Robe, Lower Flinders, Mid Murray, Upper North, Yorke Peninsula.
<b>Class 7b—Slender thistle</b>		
Slender thistle ( <i>Carduus tenuiflorus</i> )	Section 57(2)	The areas of the following control boards:  Barossa Ranges, City of Mt Gambier, Eastern Eyre, Fleurieu, Grant, Lower North, Mid Murray, Mount Lofty Ranges.
<b>Class 7c—Local pest plants</b>		
Class 7c(i)		
Buchan weed ( <i>Hirschfeldia incana</i> )	Section 57(2)	The areas of the following control boards:  City of Mt Gambier, Mt Gambier & Port MacDonnell Districts.
Class 7c(ii)		
Spear thistle ( <i>Cirsium vulgare</i> )	Section 57(2)	The areas of the following control boards:  Barossa Ranges, Mount Lofty Ranges.
Class 7c(iii)		
Three-cornered garlic ( <i>Allium triquetrum</i> )	Section 57(2)	The areas of the following control boards:  Barossa Ranges, Mount Lofty Ranges.

Plants	Provisions of the Act which apply	Control areas
Class 7c(iv)		
Carrot ( <i>Daucus carota</i> ) (not planted)	Section 57(2)	The areas of the following control boards:  City of Mt Gambier, Grant, Lacedpede Tatiara Robe, Lucindale Naracoorte, Wattle Range.
<b>Class 7d—Three-horned bedstraw</b>		
Three-horned bedstraw ( <i>Galium tricornutum</i> )	Section 57(2)	The areas of the following control boards:  Eastern Eyre, Elliston LeHunte, Southern Eyre, Western.
<b>Class 8—Galvanised burr</b>		
Galvanised burr ( <i>Sclerolaena birchii</i> )	Section 56(1) and 56(2)	The whole of the State.
<b>Class 9—Excluded weeds</b>		
Class 9a		
Bifora ( <i>Bifora testiculata</i> )	Sections 52(1) and 52(2) Section 56(1)	The whole of the State.  The areas of the following control boards:  Elliston LeHunte, Southern Eyre.
Class 9b		
Kochia ( <i>Kochia scoparia</i> ) (not including the variety <i>trichophylla</i> )  <i>Distichlis spicata</i> ‘NyPa Reclamation’ and any cultivars of <i>Distichlis spicata</i> consisting of lines that include seedbearing individuals	Sections 52(1) and 52(2)	The whole of the State.
<b>Class 10—Noxious seeds</b>		
Muskweed ( <i>Myagrimum perfoliatum</i> )		
Nightstock ( <i>Matthiola longipetala</i> )		

Plants	Provisions of the Act which apply	Control areas
<b>Class 11—Weeds of national significance</b>		
Athel pine ( <i>Tamarix aphylla</i> )		
Cabomba ( <i>Cabomba caroliniana</i> )		
Common lantana ( <i>Lantana camara</i> )		
Hymenachne ( <i>Hymenachne amplexicaulis</i> )		
Mimosa ( <i>Mimosa pigra</i> )		
Pond apple ( <i>Anona glabra</i> )		
Prickly acacia ( <i>Acacia nilotica subsp. indica</i> )		
Rubber vine ( <i>Cryptostegia grandiflora</i> )		
Willows of all species ( <i>Salix</i> spp.) excluding the following:		
(a) <i>Salix babylonica</i> ;		
(b) <i>Salix calodendron</i> ;		
(c) <i>Salix reichardii</i> .		

**Schedule 2—Revocation of proclamation under *Animal and Plant Control (Agricultural Protection and Other Purposes) Act 1986* declaring classes of plants to which Act applies (*Gazette 3.10.1991 p990*) as varied**

- 1 The proclamation made under section 51 of the *Animal and Plant Control (Agricultural Protection and Other Purposes) Act 1986* (*Gazette 3.10.1991 p990*), as varied, is revoked.

**Made by the Governor**

on the recommendation of the Animal and Plant Control Commission and with the advice and consent of the Executive Council

on 18 December 2003.

EC03/0102CS



South Australia

## **Crown Lands (Resumption of Dedicated Land) Proclamation 2003**

under section 5AA(1)(c) of the *Crown Lands Act 1929*

---

### **Preamble**

- 1 The following land is dedicated for school purposes, not intended for ecclesiastical or denominational purposes (*Gazette 5.2.1959 p237*):  

Section 105, Hundred of Warrambo, being the whole of the land contained in Certificate of Title Register Book Volume 5640 Folio 66.
  - 2 The registered proprietor of the land has requested the resumption of the land.
- 

### **1—Short title**

This proclamation may be cited as the *Crown Lands (Resumption of Dedicated Land) Proclamation 2003*.

### **2—Commencement**

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

### **3—Resumption of dedicated land**

The land defined in the preamble to this proclamation is resumed.

### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

EC03/0113CS

South Australia

## **Local Government (Boundary Adjustment—City of Port Adelaide Enfield and City of Tea Tree Gully) Proclamation 2003**

under sections 9(d) and 11 of the *Local Government Act 1999*

### **1—Short title**

This proclamation may be cited as the *Local Government (Boundary Adjustment—City of Port Adelaide Enfield and City of Tea Tree Gully) Proclamation 2003*.

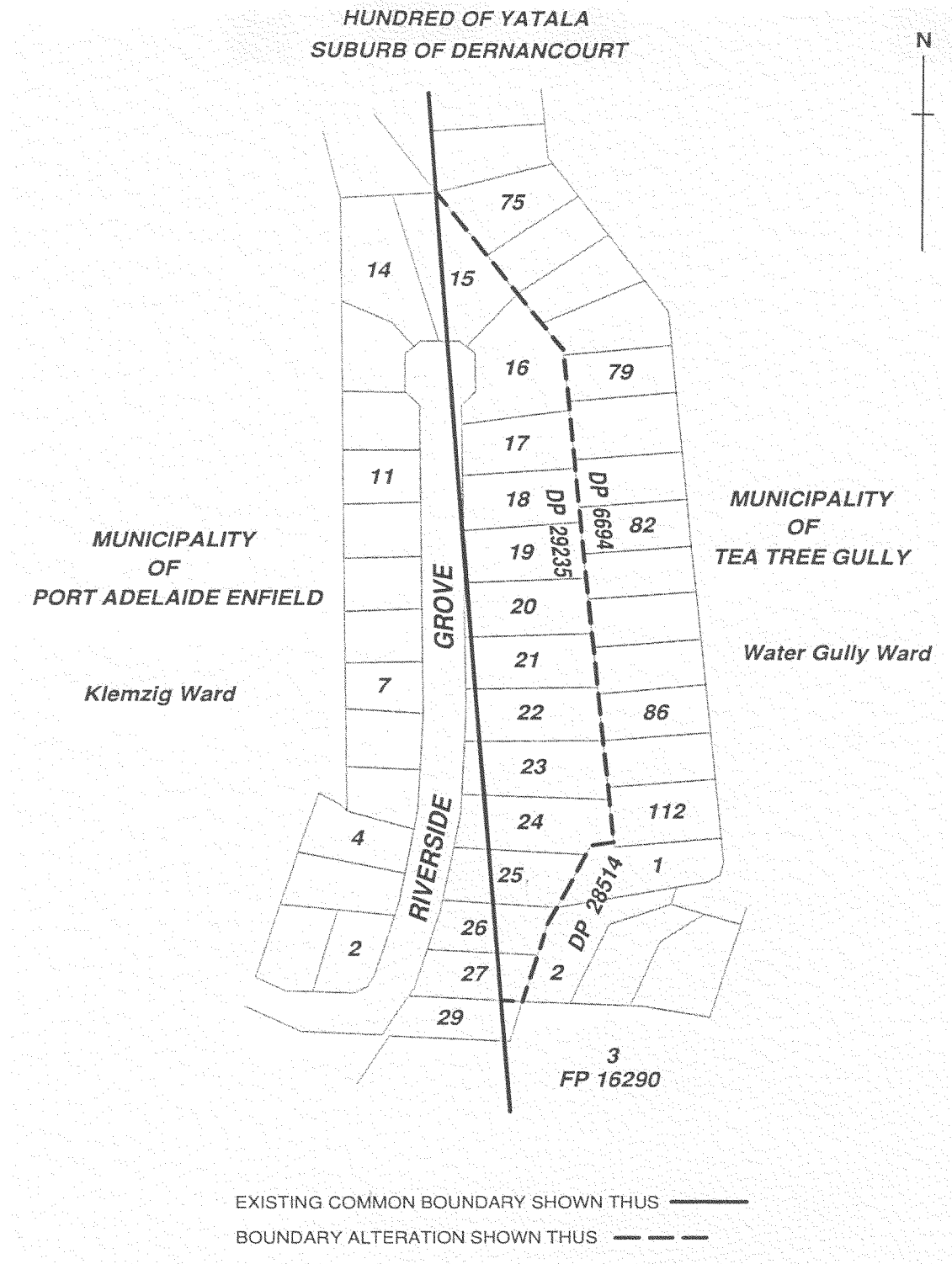
### **2—Commencement**

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

### **3—Boundary adjustment**

The boundaries of the areas of the City of Port Adelaide Enfield and the City of Tea Tree Gully are altered in the manner indicated in the map in Schedule 1 (and consequential amendments are made to the boundaries of the Klemzig Ward in the City of Port Adelaide Enfield and the Water Gully Ward in the City of Tea Tree Gully).

### Schedule 1—Boundary alteration



#### Made by the Governor

on the recommendation of the Boundary Adjustment Facilitation Panel and with the advice and consent of the Executive Council

on 18 December 2003.

COLG2003/0011

South Australia

## **Mining (Revocation of Private Mine) Proclamation 2003**

under section 73N of the *Mining Act 1971*

---

### **Preamble**

- 1 The following area was declared to be a private mine by proclamation on 1 March 1973 (*Gazette 1.3.1973 p739*):
    - Those portions of Sections 5533 and 5541, Hundred of Yatala, County of Adelaide, comprised and described in Certificate of Title Register Book Volume 1346 Folio 124.
  - 2 The Warden's Court has declared (on 29 October 2003 in Action No 409 of 2003) that proper grounds exist for revoking the declaration referred to in clause 1.
- 

### **1—Short title**

This proclamation may be cited as the *Mining (Revocation of Private Mine) Proclamation 2003*.

### **2—Commencement**

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

### **3—Revocation of private mine**

The declaration referred to in clause 1 of the preamble is revoked.

### **Made by the Governor**

on the basis of the declaration of the Warden's Court referred to in clause 2 of the preamble and with the advice and consent of the Executive Council

on 18 December 2003.

AGO0047/02CS

South Australia

## National Parks and Wildlife (Mount Lofty Summit Development Trust) Proclamation 2003

under section 45L of the *National Parks and Wildlife Act 1972*

---

### Preamble

- 1 By proclamation made under section 45B of the *National Parks and Wildlife Act 1972* on 20 July 2000 (*Gazette 20.7.2000 p164*) a Development Trust was established in relation to part of the Cleland Conservation Park and designated the *Mount Lofty Summit Development Trust*.
  - 2 The Development Trust was subsequently varied by proclamation made under section 45B(3) of the Act on 14 June 2001 (*Gazette 14.6.2001 p2220*).
  - 3 It is now intended that the Trust be dissolved.
- 

### 1—Short title

This proclamation may be cited as the *National Parks and Wildlife (Mount Lofty Summit Development Trust) Proclamation 2003*.

### 2—Commencement

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

### 3—Interpretation

In this proclamation—

*General Reserves Trust* means the Development Trust of that name established by proclamation under section 45B of the *National Parks and Wildlife Act 1972* on 30 November 1978 (*Gazette 30.11.1978 p2096*) as varied;

*Mount Lofty Summit Development Trust* means the Development Trust (as varied) referred to in the preamble.

### 4—Dissolution of Mount Lofty Summit Development Trust

The Mount Lofty Summit Development Trust is dissolved.

### 5—Disposal of assets and liabilities of the Trust

The assets and liabilities of the Mount Lofty Summit Development Trust are transferred to the General Reserves Trust.

**Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

DPC016/03CS

South Australia

## Public Sector Management (Extension to Certain Land Management Corporation Employees) Proclamation 2003

under section 71 of the *Public Sector Management Act 1995*

### 1—Short title

This proclamation may be cited as the *Public Sector Management (Extension to Certain Land Management Corporation Employees) Proclamation 2003*.

### 2—Commencement

This proclamation will come into operation on 12 January 2004.

### 3—Interpretation

In this proclamation—

*Act* means the *Public Sector Management Act 1995*.

### 4—Extension of operation of provisions

- (1) The operation of the provisions of the Act listed in the first column of the table in Schedule 1 is extended to public sector employees described in the second column of the table in Schedule 1 (and listed in Schedule 2), subject to the modifications listed in the third column of the table in Schedule 1.
- (2) If a public sector employee to whom this proclamation applies agrees (whether by contract or as a party bound by an industrial award or enterprise agreement) that a provision or provisions of the Act applying to the employee by virtue of this proclamation should cease to so apply, this proclamation will be taken to have been varied, in relation to that employee, to the extent necessary to give effect to the agreement.

## Schedule 1—Provisions of Act and description of employees

Provisions of Act	Description of Employees	How Provisions Modified
Sections 31 and 32; Part 7 Division 3 (sections 42 and 43); Part 8 (sections 44 to 64 inclusive); Section 74	Those public sector employees listed in Schedule 2 who are employed by the Land Management Corporation and who were, immediately before the day on which this proclamation comes into operation, employed in the Department for Administrative and Information Services.	For the purposes of applying the provisions of the Act listed in the first column of this table to employees described in the second column of this table, the following modifications to those provisions are prescribed—  (a) all references to an "administrative unit" are to be read as including a reference to the Land Management Corporation;

<b>Provisions of Act</b>	<b>Description of Employees</b>	<b>How Provisions Modified</b>
		(b) all references to a "Chief Executive" are to be read as including a reference to the Chief Executive of the Land Management Corporation;
		(c) the references to "a contract under Part 7" in section 32(7)(a) will be read as a reference to a contract between the employee and the Land Management Corporation;
		(d) all references to an "employee" are to be read as including a reference to an employee of the Land Management Corporation described in the second column of this table;
		(e) subject to paragraph (f), all references to the "Governor" are to be read as references to the Land Management Corporation;
		(f) paragraph (e) does not apply for the purposes of section 58(5)(e)(i) and (10)(a) and section 60(1)(a) and (4)(a);
		(g) all references to a "position" in sections 42 and 43 will be read as references to a position other than a position in the Land Management Corporation;
		(h) all references to the "Public Service" are to be read as including a reference to the Land Management Corporation.



**Schedule 2—Employees**

<b>Last Name</b>	<b>First Name</b>
Piovesan	Angelo
Gamtcheff	Nicholas
Eastaughffe	Michael
Sawyers	James
McRostie	Elizabeth

**Made by the Governor**

with the advice and consent of the Executive Council  
on 18 December 2003.

MAS03/040CS

South Australia

## **Public Sector Management (Incorporation of Public Sector Employee into DTUP) Proclamation 2003**

under section 7 of the *Public Sector Management Act 1995*

### **1—Short title**

This proclamation may be cited as the *Public Sector Management (Incorporation of Public Sector Employee into DTUP) Proclamation 2003*.

### **2—Commencement**

This proclamation will come into operation on 1 January 2004.

### **3—Incorporation of employee**

- (1) The person holding the office of Chief Executive Officer of the Passenger Transport Board (Heather Webster) is incorporated into the Department of Transport and Urban Planning.
- (2) It is declared—
  - (a) that the public sector employee incorporated into the Department of Transport and Urban Planning by subclause (1) will be taken to be appointed to that administrative unit subject to a contract under section 34 of the *Public Sector Management Act 1995* on the same conditions and for the balance of the term of the contract in existence immediately before incorporation; and
  - (b) for the purposes of determining entitlements with respect to recreation leave, sick leave and long service leave, that the service of the public sector employee referred to in subclause (1) with the Passenger Transport Board will be taken to have been service under the *Public Sector Management Act 1995* and that that public sector employee will be taken to have continuity of employment without termination of the employee's service.

### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

COCE2003/00010CS

South Australia

## **Public Sector Management (Office of the Venture Capital Board) Proclamation 2003**

under section 7 of the *Public Sector Management Act 1995*

### **1—Short title**

This proclamation may be cited as the *Public Sector Management (Office of the Venture Capital Board) Proclamation 2003*.

### **2—Commencement**

This proclamation will come into operation on 1 January 2004.

### **3—Establishment of Office of the Venture Capital Board**

The *Office of the Venture Capital Board* is established as an administrative unit of the Public Service.

### **4—Transfer of employees to Office of the Venture Capital Board**

The employees of the Department for Business, Manufacturing and Trade referred to in Schedule 1 are transferred to the Office of the Venture Capital Board.

## **Schedule 1—Employees transferred to Office of the Venture Capital Board**

Julie Anne Baker

Philip Arthur Eglinton

William Warwick Price

Adrian James Winskill

### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

DBMT160/003/021Pt2CS

South Australia

## Prohibition of Human Cloning Regulations 2003

under the *Prohibition of Human Cloning Act 2003*

---

### Contents

1	Short title
2	Commencement
3	Interpretation
4	Applications for warrants (section 20(7) of Act)
5	Compensation for damage (section 23(2) of Act)

---

#### 1—Short title

These regulations may be cited as the *Prohibition of Human Cloning Regulations 2003*.

#### 2—Commencement

These regulations will come into operation on the day on which the *Prohibition of Human Cloning Act 2003* comes into operation.

#### 3—Interpretation

In these regulations—

*Act* means the *Prohibition of Human Cloning Act 2003*.

#### 4—Applications for warrants (section 20(7) of Act)

- (1) The grounds of an application for a warrant under section 20 of the Act made personally must be verified by affidavit.
- (2) An application for a warrant cannot be made by telephone unless in the opinion of the applicant a warrant is urgently required and there is not enough time to make the application personally.
- (3) If an application for a warrant is made by telephone—
  - (a) the applicant must inform the magistrate of the applicant's name and identify the position that he or she holds for the purposes of the Act, and the magistrate, on receiving that information, is entitled to assume, without further inquiry, that the applicant holds that position; and
  - (b) the applicant must inform the magistrate of the purpose for which the warrant is required and the grounds on which it is sought; and
  - (c) if it appears to the magistrate from the information given by the applicant that there are proper grounds to issue a warrant, the magistrate must inform the applicant of the facts that justify, in the magistrate's opinion, the issue of the warrant, and must not proceed to issue the warrant unless the applicant undertakes to make an affidavit verifying those facts; and

- (d) if the applicant gives such an undertaking, the magistrate may then make out and sign a warrant, noting on the warrant the facts that justify, in the magistrate's opinion, the issue of the warrant; and
  - (e) the warrant is taken to have been issued, and comes into force, when signed by the magistrate; and
  - (f) the magistrate must inform the applicant of the terms of the warrant; and
  - (g) the applicant must, as soon as practicable after the issue of the warrant, forward to the magistrate an affidavit verifying the facts referred to in paragraph (c).
- (4) A magistrate by whom a warrant is issued must file the warrant, or a copy of the warrant, and the affidavit verifying the grounds on which the application for the warrant was made, in the Magistrates Court.

### **5—Compensation for damage (section 23(2) of Act)**

- (1) Any compensation under section 23(1) of the Act is payable by the Minister.
- (2) A person seeking compensation must make application to the Minister in a manner and form determined by the Minister.
- (3) The Minister may require that an applicant provide such information as may be determined by the Minister in order to substantiate a claim for compensation, and that that information be verified by affidavit.

#### **Note—**

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

#### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

No. 248 of 2003

DHSCS03/34

South Australia

## Research Involving Human Embryos Regulations 2003

under the *Research Involving Human Embryos Act 2003*

---

### Contents

1	Short title
2	Commencement
3	Interpretation
4	Notification of decision etc
5	Prohibited and regulated practices
6	Applications for warrants (section 23(7) of Act)
7	Compensation for damage (section 26(2) of Act)
8	Collection and provision of information
9	Provision of research protocols

---

#### 1—Short title

These regulations may be cited as the *Research Involving Human Embryos Regulations 2003*.

#### 2—Commencement

These regulations will come into operation on the day on which the *Research Involving Human Embryos Act 2003* comes into operation.

#### 3—Interpretation

In these regulations—

*Act* means the *Research Involving Human Embryos Act 2003*;

*embryo* means a human embryo;

*SACRT* means the South Australian Council on Reproductive Technology.

#### 4—Notification of decision etc

For the purposes of sections 12(1)(c) and 18(1)(c) of the Act, SACRT is prescribed.

#### 5—Prohibited and regulated practices

- (1) Pursuant to section 36(2)(a) and (b) of the Act, the holder of a licence must not maintain an embryo, or cause, suffer or permit an embryo to be maintained, outside the body of a woman for a period of more than 10 years after fertilisation.

Maximum penalty: \$10 000.

- (2) Any—
  - (a) activity undertaken by the holder of a licence; or
  - (b) activity undertaken by a person who is not the holder of a licence that involves research using any human reproductive material,

must be undertaken in compliance with the relevant requirements of the *Ethical Guidelines on the Use of Reproductive Technology in Clinical Practice and Research* published by the NHMRC.

Maximum penalty: \$10 000.

#### **6—Applications for warrants (section 23(7) of Act)**

- (1) The grounds of an application for a warrant under section 23 of the Act made personally must be verified by affidavit.
- (2) An application for a warrant cannot be made by telephone unless in the opinion of the applicant a warrant is urgently required and there is not enough time to make the application personally.
- (3) If an application for a warrant is made by telephone—
  - (a) the applicant must inform the magistrate of the applicant's name and identify the position that he or she holds for the purposes of the Act, and the magistrate, on receiving that information, is entitled to assume, without further inquiry, that the applicant holds that position; and
  - (b) the applicant must inform the magistrate of the purpose for which the warrant is required and the grounds on which it is sought; and
  - (c) if it appears to the magistrate from the information given by the applicant that there are proper grounds to issue a warrant, the magistrate must inform the applicant of the facts that justify, in the magistrate's opinion, the issue of the warrant, and must not proceed to issue the warrant unless the applicant undertakes to make an affidavit verifying those facts; and
  - (d) if the applicant gives such an undertaking, the magistrate may then make out and sign a warrant, noting on the warrant the facts that justify, in the magistrate's opinion, the issue of the warrant; and
  - (e) the warrant is taken to have been issued, and comes into force, when signed by the magistrate; and
  - (f) the magistrate must inform the applicant of the terms of the warrant; and
  - (g) the applicant must, as soon as practicable after the issue of the warrant, forward to the magistrate an affidavit verifying the facts referred to in paragraph (c).
- (4) A magistrate by whom a warrant is issued must file the warrant, or a copy of the warrant, and the affidavit verifying the grounds on which the application for the warrant was made, in the Magistrates Court.

