



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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ADELAIDE, THURSDAY, 1 AUGUST 2013

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GOVERNMENT GAZETTE NOTICES

ALL poundkeepers' and 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. on the Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: governmentgazette@dpc.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. The *Government Gazette* is available online at: www.governmentgazette.sa.gov.au

Department of the Premier and Cabinet
Adelaide, 1 August 2013

HIS Excellency the Governor's Deputy directs it to be notified for general information that he has in the name and on behalf of Her Majesty The Queen, this day assented to the undermentioned Acts passed by the Legislative Council and House of Assembly in Parliament assembled, viz.:

No. 30 of 2013—Water Efficiency Labelling and Standards (South Australia) Act 2013. An Act to apply the Water Efficiency Labelling and Standards Act 2005 of the Commonwealth as a law of this State; to repeal the Water Efficiency Labelling and Standards Act 2006; and for other purposes.

No. 31 of 2013—Statutes Amendment (Fines Enforcement and Recovery) Act 2013. An Act to amend the Correctional Services Act 1982; the Courts Administration Act 1993; the Criminal Law (Sentencing) Act 1988; the Cross-border Justice Act 2009; the Expiation of Offences Act 1996; the Fisheries Management Act 2007; the Magistrates Court Act 1991; the Motor Vehicles Act 1959; the Summary Procedure Act 1921; the Victims of Crime Act 2001; and the Young Offenders Act 1993.

No. 32 of 2013—Serious and Organised Crime (Control) (Declared Organisations) Amendment Act 2013. An Act to amend the Serious and Organised Crime (Control) Act 2008; and to make a related amendment to the Serious and Organised Crime (Unexplained Wealth) Act 2009.

No. 33 of 2013—First Home and Housing Construction Grants (Budget 2013) Amendment Act 2013. An Act to amend the First Home and Housing Construction Grants Act 2000.

No. 34 of 2013—Appropriation Act 2013. An Act for the appropriation of money from the Consolidated Account for the year ending on 30 June 2014 and for other purposes.

No. 35 of 2013—Statutes Amendment (Heavy Vehicle National Law) Act 2013. An Act to amend the Motor Vehicles Act 1959, the Road Traffic Act 1961 and the Second-hand Vehicle Dealers Act 1995.

No. 36 of 2013—Heavy Vehicle National Law (South Australia) Act 2013. An Act to make provision for a national scheme for facilitating and regulating the use of heavy vehicles on roads; and for other purposes.

By command,

JAY WILSON WEATHERILL, Premier

DPC06/0875

Department of the Premier and Cabinet
Adelaide, 1 August 2013

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint the undermentioned to the Dog and Cat Management Board, pursuant to the provisions of the Dog and Cat Management Act 1995:

Member: (from 1 August 2013 until 30 June 2015)
Katina D'Onise

Member: (from 1 August 2013 until 30 June 2016)
Susan Jane Hazel
Janet Mary Loveday

Deputy Member: (from 1 August 2013 until 30 June 2015)
Ronald Lawrence Somers (Deputy to D'Onise)

By command,

JAY WILSON WEATHERILL, Premier

13MECCS037

Department of the Premier and Cabinet
Adelaide, 1 August 2013

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

Member: (from 1 August 2013 until 31 July 2016)
Claudia Jane Gascoigne

By command,

JAY WILSON WEATHERILL, Premier

13MSLGR10CS

Department of the Premier and Cabinet
Adelaide, 1 August 2013

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint the undermentioned to the Genetically Modified Grop Advisory Committee, pursuant to the provisions of the Genetically Modified Crops Management Act 2004:

Member: (from 26 August 2013 until 25 August 2016)

Judith Anne Winstanley Levy
Rachel Allyson Ankeny
Geoffrey Annison
Heather Lorraine Baldock
Michael Shane Bowden
Andrew Michael Hannon
Jessica Elizabeth Hughes
Kathleen Margaret Ophel Keller
Neil Colin Pontifex
Richard John Way

Presiding Member: (from 26 August 2013 until 25 August 2016)

Judith Anne Winstanley Levy

By command,

JAY WILSON WEATHERILL, Premier

13MAFF27CS

Department of the Premier and Cabinet
Adelaide, 1 August 2013

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint the undermentioned to the Native Vegetation Council, pursuant to the provisions of the Native Vegetation Act 1991:

Presiding Member: (from 3 September 2013 until 2 September 2015)

Caroline Veronica Schaefer

By command,

JAY WILSON WEATHERILL, Premier

13MSECCS044

Department of the Premier and Cabinet
Adelaide, 1 August 2013

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint the Honourable Thomas Richard Kenyon, MP, Minister for Manufacturing, Innovation and Trade and Minister for Small Business to be also Acting Minister for Employment, Higher Education and Skills and Acting Minister for Science and Information Economy for the periods from 30 September 2013 to 11 October 2013 inclusive and from 16 December 2013 to 20 December 2013 inclusive, during the absence of the Honourable Grace Portolesi, MP.