#### **7—Compensation for damage (section 26(2) of Act)**

- (1) Any compensation under section 26(1) of the Act is payable by the Minister.
- (2) A person seeking compensation must make application to the Minister in a manner and form determined by the Minister.
- (3) The Minister may require that an applicant provide such information as may be determined by the Minister in order to substantiate a claim for compensation, and that that information be verified by affidavit.

## **8—Collection and provision of information**

- (1) An HREC must, in accordance with requirements determined by SACRT, collect information, and provide reports, on any research that uses any human reproductive material undertaken with the approval, or under the supervision, of the HREC.
- (2) A requirement under subregulation (1) applies whether or not the research is being conducted by the holder of a licence.
- (3) SACRT must include in its annual report to the Minister under section 12 of the *Reproductive Technology (Clinical Practices) Act 1988*, in relation to any research that uses any human reproductive material undertaken in the State (whether or not the research is being conducted by the holder of a licence), the same kind of information that the NHMRC provides in a report to a Commonwealth Minister under Commonwealth legislation in relation to any research using human embryos.

## **9—Provision of research protocols**

- (1) If an HREC is asked to consider and approve a protocol relating to the use of any human reproductive material for research, the HREC must furnish a copy of the protocol to SACRT within 14 days after making its decision on the protocol.
- (2) Subregulation (1) applies whether or not the research is to be conducted by the holder of a licence.

### **Note—**

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

### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

No. 249 of 2003

DHSCS03/34



South Australia

# **Reproductive Technology (Clinical Practices) (Code of Ethical Research Practice) Revocation Regulations 2003**

under the *Reproductive Technology (Clinical Practices) Act 1988*

---

## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement

### **Part 2—Revocation of Reproductive Technology (Code of Ethical Research Practice) Regulations 1995**

- 3 Revocation of regulations
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Reproductive Technology (Clinical Practices) (Code of Ethical Research Practice) Revocation Regulations 2003*.

### **2—Commencement**

These regulations will come into operation on in accordance with section 20(4) of the *Reproductive Technology (Clinical Practices) Act 1988*.

## **Part 2—Revocation of *Reproductive Technology (Code of Ethical Research Practice) Regulations 1995***

### **3—Revocation of regulations**

The *Reproductive Technology (Code of Ethical Research Practice) Regulations 1995* are revoked.

### **Note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

No. 250 of 2003

DHSCS03/34

South Australia

# **Reproductive Technology (Code of Ethical Clinical Practice) Variation Regulations 2003**

under the *Reproductive Technology (Clinical Practices) Act 1988*

---

## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### **Part 2—Variation of Reproductive Technology (Code of Ethical Clinical Practice) Regulations 1995**

- 4 Substitution of regulation 3
  - 5 Variation of Schedule
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Reproductive Technology (Code of Ethical Clinical Practice) Variation Regulations 2003*.

### **2—Commencement**

These regulations will come into operation in accordance with section 20(4) of the *Reproductive Technology (Clinical Practices) Act 1988*.

### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## **Part 2—Variation of *Reproductive Technology (Code of Ethical Clinical Practice) Regulations 1995***

### **4—Substitution of regulation 3**

Regulation 3—delete the regulation and substitute:

#### **3—Code of ethical (clinical) practice**

For the purposes of the *Reproductive Technology (Clinical Practices) Act 1988*, the code of ethical practice set out in the Schedule is prescribed.

## 5—Variation of Schedule

- (1) Schedule, clause 2, definition of *the Act*—delete the definition and substitute:

*Act* means the *Reproductive Technology (Clinical Practices) Act 1988*;

- (2) Schedule, clause 2, definition of *embryo*—delete the definition and substitute:

*embryo* means a human embryo within the meaning of the *Prohibition of Human Cloning Act 2003*;

- (3) Schedule, clause 2—after the definition of *medical practitioner* insert:

*NHMRC* means the National Health and Medical Research Council established by the *National Health and Medical Research Council Act 1992* of the Commonwealth;

- (4) Schedule, after clause 2—insert:

### 2A—Compliance with NHMRC guidelines

Any clinical practice involving human reproductive material must be undertaken in compliance with the relevant requirements of the *Ethical Guidelines on the Use of Reproductive Technology in Clinical Practice and Research* published by the NHMRC.

- (5) Schedule, clause 3—delete the clause

- (6) Schedule, clause 4(a)—delete paragraph (a)

- (7) Schedule, clause 10—delete the clause

- (8) Schedule, clause 11—after subclause (1) insert:

- (1a) If a statutory declaration under subclause (1)(c) reveals that either spouse—

- (a) is subject to a term of imprisonment in this State or elsewhere or to outstanding charges (whether in this State or elsewhere) for an offence for which imprisonment may be imposed on conviction; or
- (b) has been found guilty, in this State or elsewhere, of a sexual offence involving a child,

the licensee must not give infertility treatment to the person (or to the other spouse).

- (1b) If a statutory declaration under subclause (1)(c) reveals that either spouse has been found guilty, in this State or elsewhere, of an offence involving violence (other than an offence within the ambit of subclause (1a)), the licensee must not give infertility treatment to the person (or to the other spouse) unless or until the review panel approves the provision of the treatment.

- (1c) If a statutory declaration under subclause (1)(c) reveals that either spouse has had a child permanently removed from his or her guardianship under any Act or law of this State or any other place (other than by adoption), the licensee must refer the matter to the Child Protection Services unit of the Women's and Children's Hospital or the Flinders Medical Centre and must not give infertility treatment to the person (or to the other spouse) unless or until a clinician within the unit approves the provision of the treatment.
- (9) Schedule 1, clause 11(2)(b)—after subparagraph (iv) insert:
- (v) either spouse has been found guilty, in this State or elsewhere, of an offence involving violence; or
  - (vi) either spouse has had a child permanently removed from his or her guardianship under any Act or law of this State or any other place (other than by adoption).
- (10) Schedule 1, clause 11(3)—delete subclause (3) and insert:
- (3) In a case where subclause (2)(b)(v) applies (and the relevant offence does not fall within the ambit of subclause (2)(b)(ii), (iii) or (iv)), the licensee must not give or continue to give infertility treatment to the relevant couple without the approval of the review panel.
  - (3a) In a case where subclause (2)(b)(vi) applies, the licensee must not give or continue to give infertility treatment to the relevant couple without the approval of a clinician within the Child Protection Services unit of the Women's and Children's Hospital or the Flinders Medical Centre.
  - (3b) If a matter is referred under subclause (1c) or (3a), a clinician within the relevant unit must undertake an assessment of the couple's parenting skills and an approval must not be given under the relevant subclause unless the clinician is satisfied that there is a reasonable likelihood of the couple being able to care properly for, and nurture, a child throughout childhood.
- (11) Schedule 1, clause 11(6)—delete subclause (6) and substitute:
- (6) A licensee who refuses to give or to continue to give infertility treatment to a married couple must—
    - (a) on request by the couple, give the couple written reasons for the refusal; and
    - (b) where relevant, give the couple written information about the processes associated with the initiation of proceedings before the review panel.
- (12) Schedule 1, clause 14B—delete the clause and substitute:

### **14B—Initiation of proceedings**

- (1) Proceedings before the review panel for the purposes of this Part must be initiated in a manner and form determined by the review panel.

- (2) The purpose of any proceedings is to review the circumstances surrounding the offence or offences that have given rise to the proceedings before the review panel, and for the review panel to assess whether the welfare of any child born as a result of infertility treatment might be compromised on account of the commission of the offence or offences, and whether a licensee should be able to consider offering infertility treatment despite the offence or offences.
- (13) Schedule 1, clause 14C(1)—delete "In conducting a review" and substitute:  
For the purposes of this Part
- (14) Schedule 1, clause 14C(4)—delete subclause (4)
- (15) Schedule 1, clause 14C(5)—delete "on a review" and substitute:  
under this Part
- (16) Schedule 1, clause 14D(1)—delete "on a review"
- (17) Schedule 1, clause 14E—delete "on a review or appeal" and substitute:  
under this Part
- (18) Schedule 1, clause 46—delete the clause and substitute:

#### **46—Annual report to Council**

- (1) A licensee must, not later than 28 February in each year, furnish to the Council a report relating to such matters as the Council may determine by written notice given to the licensee.
- (2) In making a determination for the purposes of subclause (1), the Council must take into account any relevant requirements or guidelines imposed or published by the NHMRC with respect to the regulation of reproductive technology, and may take into account such other matters as the Council thinks fit.

#### **Note—**

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

#### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

No. 251 of 2003

DHSCS03/34

South Australia

## **Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2003**

under the *Liquor Licensing Act 1997*

---

### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of Liquor Licensing (Dry Areas—Short Term) Regulations 1997**

- 4 Variation of Schedule 1—Short term dry areas
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2003*.

#### **2—Commencement**

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

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997***

#### **4—Variation of Schedule 1—Short term dry areas**

- (1) Schedule 1, item headed "**Peterborough—Area 1**", column headed "*Area*"—delete "Mill Street between Main Street and Railway Terrace" and substitute:

Mill Street between Main Street and Silver Street.

- (2) Schedule 1, item headed "**Peterborough—Area 1**", column headed "*Period*"—delete the column and substitute:

*Period*

6.00 p.m. on 19 December  
2003 to 12.00 midnight on  
19 December 2003.

- (3) Schedule 1, item headed "**Peterborough—Area 2**", column headed "*Period*"—delete the column and substitute:

*Period*

6.00 p.m. on 19 December  
2003 to 12.00 midnight on  
19 December 2003.

**Note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

No. 252 of 2003

OLGC25/2003



South Australia

## **Plumbers, Gas Fitters and Electricians Variation Regulations 2003**

under the *Plumbers, Gas Fitters and Electricians Act 1995*

---

### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of Plumbers, Gas Fitters and Electricians Regulations 1995**

- 4 Variation of regulation 3—Interpretation
  - 5 Variation of regulation 4—Exemptions
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Plumbers, Gas Fitters and Electricians Variation Regulations 2003*.

#### **2—Commencement**

These regulations will come into operation on 31 January 2004.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Plumbers, Gas Fitters and Electricians Regulations 1995***

#### **4—Variation of regulation 3—Interpretation**

Regulation 3(1), definition of *contract of training*—delete "*Industrial and Commercial Training Act 1981*" and substitute:

*Training and Skills Development Act 2003*

## 5—Variation of regulation 4—Exemptions

- (1) Regulation 4(1) and (2)—delete subregulations (1) and (2) and substitute:
  - (1) An apprentice or other trainee under a contract of training who is undertaking training in plumbing, gas fitting or electrical work under the terms of the contract of training is exempt from the requirement to be registered under the Act as a worker subject to the condition that—
    - (a) in the case of plumbing—the work is supervised by a registered plumbing worker authorised by registration to carry out plumbing of that kind without supervision;
    - (b) in the case of gas fitting—the work is supervised by a registered gas fitting worker authorised by registration to carry out gas fitting of that kind without supervision;
    - (c) in the case of electrical work—the work is supervised by a registered electrical worker authorised by registration to carry out electrical work of that kind without supervision.
- (2) Regulation 4(5)—delete subregulation (5)
- (3) Regulation 4(6)(a)(i)—delete subparagraph (i) and substitute:
  - (i) consisting of the installation, alteration, repair, maintenance or disconnection of a cold water pipe—
    - (A) not exceeding 25mm in diameter (except where the pipe is in or on a building); or
    - (B) if the pipe is used for the purpose of irrigation and is situated, or is to be installed, downstream from a testable backflow prevention device;
- (4) Regulation 4(6)(c)—before subparagraph (i) insert:
  - (ai) relating to electricity infrastructure owned or operated by an electricity entity that is required by condition of licence, or by the regulations, under the *Electricity Act 1996* to have a safety and technical management plan;

### Note—

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

### Made by the Governor

with the advice and consent of the Executive Council

on 18 December 2003.

No. 253 of 2003

CS0018OCBA

South Australia

# Radiation Protection and Control (Transport of Radioactive Substances) Regulations 2003

under the *Radiation Protection and Control Act 1982*

---

## Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Prescribed body
- 5 Consignor's responsibilities
- 6 Carrier's responsibilities
- 7 Driver's and storekeeper's responsibilities
- 8 Interference

Schedule 1—Modifications to Transport Code and International Regulations

Schedule 2—Revocation of Radiation Protection and Control (Transport of Radioactive Substances) Regulations 1991

---

### 1—Short title

These regulations may be cited as the *Radiation Protection and Control (Transport of Radioactive Substances) Regulations 2003*.

### 2—Commencement

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

### 3—Interpretation

- (1) In these regulations, unless the contrary intention appears—

*Act* means the *Radiation Protection and Control Act 1982*;

*ARPANSA* means the Australian Radiation Protection and Nuclear Safety Agency;

*International Regulations* means Schedule A of the Transport Code as modified by Schedule 1;

*Transport Code* means the *Code of Practice for the Safe Transport of Radioactive Material (2001)*, Radiation Protection Series Publication No. 2, published by the Chief Executive Officer of ARPANSA in September 2001, as modified by Schedule 1.

- (2) If an expression used in these regulations is defined in the Transport Code, that expression has, unless the contrary intention appears, the same meaning as in the Transport Code.

### 4—Prescribed body

For the purposes of section 43(4)(a) of the Act, ARPANSA is a prescribed body.

## 5—Consignor's responsibilities

A consignor must, in relation to the consignment of radioactive material, comply with the requirements of the International Regulations specified in clause 2.8 of the Transport Code.

Maximum penalty: \$10 000.

## 6—Carrier's responsibilities

- (1) A carrier must, in relation to the transport of radioactive material, comply with the requirements of the International Regulations specified in clause 2.9 of the Transport Code.

Maximum penalty: \$10 000.

- (2) A carrier must ensure that, at all times during the course of the carriage of packages of radioactive material in a freight container or in or on a vehicle, each package is stowed and secured in such a manner that—

- (a) the package will remain in position despite movements of starting, stopping, jolting or swaying to which the container or vehicle may be subject; and
- (b) the package is kept away from heavy articles or goods likely to cause damage to it in the ordinary course of transport or in the event of accident; and
- (c) if carried on a vehicle—the package does not project beyond the periphery of the vehicle.

Maximum penalty: \$10 000.

## 7—Driver's and storekeeper's responsibilities

- (1) If, while a package of radioactive material is being transported—

- (a) the package is lost, wrongfully interfered with or damaged; or
- (b) radioactive material leaks from the package; or
- (c) the vehicle used to transport the package is involved in an accident that results in, or is likely to result in—
  - (i) damage to the package; or
  - (ii) a leak of radioactive material from the package,

the driver of the vehicle being used to transport the package must—

- (d) forthwith report the matter to all relevant persons, giving details of the package and the circumstances of the loss, interference, damage, leak or accident and such other details as are reasonably required by the relevant person to whom the report is being made; and
- (e) prevent, as far as practicable, access to the package by anyone other than a person authorised by a relevant person; and
- (f) obey any directions given by the Minister in respect of the package.

Maximum penalty: \$10 000.

- (2) If, while a package of radioactive material is being stored in the course of transit—

- (a) the package is lost, wrongfully interfered with or damaged; or
- (b) radioactive material leaks from the package,

the person in charge of the place of storage of the package must—

- (c) forthwith report the matter to all relevant persons, giving details of the package and the circumstances of the loss, interference, damage, leak or accident and such other details as are reasonably required by the relevant person to whom the report is being made; and
- (d) prevent, as far as practicable, access to the package by anyone other than a person authorised by a relevant person; and
- (e) obey any directions given by the Minister in respect of the package.

Maximum penalty: \$10 000.

- (3) It is a defence to a charge of an offence against subregulation (1)(d) or (2)(c) to prove that—
  - (a) the defendant did not know, and had no reason to suspect, that the loss, interference, damage, leak or accident had occurred; or
  - (b) the defendant reported the matter as soon as practicable after it came to his or her knowledge or after he or she suspected that it had occurred; or
  - (c) the defendant believed on reasonable grounds that the requisite report had been made.
- (4) For the purposes of this regulation, the following are relevant persons:
  - (a) the carrier of the package of radioactive material;
  - (b) the consignor of the package of radioactive material;
  - (c) the Minister.

## **8—Interference**

- (1) A person must not, without the approval of a relevant person, interfere with—
  - (a) the contents of a consignment of radioactive material; or
  - (b) any label or marking required by the International Regulations in relation to a package of radioactive material; or
  - (c) a document relating to a consignment of radioactive material,

except in the course of transporting the radioactive material in accordance with the Act and these regulations.

Maximum penalty: \$10 000.

- (2) For the purposes of this regulation, the following are relevant persons:
  - (a) the carrier of the radioactive material;
  - (b) the consignor of the radioactive material;
  - (c) the Minister.

## Schedule 1—Modifications to Transport Code and International Regulations

### 1—Modifications to Transport Code

- (1) Clause 2.2—delete the clause and substitute:

2.2 The 'relevant transport regulations for dangerous goods' referred to in paragraphs 109, 506 and 507 of the International Regulations are the *Dangerous Substances Regulations 2002*.

- (2) Clause 2.3—delete "ADG Code" and substitute:

*Dangerous Substances Regulations 2002*

- (3) Annex A, Table 1—delete the entry relating to South Australia and substitute:

---

South Australia	Director, Radiation Protection Division	Minister for Environment and Conservation
	Environment Protection Authority	
	PO Box 721	Tel: (08) 8130 0700
	Kent Town SA 5071	Fax: (08) 8310 0777
	Email:	
	radiationprotection@state.sa.gov.au	

---

### 2—Modifications to International Regulations

- (1) Paragraph 557—delete the paragraph and substitute:

557. The *consignor* shall ensure that before a *package*, the design of which requires the approval of a *competent authority* first enters, or is moved within the State, copies of any certificate issued in relation to the design of that *package* by a *competent authority* for a place outside this State have been submitted to the *competent authority* for this State.

- (2) Paragraph 558—delete the first and second sentences of the paragraph and substitute:

The *consignor* shall, at least 7 days before a *shipment* of a kind listed in (a), (b) or (c) below first enters, or is moved within, the State, give the *competent authority* for the State notice of the *shipment*.

- (3) Paragraph 562—delete "paras 306 and 307" and substitute:

section 23 of the *Radiation Protection and Control Act 1982* and para. 307

- (4) Paragraph 701—delete "any of the methods listed below or by a combination thereof" and substitute:

such of the methods listed below, or by such combination of those methods, as is approved by the *competent authority* for the State in relation to a particular *package*

## **Schedule 2—Revocation of *Radiation Protection and Control (Transport of Radioactive Substances) Regulations 1991***

### **1—Revocation of Regulations**

The *Radiation Protection and Control (Transport of Radioactive Substances) Regulations 1991* are revoked.

#### **Note—**

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

### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

No. 254 of 2003

EC03/0029CS

South Australia

## **Public Corporations (Austrics) (Dissolution and Revocation) (No 2) Regulations 2003**

under the *Public Corporations Act 1993*

---

### **Contents**

#### Preamble

#### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Revocation of Public Corporations (Austrics) (Dissolution and Revocation) Regulations 2003

#### Part 2—Dissolution of Austrics

- 5 Dissolution of Austrics
- 6 Disposition of assets and liabilities of Austrics
- 7 Transfer of employment

#### Part 3—Revocation of Public Corporations (State Transport Authority) Regulations 1993

- 8 Revocation of regulations
- 

### **Preamble**

- 1 The *Public Corporations (Austrics) (Dissolution and Revocation) Regulations 2003* were published in the Gazette on 25 September 2003.
  - 2 The regulations were expressed to come into operation on the day on which they were made.
  - 3 However, the certificate under section 10AA(2) of the *Subordinate Legislation Act 1978* for the commencement of the regulations on that day was signed by the Minister for Transport instead of by the Treasurer.
  - 4 Accordingly, the requirements of section 10AA(2) of the *Subordinate Legislation Act 1978* have not been met and the regulations will come into operation 4 months after the day on which they were made.
  - 5 Consistent with the Government's intention to dissolve Austrics 4 months before the regulations would otherwise come into operation, it has been decided to revoke the regulations before they come into operation and to make a new set of regulations that will come into operation in accordance with a certificate of the Treasurer under section 10AA(2) of the *Subordinate Legislation Act 1978*.
-



## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Public Corporations (Austrics) (Dissolution and Revocation) (No 2) Regulations 2003*.

### **2—Commencement**

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

### **3—Interpretation**

In these regulations—

*Act* means the *Public Corporations Act 1993*.

### **4—Revocation of *Public Corporations (Austrics) (Dissolution and Revocation) Regulations 2003***

The *Public Corporations (Austrics) (Dissolution and Revocation) Regulations 2003* (Gazette 25 September 2003 pp 3650 and 3651) are revoked.

## **Part 2—Dissolution of Austrics**

### **5—Dissolution of Austrics**

Pursuant to section 25(1) of the Act, Austrics, established by regulation under the Act as a subsidiary of TransAdelaide, is dissolved.

### **6—Disposition of assets and liabilities of Austrics**

- (1) The assets and liabilities of Austrics immediately before its dissolution are transferred to and vested in or attached to TransAdelaide.
- (2) The following provisions apply in connection with the operation of subregulation (1):
  - (a) nothing in that subregulation—
    - (i) constitutes a breach of, or default under, an Act or other law; or
    - (ii) constitutes a breach of, or default under, a contract, agreement, understanding or undertaking; or
    - (iii) constitutes a breach of a duty of confidence (whether arising by contract, in equity or by custom or in any other way); or
    - (iv) constitutes a civil or criminal wrong; or
    - (v) terminates an agreement or obligation or fulfils any condition that allows a person to terminate an agreement or obligation, or gives rise to any other right or remedy; or
    - (vi) releases a surety or other obligee wholly or in part from an obligation;
  - (b) that subregulation will have effect despite the terms of any contract, agreement, understanding or undertaking and without the need for any other act or consent.

## **7—Transfer of employment**

- (1) The employment of any person who is an employee of Austrics immediately before its dissolution is transferred from Austrics to TransAdelaide.
- (2) The following provisions apply in connection with the operation of subregulation (1):
  - (a) each employee under that subregulation will be taken to have continuity of employment without termination of the employee's service;
  - (b) each employee who, immediately before the commencement of this regulation, was employed on a temporary or casual basis, or for a fixed term, will be taken to be employed by TransAdelaide on the same basis and, if applicable, for the balance of the term of the contract in existence immediately before that commencement;
  - (c) the cessation of employment with Austrics and the transfer of employment to TransAdelaide under this regulation does not constitute any redundancy or retrenchment.

## **Part 3—Revocation of *Public Corporations (State Transport Authority) Regulations 1993***

### **8—Revocation of regulations**

The *Public Corporations (State Transport Authority) Regulations 1993* are revoked.

#### **Note—**

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

### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

No. 255 of 2003

CTAD2003/01

South Australia

## Lottery and Gaming Variation Regulations 2003

under the *Lottery and Gaming Act 1936*

---

### Contents

#### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### Part 2—Variation of Lottery and Gaming Regulations 1993

- 4 Variation of regulation 4—Interpretation
  - 5 Variation of regulation 29—Licence conditions
- 

### Part 1—Preliminary

#### 1—Short title

These regulations may be cited as the *Lottery and Gaming Variation Regulations 2003*.

#### 2—Commencement

These regulations will come into operation on the day on which the *Lottery and Gaming (Lottery Inspectors) Amendment Act 2003* comes into operation.

#### 3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### Part 2—Variation of *Lottery and Gaming Regulations 1993*

#### 4—Variation of regulation 4—Interpretation

Regulation 4(1), definition of *instant lottery*, (a)—delete "\$1 000" and substitute:  
\$5 000

#### 5—Variation of regulation 29—Licence conditions

- (1) Regulation 29(1)(d)(i)—delete "in a manner that satisfies the Minister" and substitute:  
in such a manner
- (2) Regulation 29(1)(d)(ii) and (iii)—delete subparagraphs (ii) and (iii)

#### Note—

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

**Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

No. 256 of 2003

T&F03/107CS

South Australia

## Victims of Crime (Compensation) Regulations 2003

under the *Victims of Crime Act 2001*

---

### Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Requirements for applications for statutory compensation (section 18 of Act)
- 5 Prescribed scale of costs (section 25 of Act)
- 6 Legal practitioner not negligent if relies on certain reports

Schedule 1—Requirements for applications for statutory compensation

Schedule 2—Prescribed scale of costs

---

### 1—Short title

These regulations may be cited as the *Victims of Crime (Compensation) Regulations 2003*.

### 2—Commencement

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

### 3—Interpretation

In these regulations—

*Act* means the *Victims of Crime Act 2001*;

*hospital report*, in relation to a victim, includes a report on the victim written by a member of the hospital's medical personnel, the whole of the victim's record from the hospital or the written summary given to the victim on the victim's discharge from the hospital;

*limited claim*—a claim for statutory compensation is a *limited claim* if it is limited to a claim for compensation for one or both of the following:

- (a) for grief suffered in consequence of the commission of a homicide (see section 17(2) of the Act);
- (b) for funeral expenses (see section 17(4) of the Act),

and *limited application* has a corresponding meaning;

*period for negotiation*—see section 18(5) of the Act;

*related claim*—a claim for statutory compensation is a *related claim* if—

- (a) in proceedings under the Act, the same legal practitioner represents more than one victim of an offence claiming compensation in respect of injury arising from the offence; or

- (b) in proceedings under the Act, the same legal practitioner represents more than one victim of a series of offences claiming compensation in respect of injury arising from the series of offences;

*series of offences* means—

- (a) offences committed consecutively by one offender, or offences committed simultaneously or consecutively by offenders acting in concert; or
- (b) offences committed in circumstances in which those offences constitute a single offence,

(see section 23 of the Act).

#### **4—Requirements for applications for statutory compensation (section 18 of Act)**

- (1) For the purposes of section 18(4)(a)(i) of the Act, the information required to be included in an application for statutory compensation is set out in Part 1 of Schedule 1.
- (2) For the purposes of section 18(4)(a)(iii) of the Act, a list of the documents required to accompany an application for statutory compensation is set out in Part 2 of Schedule 1.

**Note—**

See also section 18(4)(a)(ii) of the Act which requires an application for statutory compensation to be accompanied by any medical reports relevant to the injury in the possession of, or accessible to, the claimant.

- (3) If a claimant seeks to be exempted under section 18(4)(c)(ii) of the Act from serving a copy of an application on the offender, the claimant must include in the application (in addition to the other required information) full details of the attempts made by the claimant to locate the offender.

**Note—**

Section 18(4)(b) of the Act requires the information contained in an application to be verified by statutory declaration.

#### **5—Prescribed scale of costs (section 25 of Act)**

- (1) For the purposes of section 25(1) of the Act, the prescribed scale of costs is set out in Schedule 2.
- (2) No fee is payable in proceedings under the Act except as set out in Schedule 2.
- (3) However, subregulation (2) does not prevent the Crown from recovering its costs in respect of proceedings under the Act.

#### **6—Legal practitioner not negligent if relies on certain reports**

For the avoidance of doubt, a legal practitioner who relies on—

- (a) a copy of the claimant's hospital report; or
- (b) the report of the claimant's general medical practitioner or dentist,

in the course of, or in connection with, giving advice about a claim for compensation in respect of the claimant will be taken not to have acted negligently in so doing.

## **Schedule 1—Requirements for applications for statutory compensation**

### **Part 1—Information to be included in application**

#### **1—Claimant information**

A claimant must include in an application for statutory compensation the following information:

- (a) the name, address and date of birth of the claimant;
- (b) the name, address and date of birth of the victim of the offence (if not the claimant);
- (c) the date, time and place of the offence;
- (d) the nature of the offence and the details surrounding the occurrence of the offence;
- (e) when and where the offence was reported to the police or, if not reported, the reason for not reporting the offence;
- (f) details of the nature and extent of the injury;
- (g) if the victim of the offence is dead—
  - (i) the relationship of the claimant to the victim; and
  - (ii) the date of death; and
  - (iii) the date of the funeral.

#### **Note—**

Failure to report an offence to the police within a reasonable time after its commission may result in a claimant being refused statutory compensation unless the claimant can establish good reason for the failure—see section 20(7) of the Act.

#### **2—Offender information**

A claimant must include in an application for statutory compensation the following information about the offender:

- (a) the name and address of the offender (if known);
- (b) if the offender was charged with any offence—
  - (i) details of the charges laid; and
  - (ii) details of the court in which the charges were laid; and
  - (iii) the date of the trial (if any);
- (c) the outcome of the prosecution of any offence, including, if the offender was convicted of an offence—
  - (i) details of the conviction recorded; and
  - (ii) details of the court in which the conviction was recorded; and
  - (iii) the date of the conviction; and
  - (iv) details of any appeal lodged against the conviction by the offender;

- (d) whether the claimant gave evidence for the prosecution at the trial of the offender and, if not, the reasons why the claimant did not give evidence;

**Note—**

Failure of or refusal by the victim to give evidence in the prosecution of an offender may result in a claimant being refused statutory compensation unless the claimant can establish good reason for the failure or refusal—see section 20(7) of the Act.

- (e) if the claimant seeks an exemption from the requirement to serve the application on the offender on the ground that the whereabouts of the offender are unknown and cannot be readily ascertained (see section 18(4)(c) of the Act)—details of attempts by the claimant to locate the offender.

### **3—Information about action taken to ascertain defendant's assets**

A claimant must include in an application (other than a limited application) for statutory compensation details, and results, of any searches carried out by the claimant in order to ascertain the assets (if any) of the defendant.

### **4—Information about statutory compensation being claimed**

- (1) A claimant must include in an application for statutory compensation that is limited to compensation for funeral expenses an itemised list of funeral expenses.

**Note—**

Section 17(4) of the Act sets out who is eligible to claim statutory compensation for funeral expenses.

- (2) A claimant must include in an application for statutory compensation the following information about the compensation being claimed:
  - (a) particulars of any special damages being claimed, including—
    - (i) an itemised list of expenses in relation to any treatment and the name of the person or institution to whom the expense was paid or is payable;
    - (ii) as to each item, details of any refund or entitlement to refund of treatment costs from Medicare, an insurer or any other source;
    - (iii) an itemised list of funeral expenses;
  - (b) particulars of any loss of earnings as follows:
    - (i) if past loss of earnings is being claimed, details of the period off work or any period of reduced work and the amount that would have been earned had the claimant worked during that period (showing how this is calculated);
    - (ii) if an ongoing loss of earnings or a loss of earning capacity is being claimed, details of—
      - (A) the occupation or business of the claimant at the time of the injury and during the 12 months prior to the injury;
      - (B) the gross income received from the occupation or business during the 12 month period ending on 30 June last prior to the injury;



- (C) any disability (including mental disability) from which the claimant is suffering or has suffered in consequence of the injury and which is preventing or has prevented (wholly or in part) the claimant from carrying on his or her occupation or business;
- (D) the periods since the injury during which the claimant has been unable (wholly or in part) to perform his or her usual occupation or business, together with the periods during which the incapacity has been total and the periods during which it has been partial;
- (E) where there has been partial incapacity, the nature and extent of the partial incapacity;
- (F) the periods since the injury during which the claimant has been employed or otherwise engaged in an occupation or business and, in respect of each such occupation or business—
  - the nature of the occupation or business;
  - the address at which it was conducted or performed;
  - the name of the employer;
  - the gross income received by the claimant.

## **5—Formulated claim**

- (1) A claimant must include in an application (other than a limited application) for statutory compensation a formulated claim showing the amount of compensation for which the claimant proposes the claim be settled.
- (2) The formulated claim must set out separately—
  - (a) the number of points claimed for non-financial loss (see section 20(3)(a)(ii) of the Act); and
  - (b) the amount claimed for—
    - (i) any closed period of past loss of earnings; and
    - (ii) any loss of earning capacity; and
    - (iii) special damages.
- (3) The formulated claim must include a statement of all amounts received, or likely to be received, by or on behalf of the claimant from the offender, an insurer or any other source, and details of any steps taken to obtain payment or compensation from the offender or any other person, body corporate or government department or agency in respect of the injury.

## **Part 2—Documents required to accompany application**

### **6—Police records, statements etc**

An application for statutory compensation must be accompanied by a copy of any record, statement or evidence relating to the offence provided to the claimant by the police.

## **7—Hospital reports and reports from general medical practitioner or dentist**

The claimant's application (other than a limited application) for statutory compensation must be accompanied by either (or both) of the following:

- (a) if the victim was treated for the injury in a hospital—the hospital report (up to 20 pages) relating to the victim;
- (b) a report from a general medical practitioner or dentist summarising—
  - (i) the history taken from the victim; and
  - (ii) the nature and extent of the injury; and
  - (iii) the history of the treatment of the injury; and
  - (iv) whether there is a need for any future treatment and, if so, the nature of the future treatment; and
  - (v) the prognosis; and
  - (vi) the nature and extent of any permanent disability resulting from the injury.

### **Note—**

See also clause 4(2) of Schedule 2.

## **8—Photographs**

- (1) If an application for statutory compensation includes a claim for a permanent disability in the nature of scarring, deformity or disfigurement resulting from an injury caused by an offence, the application must be accompanied by—
  - (a) any relevant photographs, which must be dated, of the victim taken before the victim was injured; and
  - (b) photographs of the injury taken at or about the time of the making of the application.
- (2) A photograph taken for the purposes of subclause (1)(b) must, on the reverse of the photograph, be signed and dated by a legal practitioner or justice certifying that—
  - (a) he or she has seen, and is satisfied as to the identity of, the victim; and
  - (b) the photograph is a true photograph of the victim.

## **9—Statement of loss of earnings etc**

- (1) If an application for statutory compensation includes a claim for past loss of earnings—
  - (a) by the claimant as an employee—the application must be accompanied by—
    - (i) a letter from the employer or employer's insurer; or
    - (ii) some other written evidence,  
confirming the period during which the claimant lost earnings and the amount lost during the period;
  - (b) by the claimant as a self-employed person—the application must be accompanied by written evidence confirming the period during which the claimant lost earnings and the amount lost during the period.

- (2) If an application for statutory compensation includes a claim for loss of earnings as a result of the claimant being unable, as a consequence of the injury, to enter into, or carry out, a contract with a particular person, the application must be accompanied by—
- (a) letter from the person confirming the availability of work for the claimant during the relevant period and the value of that work; or
  - (b) some other written evidence supporting the claim.
- (3) If an application for statutory compensation includes a claim for loss of earning capacity by the claimant, the application must be accompanied by a copy of the claimant's income tax return—
- (a) for each of the 5 financial years immediately preceding the commission of the offence resulting in the injury; and
  - (b) for the financial year during which the offence resulting in the injury was committed; and
  - (c) for each of the financial years occurring since the financial year referred to in paragraph (b).

**Note—**

Copies of tax returns may be obtained from the Australian Taxation Office.

## **10—Documents relating to amounts received by claimant from other sources**

An application for statutory compensation must be accompanied by copies of any documents relating to any amounts received, or likely to be received, by or on behalf of the claimant from the offender, an insurer or any other source, and details of any steps taken to obtain payment or compensation from the offender or any other person, body corporate or government department or agency in respect of the injury.

## **Schedule 2—Prescribed scale of costs**

### **1—Solicitors fee**

A solicitor may charge a fee for a claim for compensation as follows:

- (a) a fee of \$500 for a limited claim where the identity of the offender is known and compensation is agreed;

**Note—**

A solicitor is not entitled to a fee in respect of a limited claim for compensation where the identity of the offender is unknown and compensation is agreed.

- (b) a fee of \$1 000 for any other claim that is not a related claim;
- (c) if the claim is a related claim—a fee of \$1 000 for the first claim and, for each of the other related claims, a fee of \$800.

### **2—Counsels fee**

- (1) Counsel may charge a fee of not more than \$750 for all work preparatory to an application to the court for compensation (including advice on evidence and any other legal advice on the application, conferences and proofing witnesses) and for the first 5 hours of the hearing of the application.

- (2) Counsel may charge an additional fee of 1/5 of the preliminary fee actually charged for each hour or part of an hour after the first 5 hours of the hearing of the application.
- (3) Subject to subclause (4), counsel may charge a fee of \$500 for an opinion as to the compromise of a minor's claim for compensation.
- (4) Counsel may charge a fee of \$350 for each opinion as to the compromise of a minor's related claim for compensation.

### **3—Fee for an appeal**

The fee that may be charged for an appeal is \$500.

### **4—Disbursements**

- (1) Subject to this clause, if—
  - (a) an application for statutory compensation is made to the court, a legal practitioner may recover all disbursements reasonably incurred under the Act as certified by the court;
  - (b) an application for statutory compensation is settled without any such application being made, a legal practitioner may recover all disbursements reasonably incurred as certified by the Crown Solicitor.
- (2) A legal practitioner may recover the reasonable cost of obtaining the following reports relating to a claim for statutory compensation:
  - (a) a hospital report (up to 20 pages);
  - (b) the report of a general medical practitioner or dentist.
- (3) A legal practitioner may not recover the cost of obtaining a report relating to a claim for statutory compensation—
  - (a) in the case of a hospital report that is longer than 20 pages, unless—
    - (i) the Crown Solicitor has given prior agreement; or
    - (ii) the court is satisfied that the whole of the victim's record from the hospital is, in the circumstances, necessary for the determination of the matter;
  - (b) in the case of a report from more than one expert in the same specialty, unless—
    - (i) the Crown Solicitor has given prior agreement; or
    - (ii) the court is satisfied that the report of more than one expert in the specialty is necessary to provide the court with the evidence required for the determination of the matter;
  - (c) in the case of a report from a person who is not registered as a medical practitioner or dentist, unless—
    - (i) the Crown Solicitor has given prior agreement; or
    - (ii) the court is satisfied that the report of a medical practitioner or dentist would not provide the court with the evidence necessary for the determination of the matter;

- (d) in the case of any other report, unless—
- (i) application for statutory compensation was made to the Crown Solicitor in accordance with section 18 of the Act but no acceptable settlement offer was made within the period for negotiation; or
  - (ii) the Crown Solicitor has given prior agreement that the additional report is necessary, having regard to—
    - (A) the nature of the claimant's injury; and
    - (B) whether the proposed specialist has treated the claimant for the injury; and
    - (C) whether a report from a general medical practitioner or dentist would provide the evidence necessary for the determination of the matter.

**Note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

No. 257 of 2003

AGO0380/02CS

South Australia

## **Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2003**

under the *Liquor Licensing Act 1997*

---

### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of Liquor Licensing (Dry Areas—Short Term) Regulations 1997**

- 4 Variation of Schedule 1—Short term dry areas
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2003*.

#### **2—Commencement**

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

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997***

#### **4—Variation of Schedule 1—Short term dry areas**

- (1) Schedule 1, item headed "**Alexandrina Council—Area 1 (Chiton Rocks)**", column headed "*Period*"—delete the column and substitute:

*Period*

6.00 p.m. on 31 December  
2003 to 6.00 a.m. on 1  
January 2004.

- (2) Schedule 1, item headed "**Alexandrina Council—Area 2 (Port Elliot)**", column headed "*Period*"—delete the column and substitute:

*Period*

6.00 p.m. on 31 December  
2003 to 6.00 a.m. on 1  
January 2004.

- (3) Schedule 1, item headed "**Alexandrina Council—Area 3 (Middleton)**", column headed "*Period*"—delete the column and substitute:

*Period*

6.00 p.m. on 31 December  
2003 to 6.00 a.m. on 1  
January 2004.

- (4) Schedule 1, item headed "**Alexandrina Council—Area 4 (Goolwa Beach Carpark)**", column headed "*Period*"—delete the column and substitute:

*Period*

6.00 p.m. on 31 December  
2003 to 6.00 a.m. on 1  
January 2004.

- (5) Schedule 1, item headed "**Alexandrina Council—Area 5 (Rotunda Reserve Area)**", column headed "*Period*"—delete the column and substitute:

*Period*

6.00 p.m. on 31 December  
2003 to 6.00 a.m. on 1  
January 2004.

- (6) Schedule 1, item headed "**Glenelg—Area 1**", column headed "*Period*"—delete the column and substitute:

*Period*

9.00 p.m. on 31 December  
2003 to 6.00 a.m. on 1  
January 2004.

**Note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council  
on 18 December 2003.

No. 258 of 2003

LLCS22/2003 & OLGC23/2003

South Australia

## **Southern State Superannuation Variation Regulations 2003**

under the *Southern State Superannuation Act 1994*

---

### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of Southern State Superannuation Regulations 1995**

- 4 Insertion of regulation 14
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Southern State Superannuation Variation Regulations 2003*.

#### **2—Commencement**

These regulations will come into operation on 18 December 2003.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Southern State Superannuation Regulations 1995***

#### **4—Insertion of regulation 14**

After regulation 13 insert:

##### **14—Non-member spouse entitlement**

- (1) For the purposes of section 35D(4) of the Act, notice given by the Board to a non-member spouse of the non-member spouse's right to make an election in respect of his or her interest must—
  - (a) be in writing; and
  - (b) notify the non-member spouse that the interest may be retained in the Triple S Scheme; and



- (c) advise the non-member spouse of—
  - (i) his or her option to make an election and the consequences of a failure to do so within 28 days; and
  - (ii) the value of the interest; and
  - (iii) the basis of any adjustments that have been, or will be, applied to the interest.
- (2) If the interest of a non-member spouse is transferred to the credit of the non-member spouse in the Triple S scheme because an election has not been made, the Board must, within 14 days of the interest being rolled over—
  - (a) advise the non-member spouse that his or her interest has been retained in the Triple S scheme; and
  - (b) provide the non-member spouse with a membership identification number, a copy of the most recent annual report prepared in respect of the Triple S scheme and any other information that, according to a determination of the Board, may be of assistance to the non-member spouse.

**Note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

No. 259 of 2003

AGO 0304/03 CS

South Australia

## **Parliamentary Superannuation Variation Regulations 2003**

under the *Parliamentary Superannuation Act 1974*

---

### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of Parliamentary Superannuation Regulations 2003**

- 4 Redesignation of regulation 5
- 5 Insertion of regulation 5
- 6 Insertion of Schedule 1

#### **Schedule 1—Transitional provision**

---

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Parliamentary Superannuation Variation Regulations 2003*.

#### **2—Commencement**

These regulations will come into operation on 18 December 2003.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Parliamentary Superannuation Regulations 2003***

#### **4—Redesignation of regulation 5**

Regulation 5—re designate this regulation as regulation 10

## 5—Insertion of regulation 5

After regulation 4 insert:

### 5—Right of non-member spouse or legal representative to apply for commutation

- (1) For the purposes of section 23G(2)(b) of the Act, a non-member spouse who is entitled to have the whole of his or her share in a superannuation interest commuted to a lump sum must make his or her election in accordance with that section within 3 months of the operative time.
- (2) For the purposes of section 23G(7) of the Act, if a non-member spouse dies while entitled to, or in receipt of, a pension under that section (other than an associate pension), an election by the non-member spouse's legal representative for the pension to be commuted to a lump sum must be made within 6 months of the non-member spouse's death.