By command,

JAY WILSON WEATHERILL, Premier

MEHES13/021CS

Department of the Premier and Cabinet
Adelaide, 1 August 2013

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint the Honourable Chloë Catiene Fox, MP, Minister for Transport Services and Minister Assisting the Minister for the Arts to be also Acting Minister for Communities and Social Inclusion, Acting Minister for Social Housing, Acting Minister for Disabilities, Acting Minister for Youth and Acting Minister for Volunteers for the period from 1 August 2013 to 5 August 2013 inclusive, during the absence of the Honourable Antonio Piccolo, MP.

By command,

JAY WILSON WEATHERILL, Premier

DCSICS/13/028

Department of the Premier and Cabinet
Adelaide, 1 August 2013

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint the Honourable Antonio Piccolo, MP, Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth and Minister for Volunteers to be also Acting Minister for Tourism and Acting Minister for Recreation and Sport for the period from 30 September 2013 to 6 October 2013 inclusive, during the absence of the Honourable Leon William Kennedy Bignell, MP.

By command,

JAY WILSON WEATHERILL, Premier

MTOUR/13/016

Department of the Premier and Cabinet
Adelaide, 1 August 2013

HIS Excellency the Governor's Deputy in Executive Council has been pleased to people listed as Justices of the Peace for South Australia for a period of ten years commencing from 1 August 2013 and expiring on 31 July 2023, it being a condition of appointment that the Justices of the Peace must take the oaths required of a Justice under the Oaths Act 1936 and return the oaths form to the Justice of the Peace Services within 3 months of the date of appointment, pursuant to Section 4 of the Justices of the Peace Act 2005:

Sheralie Bettene Alekna
Jennifer Cindy Amor
Merrylyn Charlotte Asquith
Melvyn John Baker

Douglas Ian Balnaves
Linden Ross Barrey
Digby Leonard Beames
Robin Stanier Bourne
Kenneth Reginald Churcher
Francis Gerard Coghlan
Phillip Andrew Cole
Suzanne Dalla Santa
Vince De Robertis
Allen David Farrow
David James Ferrier
Trevor James Fitzsimons
Judith Karen Francis
Darryl Wayne Freer
Trevor Kingsley Gowling
Timothy John Grieger
Karen Marie Grogan
Craig Edward Hall
Raymond Barraclough Jennison
Arthur Boucaut Jones
Darryl Francis Jones
Heather Julia Keep
Robert Ellis Loughhead
Stewart William McWaters
Jennifer Anne Mackay
Dean Lloyd Marsh
Beverly Kay Mickel
Ian Alick Neighbour
Craig Charles Nihill
Antonio Piccirillo
Vincent Harold Presser
Perinchery Kulappura Rajagopalan
Ian Paul Rohde
Kym Althorp Sandercock
Rocco Schirripa
Tarik Skaka
Marie Ann Smith
David Allan Swain
Paul Polihronis Tsimopoulos
Joanne Walkley
Trevor Walton
Margaret Janet McAlpine Willcocks
Andrew Edwin Wilson
Fiona Louise Woolfitt
Julie Ann Young
Barrie Zeitz

By command,

JAY WILSON WEATHERILL, Premier

JP13/028CS

AERODROME FEES ACT 1998

PARAFIELD AIRPORT

Schedule of Charges—Effective from 1 July 2013

THE prices shown in this schedule are inclusive of GST. The following charges apply to the use of Parafield Airport:

(a) Landing Charge:

- (i) For each aircraft weighing more than 10 000 kg MTOW, a charge of \$7.65 per 1 000 kg MTOW *pro rata*.
- (ii) For aircraft landing at Parafield Airport for the purposes of undergoing substantial maintenance on the airport and weighing less than 10 000 kg MTOW, a single charge of \$7.65 per 1 000 kg MTOW *pro rata*.
- (iii) For the purposes of an aircraft undergoing substantial maintenance, evidence in the form of a Substantial Maintenance Claim Form must be submitted to the Credit Controller at Parafield Airport Ltd (PAL) within 24 hours of the aircraft landing at Parafield Airport. If PAL is not notified of an aircraft landing for substantial maintenance within 24 hours, then a daily charge of \$7.65 per 1 000 kg MTOW *pro rata* will be levied in addition to the landing charge. It is the responsibility of the aircraft owner/operator to ensure that the form is lodged with PAL by the due date.

(b) General Aviation Access Charge (GAAC)

For each aircraft not covered by *(a)* above a GAAC of \$7.65 per 1 000 kg MTOW *pro rata* per day or part of a day will be made. GAAC may be paid in advance for periods of one month, six months or twelve months. Advance payment will attract a discount as shown in the table below:

| Period | Rate per 1 000 kg MTOW (<i>pro rata</i>) \$ | Effective discount rate % |
|--------------------|---|---------------------------------|
| One Month..... | 210.00 | 10 |
| Six Months..... | 1 119.00 | 20 |
| Twelve Months..... | 1 956.00 | 30 |

(MTOW = maximum take-off weight as specified by the manufacturer)

This Schedule may change from time to time. By using Parafield Airport the Aircraft Operator is deemed to have accepted these Charges as amended from time to time.