### 6—Commutation factors for non-member spouse and legal representative

The following table sets out commutation factors for—

- (a) a non-member spouse who elects under section 23G(2)(b) to have his or her share of a superannuation interest commuted to a lump sum; and
- (b) the legal representative of a deceased non-member spouse who elects under section 23G(7) to have a pension that the non-member spouse was receiving, or was entitled to receive, commuted to a lump sum:

<b>Age of member spouse at time of commutation</b>	<b>Amount of lump sum for each dollar of annual pension commuted</b>
60 or under	\$10.00
60-61	\$10.00-\$ 9.90
61-62	\$ 9.90-\$ 9.80
62-63	\$ 9.80-\$ 9.70
63-64	\$ 9.70-\$ 9.60
64-65	\$ 9.60-\$ 9.50
65-66	\$ 9.50-\$ 9.30
66-67	\$ 9.30-\$ 9.10
67-68	\$ 9.10-\$ 8.80
68-69	\$ 8.80-\$ 8.50
69-70	\$ 8.50-\$ 8.20
70-71	\$ 8.20-\$ 7.90
71-72	\$ 7.90-\$ 7.60

<b>Age of member spouse at time of commutation</b>	<b>Amount of lump sum for each dollar of annual pension commuted</b>
72-73	\$ 7.60-\$ 7.30
73-74	\$ 7.30-\$ 7.00
74-75	\$ 7.00-\$ 6.70
75-76	\$ 6.70-\$ 6.42
76-77	\$ 6.42-\$ 6.14
77-78	\$ 6.14-\$ 5.86
78-79	\$ 5.86-\$ 5.58
70-80	\$ 5.58-\$ 5.30
80-81	\$ 5.30-\$ 5.02
81-82	\$ 5.02-\$ 4.74
82-83	\$ 4.74-\$ 4.46
83-84	\$ 4.46-\$ 4.18
84-85	\$ 4.18-\$ 3.90
85-86	\$ 3.90-\$ 3.68
86-87	\$ 3.68-\$ 3.46
87-88	\$ 3.46-\$ 3.24
88-89	\$ 3.24-\$ 3.02
89-90	\$ 3.02-\$ 2.80
90-91	\$ 2.80-\$ 2.66
91-92	\$ 2.66-\$ 2.52
92-93	\$ 2.52-\$ 2.38
93-94	\$ 2.38-\$ 2.24
94-95	\$ 2.24-\$ 2.10
95-96	\$ 2.10-\$ 1.68
96-97	\$ 1.68-\$ 1.26
97-98	\$ 1.26-\$ 0.84
98-99	\$ 0.84-\$ 0.42
99-100	\$ 0.42-\$ 0.00

## 7—Associate pension

- (1) For the purposes of section 23G(2)(a)(ii) of the Act, notice of an election by a non-member spouse to have the whole of his or her share of a superannuation interest converted to, and taken as, an associate pension must be given in writing within 3 months of the date on which notification of the non-member spouse's right to make the election is given by the Board.
- (2) For the purposes of section 23G(3), the amount of an associate pension will be determined by applying the following method:

$$AP = \frac{P(Mx+m)}{Ny+n}$$

Where:

*AP* is the amount of the associate pension payable for the life of the non-member spouse

*P* is the amount of the non-member spouse's share of the pension determined under section 23G(1) of the Act

*Mx+m* is the conversion factor relating to the member spouse at age *x* completed years and *m* completed months and is derived by interpolating between age *x* and *x+1*, the factors from the table in Schedule 1 for the relevant type of pension interest and gender of the member spouse

*Ny+n* is the conversion factor relating to the non-member spouse at age *y* completed years and *n* completed months and is derived by interpolating between age *y* and *y+1*, the factors from the table in Schedule 1 for the relevant type of pension interest and gender of the non-member spouse.

## 8—Procedure for payment of lump sum to non-member spouse

- (1) For the purposes of section 23H(3) of the Act, notice given by the Board to a non-member spouse of the non-member spouse's right to make an election in respect of his or her interest must—
  - (a) be in writing; and
  - (b) advise the non-member spouse of—
    - (i) his or her option to make an election and the consequences of a failure to do so within 28 days; and
    - (ii) the value of the interest; and
    - (iii) the basis of any adjustments that have been, or will be, applied to the interest; and
  - (c) notify the non-member spouse that the interest cannot be retained in the Fund.

- (2) If a non-member spouse interest is rolled over to the credit of the non-member spouse in the Southern State Superannuation Fund because an election has not been made, the Board must, within 14 days of the interest being rolled over—
- (a) advise the non-member spouse that his or her interest has been rolled over to the Southern State Superannuation Fund; and
  - (b) provide the non-member spouse with a membership identification number, a copy of the most recent annual report prepared in respect of the Southern State Superannuation Fund and any other information that, according to a determination of the Board, may be of assistance to the non-member spouse.

### **9—Procedure for payment of pension to non-member spouse**

For the purposes of section 23H(4) of the Act, if the interest of a non-member spouse following service of a splitting instrument is a pension, and the non-member spouse has not directed that the pension be commuted to a lump sum, the following provisions apply:

- (a) the Board must—
  - (i) split the relevant pension within 14 days of receipt of the splitting instrument; and
  - (ii) advise the non-member spouse of the value of the interest and the basis of any adjustments that have been, or will be, applied to the interest;
- (b) the non-member spouse must, before the Board can commence payment of the pension—
  - (i) advise the Board of his or her name, address, date of birth and bank account details; and
  - (ii) provide any other relevant information at the request of the Board (including documents verifying the non-member spouse's personal details).

**6—Insertion of Schedule 1**

After regulation 10 (as redesignated by these regulations) insert:

**Schedule 1—Factors for determination of associate pension**

<b>Conversion Factors for Determination of Associate Pension</b>						
Parliamentary Superannuation Act 1974						
Type of Interest:-	Age Pension		Invalidity Pension		Spouse Pension	
Gender:-	Male	Female	Male	Female	Male	Female
Age						
18	23.906	24.178	21.456	20.718	23.906	24.178
19	23.825	24.107	21.384	20.660	23.825	24.107
20	23.740	24.033	21.309	20.599	23.740	24.033
21	23.651	23.954	21.229	20.534	23.651	23.954
22	23.558	23.870	21.146	20.466	23.558	23.870
23	23.460	23.782	21.058	20.394	23.460	23.782
24	23.357	23.689	20.965	20.318	23.357	23.689
25	23.250	23.591	20.869	20.239	23.250	23.591
26	23.137	23.489	20.767	20.155	23.137	23.489
27	23.020	23.381	20.661	20.068	23.020	23.381
28	22.897	23.270	20.550	19.976	22.897	23.270
29	22.769	23.154	20.434	19.881	22.769	23.154
30	22.635	23.034	20.312	19.780	22.635	23.034
31	22.496	22.909	20.186	19.676	22.496	22.909
32	22.351	22.779	20.053	19.566	22.351	22.779
33	22.199	22.643	19.914	19.452	22.199	22.643
34	22.042	22.503	19.769	19.332	22.042	22.503
35	21.877	22.357	19.617	19.206	21.877	22.357
36	21.706	22.205	19.458	19.075	21.706	22.205
37	21.528	22.047	19.292	18.938	21.528	22.047
38	21.343	21.882	19.118	18.794	21.343	21.882
39	21.150	21.712	18.936	18.643	21.150	21.712
40	20.949	21.535	18.746	18.486	20.949	21.535
41	20.741	21.351	18.547	18.321	20.741	21.351
42	20.524	21.160	18.339	18.149	20.524	21.160
43	20.298	20.962	18.121	17.968	20.298	20.962
44	20.064	20.756	17.893	17.779	20.064	20.756
45	19.821	20.544	17.654	17.581	19.821	20.544
46	19.569	20.323	17.404	17.374	19.569	20.323
47	19.308	20.095	17.142	17.156	19.308	20.095
48	19.037	19.859	16.868	16.929	19.037	19.859
49	18.758	19.615	16.580	16.690	18.758	19.615
50	18.469	19.362	16.279	16.440	18.469	19.362
51	18.171	19.101	15.963	16.177	18.171	19.101
52	17.863	18.832	15.643	15.911	17.863	18.832
53	17.546	18.554	15.318	15.642	17.546	18.554
54	17.220	18.267	14.988	15.370	17.220	18.267
55	16.884	17.971	14.655	15.094	16.884	17.971
56	16.540	17.666	14.318	14.816	16.540	17.666

57	16.186	17.352	13.978	14.535	16.186	17.352
58	15.823	17.028	13.635	14.252	15.823	17.028
59	15.452	16.694	13.289	13.966	15.452	16.694
60	15.072	16.350	12.942	13.677	15.072	16.350
61	14.683	15.996	12.592	13.386	14.683	15.996
62	14.287	15.632	12.242	13.093	14.287	15.632
63	13.883	15.257	11.890	12.798	13.883	15.257
64	13.472	14.872	11.539	12.501	13.472	14.872
65	13.054	14.476	11.187	12.202	13.054	14.476
66	12.629	14.071	10.836	11.902	12.629	14.071
67	12.200	13.657	10.486	11.599	12.200	13.657
68	11.770	13.235	10.137	11.295	11.770	13.235
69	11.338	12.806	9.790	10.989	11.338	12.806
70	10.905	12.371	9.446	10.681	10.905	12.371
71	10.472	11.929	9.105	10.371	10.472	11.929
72	10.039	11.482	8.767	10.059	10.039	11.482
73	9.606	11.030	8.432	9.745	9.606	11.030
74	9.174	10.574	8.103	9.429	9.174	10.574
75	8.745	10.115	7.777	9.109	8.745	10.115
76	8.319	9.656	7.457	8.786	8.319	9.656
77	7.898	9.198	7.143	8.459	7.898	9.198
78	7.487	8.744	6.835	8.128	7.487	8.744
79	7.085	8.297	6.533	7.791	7.085	8.297
80	6.696	7.858	6.238	7.447	6.696	7.858
81	6.321	7.428	5.951	7.095	6.321	7.428
82	5.962	7.007	5.671	6.733	5.962	7.007
83	5.618	6.596	5.399	6.358	5.618	6.596
84	5.292	6.197	5.137	5.995	5.292	6.197
85	4.985	5.811	4.883	5.644	4.985	5.811
86	4.697	5.441	4.640	5.307	4.697	5.441
87	4.430	5.091	4.407	4.988	4.430	5.091
88	4.185	4.763	4.187	4.690	4.185	4.763
89	3.965	4.462	3.981	4.414	3.965	4.462
90	3.771	4.187	3.790	4.161	3.771	4.187
91	3.608	3.941	3.619	3.931	3.608	3.941
92	3.472	3.722	3.472	3.722	3.472	3.722
93	3.356	3.530	3.356	3.530	3.356	3.530
94	3.242	3.351	3.242	3.351	3.242	3.351
95	3.125	3.181	3.125	3.181	3.125	3.181
96	3.007	3.019	3.007	3.019	3.007	3.019
97	2.882	2.861	2.882	2.861	2.882	2.861
98	2.748	2.704	2.748	2.704	2.748	2.704
99	2.599	2.542	2.599	2.542	2.599	2.542



## **Schedule 1—Transitional provision**

### **1—Transitional provision**

If the Board has, before the commencement of these regulations, been served with a splitting instrument in respect of a pension that is in the payment phase, the relevant non-member spouse may make an election under section 23G(2)(b) of the Act within 3 months after the day on which these regulations come into operation.

#### **Note—**

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

### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

No. 260 of 2003

AGO 0304/03 CS

South Australia

## **Superannuation Variation Regulations 2003**

under the *Superannuation Act 1988*

---

### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of Superannuation Regulations 2001**

- 4 Variation of regulation 19—Right to apply for commutation
- 5 Variation of regulation 20—Commutation factors
- 6 Insertion of Part 4A
- 7 Insertion of Schedule 1

#### **Schedule 1—Transitional provision**

---

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Superannuation Variation Regulations 2003*.

#### **2—Commencement**

These regulations will come into operation on 18 December 2003.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Superannuation Regulations 2001***

#### **4—Variation of regulation 19—Right to apply for commutation**

- (1) Regulation 19(1), table—after the present contents of the table insert:

A non-member spouse who is entitled under section 43AO(2)(b) of the Act to have the whole of his or her share in a superannuation interest commuted to a lump sum within 3 months of the operative time.

(2) Regulation 19—after subsection (2) insert:

- (2a) For the purposes of section 43AO(7) of the Act, if a non-member spouse dies while entitled to, or in receipt of, a pension under that section (other than an associate pension), an election by the non-member spouse's legal representative for the pension to be commuted to a lump sum must be made within 6 months of the non-member spouse's death.

## 5—Variation of regulation 20—Commutation factors

Regulation 20(1)—after paragraph (b) insert:

- (c) in the case of—
- (a) a non-member spouse who elects under section 43AO(2)(b) of the Act to have his or her share of a superannuation interest commuted to a lump sum; or
- (b) the legal representative of a deceased non-member spouse who elects under section 43AO(7) to have a pension that the non-member spouse was receiving, or was entitled to receive, commuted to a lump sum—

<b>Age of member spouse at time of commutation</b>	<b>Amount of lump sum for each dollar of annual pension commuted</b>
less than 55	\$11.50
55-60	\$11.50-\$10.50
60-65	\$10.50-\$ 9.50
65-70	\$ 9.50-\$ 8.20
70-75	\$ 8.20-\$ 6.70
75-80	\$ 6.70-\$ 5.30
80-85	\$ 5.30-\$ 3.90
85-90	\$ 3.90-\$ 2.80
90-95	\$ 2.80-\$ 2.10
95-100	\$ 2.10-\$ 0.00

## 6—Insertion of Part 4A

After Part 4 insert:

### **Part 4A—Non-member spouse entitlements**

#### **30A—Procedure for payment of lump sum**

- (1) For the purposes of sections 43AJ(5) and 43AP(3) of the Act, notice given by the Board to a non-member spouse of the non-member spouse's right to make an election in respect of his or her interest must—
- (a) be in writing; and

- (b) advise the non-member spouse of—
    - (i) his or her option to make an election and the consequences of a failure to do so within 28 days; and
    - (ii) the value of the interest; and
    - (iii) the basis of any adjustments that have been, or will be, applied to the interest; and
  - (c) notify the non-member spouse that the interest cannot be retained in the Scheme.
- (2) If a non-member spouse interest is rolled over to the credit of the non-member spouse in the Southern State Superannuation Fund because an election has not been made, the Board must, within 14 days of the interest being rolled over—
- (a) advise the non-member spouse that his or her interest has been rolled over to the Southern State Superannuation Fund; and
  - (b) provide the non-member spouse with a membership identification number, a copy of the most recent annual report prepared in respect of the Southern State Superannuation Fund and any other information that, according to a determination of the Board, may be of assistance to the non-member spouse.

### **30B—Procedure for payment of pension**

For the purposes of section 43AP(4) of the Act, if the interest of a non-member spouse following service of a splitting instrument is a pension, and the non-member spouse has not directed that the pension be commuted to a lump sum, the following provisions apply:

- (a) the Board must—
  - (i) split the relevant pension within 14 days of receipt of the splitting instrument; and
  - (ii) advise the non-member spouse of the value of the interest and the basis of any adjustments that have been, or will be, applied to the interest;
- (b) the non-member spouse must, before the Board can commence payment of the pension—
  - (i) advise the Board of his or her name, address, date of birth and bank account details; and
  - (ii) provide any other relevant information at the request of the Board (including documents verifying the non-member spouse's personal details).

**30C—Associate pension**

- (1) For the purposes of section 43AO(2)(a)(ii) of the Act, notice of an election by a non-member spouse to have the whole of his or her share of a superannuation interest converted to, and taken as, an associate pension must be given in writing within 3 months of the date on which notification of the non-member spouse's right to make the election is given by the Board.
- (2) For the purposes of section 43AO(3) of the Act, the amount of an associate pension will be determined by applying the following method:

$$AP = \frac{P(Mx+m)}{Ny+n}$$

Where:

***AP*** is the amount of the associate pension payable for the life of the non-member spouse

***P*** is the amount of the non-member spouse's share of the pension determined under section 43AO(1) of the Act

***Mx+m*** is the conversion factor relating to the member spouse at age *x* completed years and *m* completed months and is derived by interpolating between age *x* and *x+1*, the factors from the table in Schedule 1 for the relevant type of pension interest and gender of the member spouse

***Ny+n*** is the conversion factor relating to the non-member spouse at age *y* completed years and *n* completed months and is derived by interpolating between age *y* and *y+1*, the factors from the table in Schedule 1 for the relevant type of pension interest and gender of the non-member spouse.

**7—Insertion of Schedule 1**

After Part 5 insert:

**Schedule 1—Factors for determination of associate pension**

<b>Conversion Factors for Determination of Associate Pension</b>						
Superannuation Act 1988						
Type of Interest:-	Age Pension		Invalidity Pension		Spouse Pension	
Gender:-	Male	Female	Male	Female	Male	Female
Age						
18	23.906	24.178	21.456	20.718	23.906	24.178
19	23.825	24.107	21.384	20.660	23.825	24.107
20	23.740	24.033	21.309	20.599	23.740	24.033
21	23.651	23.954	21.229	20.534	23.651	23.954
22	23.558	23.870	21.146	20.466	23.558	23.870
23	23.460	23.782	21.058	20.394	23.460	23.782
24	23.357	23.689	20.965	20.318	23.357	23.689
25	23.250	23.591	20.869	20.239	23.250	23.591
26	23.137	23.489	20.767	20.155	23.137	23.489
27	23.020	23.381	20.661	20.068	23.020	23.381
28	22.897	23.270	20.550	19.976	22.897	23.270
29	22.769	23.154	20.434	19.881	22.769	23.154
30	22.635	23.034	20.312	19.780	22.635	23.034
31	22.496	22.909	20.186	19.676	22.496	22.909
32	22.351	22.779	20.053	19.566	22.351	22.779
33	22.199	22.643	19.914	19.452	22.199	22.643
34	22.042	22.503	19.769	19.332	22.042	22.503
35	21.877	22.357	19.617	19.206	21.877	22.357
36	21.706	22.205	19.458	19.075	21.706	22.205
37	21.528	22.047	19.292	18.938	21.528	22.047
38	21.343	21.882	19.118	18.794	21.343	21.882
39	21.150	21.712	18.936	18.643	21.150	21.712
40	20.949	21.535	18.746	18.486	20.949	21.535
41	20.741	21.351	18.547	18.321	20.741	21.351
42	20.524	21.160	18.339	18.149	20.524	21.160
43	20.298	20.962	18.121	17.968	20.298	20.962
44	20.064	20.756	17.893	17.779	20.064	20.756
45	19.821	20.544	17.654	17.581	19.821	20.544
46	19.569	20.323	17.404	17.374	19.569	20.323
47	19.308	20.095	17.142	17.156	19.308	20.095
48	19.037	19.859	16.868	16.929	19.037	19.859
49	18.758	19.615	16.580	16.690	18.758	19.615
50	18.469	19.362	16.279	16.440	18.469	19.362
51	18.171	19.101	15.963	16.177	18.171	19.101
52	17.863	18.832	15.643	15.911	17.863	18.832
53	17.546	18.554	15.318	15.642	17.546	18.554
54	17.220	18.267	14.988	15.370	17.220	18.267
55	16.884	17.971	14.655	15.094	16.884	17.971
56	16.540	17.666	14.318	14.816	16.540	17.666

57	16.186	17.352	13.978	14.535	16.186	17.352
58	15.823	17.028	13.635	14.252	15.823	17.028
59	15.452	16.694	13.289	13.966	15.452	16.694
60	15.072	16.350	12.942	13.677	15.072	16.350
61	14.683	15.996	12.592	13.386	14.683	15.996
62	14.287	15.632	12.242	13.093	14.287	15.632
63	13.883	15.257	11.890	12.798	13.883	15.257
64	13.472	14.872	11.539	12.501	13.472	14.872
65	13.054	14.476	11.187	12.202	13.054	14.476
66	12.629	14.071	10.836	11.902	12.629	14.071
67	12.200	13.657	10.486	11.599	12.200	13.657
68	11.770	13.235	10.137	11.295	11.770	13.235
69	11.338	12.806	9.790	10.989	11.338	12.806
70	10.905	12.371	9.446	10.681	10.905	12.371
71	10.472	11.929	9.105	10.371	10.472	11.929
72	10.039	11.482	8.767	10.059	10.039	11.482
73	9.606	11.030	8.432	9.745	9.606	11.030
74	9.174	10.574	8.103	9.429	9.174	10.574
75	8.745	10.115	7.777	9.109	8.745	10.115
76	8.319	9.656	7.457	8.786	8.319	9.656
77	7.898	9.198	7.143	8.459	7.898	9.198
78	7.487	8.744	6.835	8.128	7.487	8.744
79	7.085	8.297	6.533	7.791	7.085	8.297
80	6.696	7.858	6.238	7.447	6.696	7.858
81	6.321	7.428	5.951	7.095	6.321	7.428
82	5.962	7.007	5.671	6.733	5.962	7.007
83	5.618	6.596	5.399	6.358	5.618	6.596
84	5.292	6.197	5.137	5.995	5.292	6.197
85	4.985	5.811	4.883	5.644	4.985	5.811
86	4.697	5.441	4.640	5.307	4.697	5.441
87	4.430	5.091	4.407	4.988	4.430	5.091
88	4.185	4.763	4.187	4.690	4.185	4.763
89	3.965	4.462	3.981	4.414	3.965	4.462
90	3.771	4.187	3.790	4.161	3.771	4.187
91	3.608	3.941	3.619	3.931	3.608	3.941
92	3.472	3.722	3.472	3.722	3.472	3.722
93	3.356	3.530	3.356	3.530	3.356	3.530
94	3.242	3.351	3.242	3.351	3.242	3.351
95	3.125	3.181	3.125	3.181	3.125	3.181
96	3.007	3.019	3.007	3.019	3.007	3.019
97	2.882	2.861	2.882	2.861	2.882	2.861
98	2.748	2.704	2.748	2.704	2.748	2.704
99	2.599	2.542	2.599	2.542	2.599	2.542

## **Schedule 1—Transitional provision**

### **1—Transitional provision**

If the Board has, before the commencement of these regulations, been served with a splitting instrument in respect of a pension that is in the payment phase, the relevant non-member spouse may make an election under section 43AO(2)(b) of the Act within 3 months after the day on which these regulations come into operation.

#### **Note—**

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

### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

No. 261 of 2003

AGO 0304/03 CS



South Australia

## Judges' Pensions Regulations 2003

under the *Judges' Pensions Act 1971*

---

### Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Right of non-member spouse or legal representative to apply for commutation
- 5 Commutation factors for non-member spouse and legal representative
- 6 Associate pension
- 7 Procedure for payment of lump sum to non-member spouse
- 8 Procedure for payment of pension to non-member spouse

Schedule 1—Factors for determination of associate pension

Schedule 2—Transitional provision

---

#### 1—Short title

These regulations may be cited as the *Judges' Pensions Regulations 2003*.

#### 2—Commencement

These regulations will come into operation on 18 December 2003.

#### 3—Interpretation

In these regulations—

*Act* means the *Judges' Pensions Act 1971*.

#### 4—Right of non-member spouse or legal representative to apply for commutation

- (1) For the purposes of section 17H(2)(b) of the Act, a non-member spouse who is entitled to have the whole of his or her share in an entitlement commuted to a lump sum must make his or her election in accordance with that section within 3 months of the operative time.
- (2) For the purposes of section 17H(5) of the Act, if a non-member spouse dies while entitled to, or in receipt of, a pension under that section (other than an associate pension), an election by the non-member spouse's legal representative for the pension to be commuted to a lump sum must be made within 6 months of the non-member spouse's death.

#### 5—Commutation factors for non-member spouse and legal representative

The following table sets out commutation factors for—

- (a) a non-member spouse who elects under section 17H(2)(b) to have his or her share of an entitlement commuted to a lump sum; and

- (b) the legal representative of a deceased non-member spouse who elects under section 17H(5) to have a pension that the non-member spouse was receiving, or was entitled to receive, commuted to a lump sum:

<b>Age of member spouse at time of commutation</b>	<b>Amount of lump sum for each dollar of annual pension commuted</b>
60 or under	\$10.00
60-61	\$10.00-\$ 9.90
61-62	\$ 9.90-\$ 9.80
62-63	\$ 9.80-\$ 9.70
63-64	\$ 9.70-\$ 9.60
64-65	\$ 9.60-\$ 9.50
65-66	\$ 9.50-\$ 9.30
66-67	\$ 9.30-\$ 9.10
67-68	\$ 9.10-\$ 8.80
68-69	\$ 8.80-\$ 8.50
69-70	\$ 8.50-\$ 8.20
70-71	\$ 8.20-\$ 7.90
71-72	\$ 7.90-\$ 7.60
72-73	\$ 7.60-\$ 7.30
73-74	\$ 7.30-\$ 7.00
74-75	\$ 7.00-\$ 6.70
75-76	\$ 6.70-\$ 6.42
76-77	\$ 6.42-\$ 6.14
77-78	\$ 6.14-\$ 5.86
78-79	\$ 5.86-\$ 5.58
79-80	\$ 5.58-\$ 5.30
80-81	\$ 5.30-\$ 5.02
81-82	\$ 5.02-\$ 4.74
82-83	\$ 4.74-\$ 4.46
83-84	\$ 4.46-\$ 4.18
84-85	\$ 4.18-\$ 3.90
85-86	\$ 3.90-\$ 3.68
86-87	\$ 3.68-\$ 3.46
87-88	\$ 3.46-\$ 3.24
88-89	\$ 3.24-\$ 3.02
89-90	\$ 3.02-\$ 2.80
90-91	\$ 2.80-\$ 2.66

<b>Age of member spouse at time of commutation</b>	<b>Amount of lump sum for each dollar of annual pension commuted</b>
91-92	\$ 2.66-\$ 2.52
92-93	\$ 2.52-\$ 2.38
93-94	\$ 2.38-\$ 2.24
94-95	\$ 2.24-\$ 2.10
95-96	\$ 2.10-\$ 1.68
96-97	\$ 1.68-\$ 1.26
97-98	\$ 1.26-\$ 0.84
98-99	\$ 0.84-\$ 0.42
99-100	\$ 0.42-\$ 0.00

### 6—Associate pension

- (1) For the purposes of section 17H(2)(a)(ii) of the Act, notice of an election by a non-member spouse to have the whole of his or her share of an entitlement converted to, and taken as, an associate pension must be given in writing within 3 months of the date on which notification of the non-member spouse's right to make the election is given by the Treasurer.
- (2) For the purposes of section 17H(3) of the Act, the amount of an associate pension will be determined by applying the following method:

$$AP = \frac{P(Mx + m)}{Ny + n}$$

Where:

**AP** is the amount of the associate pension payable for the life of the non-member spouse

**P** is the amount of the non-member spouse's share of the pension determined under section 17H(1) of the Act

**Mx+m** is the conversion factor relating to the member spouse at age x completed years and m completed months and is derived by interpolating between age x and x+1, the factors from the table in Schedule 1 for the relevant type of pension interest and gender of the member spouse

**Ny+n** is the conversion factor relating to the non-member spouse at age y completed years and n completed months and is derived by interpolating between age y and y+1, the factors from the table in Schedule 1 for the relevant type of pension interest and gender of the non-member spouse.

### 7—Procedure for payment of lump sum to non-member spouse

- (1) For the purposes of section 17I(3) of the Act, notice given by the Treasurer to a non-member spouse of the non-member spouse's right to make an election in respect of his or her interest must—
  - (a) be in writing; and

- (b) advise the non-member spouse of—
    - (i) his or her option to make an election and the consequences of a failure to do so within 28 days; and
    - (ii) the value of the interest; and
    - (iii) the basis of any adjustments that have been, or will be, applied to the interest; and
  - (c) notify the non-member spouse that the interest cannot be retained in the scheme.
- (2) If a non-member spouse interest is rolled over to the credit of the non-member spouse in the Southern State Superannuation Fund because an election has not been made, the Treasurer must, within 14 days of the interest being rolled over—
- (a) advise the non-member spouse that his or her interest has been rolled over to the Southern State Superannuation Fund; and
  - (b) provide the non-member spouse with a membership identification number, a copy of the most recent annual report prepared in respect of the Southern State Superannuation Fund and any other information that, according to a determination of the Treasurer, may be of assistance to the non-member spouse.

### **8—Procedure for payment of pension to non-member spouse**

For the purposes of section 17I(4) of the Act, if the interest of a non-member spouse following service of a splitting instrument is a pension, and the non-member spouse has not directed that the pension be commuted to a lump sum, the following provisions apply:

- (a) the Treasurer must—
  - (i) split the relevant pension within 14 days of receipt of the splitting instrument; and
  - (ii) advise the non-member spouse of the value of the interest and the basis of any adjustments that have been, or will be, applied to the interest;
- (b) the non-member spouse must, before the Treasurer can commence payment of the pension—
  - (i) advise the Treasurer of his or her name, address, date of birth and bank account details; and
  - (ii) provide any other relevant information at the request of the Treasurer (including documents verifying the non-member spouse's personal details).

## Schedule 1—Factors for determination of associate pension

Conversion Factors for Determination of Associate Pension						
Judges Pensions Act 1971						
Type of Interest:-	Age Pension		Invalidity Pension		Spouse Pension	
Gender:-	Male	Female	Male	Female	Male	Female
Age						
18	23.906	24.178	21.456	20.718	23.906	24.178
19	23.825	24.107	21.384	20.660	23.825	24.107
20	23.740	24.033	21.309	20.599	23.740	24.033
21	23.651	23.954	21.229	20.534	23.651	23.954
22	23.558	23.870	21.146	20.466	23.558	23.870
23	23.460	23.782	21.058	20.394	23.460	23.782
24	23.357	23.689	20.965	20.318	23.357	23.689
25	23.250	23.591	20.869	20.239	23.250	23.591
26	23.137	23.489	20.767	20.155	23.137	23.489
27	23.020	23.381	20.661	20.068	23.020	23.381
28	22.897	23.270	20.550	19.976	22.897	23.270
29	22.769	23.154	20.434	19.881	22.769	23.154
30	22.635	23.034	20.312	19.780	22.635	23.034
31	22.496	22.909	20.186	19.676	22.496	22.909
32	22.351	22.779	20.053	19.566	22.351	22.779
33	22.199	22.643	19.914	19.452	22.199	22.643
34	22.042	22.503	19.769	19.332	22.042	22.503
35	21.877	22.357	19.617	19.206	21.877	22.357
36	21.706	22.205	19.458	19.075	21.706	22.205
37	21.528	22.047	19.292	18.938	21.528	22.047
38	21.343	21.882	19.118	18.794	21.343	21.882
39	21.150	21.712	18.936	18.643	21.150	21.712
40	20.949	21.535	18.746	18.486	20.949	21.535
41	20.741	21.351	18.547	18.321	20.741	21.351
42	20.524	21.160	18.339	18.149	20.524	21.160
43	20.298	20.962	18.121	17.968	20.298	20.962
44	20.064	20.756	17.893	17.779	20.064	20.756
45	19.821	20.544	17.654	17.581	19.821	20.544
46	19.569	20.323	17.404	17.374	19.569	20.323
47	19.308	20.095	17.142	17.156	19.308	20.095
48	19.037	19.859	16.868	16.929	19.037	19.859
49	18.758	19.615	16.580	16.690	18.758	19.615
50	18.469	19.362	16.279	16.440	18.469	19.362
51	18.171	19.101	15.963	16.177	18.171	19.101
52	17.863	18.832	15.643	15.911	17.863	18.832
53	17.546	18.554	15.318	15.642	17.546	18.554
54	17.220	18.267	14.988	15.370	17.220	18.267
55	16.884	17.971	14.655	15.094	16.884	17.971
56	16.540	17.666	14.318	14.816	16.540	17.666

57	16.186	17.352	13.978	14.535	16.186	17.352
58	15.823	17.028	13.635	14.252	15.823	17.028
59	15.452	16.694	13.289	13.966	15.452	16.694
60	15.072	16.350	12.942	13.677	15.072	16.350
61	14.683	15.996	12.592	13.386	14.683	15.996
62	14.287	15.632	12.242	13.093	14.287	15.632
63	13.883	15.257	11.890	12.798	13.883	15.257
64	13.472	14.872	11.539	12.501	13.472	14.872
65	13.054	14.476	11.187	12.202	13.054	14.476
66	12.629	14.071	10.836	11.902	12.629	14.071
67	12.200	13.657	10.486	11.599	12.200	13.657
68	11.770	13.235	10.137	11.295	11.770	13.235
69	11.338	12.806	9.790	10.989	11.338	12.806
70	10.905	12.371	9.446	10.681	10.905	12.371
71	10.472	11.929	9.105	10.371	10.472	11.929
72	10.039	11.482	8.767	10.059	10.039	11.482
73	9.606	11.030	8.432	9.745	9.606	11.030
74	9.174	10.574	8.103	9.429	9.174	10.574
75	8.745	10.115	7.777	9.109	8.745	10.115
76	8.319	9.656	7.457	8.786	8.319	9.656
77	7.898	9.198	7.143	8.459	7.898	9.198
78	7.487	8.744	6.835	8.128	7.487	8.744
79	7.085	8.297	6.533	7.791	7.085	8.297
80	6.696	7.858	6.238	7.447	6.696	7.858
81	6.321	7.428	5.951	7.095	6.321	7.428
82	5.962	7.007	5.671	6.733	5.962	7.007
83	5.618	6.596	5.399	6.358	5.618	6.596
84	5.292	6.197	5.137	5.995	5.292	6.197
85	4.985	5.811	4.883	5.644	4.985	5.811
86	4.697	5.441	4.640	5.307	4.697	5.441
87	4.430	5.091	4.407	4.988	4.430	5.091
88	4.185	4.763	4.187	4.690	4.185	4.763
89	3.965	4.462	3.981	4.414	3.965	4.462
90	3.771	4.187	3.790	4.161	3.771	4.187
91	3.608	3.941	3.619	3.931	3.608	3.941
92	3.472	3.722	3.472	3.722	3.472	3.722
93	3.356	3.530	3.356	3.530	3.356	3.530
94	3.242	3.351	3.242	3.351	3.242	3.351
95	3.125	3.181	3.125	3.181	3.125	3.181
96	3.007	3.019	3.007	3.019	3.007	3.019
97	2.882	2.861	2.882	2.861	2.882	2.861
98	2.748	2.704	2.748	2.704	2.748	2.704
99	2.599	2.542	2.599	2.542	2.599	2.542

## **Schedule 2—Transitional provision**

### **1—Transitional provision**

If the Treasurer has, before the commencement of these regulations, been served with a splitting instrument in respect of a pension that is in the payment phase, the relevant non-member spouse may make an election under section 17H(2)(b) of the Act within 3 months after the day on which these regulations come into operation.

#### **Note—**

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

### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

No. 262 of 2003

AGO 0304/03 CS

South Australia

## **Police Superannuation Variation Regulations 2003**

under the *Police Superannuation Act 1990*

---

### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of Police Superannuation Regulations 2002**

- 4 Insertion of regulation 6A
- 5 Variation of regulation 8—Commutation factors
- 6 Insertion of Part 2A
- 7 Insertion of Schedule 1

#### **Schedule 1—Transitional provision**

---

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Police Superannuation Variation Regulations 2003*.

#### **2—Commencement**

These regulations will come into operation on 18 December 2003.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Police Superannuation Regulations 2002***

#### **4—Insertion of regulation 6A**

After regulation 6 insert:

##### **6A—Right of non-member spouse or legal representative to apply for commutation**

- (1) For the purposes of section 38S(2)(b) of the Act, a non-member spouse who is entitled to have the whole of his or her share in a superannuation interest commuted to a lump sum must make his or her election in accordance with that section within 3 months of the operative time.



- (2) For the purposes of section 38S(7) of the Act, if a non-member spouse dies while entitled to, or in receipt of, a pension under that section (other than an associate pension), an election by the non-member spouse's legal representative for the pension to be commuted to a lump sum must be made within 6 months of the non-member spouse's death.

## 5—Variation of regulation 8—Commutation factors

Regulation 8—after paragraph (c) insert:

- (d) in the case of—
- (a) a non-member spouse who elects under section 38S(2)(b) of the Act to have his or her share of a superannuation interest commuted to a lump sum; or
  - (b) the legal representative of a deceased non-member spouse who elects under section 38S(7) to have a pension that the non-member spouse was receiving, or was entitled to receive, commuted to a lump sum—

<b>Age of member spouse at time of commutation</b>	<b>Amount of lump sum for each dollar of annual pension commuted</b>
less than 55	\$11.50
55-60	\$11.50-\$10.50
60-65	\$10.50-\$ 9.50
65-70	\$ 9.50-\$ 8.20
70-75	\$ 8.20-\$ 6.70
75-80	\$ 6.70-\$ 5.30
80-85	\$ 5.30-\$ 3.90
85-90	\$ 3.90-\$ 2.80
90-95	\$ 2.80-\$ 2.10
95-100	\$ 2.10-\$ 0.00

## 6—Insertion of Part 2A

After Part 2 insert:

### Part 2A—Non-member spouse entitlements

#### 11A—Procedure for payment of lump sum

- (1) For the purposes of sections 38N(5) and 38T(3) of the Act, notice given by the Board to a non-member spouse of the non-member spouse's right to make an election in respect of his or her interest must—
- (a) be in writing; and
  - (b) advise the non-member spouse of—

- (i) his or her option to make an election and the consequences of a failure to do so within 28 days; and
    - (ii) the value of the interest; and
    - (iii) the basis of any adjustments that have been, or will be, applied to the interest; and
  - (c) notify the non-member spouse that the interest cannot be retained in the Scheme.
- (2) If a non-member spouse interest is rolled over to the credit of the non-member spouse in the Southern State Superannuation Fund because an election has not been made, the Board must, within 14 days of the interest being rolled over—
- (a) advise the non-member spouse that his or her interest has been rolled over to the Southern State Superannuation Fund; and
  - (b) provide the non-member spouse with a membership identification number, a copy of the most recent annual report prepared in respect of the Southern State Superannuation Fund and any other information that, according to a determination of the Board, may be of assistance to the non-member spouse.

### **11B—Procedure for payment of pension**

For the purposes of section 38T(4) of the Act, if the interest of a non-member spouse following service of a splitting instrument is a pension, and the non-member spouse has not directed that the pension be commuted to a lump sum, the following provisions apply:

- (a) the Board must—
  - (i) split the relevant pension within 14 days of receipt of the splitting instrument; and
  - (ii) advise the non-member spouse of the value of the interest and the basis of any adjustments that have been, or will be, applied to the interest;
- (b) the non-member spouse must, before the Board can commence payment of the pension—
  - (i) advise the Board of his or her name, address, date of birth and bank account details; and
  - (ii) provide any other relevant information at the request of the Board (including documents verifying the non-member spouse's personal details).

**11C—Associate pension**

- (1) For the purposes of section 38S(2)(a)(ii) of the Act, notice of an election by a non-member spouse to have the whole of his or her share of a superannuation interest converted to, and taken as, an associate pension must be given in writing within 3 months of the date on which notification of the non-member spouse's right to make the election is given by the Board.
- (2) For the purposes of section 38S(3) of the Act, the amount of an associate pension will be determined by applying the following method:

$$AP = \frac{P(Mx+m)}{Ny+n}$$

Where:

**AP** is the amount of the associate pension payable for the life of the non-member spouse

**P** is the amount of the non-member spouse's share of the pension determined under section 38S(1) of the Act

***Mx+m*** is the conversion factor relating to the member spouse at age *x* completed years and *m* completed months and is derived by interpolating between age *x* and *x+1*, the factors from the relevant table in Schedule 1 for the relevant type of pension interest and gender of the member spouse

***Ny+n*** is the conversion factor relating to the non-member spouse at age *y* completed years and *n* completed months and is derived by interpolating between age *y* and *y+1*, the factors from the relevant table in Schedule 1 for the relevant type of pension interest and gender of the non-member spouse.

For a pension payable in connection with a member spouse whose pension commenced before the commencement of the Act, the factors from table 1 of Schedule 1 must be used.

For a pension payable in connection with any other member spouse, the factors from table 2 of Schedule 1 must be used.

**7—Insertion of Schedule 1**

After Part 3 insert:

**Schedule 1—Factors for determination of associate pension****Table 1**

<b>Conversion Factors for Determination of Associate Pension</b>						
Police Superannuation Act 1990						
Pre-1990 Act Pensioners						
Type of Interest:-	Age Pension		Invalidity Pension		Spouse Pension	
Gender:-	Male	Female	Male	Female	Male	Female
Age						
18	28.665	29.223	25.878	26.047	28.665	29.223
19	28.540	29.128	25.785	25.983	28.540	29.128
20	28.409	29.026	25.686	25.913	28.409	29.026
21	28.271	28.917	25.582	25.838	28.271	28.917
22	28.127	28.800	25.473	25.756	28.127	28.800
23	27.977	28.676	25.357	25.668	27.977	28.676
24	27.819	28.544	25.236	25.574	27.819	28.544
25	27.655	28.405	25.107	25.474	27.655	28.405
26	27.483	28.257	24.972	25.365	27.483	28.257
27	27.302	28.094	24.828	25.245	27.302	28.094
28	27.116	27.925	24.676	25.119	27.116	27.925
29	26.922	27.751	24.517	24.988	26.922	27.751
30	26.722	27.571	24.351	24.851	26.722	27.571
31	26.515	27.385	24.176	24.709	26.515	27.385
32	26.300	27.193	23.994	24.562	26.300	27.193
33	26.078	26.994	23.803	24.408	26.078	26.994
34	25.848	26.790	23.603	24.249	25.848	26.790
35	25.611	26.578	23.396	24.084	25.611	26.578
36	25.366	26.360	23.180	23.913	25.366	26.360
37	25.113	26.135	22.957	23.737	25.113	26.135
38	24.851	25.902	22.725	23.554	24.851	25.902
39	24.581	25.662	22.486	23.365	24.581	25.662
40	24.302	25.414	22.239	23.169	24.302	25.414
41	24.015	25.159	21.983	22.967	24.015	25.159
42	23.718	24.895	21.719	22.758	23.718	24.895
43	23.413	24.624	21.447	22.542	23.413	24.624
44	23.098	24.344	21.165	22.318	23.098	24.344
45	22.774	24.056	20.874	22.086	22.774	24.056
46	22.440	23.760	20.573	21.846	22.440	23.760
47	22.097	23.455	20.262	21.597	22.097	23.455
48	21.745	23.141	19.941	21.339	21.745	23.141
49	21.383	22.818	19.608	21.071	21.383	22.818
50	21.012	22.486	19.264	20.793	21.012	22.486
51	20.631	22.146	18.908	20.505	20.631	22.146
52	20.242	21.796	18.538	20.206	20.242	21.796
53	19.843	21.436	18.155	19.895	19.843	21.436
54	19.435	21.068	17.758	19.573	19.435	21.068
55	19.017	20.689	17.345	19.239	19.017	20.689
56	18.592	20.301	16.917	18.891	18.592	20.301

57	18.157	19.903	16.473	18.530	18.157	19.903
58	17.714	19.495	16.018	18.156	17.714	19.495
59	17.263	19.077	15.559	17.767	17.263	19.077
60	16.803	18.649	15.098	17.363	16.803	18.649
61	16.336	18.210	14.634	16.943	16.336	18.210
62	15.862	17.760	14.170	16.506	15.862	17.760
63	15.381	17.300	13.705	16.053	15.381	17.300
64	14.894	16.829	13.240	15.592	14.894	16.829
65	14.400	16.348	12.778	15.126	14.400	16.348
66	13.899	15.856	12.318	14.654	13.899	15.856
67	13.398	15.357	11.861	14.177	13.398	15.357
68	12.896	14.851	11.409	13.697	12.896	14.851
69	12.395	14.339	10.961	13.213	12.395	14.339
70	11.895	13.821	10.517	12.726	11.895	13.821
71	11.397	13.298	10.079	12.238	11.397	13.298
72	10.902	12.771	9.646	11.747	10.902	12.771
73	10.410	12.241	9.218	11.256	10.410	12.241
74	9.921	11.709	8.793	10.765	9.921	11.709
75	9.436	11.176	8.374	10.275	9.436	11.176
76	8.958	10.644	7.962	9.789	8.958	10.644
77	8.489	10.116	7.559	9.310	8.489	10.116
78	8.031	9.595	7.168	8.839	8.031	9.595
79	7.586	9.083	6.791	8.379	7.586	9.083
80	7.156	8.582	6.428	7.932	7.156	8.582
81	6.743	8.092	6.082	7.499	6.743	8.092
82	6.347	7.615	5.752	7.077	6.347	7.615
83	5.971	7.150	5.440	6.668	5.971	7.150
84	5.615	6.700	5.146	6.272	5.615	6.700
85	5.279	6.266	4.871	5.891	5.279	6.266
86	4.964	5.850	4.614	5.527	4.964	5.850
87	4.672	5.457	4.377	5.184	4.672	5.457
88	4.404	5.090	4.161	4.864	4.404	5.090
89	4.160	4.750	3.967	4.570	4.160	4.750
90	3.944	4.438	3.796	4.301	3.944	4.438
91	3.757	4.155	3.651	4.057	3.757	4.155
92	3.594	3.899	3.526	3.836	3.594	3.899
93	3.448	3.667	3.411	3.633	3.448	3.667
94	3.310	3.456	3.296	3.444	3.310	3.456
95	3.180	3.265	3.180	3.265	3.180	3.265
96	3.060	3.094	3.060	3.094	3.060	3.094
97	2.933	2.928	2.933	2.928	2.933	2.928
98	2.796	2.763	2.796	2.763	2.796	2.763
99	2.643	2.592	2.643	2.592	2.643	2.592