Parafield Airport Ltd (ABN 68 075 176 608)

Registered Office: 1 James Schofield Drive, Adelaide Airport, S.A. 5950

Administration Office: Building 18, Tigermoth Lane, Parafield Airport, S.A. 5106

Website: www.aal.com.au

CONTROLLED SUBSTANCES ACT 1984

Approval and Publication of the Vaccine Administration Code

NOTICE is hereby given that on 28 June 2013, David Swan, Chief Executive, Department for Health and Ageing, approved for publication the Vaccine Administration Code on the SA Health website.

The Code is available at:

www.sahealth.sa.gov.au/immunisationprovider.

D. SWAN, Chief Executive, Department for Health and Ageing

CORONERS ACT 2003

I, MARK FREDERICK JOHNS, the State Coroner, do hereby make the following Rules of the Coroners Court, pursuant to Section 42 of the Coroners Act 2003:

(1) The following rule is inserted after Rule 13 (10) and will be designated as Rule 13 (11):

Rule 13 (11) A written statement received in evidence by the Court pursuant to Section 20 (3) of the Act shall be verified by declaration in the following form—

'This statement consisting of page(s) signed by me is true to the best of my knowledge and belief. I know that this statement may be accepted in evidence in the Coroner's Court of South Australia and that if it contains material which is false or misleading in a material particular and which I know to be false and misleading I will be guilty of an offence.'

Dated 19 July 2013.

M. F. JOHNS, State Coroner

DEVELOPMENT ACT 1993:

SECTION 29 (2) (b) (ii) AMENDMENT

Preamble

It is necessary to amend the Onkaparinga (City) Development Plan dated 4 July 2013.

NOTICE

PURSUANT to Section 29 (2) (b) (ii) of the Development Act 1993, I amend the Onkaparinga (City) Development Plan dated 4 July 2013, as follows:

- (a) within the Township Zone, section headed 'PROCEDURAL MATTERS' subsection 'Non-Complying Development'—'Exceptions' column' for the 'Form of Development' listing 'Land division':
- (i) replace within Subclause (c) (iii) (D), the words 'that 20 per cent' with the words 'than 20 per cent'; and
 - (ii) replace within Subclause (d), the words 'located within the Yaroona Policy Area 64.' with the words 'located elsewhere in the zone.'
- (b) Fix the day on which this notice is published in the *Gazette* as the day on which the Amendment will come into operation.

JOHN RAU, Deputy Premier, Minister for Planning

FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE note that the notice made under Section 79 of the Fisheries Management Act 2007, dated 23 January 2013, and published in the *South Australian Government Gazette* dated 31 January 2013, on page 147, being the second notice on that page, referring to the West Coast Prawn Fishery, is hereby varied such that it will not be unlawful for a person fishing pursuant to a West Coast Prawn Fishery Licence to use prawn trawl nets in the waters specified in Schedule 1, under the conditions specified in Schedule 2, during the period specified in Schedule 3.

SCHEDULE 1

The waters of the West Coast Prawn Fishery adjacent to Coffin Bay, Ceduna and Venus Bay.

SCHEDULE 2

1. Each licence holder must ensure that a representative sample of the catch (a 'bucket count') is taken at least three times per night during the fishing activity.

2. Each 'bucket count' sample must be accurately weighed to 7 kg where possible and the total number of prawns contained in the bucket must be recorded on the daily catch and effort return.

3. Fishing must cease if one of the following limits is reached:

- (a) a total of 14 nights of fishing are completed;
- (b) the average catch per vessel, per night (for all three vessels) drops below 300 kg for two consecutive nights;
- (c) the average prawn 'bucket count' for all three vessels exceeds 240 prawns per bucket on any single fishing night in the Coffin Bay area; or
- (d) the average prawn 'bucket count' for all three vessels exceeds 240 prawns per bucket on any single fishing night in the Venus Bay area; or
- (e) the average prawn 'bucket count' for all three vessels exceeds 270 prawns per bucket on any single fishing night in the Ceduna area.

4. The fleet must nominate a licence holder to provide a daily update by telephone or SMS message to the PIRSA Fisheries Manager, to report the average prawn catch per vessel and the average prawn 'bucket count' information.

5. No fishing activity may be undertaken between 0700 hours and 1830 hours on any day during the period of this notice.

SCHEDULE 3

From 1830 hours on 30 July 2013 to 0700 hours on 14 August 2013.

Dated 29 July 2013.

B. MILIC, Prawn Fisheries Manager

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, Nick Whiterod of Nature Glenelg Trust, (the 'exemption holder'), or a person acting as his agent, is exempt from Sections 70, 71 and 72 of the Fisheries Management Act 2007 and Regulations 7 and 10; and Clauses 39, 41, 42, 43, 44, 45, 46, 96 of Schedule 6 of the Fisheries Management (General) Regulations 2007, but only insofar as the exemption holder may take fish species specified in Schedule 1 from inland waters, whole estuaries and near-shore marine habitats of South Australia, excluding Aquatic Reserves, Marine Parks and the Adelaide Dolphin Sanctuary using the gear specified in Schedule 2 (the 'exempted activity'), subject to the conditions specified in Schedule 3, from 27 July 2013 until 30 June 2014, unless varied or revoked earlier.