Table 2

<b>Conversion Factors for Determination of Associate Pension</b>						
Police Superannuation Act 1990						
1990 Act Pensioners						
Type of Interest:-	Age Pension		Invalidity Pension		Spouse Pension	
Gender:-	Male	Female	Male	Female	Male	Female
Age						
18	23.980	24.334	21.854	21.921	23.980	24.334
19	23.905	24.278	21.800	21.886	23.905	24.278
20	23.827	24.218	21.744	21.847	23.827	24.218
21	23.744	24.153	21.684	21.804	23.744	24.153
22	23.656	24.083	21.620	21.757	23.656	24.083
23	23.564	24.008	21.551	21.706	23.564	24.008
24	23.467	23.928	21.479	21.651	23.467	23.928
25	23.365	23.843	21.401	21.591	23.365	23.843
26	23.257	23.752	21.318	21.526	23.257	23.752
27	23.143	23.652	21.229	21.454	23.143	23.652
28	23.024	23.547	21.134	21.378	23.024	23.547
29	22.900	23.438	21.033	21.297	22.900	23.438
30	22.770	23.325	20.926	21.212	22.770	23.325
31	22.634	23.207	20.812	21.123	22.634	23.207
32	22.493	23.084	20.692	21.030	22.493	23.084
33	22.345	22.956	20.564	20.932	22.345	22.956
34	22.190	22.823	20.430	20.829	22.190	22.823
35	22.029	22.684	20.288	20.722	22.029	22.684
36	21.862	22.539	20.140	20.609	21.862	22.539
37	21.687	22.389	19.985	20.492	21.687	22.389
38	21.505	22.232	19.822	20.370	21.505	22.232
39	21.315	22.069	19.653	20.243	21.315	22.069
40	21.118	21.900	19.477	20.110	21.118	21.900
41	20.913	21.723	19.293	19.972	20.913	21.723
42	20.699	21.540	19.102	19.828	20.699	21.540
43	20.478	21.350	18.903	19.677	20.478	21.350
44	20.247	21.152	18.695	19.520	20.247	21.152
45	20.008	20.947	18.478	19.356	20.008	20.947
46	19.760	20.733	18.253	19.185	19.760	20.733
47	19.503	20.512	18.017	19.005	19.503	20.512
48	19.237	20.283	17.772	18.818	19.237	20.283
49	18.962	20.046	17.517	18.622	18.962	20.046
50	18.677	19.800	17.250	18.416	18.677	19.800
51	18.383	19.546	16.971	18.201	18.383	19.546
52	18.080	19.283	16.679	17.976	18.080	19.283
53	17.767	19.010	16.374	17.741	17.767	19.010
54	17.445	18.728	16.055	17.494	17.445	18.728
55	17.113	18.437	15.720	17.235	17.113	18.437
56	16.772	18.136	15.370	16.965	16.772	18.136

57	16.421	17.825	15.003	16.681	16.421	17.825
58	16.061	17.504	14.625	16.384	16.061	17.504
59	15.692	17.173	14.242	16.073	15.692	17.173
60	15.314	16.830	13.853	15.746	15.314	16.830
61	14.927	16.477	13.461	15.404	14.927	16.477
62	14.531	16.112	13.066	15.046	14.531	16.112
63	14.127	15.736	12.668	14.670	14.127	15.736
64	13.715	15.349	12.269	14.285	13.715	15.349
65	13.294	14.950	11.869	13.893	13.294	14.950
66	12.865	14.539	11.469	13.494	12.865	14.539
67	12.433	14.119	11.070	13.089	12.433	14.119
68	11.998	13.690	10.673	12.678	11.998	13.690
69	11.561	13.254	10.277	12.261	11.561	13.254
70	11.123	12.809	9.885	11.840	11.123	12.809
71	10.684	12.358	9.495	11.414	10.684	12.358
72	10.245	11.900	9.107	10.985	10.245	11.900
73	9.806	11.436	8.722	10.552	9.806	11.436
74	9.368	10.968	8.338	10.116	9.368	10.968
75	8.932	10.496	7.958	9.680	8.932	10.496
76	8.499	10.023	7.582	9.245	8.499	10.023
77	8.072	9.550	7.213	8.813	8.072	9.550
78	7.653	9.081	6.854	8.386	7.653	9.081
79	7.245	8.618	6.505	7.969	7.245	8.618
80	6.849	8.162	6.169	7.561	6.849	8.162
81	6.466	7.715	5.847	7.163	6.466	7.715
82	6.099	7.277	5.539	6.775	6.099	7.277
83	5.748	6.849	5.247	6.396	5.748	6.849
84	5.414	6.431	4.971	6.028	5.414	6.431
85	5.099	6.027	4.712	5.673	5.099	6.027
86	4.803	5.639	4.470	5.332	4.803	5.639
87	4.527	5.270	4.245	5.010	4.527	5.270
88	4.273	4.924	4.040	4.709	4.273	4.924
89	4.042	4.603	3.856	4.431	4.042	4.603
90	3.836	4.308	3.694	4.177	3.836	4.308
91	3.658	4.040	3.556	3.946	3.658	4.040
92	3.503	3.796	3.438	3.735	3.503	3.796
93	3.364	3.576	3.328	3.543	3.364	3.576
94	3.233	3.374	3.220	3.362	3.233	3.374
95	3.109	3.192	3.109	3.192	3.109	3.192
96	2.995	3.029	2.995	3.029	2.995	3.029
97	2.875	2.870	2.875	2.870	2.875	2.870
98	2.744	2.711	2.744	2.711	2.744	2.711
99	2.598	2.548	2.598	2.548	2.598	2.548

## **Schedule 1—Transitional provision**

### **1—Transitional provision**

If the Board has, before the commencement of these regulations, been served with a splitting instrument in respect of a pension that is in the payment phase, the relevant non-member spouse may make an election under section 38S(2)(b) of the Act within 3 months after the day on which these regulations come into operation.

#### **Note—**

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

### **Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

No. 263 of 2003

AGO 0304/03 CS



South Australia

## **Juries (Remuneration for Jury Service) Variation Regulations 2003**

under the *Juries Act 1927*

---

### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of Juries (Remuneration for Jury Service) Regulations 2002**

- 4 Variation of regulation 5
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Juries (Remuneration for Jury Service) Variation Regulations 2003*.

#### **2—Commencement**

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

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Juries (Remuneration for Jury Service) Regulations 2002***

#### **4—Variation of regulation 5**

- (1) Regulation 5(6)—Delete "total amount (comprising the daily rate and any necessarily incurred costs and travelling expenses)" and substitute:
  - sum of the daily rate and any necessarily incurred costs
- (2) Regulation 5—after subregulation (6) insert:
  - (7) Travelling expenses (if any) to be paid to a juror for jury service are in addition to any other amount payable to the juror.

**Note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

No. 264 of 2003

AGO0175/02CS

South Australia

## **Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2003**

under the *Liquor Licensing Act 1997*

---

### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of Liquor Licensing (Dry Areas—Short Term) Regulations 1997**

- 4 Variation of Schedule 1—Short term dry areas
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2003*.

#### **2—Commencement**

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

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997***

#### **4—Variation of Schedule 1—Short term dry areas**

Schedule 1, item headed "**Beachport—Area 1**", column headed "*Period*"—delete the column and substitute:

*Period*

From 12.00 noon on 31  
December 2003 to 12.00  
noon on 2 January 2004.

**Note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

No. 265 of 2003

OLGC 24/2003

South Australia

# **Passenger Transport (Regular Passenger Services; Conduct of Passengers) (Dissolution of Passenger Transport Board) Variation Regulations 2003**

under the *Passenger Transport Act 1994*

---

## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### **Part 2—Variation of Passenger Transport (Regular Passenger Services; Conduct of Passengers) Regulations 1994**

- 4 Variation of Regulation 3—Interpretation
  - 5 Variation of regulation 4—Payment of fares and charges
  - 6 Variation of regulation 5—Validation of tickets
  - 7 Variation of regulation 8—Special provision for declared areas
  - 8 Variation of regulation 31—Duty of pedestrians at pedestrian crossings
  - 9 Variation of regulation 33—Rubbish and other abandoned property
  - 10 Variation of regulation 35—Graffiti
  - 11 Variation of regulation 36—Commercial activities
  - 12 Variation of regulation 38—Exclusion or removal of persons by authorised persons
  - 13 Variation of regulation 39—Expiation scheme
  - 14 Variation of regulation 40—Conditions of travel
  - 15 Variation of regulation 41—Exclusion orders
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Passenger Transport (Regular Passenger Services; Conduct of Passengers) (Dissolution of Passenger Transport Board) Variation Regulations 2003*.

### **2—Commencement**

These regulations will come into operation on the day on which the *Passenger Transport (Dissolution of Passenger Transport Board) Amendment Act 2003* comes into operation.

### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## **Part 2—Variation of *Passenger Transport (Regular Passenger Services; Conduct of Passengers) Regulations 1994***

### **4—Variation of Regulation 3—Interpretation**

- (1) Regulation 3, definition of *authorised person*, (e)—delete "the Board" and substitute:  
the Minister
- (2) Regulation 3, definition of *prescribed premises*—delete "the Board or by an operator" and substitute:  
the Crown or the Minister, or by an operator,
- (3) Regulation 3, definition of *student identification card*—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (4) Regulation 3, definition of *ticket*—delete "the board" and substitute:  
the Minister
- (5) Regulation 3, definition of *travel concession card*—delete "the Board" wherever occurring and substitute in each case:  
the Minister

### **5—Variation of regulation 4—Payment of fares and charges**

- Regulation 4(6)—delete "the Board" and substitute:  
the Minister

### **6—Variation of regulation 5—Validation of tickets**

- Regulation 5(4)—delete "the Board" and substitute:  
the Minister

### **7—Variation of regulation 8—Special provision for declared areas**

- (1) Regulation 8(1), definition of *declared area*—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (2) Regulation 8(3)—delete "the Board" and substitute:  
the Minister
- (3) Regulation 8(6)—delete "the Board" and substitute:  
the Minister

### **8—Variation of regulation 31—Duty of pedestrians at pedestrian crossings**

- Regulation 31(1), definition of *pedestrian crossing*—delete "the Board" and substitute:  
the Minister

**9—Variation of regulation 33—Rubbish and other abandoned property**

- (1) Regulation 33(4)(b)—delete "the Board" and substitute:  
the Minister
- (2) Regulation 33(5)(c)—delete "the Board or, if the Board so resolves" and substitute:  
the Crown or, if the Minister so determines

**10—Variation of regulation 35—Graffiti**

Regulation 35—delete "the Board" and substitute:  
the Minister

**11—Variation of regulation 36—Commercial activities**

Regulation 36—delete "the Board" and substitute:  
the Minister

**12—Variation of regulation 38—Exclusion or removal of persons by authorised persons**

Regulation 38(4)—delete "the Board" and substitute:  
the Minister

**13—Variation of regulation 39—Expiation scheme**

- (1) Regulation 39(2)(b)—delete "the Board" and substitute:  
the Minister
- (2) Regulation 39(2)(c)—delete "the Board" and substitute:  
the Minister

**14—Variation of regulation 40—Conditions of travel**

- (1) Regulation 40(1)—delete "The Board" and substitute:  
The Minister
- (2) Regulation 40(2)—delete "The Board" and substitute:  
The Minister
- (3) Regulation 40(3)—delete "the Board" and substitute:  
the Minister

**15—Variation of regulation 41—Exclusion orders**

- (1) Regulation 41(1)—delete "The Board" and substitute:  
The Minister
- (2) Regulation 41(1)—delete "the Board" and substitute:  
the Minister
- (3) Regulation 41(2)—delete "The Board" and substitute:  
The Minister

- (4) Regulation 41(2)—delete "it" and substitute:  
the Minister
- (5) Regulation 41(3)—delete "The Board" and substitute:  
The Minister
- (6) Regulation 41(3)—delete "at which it" and substitute:  
at which the Minister
- (7) Regulation 41(5)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (8) Regulation 41(8)—delete "the Board" and substitute:  
the Minister
- (9) Regulation 41(9)—delete "The Board" and substitute:  
The Minister
- (10) Regulation 41(10)—delete "the Board" and substitute:  
the Minister
- (11) Regulation 41(11)—delete "The Board" and substitute:  
The Minister

**Note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

No. 266 of 2003

CPTB2003/0008



South Australia

# **Passenger Transport (Regular Passenger Services; Fares and Charges) (Dissolution of Passenger Transport Board) Variation Regulations 2003**

under the *Passenger Transport Act 1994*

---

## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### **Part 2—Variation of the Passenger Transport (Regular Passenger Services; Fares and Charges) Regulations 1994**

- 4 Variation of regulation 4—Minister may determine fares and charges
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Passenger Transport (Regular Passenger Services; Fares and Charges) (Dissolution of Passenger Transport Board) Variation Regulations 2003*.

### **2—Commencement**

These regulations will come into operation on the day on which the *Passenger Transport (Dissolution of Passenger Transport Board) Amendment Act 2003* comes into operation.

### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## **Part 2—Variation of the *Passenger Transport (Regular Passenger Services; Fares and Charges) Regulations 1994***

### **4—Variation of regulation 4—Minister may determine fares and charges**

- (1) Regulation 4(1)—delete "Subject to subregulation (2), the Board" and substitute:  
The Minister
- (2) Regulation 4(2)—delete subregulation (2)

- (3) Regulation 4(3)—delete "The Board" and substitute:

The Minister

**Note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

No. 267 of 2003

CPTB2003/0008

South Australia

## **Passenger Transport (General) (Dissolution of Passenger Transport Board) Variation Regulations 2003**

under the *Passenger Transport Act 1994*

---

### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of Passenger Transport (General) Regulations 1994**

- 4 Variation of regulation 3—Interpretation
- 5 Variation of regulation 4A—Exclusions from the definition of regular passenger service
- 6 Variation of regulation 5—Act not to apply in certain cases
- 7 Variation of regulation 6—Operators—Eligibility
- 8 Variation of regulation 7—Conditions
- 9 Variation of regulation 8—Periodical fees and returns
- 10 Variation of regulation 9—Drivers—Eligibility
- 11 Variation of regulation 10—Medical examination
- 12 Variation of regulation 11—Conditions
- 13 Variation of regulation 12—Centralised booking services—Eligibility
- 14 Variation of regulation 13—Conditions
- 15 Variation of regulation 14—Periodical fees and returns
- 16 Variation of regulation 16—Accreditations may be held jointly
- 17 Variation of regulation 17—Particulars in accreditation
- 18 Variation of regulation 18—Death or incapacity of accredited person
- 19 Variation of regulation 19—Duty of accredited person to furnish information
- 20 Variation of regulation 20—Inquiries by the Minister
- 21 Variation of regulation 22—Delivery of accreditations
- 22 Variation of regulation 23—Issue of duplicate if accreditation lost etc
- 23 Variation of regulation 25—Procedure for variation of an accreditation
- 24 Variation of regulation 26—Exemptions under section 45
- 25 Variation of regulation 27—Suitability of vehicle
- 26 Variation of regulation 28—Prescribed kinds or grades of licences
- 27 Variation of regulation 28A—Ability of Minister to remove prohibition on transfer
- 28 Variation of regulation 30—Licences may be held jointly
- 29 Variation of regulation 31—Conditions and change of information
- 30 Variation of regulation 32—Particulars in licence
- 31 Variation of regulation 33—Death or incapacity of holder of a licence
- 32 Variation of regulation 34—Transfer of licence
- 33 Variation of regulation 35—Duty of holder of a licence to furnish information
- 34 Variation of regulation 36—Inquiries by the Minister
- 35 Variation of regulation 38—Suspension or cancellation of licences
- 36 Variation of regulation 39—Delivery of licences
- 37 Variation of regulation 40—Issue of duplicate if licence lost etc

- 38 Variation of regulation 41—Substitution of vehicle
- 39 Variation of regulation 41B—Colour and markings
- 40 Variation of regulation 42—General requirement for signs
- 41 Variation of regulation 43—Unauthorised use of signs
- 42 Variation of regulation 45—Loss or theft of signs
- 43 Variation of regulation 46—Company signs
- 44 Variation of regulation 46A—Advertising
- 45 Variation of regulation 47—Requirements for meters
- 46 Variation of regulation 48—Action required when meter defective
- 47 Variation of regulation 50—Substitution of wheels or alteration of drive train
- 48 Variation of regulation 52—Fees for testing of taxi meter
- 49 Variation of regulation 54—Fares
- 50 Variation of regulation 55—Display of information
- 51 Variation of regulation 56—Stands
- 52 Variation of regulation 57—Duty to accept or continue hiring
- 53 Variation of regulation 61—No smoking signs
- 54 Variation of regulation 61A—Interpretation
- 55 Variation of regulation 61B—Accreditation of suppliers of systems
- 56 Variation of regulation 61C—Requirement to have camera fitted and operating
- 57 Variation of regulation 61E—Authorisation to download images
- 58 Variation of regulation 61F—Steps to be followed in the event of an incident etc
- 59 Variation of regulation 61G—Delivery of material to police station
- 60 Variation of regulation 61I—Storage and disposal of material
- 61 Variation of regulation 61J—Signs
- 62 Variation of regulation 61K—Compulsory inspections of systems
- 63 Variation of regulation 61L—Authorised activities
- 64 Variation of regulation 62—Duties of drivers
- 65 Variation of regulation 63—Calculation of fare
- 66 Variation of regulation 65—Overloading
- 67 Variation of regulation 66—Passengers not be carried on certain portions of a vehicle
- 68 Variation of regulation 71—Lost property
- 69 Variation of regulation 72—Age of vehicles
- 70 Variation of regulation 73—Airconditioning
- 71 Variation of regulation 74—Inspections
- 72 Variation of regulation 74A—Prescribed scheme of maintenance
- 73 Variation of regulation 75A—Inspection labels
- 74 Variation of regulation 76—Reporting of accidents involving taxis
- 75 Variation of regulation 78—Defacing, lending and unauthorised use of plates
- 76 Variation of regulation 80—Surrender of registration plates
- 77 Variation of regulation 81—Loss or theft of registration plates
- 78 Variation of regulation 82—Fees
- 79 Variation of regulation 83—Metropolitan Adelaide
- 80 Variation of regulation 85—Keeping of records
- 81 Variation of regulation 86—Minister may determine fares and charges
- 82 Variation of regulation 87—Minister may require various notices etc to be fitted
- 83 Variation of regulation 88—Ability of Minister to dispense with certain requirements
- 84 Variation of regulation 89—Service of documents
- 85 Variation of regulation 90A—Authority to issue expiation notices
- 86 Variation of regulation 91—Evidentiary provision
- 87 Variation of regulation 92—Transitional provisions—Accreditations
- 88 Revocation of regulation 93
- 89 Variation of regulation 94—Transitional provisions—Taxis
- 90 Revocation of regulation 95

91	Insertion of regulation 98
92	Variation of Schedule 1
93	Variation of Schedule 2
94	Variation of Schedule 4
95	Variation of Schedule 5
96	Variation of Schedule 6
97	Variation of Schedule 7
98	Variation of Schedule 9
99	Variation of Schedule 10

---

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Passenger Transport (General) (Dissolution of Passenger Transport Board) Variation Regulations 2003*.

### 2—Commencement

These regulations will come into operation on the day on which the *Passenger Transport (Dissolution of Passenger Transport Board) Amendment Act 2003* comes into operation.

### 3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## Part 2—Variation of *Passenger Transport (General) Regulations 1994*

### 4—Variation of regulation 3—Interpretation

- (1) Regulation 3(1), definition of *appropriate driver's licence*—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (2) Regulation 3(1), definition of *authorised officer*, (b)—delete "the Board" and substitute:  
the Minister
- (3) Regulation 3(1)—after definition of *council*—insert:  
*department* means the administrative unit of the Public Service that is, under the Minister, responsible for the administration of the Act;
- (4) Regulation 3(1), definition of *Small Passenger Vehicle (Metropolitan) Accreditation*—delete "by the Board"
- (5) Regulation 3(1), definition of *Small Passenger Vehicle (Non-Metropolitan) Accreditation*—delete "by the Board"
- (6) Regulation 3(1), definition of *Small Passenger Vehicle (Special Purpose) Accreditation*—delete "by the Board"
- (7) Regulation 3(1), definition of *Small Passenger Vehicle (Traditional) Accreditation*—delete "by the Board"

- (8) Regulation 3(1), definition of *taxi sign*, (b)—delete "the Board" and substitute:  
the Minister
- (9) Regulation 3(1), definition of *work sheet*—delete "the Board" and substitute:  
the Minister

**5—Variation of regulation 4A—Exclusions from the definition of *regular passenger service***

- (1) Regulation 4A(1)—delete "the Board" and substitute:  
the Minister
- (2) Regulation 4A(2)—delete "The Board" and substitute:  
The Minister
- (3) Regulation 4A(2)—delete "the Board" and substitute:  
the Minister
- (4) Regulation 4A(2)(e)—delete "the Board" and substitute:  
the Minister
- (5) Regulation 4A(3)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (6) Regulation 4A(5)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (7) Regulation 4A(6)—delete "The Board" and substitute:  
The Minister
- (8) Regulation 4A(8)—delete "The Board must, before it takes" and substitute:  
The Minister must, before taking
- (9) Regulation 4A(8)(b)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (10) Regulation 4A(9)—delete subregulation (9) and substitute:
- (9) The Minister must ensure—
- (a) that a record of the declarations under this regulation is kept available for inspection by members of the public (without charge and during normal office hours) at the principal office of the department; and
- (b) that information about declarations made under this regulation in a particular financial year is included in the annual report prepared under section 24A of the Act.

**6—Variation of regulation 5—Act not to apply in certain cases**

- Regulation 5(2)—delete "the Board" and substitute:  
the Minister

**7—Variation of regulation 6—Operators—Eligibility**

- (1) Regulation 6(1)—delete "the Board" and substitute:  
the Minister
- (2) Regulation 6(1)(b)—delete "the Board" and substitute:  
the Minister

**8—Variation of regulation 7—Conditions**

Regulation 7—delete "the Board" wherever occurring and substitute in each case:  
the Minister

**9—Variation of regulation 8—Periodical fees and returns**

- (1) Regulation 8(2)(d)—delete "the Board" and substitute:  
the Minister
- (2) Regulation 8(3)—delete "The Board" and substitute:  
The Minister

**10—Variation of regulation 9—Drivers—Eligibility**

Regulation 9—delete "the Board" wherever occurring and substitute in each case:  
the Minister

**11—Variation of regulation 10—Medical examination**

- (1) Regulation 10—delete "The Board" and substitute:  
The Minister
- (2) Regulation 10—delete "the Board" and substitute:  
the Minister

**12—Variation of regulation 11—Conditions**

- (1) Regulation 11(1)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (2) Regulation 11(2)—delete "the Board" wherever occurring and substitute in each case:  
the Minister

**13—Variation of regulation 12—Centralised booking services—Eligibility**

- (1) Regulation 12(1)—delete "the Board" and substitute:  
the Minister
- (2) Regulation 12(2)(d)—delete "the Board" and substitute:  
the Minister

**14—Variation of regulation 13—Conditions**

- (1) Regulation 13(1)—delete "the Board" wherever occurring and substitute in each case:  
the Minister

- (2) Regulation 13(2)—delete "the Board" wherever occurring and substitute in each case:  
the Minister

### **15—Variation of regulation 14—Periodical fees and returns**

- (1) Regulation 14(2)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (2) Regulation 14(3)—delete "The Board" and substitute:  
The Minister

### **16—Variation of regulation 16—Accreditations may be held jointly**

- Regulation 16(1)—delete "the Board" and substitute:  
the Minister

### **17—Variation of regulation 17—Particulars in accreditation**

- Regulation 17(b)—delete "the Board" and substitute:  
the Minister

### **18—Variation of regulation 18—Death or incapacity of accredited person**

- (1) Regulation 18(1)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (2) Regulation 18(2)(a)—delete "the Board" and substitute:  
the Minister
- (3) Regulation 18(2)(b)—delete "the Board may, if it" and substitute:  
the Minister may, if the Minister

### **19—Variation of regulation 19—Duty of accredited person to furnish information**

- (1) Regulation 19(1)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (2) Regulation 19(2)—delete "The Board" and substitute:  
The Minister

### **20—Variation of regulation 20—Inquiries by the Minister**

- Regulation 20(1)—delete subregulation (1) and substitute:

- (1) The holder of an accreditation under Part 4 of the Act must, if so required by the Minister by notice in writing, attend at a specified place before the Minister, or a person appointed by the Minister for the purpose, and there answer such questions as to the accreditation, and the operation of a service under the accreditation, the person's conduct, or any other matter, as the Minister or the person so appointed considers necessary for the administration or enforcement of the Act, or of these or any other regulations under the Act.



**21—Variation of regulation 22—Delivery of accreditations**

Regulation 22(1)—delete "the Board" wherever occurring and substitute in each case:  
the Minister

**22—Variation of regulation 23—Issue of duplicate if accreditation lost etc**

Regulation 23—delete "the Board" wherever occurring and substitute in each case:  
the Minister

**23—Variation of regulation 25—Procedure for variation of an accreditation**

- (1) Regulation 25(1)—delete "the Board must, before it varies" and substitute:  
the Minister must, before varying
- (2) Regulation 25(1)(a)—delete "its proposal" and substitute:  
the proposed action
- (3) Regulation 25(2)—delete "the Board" and substitute:  
the Minister

**24—Variation of regulation 26—Exemptions under section 45**

Regulation 26(2)(d)—delete "by the Passenger Transport Board" and substitute:  
under the *Passenger Transport Act 1994*

**25—Variation of regulation 27—Suitability of vehicle**

Regulation 27(2)—delete "the Board" wherever occurring and substitute in each case:  
the Minister

**26—Variation of regulation 28—Prescribed kinds or grades of licences**

Regulation 28(3)(b)—delete "the Board" and substitute:  
the Minister

**27—Variation of regulation 28A—Ability of Minister to remove prohibition on transfer**

- (1) Regulation 28A(1)—delete "The Board may, in its" and substitute:  
The Minister may, in the Minister's
- (2) Regulation 28A(2)—delete "The Board" and substitute:  
The Minister
- (3) Regulation 28A(2)—delete "the Board" and substitute:  
the Minister
- (4) Regulation 28A(3)—delete "the Board" and substitute:  
the Minister
- (5) Regulation 28A(4)—delete "the Board" and substitute:  
the Minister

**28—Variation of regulation 30—Licences may be held jointly**

Regulation 30(1)—delete "the Board" and substitute:  
the Minister

**29—Variation of regulation 31—Conditions and change of information**

- (1) Regulation 31(1)(c)—delete "the Board" and substitute:  
the Minister
- (2) Regulation 31(1)(d)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (3) Regulation 31(2)—delete "the Board" wherever occurring and substitute in each case:  
the Minister

**30—Variation of regulation 32—Particulars in licence**

Regulation 32(b)—delete "the Board" and substitute:  
the Minister

**31—Variation of regulation 33—Death or incapacity of holder of a licence**

- (1) Regulation 33(1)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (2) Regulation 33(2)(a)—delete "the Board" and substitute:  
the Minister
- (3) Regulation 33(2)(b)—delete "the Board may, if it" and substitute:  
the Minister may, if the Minister

**32—Variation of regulation 34—Transfer of licence**

- (1) Regulation 34—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (2) Regulation 34(b)—delete "the Board's" and substitute:  
the Minister's

**33—Variation of regulation 35—Duty of holder of a licence to furnish information**

- (1) Regulation 35(1)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (2) Regulation 35(2)—delete "The Board" and substitute:  
The Minister

**34—Variation of regulation 36—Inquiries by the Minister**

Regulation 36(1)—delete subregulation (1) and substitute:

- (1) The holder of a taxi licence must, if so required by the Minister by notice in writing, attend at a specified place before the Minister, or a person appointed by the Minister for the purpose, and there answer such questions as to the licence, and the operation of a taxi service under the licence, the conduct of the person or of any person who may have been driving the taxi, or any other matter, as the Minister or the person so appointed considers necessary for the administration or enforcement of the Act, or of these or any other regulations under the Act.

**35—Variation of regulation 38—Suspension or cancellation of licences**

- (1) Regulation 38(1)(c)—delete "the Board" and substitute:

the Minister

- (2) Regulation 38(2)—delete "The Board must, before it suspends or cancels" and substitute:

The Minister must, before suspending or cancelling

- (3) Regulation 38(3)—delete subregulation (3) and substitute:

- (3) The Minister must, before suspending or cancelling a temporary licence under section 50 of the Act, give the holder of the licence at least 7 days written notice of the proposed course of action (including in the notice a brief summary of the reasons for the decision).

- (4) Regulation 38(5)—delete "the Board" and substitute:

the Minister

**36—Variation of regulation 39—Delivery of licences**

Regulation 39(1)—delete "the Board" wherever occurring and substitute in each case:

the Minister

**37—Variation of regulation 40—Issue of duplicate if licence lost etc**

Regulation 40—delete "the Board" wherever occurring and substitute in each case:

the Minister

**38—Variation of regulation 41—Substitution of vehicle**

- (1) Regulation 41(1)—delete "The Board" and substitute:

The Minister

- (2) Regulation 41(2)(a)—delete "the Board" and substitute:

the Minister

**39—Variation of regulation 41B—Colour and markings**

Regulation 41B(2)—delete "the Board" wherever occurring and substitute in each case:

the Minister

**40—Variation of regulation 42—General requirement for signs**

- (1) Regulation 42(1)(a)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (2) Regulation 42(2)—delete "The Board" and substitute:  
The Minister
- (3) Regulation 42(3)—delete "the Board" and substitute:  
the Minister
- (4) Regulation 42(4)—delete "the Board" and substitute:  
the Minister
- (5) Regulation 42(7)—delete "the Board" and substitute:  
the Minister

**41—Variation of regulation 43—Unauthorised use of signs**

Regulation 43—delete "the Board" and substitute:  
the Minister

**42—Variation of regulation 45—Loss or theft of signs**

- (1) Regulation 45(2)—delete "the Board" and substitute:  
the Minister
- (2) Regulation 45(3)—delete "the Board" and substitute:  
the Minister

**43—Variation of regulation 46—Company signs**

Regulation 46(1)—delete "the Board" wherever occurring and substitute in each case:  
the Minister

**44—Variation of regulation 46A—Advertising**

- (1) Regulation 46A(1)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (2) Regulation 46A(2)—delete "the Board" and substitute:  
the Minister

**45—Variation of regulation 47—Requirements for meters**

Regulation 47(1)—delete "the Board" wherever occurring and substitute in each case:  
the Minister

**46—Variation of regulation 48—Action required when meter defective**

Regulation 48(b)—delete "the Board" and substitute:  
the Minister

**47—Variation of regulation 50—Substitution of wheels or alteration of drive train**

Regulation 50—delete "the Board" and substitute:

the Minister

**48—Variation of regulation 52—Fees for testing of taxi meter**

Regulation 52—delete "the Board" and substitute:

the Minister

**49—Variation of regulation 54—Fares**

- (1) Regulation 54(4)—delete "the Board" wherever occurring and substitute in each case:

the Minister

- (2) Regulation 54(5)—delete "the Board" wherever occurring and substitute in each case:

the Minister

**50—Variation of regulation 55—Display of information**

Regulation 55—delete "the Board" wherever occurring and substitute in each case:

the Minister

**51—Variation of regulation 56—Stands**

Regulation 56(1)—delete "The Board must maintain at its office" and substitute:

The Minister must maintain at an office of the department that is open to the public during normal office hours

**52—Variation of regulation 57—Duty to accept or continue hiring**

Regulation 57(7)—delete "the Board" and substitute:

the Minister

**53—Variation of regulation 61—No smoking signs**

Regulation 61—delete "the Board" and substitute:

the Minister

**54—Variation of regulation 61A—Interpretation**

- (1) Regulation 61A, definition of *approved*—delete "the Board" and substitute:

the Minister

- (2) Regulation 61A, definition of *authorised purpose*, (c)—delete "the Board" and substitute:

the Minister

- (3) Regulation 61A, definition of *prescribed officer*, (b)—delete "the Board" and substitute:

the Minister

- (4) Regulation 61A, definition of *recognised procedures*—delete "the Board" and substitute:

the Minister

**55—Variation of regulation 61B—Accreditation of suppliers of systems**

- (1) Regulation 61B(1)—delete "The Board" and substitute:  
The Minister
- (2) Regulation 61B(2)—delete "The Board" and substitute:  
The Minister
- (3) Regulation 61B(2)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (4) Regulation 61B(2)—delete "as it" and substitute:  
as the Minister
- (5) Regulation 61B(3)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (6) Regulation 61B(4)—delete "The Board" and substitute:  
The Minister

**56—Variation of regulation 61C—Requirement to have camera fitted and operating**

- Regulation 61C(3)(a)—delete "the Board" and substitute:  
the Minister

**57—Variation of regulation 61E—Authorisation to download images**

- (1) Regulation 61E(1)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (2) Regulation 61E(2)—delete "the Board" and substitute:  
the Minister
- (3) Regulation 61E(3)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (4) Regulation 61E(4)—delete "the Board" and substitute:  
the Minister
- (5) Regulation 61E(5)—delete "The Board" and substitute:  
The Minister
- (6) Regulation 61E(5)—delete "the Board" and substitute:  
the Minister
- (7) Regulation 61E(6)—delete "The Board" and substitute:  
The Minister

**58—Variation of regulation 61F—Steps to be followed in the event of an incident etc**

- Regulation 61F—delete "the Board" and substitute:  
the Minister

**59—Variation of regulation 61G—Delivery of material to police station**

- (1) Regulation 61G(1)—delete "the Board" and substitute:  
the Minister
- (2) Regulation 61G(3)(b)—delete "the Board" and substitute:  
the Minister

**60—Variation of regulation 61I—Storage and disposal of material**

- (1) Regulation 61I(1)—delete "the Board" and substitute:  
the Minister
- (2) Regulation 61I(2)—delete "the Board" and substitute:  
the Minister
- (3) Regulation 61I(3)—delete "the Board" and substitute:  
the Minister
- (4) Regulation 61I(4)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (5) Regulation 61I(5)—delete "the Board" and substitute:  
the Minister

**61—Variation of regulation 61J—Signs**

- (1) Regulation 61J(1)—delete "the Board" and substitute:  
the Minister
- (2) Regulation 61J(2)—delete "the Board" and substitute:  
the Minister

**62—Variation of regulation 61K—Compulsory inspections of systems**

- Regulation 61K(2)—delete "the Board" and substitute:  
the Minister

**63—Variation of regulation 61L—Authorised activities**

- Regulation 61L(c)—delete "the Board" and substitute:  
the Minister

**64—Variation of regulation 62—Duties of drivers**

- (1) Regulation 62(1)(ab)—delete "the Board" and substitute:  
the Minister
- (2) Regulation 62(3)—delete "The Board must consult with a centralised booking service before it makes" and substitute:  
The Minister must consult with a centralised booking service before making

**65—Variation of regulation 63—Calculation of fare**

Regulation 63(2)(b)(v)—delete "the Board" and substitute:  
the Minister

**66—Variation of regulation 65—Overloading**

Regulation 65(2)(b)—delete "the Board" and substitute:  
the Minister

**67—Variation of regulation 66—Passengers not be carried on certain portions of a vehicle**

Regulation 66—delete "the Board" and substitute:  
the Minister

**68—Variation of regulation 71—Lost property**

- (1) Regulation 71(1), definition of *approved collection agent*—delete "the Board" and substitute:  
the Minister
- (2) Regulation 71(5)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (3) Regulation 71(6)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (4) Regulation 71(8)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (5) Regulation 71(9)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (6) Regulation 71(11)—delete "the Board" and substitute:  
the Minister
- (7) Regulation 71(14)—delete "the Board" and substitute:  
the Minister

**69—Variation of regulation 72—Age of vehicles**

- (1) Regulation 72(2)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (2) Regulation 72(3)—delete "The Board" and substitute:  
The Minister
- (3) Regulation 72(4)—delete "The Board" and substitute:  
The Minister
- (4) Regulation 72(5)—delete "The Board" and substitute:  
The Minister



**70—Variation of regulation 73—Airconditioning**

- (1) Regulation 73(1)—delete "the Board" and substitute:  
the Minister
- (2) Regulation 73(3)(b)—delete "the Board" and substitute:  
the Minister

**71—Variation of regulation 74—Inspections**

- Regulation 74(3)(f)—delete "the Board" and substitute:  
the Minister

**72—Variation of regulation 74A—Prescribed scheme of maintenance**

- (1) Regulation 74A(1), definition of *the Code*—delete "the Board" and substitute:  
the Minister
- (2) Regulation 74A(4)—delete "The Board" and substitute:  
The Minister
- (3) Regulation 74A(5)—delete "the Board" and substitute:  
the Minister
- (4) Regulation 74A(6)—delete "The Board" and substitute:  
The Minister

**73—Variation of regulation 75A—Inspection labels**

- (1) Regulation 75A(3)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (2) Regulation 75A(7)—delete "The Board" and substitute:  
The Minister
- (3) Regulation 75A(9)—delete "the Board" and substitute:  
the Minister

**74—Variation of regulation 76—Reporting of accidents involving taxis**

- (1) Regulation 76(1)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (2) Regulation 76(2)—delete "the Board" and substitute:  
the Minister

**75—Variation of regulation 78—Defacing, lending and unauthorised use of plates**

- (1) Regulation 78(2)—delete "the Board" and substitute:  
the Minister
- (2) Regulation 78(3)—delete "the Board" and substitute:  
the Minister

**76—Variation of regulation 80—Surrender of registration plates**

Regulation 80—delete "the Board" and substitute:  
the Minister

**77—Variation of regulation 81—Loss or theft of registration plates**

- (1) Regulation 81(1)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (2) Regulation 81(2)—delete "the Board" wherever occurring and substitute in each case:  
the Minister

**78—Variation of regulation 82—Fees**

Regulation 82(2)—delete "The Board may, on application, in its" and substitute:  
The Minister may, on application, in the Minister's

**79—Variation of regulation 83—Metropolitan Adelaide**

Regulation 83—delete "the Board" wherever occurring and substitute in each case:  
the Minister

**80—Variation of regulation 85—Keeping of records**

Regulation 85—delete "the Board" wherever occurring and substitute in each case:  
the Minister

**81—Variation of regulation 86—Minister may determine fares and charges**

- (1) Regulation 86(1)—delete "The Board" and substitute:  
The Minister
- (2) Regulation 86(2)—delete "The Board" and substitute:  
The Minister
- (3) Regulation 86(3)(b), note 2—delete "The Board" and substitute:  
The Minister

**82—Variation of regulation 87—Minister may require various notices etc to be fitted**

- (1) Regulation 87—delete "The Board" and substitute:  
The Minister
- (2) Regulation 87—delete "the Board" and substitute:  
the Minister

**83—Variation of regulation 88—Ability of Minister to dispense with certain requirements**

Regulation 88—delete "the Board" wherever occurring and substitute in each case:  
the Minister

**84—Variation of regulation 89—Service of documents**

Regulation 89(2)—delete "the Board" and substitute:  
the Minister

**85—Variation of regulation 90A—Authority to issue expiation notices**

Regulation 90A(b)—delete "the Board" and substitute:  
the Minister

**86—Variation of regulation 91—Evidentiary provision**

- (1) Regulation 91—delete "a member of the Board" and substitute:  
the Minister
- (2) Regulation 91—delete "the Board," and substitute:  
the Minister,

**87—Variation of regulation 92—Transitional provisions—Accreditations**

Regulation 92(2)—delete "the Board" and substitute:  
the Minister

**88—Revocation of regulation 93**

Regulation 93—delete the regulation

**89—Variation of regulation 94—Transitional provisions—Taxis**

- (1) Regulation 94(3)—delete "the Board" and substitute:  
the Minister
- (2) Regulation 94(4)—delete "The Board" and substitute:  
The Minister
- (3) Regulation 94(5)—delete "the Board" and substitute:  
the Minister

**90—Revocation of regulation 95**

Regulation 95—delete the regulation

**91—Insertion of regulation 98**

After regulation 98 insert:

**99—Transitional provisions—Dissolution of Passenger Transport Board**

A notice displayed under paragraph (d) of regulation 26(2) before the commencement of this regulation may continue to be displayed for the purposes of that paragraph on and after that commencement despite the variation made to that paragraph by the *Passenger Transport (General) (Dissolution of Passenger Transport Board) Variation Regulations 2003*.

**92—Variation of Schedule 1**

- (1) Schedule 1(1)—delete "The Board" and substitute:  
The Minister
- (2) Schedule 1(1)—delete "the Board" and substitute:  
the Minister
- (3) Schedule 1(2)(b)—delete "the Board has determined that it" and substitute:  
the Minister has determined that the Minister
- (4) Schedule 1(2)(d)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (5) Schedule 1(2)—delete "the Board" and substitute:  
the Minister
- (6) Schedule 1(4)—delete "The Board" and substitute:  
The Minister
- (7) Schedule 1(5)(a)—delete "by the Board" and substitute:  
by the Minister
- (8) Schedule 1(5)(a)—delete "at the offices of the Board" and substitute:  
by the Minister
- (9) Schedule 1(5)(b)—delete "by the Board" wherever occurring and substitute in each case:  
by the Minister
- (10) Schedule 1(5b)—delete subclause (5b) and substitute:  
(5b) The tender fee must be provided in the form of a bank cheque made payable in a manner specified by the Minister (unless otherwise permitted by the Minister).
- (11) Schedule 1(6)—delete "The Board" and substitute:  
The Minister
- (12) Schedule 1(8)—delete "The Board" and substitute:  
The Minister
- (13) Schedule 1(9)—delete "the Board" and substitute:  
the Minister
- (14) Schedule 1(10a)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (15) Schedule 1(14)—delete "the Board" and substitute:  
the Minister
- (16) Schedule 1(15)—delete "The Board" and substitute:  
The Minister

- (17) Schedule 1(15)(a)—delete "the Board" and substitute:  
the Minister
- (18) Schedule 1(16)(a)—delete "the Board" and substitute:  
the Minister
- (19) Schedule 1(16)(b)—delete "the Board may, at is" and substitute:  
the Minister may, at the Minister's
- (20) Schedule 1(16a)—delete "The Board" and substitute:  
The Minister
- (21) Schedule 1(16a)—delete "the Board" wherever occurring and substitute in each case:  
the Minister
- (22) Schedule 1(16a)—delete "if it thinks fit" and substitute:  
if the Minister thinks fit
- (23) Schedule 1(17)(b)—delete "the Board" and substitute:  
the Minister

**93—Variation of Schedule 2**

Schedule 2, clause 4—delete "the Board" and substitute:  
the Minister

**94—Variation of Schedule 4**

Schedule 4—delete "the Board" wherever occurring and substitute in each case:  
the Minister

**95—Variation of Schedule 5**

- (1) Schedule 5, item 3—delete "the Board" and substitute:  
the Minister
- (2) Schedule 5, item 9—delete "Board policies" and substitute:  
policies determined by the Minister

**96—Variation of Schedule 6**

- (1) Schedule 6, item 3—delete "the Board" and substitute:  
the Minister
- (2) Schedule 6, item 8—delete "Board policies" and substitute:  
policies determined by the Minister

**97—Variation of Schedule 7**

- (1) Schedule 7, item 4—delete "the Board" and substitute:  
the Minister

- (2) Schedule 7, item 15—delete "the Board" and substitute:  
the Minister

**98—Variation of Schedule 9**

- Schedule 9, item 21—delete "the Board" wherever occurring and substitute in each case:  
the Minister

**99—Variation of Schedule 10**

- (1) Schedule 10, item 17—delete "the Board" and substitute:  
the Minister
- (2) Schedule 10, item 23—delete "the Board" and substitute:  
the Minister
- (3) Schedule 10, item 25—delete "the Board" and substitute:  
the Minister

**Note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

No. 268 of 2003

CPTB2003/0008

South Australia

# National Electricity (South Australia) Variation Regulations 2003

under the *National Electricity (South Australia) Act 1996*

---

## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### Part 2—Variation of National Electricity (South Australia) Regulations

- 4 Variation of Schedule—Classification of provisions of Code and Class A civil penalties
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *National Electricity (South Australia) Variation Regulations 2003*.

### 2—Commencement

These regulations will come into operation on the day on which the *National Electricity (South Australia) (New Penalty) Amendment Act 2003* comes into operation.

### 3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## Part 2—Variation of National Electricity (South Australia) Regulations

### 4—Variation of Schedule—Classification of provisions of Code and Class A civil penalties

Schedule, table—after the entry relating to 3.8.20(g) insert:

3.8.22A	D	
---------	---	--

**Made by the Governor**

on the unanimous recommendation of the Ministers of the participating jurisdictions and with the advice and consent of the Executive Council

on 18 December 2003.

No. 269 of 2003

MEN 03/011 CS



South Australia

## **Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2003**

under the *Liquor Licensing Act 1997*

---

### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of Liquor Licensing (Dry Areas—Short Term) Regulations 1997**

- 4 Variation of Schedule 1—Short term dry areas
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2003*.

#### **2—Commencement**

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

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997***

#### **4—Variation of Schedule 1—Short term dry areas**

- (1) Schedule 1, item headed "**Robe—Area 1**", column headed "*Period*"—delete the column and substitute:

*Period*

1.00 p.m. on 31 December  
2003 to 9.00 a.m. on 2  
January 2004.

- (2) Schedule 1, item headed "**Robe—Area 2**", column headed "*Period*"—delete the column and substitute:

*Period*

1.00 p.m. on 31 December  
2003 to 9.00 a.m. on 2  
January 2004.