SCHEDULE 1

The collection of native fish including protected species of Genus Ambassidae, species of *Mogurnda* and *Nannoperca*, River Blackfish (*Gadopsis marmoratus*), Freshwater Catfish (*Tandanus tandanus*), Trout Cod (*Maccullochella macquariensis*), Silver Perch (*Bidyanus bidyanus*), Murray Cod (*Maccullochella peelii*), Murray River Crayfish (*Euastacus armatus*) and South East Crayfish (*Euastacus bispinosia*).

SCHEDULE 2

- 2 seine nets (maximum length 25 m, minimum mesh 3 mm).
- 60 fish traps (maximum dimension 1 m, maximum entrance size 10 cm).
- 1 dab net per person.
- 20 fyke nets (maximum width 10 m, minimum mesh size 1 mm).
- 20 munyana nets.
- 1 backpack electrofisher.
- 4 modified crab hoop net (minimum 20 mm mesh).
- 2 dive torches.

SCHEDULE 3

1. All fish of the genus *Ambassidae*, species of *Mogurnda* and *Nannoperca*, Freshwater Catfish (*Tandanus tandanus*), Trout Cod (*Maccullochella macquariensis*), Silver Perch (*Bidyanus bidyanus*), River Blackfish (*Gadopsis marmoratus*), Murray Cod (*Maccullochella peelii*), Murray River Crayfish (*Euastacus armatus*) and South East Crayfish (*Euastacus bispinosia*) collected pursuant to this notice must be returned to the water on completion of scientific evaluation.

2. All other native fish must be either returned to the water on completion of scientific evaluation or lodged with the South Australian Museum. All non-native fish must be destroyed and disposed of appropriately.

3. The specimens collected by the exemption holders are for scientific and research purposes only and must not be sold.

4. The exemption holder must operate in accordance to the Australian Code of Electrofishing Practice 1997 requirements.

5. Before conducting the exempted activity, the exemption holder must contact PIRSA Fishwatch on 1800 065 522 and answer a series of questions about the exempted activity. You will need to have a copy of your exemption with you at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of agents undertaking the exempted activity and other related issues. Exemption No. 9902631.

6. The exemption holder must provide a report in writing detailing the outcomes of the research and the collection of organisms pursuant to this notice to the Executive Director, Fisheries and Aquaculture, (G.P.O. Box 1625, Adelaide, S.A. 5001) within three months of the expiry of this notice, giving the following details:

- the date, soak time and location of collection;
- the number of nets used;
- the description of all species collected (fish, invertebrates, turtles);
- the number of each species collected; and
- any other information regarding size, breeding or anything deemed relevant or of interest that is able to be volunteered.

7. While engaged in the exempted activity, the exemption holder must be in possession of a copy of this notice. Such notice must be produced to a Fisheries Officer if requested.

8. The exemption holder must not contravene or fail to comply with the Fisheries Management Act 2007, or any regulations made under that Act, except where specifically exempted by this notice.

Dated 26 July 2013.

PROFESSOR M. DOROUDI, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, Adam Watt, Department of Environment, Water and Natural Resources (the 'exemption holder'), or a person acting as his Agent, is exempt from Sections 71, 72 (2) (b) of the Fisheries Management Act 2007, but only insofar as the exemption holder may be in possession or control of protected fish species specified in Schedule 1 (the 'exempted activity'), subject to the conditions specified in Schedule 2, from 24 July 2013 until 1 July 2014, unless varied or revoked earlier.

SCHEDULE 1

- Scalefish of any species of *Nannoperca*
- Scalefish of any species of *Mogurnda*

SCHEDULE 2

1. The fish species may only be held at the following locations:

Flinders University, Adelaide Zoo, Chesser House, Adelaide;

Jarvis Street, Berri;

Corination Road, Strathalbyn;

Urrbrae Agricultural High School, Urrbrae;

Goolwa Primary School;

Milang Primary School;

Munday property, Tungkillio;

Powell property, Mylor;

Crouch property;

Mount Compass; and

Cleland Wildlife Park, Cleland.

2. The exemption holder must not sell or trade species in possession pursuant to this exemption notice.

3. Protected native fish species in possession under this exemption may be given to the SA Museum for scientific purposes.

4. Protected native fish species retained in Condition 1 must not be relocated without the written approval of the Executive Director Fisheries and Aquaculture.

5. The exemption holder must provide a report in writing detailing the location and estimated number of all fish held pursuant to this notice to the Executive Director Fisheries and Aquaculture, (G.P.O. Box 1625, Adelaide, S.A. 5001) within 14 days of the expiry of this notice. Exemption No. 9902600.

Whilst engaged in the exempted activity, the exemption holder must be in possession of a copy of this notice. This notice must be produced to a Fisheries Officer if requested.

The exemption holder must not contravene or fail to comply with the Fisheries Management Act 2007, or any regulations made under that Act, except where specifically exempted by this notice.

Dated 24 July 2013.