- (3) Schedule 1, item headed "**Robe—Area 3**", column headed "*Period*"—delete the column and substitute:

*Period*

1.00 p.m. on 31 December  
2003 to 9.00 a.m. on 2  
January 2004.

- (4) Schedule 1, item headed "**Robe—Area 4**", column headed "*Period*"—delete the column and substitute:

*Period*

1.00 p.m. on 31 December  
2003 to 9.00 a.m. on 2  
January 2004.

- (5) Schedule 1, item headed "**Robe—Area 5**", column headed "*Period*"—delete the column and substitute:

*Period*

1.00 p.m. on 31 December  
2003 to 9.00 a.m. on 2  
January 2004.

**Note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council

on 18 December 2003.

No. 270 of 2003

OLGC27/2003

South Australia

## **Senior Secondary Assessment Board of South Australia Variation Regulations 2003**

under the *Senior Secondary Assessment Board of South Australia Act 1983*

---

### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of Senior Secondary Assessment Board of South Australia Regulations 2000**

- 4 Substitution of Schedules 1 and 2
  - 5 Variation of Schedule 3—Fees
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Senior Secondary Assessment Board of South Australia Variation Regulations 2003*.

#### **2—Commencement**

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

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of a specified regulation varies the regulation so specified.

### **Part 2—Variation of *Senior Secondary Assessment Board of South Australia Regulations 2000***

#### **4—Substitution of Schedules 1 and 2**

Schedules 1 and 2—delete the Schedules and substitute:

#### **Schedule 1—Year 11 subjects**

##### **Group 1—Humanities, arts or social and cultural studies**

Aboriginal Studies

Ancient Studies

Australian Languages

Australian Studies

Broadcasting and Multimedia (VET)

Business Services (VET)

Business Studies

Communication for the Hearing-Impaired

Community Services (VET)

Community Studies:

    The Arts and the Community

    Business and the Community

    The Community and the Environment

    Design, Construction and the Community

    Foods and the Community

    Health, Recreation and the Community

    Language and the Community

    Lifestyles and the Community

    Work and the Community

Dance

Drama

Economics

English

English as a Second Language

Environmental Studies

Geography

Health Education

History

Home Economics

Hospitality (VET)

Integrated Studies:

    programs of study in Integrated Studies classified by the Board as being in the field of humanities, arts or social and cultural studies

Languages other than English:

    41 languages are offered

Legal Studies

Media Studies

Multi Arts

Music

Outdoor Education

Personal Development Studies

Philosophy

Politics

Sport and Recreation (VET)

Studies in Religion

Studies of Societies

Technical Drawing

Technology Studies:

    Technology and Society

Tourism

Tourism Operations (VET)

Visual Arts

Women's Studies

Work Education

**Group 2—Mathematics, science or technology**

Accounting

Agriculture

Biology

Chemistry

Community Studies:

    Business and the Community

    The Community and the Environment

    Design, Construction and the Community

    Foods and the Community

    Health, Recreation and the Community

    Mathematics and the Community

    Science and the Community

    Technology and the Community

    Work and the Community

Contemporary Issues and Science

Design and Technology

Financial Services (VET)

Geology

Information Processing and Publishing

Information Technology

Information Technology (VET)

Integrated Studies:

programs of study in Integrated Studies classified by the Board as being in the field of mathematics, science or technology

Laboratory Operations (VET)

Manufacturing and Engineering (VET)

Mathematics

Physical Education

Physics

Psychology

Seafood Operations (VET)

## **Schedule 2—Year 12 subjects**

### **Group 1—Humanities, arts or social and cultural studies**

Aboriginal Studies

Art Practical

Australian History

Australian Languages

The Australian Legal System

Broadcasting and Multimedia (VET)

Business Services (VET)

Business Studies

Classical Studies

Communication for the Hearing-Impaired

Community Services (VET)

Community Studies:

The Arts and the Community

Business and the Community

The Community and the Environment

Design, Construction and the Community

Foods and the Community

Health, Recreation and the Community

Language and the Community

---

Lifestyles and the Community  
Work and the Community  
Craft Practical  
Dance  
Dance Studies  
Design Practical  
Drama  
Drama Studies  
Economics  
English as a Second Language  
English as Second Language Studies  
English Communications  
English Studies  
Extension Studies  
Geography  
Geography Studies  
Health Education  
Home Economics  
Hospitality (VET)  
Languages other than English:  
    41 languages are offered  
Legal Studies  
Media Production and Analysis  
Modern History  
Music  
Natural Resources Management  
Outdoor Education  
Philosophy  
Politics  
Religions in Australia  
Small Business Enterprise  
Sport and Recreation (VET)  
Studies of Religion  
Studies of Societies  
Tourism

Tourism Operations (VET)

Visual Arts Studies

Women's Studies

Work Education:

    Vocational Studies A

    Vocational Studies B

**Group 2—Mathematics, science or technology**

Accounting

Accounting Studies

Agricultural and Horticultural Science

Agriculture and Horticulture

Biology

Chemistry

Community Studies:

    Business and the Community

    The Community and the Environment

    Design, Construction and the Community

    Foods and the Community

    Health, Recreation and the Community

    Mathematics and the Community

    Science and the Community

    Technology and the Community

    Work and the Community

Contemporary Issues and Science

Design and Technology

Design and Technology Studies

Extension Studies

Financial Services (VET)

Geology

Information Processing and Publishing

Information Technology

Information Technology Studies

Information Technology (VET)

Laboratory Operations (VET)

Manufacturing and Engineering (VET)



Mathematical Applications

Mathematical Methods

Mathematical Studies

Nutrition

Physical Education

Physics

Psychology

Seafood Operations (VET)

Specialist Mathematics

Work Education:

    Vocational Studies A

    Vocational Studies B

### **5—Variation of Schedule 3—Fees**

- (1) Schedule 3, clause 1—delete "\$1 296.95" and substitute:  
    \$1 347.55
- (2) Schedule 3, clause 2—delete "\$140.30" and substitute:  
    \$145.80
- (3) Schedule 3, clause 2—delete "\$146.15" and substitute:  
    \$151.85
- (4) Schedule 3, clause 2—delete "\$31.50" and substitute:  
    \$32.75
- (5) Schedule 3, clause 3—delete "\$67.05" and substitute:  
    \$69.70
- (6) Schedule 3, clause 4—delete "\$7.80" and substitute:  
    \$8.10
- (7) Schedule 3, clause 5—delete "\$6.70" and substitute:  
    \$7.00
- (8) Schedule 3, clause 6—delete "\$13.40" and substitute:  
    \$13.95
- (9) Schedule 3, clause 7—delete "\$15.75" and substitute:  
    \$16.40
- (10) Schedule 3, clause 8—delete "\$26.90" and substitute:  
    \$27.95
- (11) Schedule 3, clause 9(a)—delete "\$6.40" and substitute:  
    \$6.65

(12) Schedule 3, clause 9(a)—delete "\$10.30" and substitute:

\$10.70

(13) Schedule 3, clause 9(b)—delete "\$15.55" and substitute:

\$16.20

**Made by the Governor**

on the recommendation of the Senior Secondary Assessment Board of South Australia and with the advice and consent of the Executive Council

on 18 December 2003.

No. 271 of 2003

MECS24/03CS

## FAXING COPY?

IF you fax copy to **Government Publishing SA** for inclusion in the *Government Gazette*, there is **no need** to send a Confirmation Copy to us as well.

This creates confusion and may well result in your notice being printed **twice**.

Please use the following fax number:

Fax transmission: (08) 8207 1040  
Phone Inquiries: (08) 8207 1045

Please include a contact person, phone number and order number so that we can phone back with any queries we may have regarding the fax copy.

**NOTE: Closing time for lodging new copy (fax, hard copy or email) is 4 p.m. on Tuesday preceding the day of publication.**

---

**Government Gazette notices can be E-mailed.**

The address is:

governmentgazette@saugov.sa.gov.au

Documents should be sent as attachments in Word format.

When sending a document via E-mail, please confirm your transmission with a faxed copy of your document, including the date the notice is to be published.

Fax transmission: (08) 8207 1040  
Enquiries: (08) 8207 1045

**NOTE: Closing time for lodging new copy (fax, hard copy or email) is 4 p.m. on Tuesday preceding the day of publication.**

---

## **NOTE TO GOVERNMENT GAZETTE CUSTOMERS**

The Government Information Centre at 77 Grenfell Street  
**CLOSED** on Friday, 10<sup>th</sup> October 2003.

All Government Legislation enquiries can now be directed to  
Service SA, Government Legislation Outlet.

Address Details:

Ground Floor, 101 Grenfell Street, Adelaide, S.A. 5000

Postal Details:

G.P.O. Box 1707, Adelaide, S.A. 5001

Phone: 13 23 24

---

---

## CITY OF PORT ADELAIDE ENFIELD

*Change of Name of Portions of a Public Road  
Assignment of a Name for a Public Road*

NOTICE is hereby given that pursuant to section 219 (1) of the Local Government Act 1999, that the name of portions of a certain public road in Ferryden Park are changed and a public road in Ferryden Park is assigned a name, as detailed below:

- Portion of Elmore Street, Ferryden Park as marked 1 in plan 1 is renamed as Milne Court.
- Portion of Elmore Street, Ferryden Park as marked 2 in plan 1 is renamed as Bradley Court.
- New portion of road as marked 3 in plan 2 is assigned the street name Harkes Court, Ferryden Park.

Plans that delineate the area of public roads which are subject to the change of street name and assignment of a street name, are available for inspection at the Council's principal office, 163 St Vincent Street, Port Adelaide, S.A. 5015, during the hours of 9 a.m. and 5 p.m. on week days.

H. J. WIERDA, City Manager

## CITY OF SALISBURY

## ROADS (OPENING AND CLOSING) ACT 1991

*Walkway between Friar Court to Marian Street, Salisbury East*

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the City of Salisbury proposes to make a Road Process Order to close a portion of the public road subject to any easements that may be required. The portion of public road to be closed is situated between allotments 137 and 125 in Deposited Plan 7003, and is more particularly delineated in Preliminary Plan No. 03/0109 ('the plan').

The portion of public road to be closed marked 'A' on the plan is to be merged with the adjoining land (allotment 137 in Deposited Plan 7003, certificate of title 5559/519) held by Walid Bachnak and Nayfe Bachnak, and portion of the public road to be closed marked 'B' on the plan is to be merged with the adjoining land (allotment 124 in Deposited Plan 7003, certificate of title 5616/713) held by Adrian William Smith and Beverley Ann Smith.

A copy of the plan and a statement of persons affected are available for public inspection at 12 James Street, Salisbury, S.A. 5108 between the hours of 8.30 a.m. and 5 p.m. weekdays only and the Adelaide office of the Surveyor-General, 101 Grenfell Street, Adelaide, S.A. 5000 during normal office hours.

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons.

The application for easement or objection must be made in writing to the Council, P.O. Box 8, Salisbury, S.A. 5108 within 28 days of this notice and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the council will give notification of a meeting at which the matter will be considered.

Dated 17 December 2003.

P. FAIRLIE-JONES, Acting City Manager

## CITY OF VICTOR HARBOR

*Temporary Road Closure*

NOTICE is hereby given that the City of Victor Harbor at a meeting of council held on Monday, 22 September 2003, resolved, pursuant to section 359 of the Local Government Act 1934, as amended, to exclude all vehicles other than emergency, public utility and council vehicles from Ocean Street between the intersections with Torrens Street and Albert Place (including the closure of Coral Street at its intersection with Ocean Street) on Saturday, 20 December 2003, from 5 p.m. to 8 p.m. for the purpose of the annual Victor Harbor Business Association Christmas Pageant. Suitable barriers and notices will be erected giving effect to this closure.

G. K. MAXWELL, City Manager

## CITY OF VICTOR HARBOR

*Traffic Restriction—Dolphin Avenue*

NOTICE is hereby given that the City of Victor Harbor, at a meeting of council held on Monday, 15 December 2003, resolved, pursuant to section 359 of the Local Government Act 1934, as amended, to restrict traffic to one-way in an easterly direction (all traffic must travel west) on Dolphin Avenue from the intersection of Marlin Terrace on Saturday, 20 December 2003, from 7.30 p.m. to 10.30 p.m. for the purpose of viewing Christmas lights. Suitable barriers and notices will be erected giving effect to this restriction.

G. K. MAXWELL, City Manager

## CITY OF VICTOR HARBOR

*Temporary Road Closure—New Year's Eve*

NOTICE is hereby given that the City of Victor Harbor at a meeting of council held on Monday, 13 October 2003, resolved, pursuant to section 359 of the Local Government Act 1934, as amended, to exclude all vehicles other than emergency, public utility and council vehicles from the roads specified below, on Wednesday, 31 December 2003, commencing at 7 p.m. and expiring at 4 a.m. on Thursday, 1 January 2004, for the purpose of New Year's Eve Celebrations. Suitable barriers and notices will be erected giving effect to these closures:

Flinders Parade—Southern side of the intersection of Flinders Parade and Coral Street.

Ocean Street—Southern side of the intersection of Ocean Street and Coral Street.

Albert Place—Southern side of the intersection of Albert Place, Victoria Street and Crozier Road.

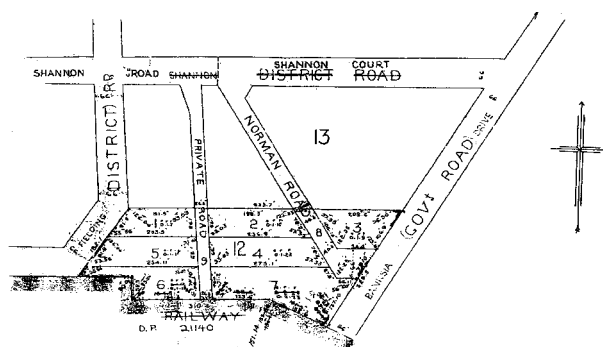
The Esplanade—Western end of the Esplanade Carpark.

G. K. MAXWELL, City Manager

## ADELAIDE HILLS COUNCIL

*Declaration of Public Road*

NOTICE is hereby given pursuant to section 210 of the Local Government Act 1999, that at a future meeting, the council intends to declare Allotment 8 in Deposited Plan 2165, being portion of the land comprised in Certificate of Title 5860, Folio 138, known commonly as a portion of Norman Road, Bridgewater and being the whole of the area hatched on the attached plan, to be a public road.



P. PEPPIN, Chief Executive Officer

## ALEXANDRINA COUNCIL

*Control of Access to River Murray Mouth via Goolwa Beach during Dredging Operations*

NOTICE is hereby given that restricted access to the River Murray Mouth will continue during dredging operations for a period of at least 12 months from 17 December 2003.

Beach conditions near the Murray Mouth are hazardous to traffic due to sand dredging operations.

Pursuant to section 7 of the Local Government Act 1999 and section 32 of the Road Traffic Act 1961, Goolwa Beach will be closed from 5 km east of the Goolwa Beach Carpark for all traffic except for sand dredging purposes and emergency services.

J. L. COOMBE, Chief Executive

---

FLINDERS RANGES COUNCIL

*Office Closure*

NOTICE is hereby given that council at its meeting held on 14 October 2003, resolved that pursuant to section 45 of the Local Government Act 1999, the council offices will be closed over the Christmas/New Year period from 5 p.m. on Wednesday, 24 December 2003 through until:

Quorn—9 a.m. on Monday, 5 January 2004

Quorn Works Depot—8 a.m. on Monday, 5 January 2004.

R. D. WALSH, Chief Executive Officer

---

KANGAROO ISLAND COUNCIL

*Roads (Opening and Closing) Act 1991*

NOTICE is hereby given pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the Kangaroo Island Council proposes to make a Road Process Order to:

- (i) open as road portion of allotment 792 in Filed Plan 180824 and portion of Piece 5 in Deposited Plan 17704 more particularly delineated and numbered '1' on Preliminary Plan No. 03/0108, forming a realignment of the adjoining Bullock Track; and
- (ii) close and retain portion of the public roads (Karatta Terrace and Bullock Track) adjoining the Seaview Road and section 462 (Cemetery Reserve) in the Hundred of Menzies, shown more particularly delineated and lettered 'A' and 'B' on Preliminary Plan No. 03/0108.

A statement of persons affected by the proposed road process together with a copy of the Preliminary Plan is available for inspection at the offices of the Kangaroo Island Council, Dauncey Street, Kingscote, S.A. 5223, during normal office hours. Copies may also be inspected at the Adelaide office of the Surveyor-General, 101 Grenfell Street, Adelaide, during normal office hours.

Any person is entitled to object to the proposed road process, or any person affected by the proposed closure is entitled to apply for an easement to be granted in that person's favour over the land subject to the proposed closure. Such objection or application for an easement must set out the full name and address of the person making the objection or application and must be fully supported by reasons. Any application for an easement must give full particulars of the nature and location of the easement land and where made by a person as the owner of adjoining land or nearby land, specify the land to which the easement is to be annexed.

The objection or application for an easement must be made in writing to the Kangaroo Island Council, P.O. Box 121, Kingscote, S.A. 5223, within 28 days of this notice and a copy shall be forwarded to the Adelaide office of the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Kangaroo Island Council will give notification of a meeting at which the matter will be considered, so that the person making the submission or a representative may attend, if desired.

Dated 18 December 2003.

R. RATTRAY, Chief Executive Officer

---

KANGAROO ISLAND COUNCIL

*Roads (Opening and Closing) Act 1991*

NOTICE is hereby given pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the Kangaroo Island Council proposes to make a Road Process Order to close and transfer that portion of Wheelton Street marked 'A' on Preliminary Plan No. 03/0104:

Transfer 'A' to Kangaroo Island Health Service, Esplanade, Kingscote, S.A. 5223 and to merge that portion with certificate of title volume 5540, folio 838.

A statement of persons affected by the proposed road process together with a copy of the Preliminary Plan is available for inspection at the offices of the Kangaroo Island Council, Dauncey Street, Kingscote, S.A. 5223, during normal office hours. Copies may also be inspected at the Adelaide office of the Surveyor-General, 101 Grenfell Street, Adelaide, during normal office hours.

Any person is entitled to object to the proposed road process, or any person affected by the proposed closure is entitled to apply for an easement to be granted in that person's favour over the land subject to the proposed closure. Such objection or application for an easement must set out the full name and address of the person making the objection or application and must be fully supported by reasons. Any application for an easement must give full particulars of the nature and location of the easement land and where made by a person as the owner of adjoining land or nearby land, specify the land to which the easement is to be annexed.

The objection or application for an easement must be made in writing to the Kangaroo Island Council, P.O. Box 121, Kingscote, S.A. 5223, within 28 days of this notice and a copy shall be forwarded to the Adelaide office of the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Kangaroo Island Council will give notification of a meeting at which the matter will be considered, so that the person making the submission or a representative may attend, if desired.

Dated 18 December 2003.

R. RATTRAY, Chief Executive Officer

---

DISTRICT COUNCIL OF KIMBA

*Appointment*

NOTICE is hereby given that pursuant to section 102 of the Local Government Act 1999, that Elizabeth Anne Byrne be appointed Acting Chief Executive Officer for the period Tuesday, 27 January 2004 until Friday, 13 February 2004, *vide* Chief Executive Officer on leave.

S. R. CHERITON, Chief Executive Officer

---

IN the matter of the estates of the undermentioned deceased persons:

*Belton, Winifred Alice*, late of 47 Eve Road, Bellevue Heights, of no occupation, who died on 3 October 2003.

*Bice, Patricia Marian*, late of 17 Robsart Street, Parkside, of no occupation, who died on 13 August 2003.

*Binstead, Sydney Alfred*, late of 42 Carlisle Road, Westbourne Park, retired printing proprietor, who died on 14 October 2003.

*Carmichael, Ailsa Isabel*, late of 110 Strathfield Terrace, Largs North, of no occupation, who died on 21 August 2003.

*Coulter, Gordon Kenneth*, late of Grand Junction Road, Oakden, of no occupation, who died on 30 July 2003.

*Craig, Donald William*, late of 6 Bruce Street, Frewville, retired driver, who died on 5 October 2003.

*Edwards, Ernest Keith*, late of 51 Eve Road, Bellevue Heights, of no occupation, who died on 7 November 2003.

*Mansfield, Patricia Mary*, late of 59 George Street, Paradise, retired public servant, who died on 6 August 2003.

*Prisk, Allenby Ross*, late of 19 Dawkins Avenue, Willaston, retired hardware merchant, who died on 5 November 2003.

*Spett-Utczas, Sarah Cathleen Eva*, late of 53 Monmouth Road, Westbourne Park, of no occupation, who died on 23 September 2003.

*Stangroome, Martin*, late of 19 Desoto Drive, Port Willunga, electrician, who died on 14 December 2002.

*Thomson, Dulcie Rose*, late of 7 John Terrace, O'Sullivan Beach, home duties, who died on 23 October 2003.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972, and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Public Trustee, 25 Franklin Street, Adelaide, S.A. 5000, full particulars and proof of such claims, on or before 23 January 2004, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 18 December 2003.

C. J. O'LOUGHLIN, Public Trustee

---

---

IN the matter of the estate of the undermentioned deceased person:

*Besanko, Walter Wilbur*, late of Belalie Lodge, 1-7 Cumnock Street, Jamestown, retired farmer and grazier, who died on 12 October 2003.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972-1975 and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the above estate are directed to send full particulars of such claims to the undersigned on or before 16 January 2004, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the above estate are required to pay the amount of their debt to the undersigned or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estate are forthwith to deliver the same to the undersigned.

Dated 18 December 2003.

ANZ EXECUTORS & TRUSTEE COMPANY LIMITED  
(ACN 006 132 332), 530 Collins Street,  
Melbourne, Vic. 3000.

---

---

# ATTENTION

CUSTOMERS requiring a proof of their notice for inclusion in the *Government Gazette*, please note that the onus is on you to inform **Government Publishing SA** of any subsequent corrections by **10 a.m. on Thursday**, which is our publication deadline.

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before** 10 a.m. on Thursday.

If we do not receive any communication by 10 a.m. on Thursday (day of publication) we will presume the notice is correct and will print it as it is.

**Remember**—the onus is on you to inform us of any corrections necessary to your notice.

**NOTE: Closing time for lodging new copy (electronically, fax or hard copy) is 4 p.m. on Tuesday preceding the day of publication. Phone 8207 1045—Fax 8207 1040.**

**Email: [governmentgazette@saugov.sa.gov.au](mailto:governmentgazette@saugov.sa.gov.au)**