PROFESSOR M. DOROUDI, Director of Fisheries

GEOGRAPHICAL NAMES ACT 1991

Notice of Declaration of Names of Places

CORRIGENDUM

IN the *Government Gazette* of 28 July 2005, page 2504 second notice appearing, the list of declared names for 1:50 000 Mapsheet 5930-4 (Hudd) **LOCH WELL BEACH** and *should* have been shown as **LOCKS WELL BEACH**.

Dated 30 July 2013.

MICHAEL BURDETT, Surveyor-General,
Department of Planning, Transport
and Infrastructure

DPTI.2013/11420/01

GEOGRAPHICAL NAMES ACT 1991

Notice to Alter the Names and Boundaries of Places

NOTICE is hereby given pursuant to the provisions of the above Act, that I, Tom Koutsantonis, Minister for Transport and Infrastructure, Minister of the Crown to whom the administration of the Geographical Names Act 1991, is committed DO HEREBY:

1. Exclude from the locality of **BEETALOO** and include into the locality of **WIRRABARA** that area marked **(A)** as shown on attached plan.

2. Discontinue the name **BEETALOO** and assign the name **BEETALOO VALLEY** to that locality marked **(B)** as shown on attached plan.

3. Exclude from the locality of **HUDDLESTON** and include into the locality of **BEETALOO VALLEY** that area marked **(C)** as shown on attached plan.

A copy of the plan showing the extent of the subject area can be viewed at:

www.sa.gov.au/landservices/namingproposals

Dated 26 July 2013.

TOM KOUTSANTONIS, Minister for Transport
and Infrastructure

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that Trehan & Sharmas Pty Ltd has applied to the Licensing Authority for a Restaurant Licence with Section 34 (1) (c) Authorisation in respect of premises situated at Shop 13-16, Arndale Shopping Centre, 470 Torrens Road, Kilkenny, S.A. 5009 and known as Indian Masala.

The application has been set down for hearing on 26 August 2013 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 19 August 2013).

The applicant's address for service is c/o Lion Liquor Licensing Consultants, 5/25-27 Aldridge Terrace, Marleston, S.A. 5033 (Attention: Andrew Wong).

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, Ground Floor, 91 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 19 July 2013.

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 Liquorland (Australia) Pty Ltd has applied to the Licensing Authority for the removal and transfer of a Retail Liquor Merchant's Licence in respect of premises situated at Unit 5, 10-14 Regency Road, Kilkenny, S.A. 5009 and to be situated at St Clair Shopping Village, 40 Cheltenham Road, St Clair, S.A. 5014 and known as Liquorland.

The application has been set down for hearing on 28 August 2013 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 21 August 2013).

The applicant's address for service is c/o Rick Harley, P.O. Box 6465, Halifax Street, Adelaide, S.A. 5000.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, Ground Floor, 91 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 23 July 2013.

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 McBrowns Wines Pty Ltd and Sweeny Wines Pty Ltd have applied to the Licensing Authority for the removal of a Wholesale Liquor Merchant's Licence in respect of premises situated at 6 Pegler Street, Beverley, S.A. 5009 and situated at 304/145 Brebner Drive, West Lakes, S.A. 5021 and known as Brown and Sweeny Vintners.

The application has been set down for hearing on 29 August 2013 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 22 August 2013).

The applicants' address for service is c/o Peter Sweeny, 304/145 Brebner Drive, West Lakes, S.A. 5021.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, Ground Floor, 91 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 25 July 2013.

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 Fundamental Flow Pty Ltd has applied to the Licensing Authority for a Small Venue Licence with Extended Trading Authorisation and Entertainment Consent in respect of premises situated at 12 Union Street, Adelaide, S.A. 5000 and known as Mr Goodbar.

The application has been set down for determination on 2 September 2013 at 11 a.m.

Conditions

The following licence conditions are sought:

- Extended Trading Authorisation to apply for the following days and times:
 - Monday to Saturday: Midnight to 2 a.m. the following day;
 - Sunday: 8 p.m. to 2 a.m. the following day; and
 - Christmas Day and Good Friday: No trade.
- Entertainment Consent is sought 11 a.m. to 2 a.m. the following day for the abovementioned days.

Any person may, by notice in the prescribed form lodged with the Liquor and Gambling Commissioner at least seven days before the day appointed for the determination of the application, make a submission in respect of the application.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, Ground Floor, 91 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 26 July 2013.

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 Emil Baluch and Michelle Baluch have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 76 Stirling Road, Port Augusta, S.A. 5700 and known as Pampas Motel.

The application has been set down for hearing on 3 September 2013 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 27 August 2013).

The applicants' address for service is c/o Lyn Gee, P.O. Box 2070, Port Augusta, S.A. 5700.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, Ground Floor, 91 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 29 July 2013.

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 James Danby Erskine has applied to the Licensing Authority for the removal of a Producer's Licence in respect of premises situated at Lot 31 Knott's Hill Road, Basket Range, S.A. 5138 and to be situated at 28 Bradbury Road, Mylor, S.A. 5153 and known as James Erskine.

The application has been set down for hearing on 3 September 2013 at 11.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 27 August 2013).

The applicant's address for service is c/o James Danby Erskine, P.O. Box 28, Mylor, S.A. 5153.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, Ground Floor, 91 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 30 July 2013.

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 Brendan Carter and Samuel Eads have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Building 30A, 1 Adelaide-Lobethal Road, Lobethal, S.A. 5241 and known as Emerald Vintners.

The application has been set down for hearing on 3 September 2013 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 27 August 2013).

The applicants' address for service is c/o Brendan Carter, 18 David Street, Lobethal, S.A. 5241.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, Ground Floor, 91 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 30 July 2013.

Applicants

MINING ACT 1971

NOTICE is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the Minister for Mineral Resources and Energy proposes to grant an Exploration Licence over the undermentioned area:

Applicant: FMG Resources Pty Ltd

Location: Nantilla area—Approximately 30 km north of Port Augusta.

Pastoral Leases: Wilkatana and Mount Arden

Term: 2 years

Area in km²: 29

Ref: 2013/00086

Plan and co-ordinates can be found on the DMITRE website: http://www.minerals.dmitre.sa.gov.au/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

NATIONAL ELECTRICITY LAW

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

Under s 107, the time for making the draft determination on the *Publication of zone substation data* proposal has been extended to **5 December 2013**.

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

Australian Energy Market Commission

Level 5, 201 Elizabeth Street
Sydney, N.S.W. 2000

Telephone: (02) 8296 7800

www.aemc.gov.au

1 August 2013.

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Volume of Water Available for Allocation from the River Murray Consumptive Pool of the River Murray Prescribed Watercourse

PURSUANT to Section 146 (4) of the Natural Resources Management Act 2004 ('the Act'), I, Ian Hunter, Minister for Sustainability, Environment and Conservation and Minister to whom the Act is committed, hereby determine the volume of water available from the River Murray Consumptive Pool of the River Murray Prescribed Watercourse for allocation to water access entitlement holders for the period 1 July 2013 to 30 June 2014, to be as set out in Schedule 1 below:

SCHEDULE 1

| Class of Water Access Entitlement | Volume of Water Available for Allocation | Water Allocation Rate | Water Allocation Rate as a % of Nominal Maximum Water Allocation Rate of 1 kL/unit share |
|-----------------------------------|--|-----------------------|--|
| | (kL) | (kL/unit share) | (%) |
| Class 1 | 8 704 910 | 1 | 100 |
| Class 2 | 50 000 000 | 1 | 100 |
| Class 3a | 544 018 767 | 1 | 100 |
| Class 3b | 21 038 369 | 1 | 100 |
| Class 4 | 4 423 526 | 1 | 100 |
| Class 5 | 5 519 841 | 1 | 100 |
| Class 6 | 130 000 000 | 1 | 100 |
| Class 7 | 38 366 550 | 1 | 100 |
| Class 8 | 22 200 000 | 1 | 100 |
| Class 9 | 33 421 070 | 1 | 100 |

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

This Notice will remain in effect until 30 June 2014, unless earlier varied.

Dated 2 July 2013.

IAN HUNTER, Minister for Sustainability, Environment and Conservation

OATHS ACT 1936

Notice of Termination of Appointment of Proclaimed Members of the Police Force to take Declarations and Attest the Execution of Documents

NOTICE BY THE ATTORNEY-GENERAL

PURSUANT to Section 33 (3) of the Oaths Act 1936, the appointment of the persons named below to take declarations and attest the execution of documents has, by virtue of the operation of Section 33 (2) (b) of that Act, been terminated by reason of those persons ceasing to be members of the police force:

David George Angus, appointed on 30 April 2009;
 Lara Terese Asinari, appointed on 27 January 2012;
 Timothy David Austin, appointed on 8 October 2009;
 Allan John Ball, appointed on 14 April 2005;
 Peter Anthony Batley, appointed on 29 April 1999;
 Geoffrey David Cardwell, appointed on 1 May 1997;
 Adam Lindsay Chamberlain, appointed on 28 September 2006;
 Melissa Veronica Clarke, appointed on 18 January 2007;
 Kevin Derek Crashley, appointed on 23 September 2010;
 James Lindsay Crichton, appointed on 15 November 2001;
 Oleh Cybulka, appointed on 31 March 1993;
 Stephen James Datson, appointed on 14 April 2005;
 Dean Leslie Dawson, appointed on 30 April 2009;
 Melissa Sue De Jong, appointed on 8 November 2012;
 Joanne Kay Emsley, appointed on 23 September 2010;
 Rodney Arthur Ford, appointed on 13 March 2008;
 Brian Desmond Forth, appointed on 15 November 2001;
 Dean Greenlees, appointed on 1 July 2004;
 Gary Robert Griffiths, appointed on 15 November 2001;
 Terry Douglas Harding, appointed on 22 May 2003;
 Justin Adam Holland, appointed on 28 July 2011;
 Jessie Kerr Hughes, appointed on 22 April 2010;
 Ian Steven Hulmes, appointed on 28 September 2006;
 Adele Marie Jaunn, appointed on 28 July 2011;
 John Gerard Keane, appointed on 22 May 2003;
 Robert William Kranz, appointed on 22 May 2003;
 Michael Bryan Liddicoat, appointed on 15 November 2001;
 Dawn Elizabeth Lunn, appointed on 1 July 2004;
 Ian Anthony Derek Lynch, appointed on 28 July 2011;
 David Paul MacAdam, appointed on 30 April 2009;
 Elizabeth Mascaro, appointed on 28 September 2006;
 Dean Herbert McCarthur, appointed on 8 November 2012;
 Donald Ian McDonald, appointed on 28 April 1989;
 Tony Mee, appointed on 26 July 2012;
 Colin Michael Miller, appointed on 13 March 2008;
 Amanda Jane Morris, appointed on 26 July 2012;
 Ryan Andrew Morris, appointed on 23 September 2010;
 Eric Graham Munday, appointed on 27 May 2004;
 John Arthur Mylchreest, appointed on 27 May 2004;
 Joseph Francis O'Connell, appointed on 1 July 2004;
 Dennis Michael O'Sullivan, appointed on 15 November 2001;
 Michael John Parker, appointed on 15 November 2001;
 Geoffrey Iain Paterson, appointed on 18 January 2007;
 Ferdinand Walter Pit, appointed on 10 March 1994;
 Grant Philip Pyatt, appointed on 11 March 1999;
 Bruce Barry Rice, appointed on 27 January 2012;
 Bernard George Rolinski, appointed on 14 April 2005;
 Ivan Clarence Rooke, appointed on 22 May 2003;
 Brenton John Rowney, appointed on 22 May 2003;
 Graham John Sanders, appointed on 26 July 2012;
 Mark Alexander Seja, appointed on 22 May 2003;
 Matthew James Simmonds, appointed on 26 July 2012;
 Murray Donald Stanley, appointed on 30 April 2009;
 Brian David Stringer, appointed on 30 April 2009;
 Rodney Wayne Swan, appointed on 28 July 2011;
 David Norman Thomas, appointed on 14 April 2005;
 John Douglas Walker, appointed on 13 March 2008;
 Wayne Anthony Wardale, appointed on 11 March 1999;
 Adrian John Wightman, appointed on 28 July 2011;
 Gary Leith Wilson, appointed on 26 July 2012;
 Amanda Jane Woods, appointed 28 September 2006
 Kenneth Lewis Woolford, appointed on 13 March 2008; and
 Allan Ziegler, appointed on 30 April 2009.

Dated 16 July 2013.

JOHN RAU, Deputy Premier, Attorney-General

PASSENGER TRANSPORT ACT 1994

Exemption for Trains, Railcars and Trams operated by the Rail Commissioner as part of the AdelaideMetro Services

NOTICE is hereby given that, I, John Hanlon, Acting Chief Executive of the Department of Planning, Transport and Infrastructure, delegate of the Minister for Transport Services in the State of South Australia, pursuant to Section 54 (3) of the Passenger Transport Act 1994 ('the Act'), hereby exempt the rolling stock (trains, railcars and trams) operated by the Rail Commissioner as part of the AdelaideMetro Services from Section 54 of the Act.

Condition of Exemption

This exemption is subject to the following condition:

- (1) This exemption may be varied or revoked by me at any time by further instrument in writing.

NOTE: The rolling stock operated by the Rail Commissioner as part of the AdelaideMetro Services is required to comply with all requirements of the Rail Safety National Law.

Dated 16 July 2013.

J. HANLON, Delegate of the Minister for Transport Services

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Application for Grant of Petroleum Production Licence—PPL 246

PURSUANT to Section 65 (6) of the Petroleum and Geothermal Energy Act 2000 (the Act) and Delegation dated 21 March 2012, notice is hereby given that an application for the grant of a Petroleum Production Licence over the area described below, which falls within the area of Petroleum Exploration Licence PEL 92 has been received from:

Beach Energy Limited
 Cooper Energy Limited

The application will be determined on or after 29 August 2013.

Description of Application Area

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

Commencing at a point being the intersection of latitude 28°02'12"S GDA94 and longitude 139°16'13"E GDA94, thence east to longitude 139°16'23"E GDA94, south to latitude 28°02'19"S GDA94, west to longitude 139°16'13"E GDA94, and north to the point of commencement.

Area: 0.06 km² approximately.

Dated 25 July 2013.

B. A. GOLDSTEIN,
 Executive Director,
 Energy Resources Division,
 Department for Manufacturing, Innovation,
 Trade, Resources and Energy
 Delegate of the Minister for Mineral
 Resources and Energy

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Application for Grant of Petroleum Production Licences—PPLs 248, 249 and 250

PURSUANT to Section 65 (6) of the Petroleum and Geothermal Energy Act 2000 (the Act) and Delegation dated 21 March 2012, notice is hereby given that applications for the grant of a Petroleum Production Licences over the areas described below, which falls within the area of Petroleum Exploration Licence PEL 92 has been received from:

Beach Energy Limited
 Cooper Energy Limited

The applications will be determined on or after 29 August 2013.

Description of Application Area—PPL 248

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

Commencing at a point being the intersection of latitude 27°43'45"S GDA94 and longitude 139°17'15"E GDA94, thence east to longitude 139°17'30"E GDA94, south to latitude 27°43'50"S GDA94, east to longitude 139°17'38"E GDA94, south to latitude 27°44'58"S GDA94, east to longitude 139°17'45"E GDA94, south to latitude 27°45'05"S GDA94, east to longitude 139°17'50"E GDA94, south to latitude 27°45'25"S GDA94, west to longitude 139°17'45"E GDA94, south to latitude 27°45'30"S GDA94, west to longitude 139°17'35"E GDA94, north to latitude 27°45'10"S GDA94, west to longitude 139°17'30"E GDA94, north to latitude 27°45'00"S GDA94, west to longitude 139°17'20"E GDA94, north to latitude 27°44'45"S GDA94, west to longitude 139°17'15"E GDA94, north to latitude 27°44'35"S GDA94, west to longitude 139°17'05"E GDA94, north to latitude 27°44'30"S GDA94, west to longitude 139°17'00"E GDA94, north to latitude 27°44'20"S GDA94, east to longitude 139°17'10"E GDA94, north to latitude 27°43'50"S GDA94, east to longitude 139°17'15"E GDA94 and north to the point of commencement.

Area: 2.04 km² approximately.

*Description of Application Area—
PPL 249*

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

Commencing at a point being the intersection of latitude 27°57'20"S GDA94 and longitude 139°17'45"E GDA94, thence east to longitude 139°18'00"E GDA94, south to latitude 27°57'35"S GDA94, east to longitude 139°18'07"E GDA94, south to latitude 27°57'55"S GDA94, west to longitude 139°18'00"E GDA94, south to latitude 27°58'00"S GDA94, west to longitude 139°17'55"E GDA94, south to latitude 27°58'02"S GDA94, west to longitude 139°17'38"E GDA94, north to latitude 27°57'40"S GDA94, east to longitude 139°17'40"E GDA94, north to latitude 27°57'30"S GDA94, east to longitude 139°17'45"E GDA94 and north to the point of commencement.

Area: 0.81 km² approximately.

*Description of Application Area—
PPL 250*

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

Commencing at a point being the intersection of latitude 27°55'50"S GDA94 and longitude 139°22'40"E GDA94, thence east to longitude 139°23'05"E GDA94, south to latitude 27°56'15"S GDA94, west to longitude 139°22'55"E GDA94, south to latitude 27°56'20"S GDA94, west to longitude 139°22'45"E GDA94, north to latitude 27°56'15"S GDA94, west to longitude 139°22'40"E GDA94, north to latitude 27°56'10"S GDA94, west to longitude 139°22'35"E GDA94, north to latitude 27°56'00"S GDA94, east to longitude 139°22'40"E GDA94 and north to the point of commencement.

Area: 0.61km² approximately.

Dated 30 July 2013.

B. A. GOLDSTEIN,
Executive Director,
Energy Resources Division
Department for Manufacturing,
Innovation, Trade, Resources and Energy
Delegate of the Minister for Mineral
Resources and Energy

PROFESSIONAL STANDARDS ACT 2004*Bar Association of Queensland Scheme*

PURSUANT to Section 14 (1) of the Professional Standards Act 2004, I authorise the publication in the *Gazette* of the Bar Association of Queensland Scheme.

Dated 25 July 2013.

JOHN RAU, Attorney-General

THE BAR ASSOCIATION OF QUEENSLAND*A scheme under the Professional Standards Act 2004 (Qld)***PREAMBLE****Occupational Association**

- A. The Bar Association of Queensland (ACN 009 717 739) ('the Association') is an occupational association constituted as an Australian Public Company, Limited by Guarantee pursuant to the Corporations Act 2001 (Commonwealth).
- B. The occupational group for the purposes of the Scheme represented by the Association consists of barristers practising in or from Queensland who hold a practicing certificate.
- C. The objectives of the Association are expressed in Clause 3 of its Constitution and include:
 - (a) to promote the cause of justice;
 - (b) to maintain the high tradition of the Bar;
 - (c) to uphold the honour and promote the interests of the Association and members of the Association;
 - (d) to maintain correct and cordial relations with the Bench and the other branches of the profession;
 - (e) to arrange and promote continuing professional development;
 - (f) to promote fair and honourable practice amongst barristers; to suppress, discourage and prevent unsatisfactory professional conduct and professional misconduct; to inquire into so far as the law permits and decide questions as to professional conduct and etiquette of barristers; to make rules (including rules for the imposition on members of penalties, including expulsion, suspension or fines), with regard to the foregoing to the extent the law permits and in the absence of other rules and regulations made under the Legal Profession Act 2007 (Qld) ('the LP Act') for breach of such rules; and if deemed necessary, to report any of such rules or decisions to the Supreme Court of Queensland and to the Members of the Association and to the public as the Council sees fit;
 - (g) to raise with the appropriate bodies established under the LP Act all such matters as are necessary in respect of the discipline of members;
 - (h) to be represented in any matter before any Court, tribunal, body or person;
 - (i) to exercise such powers as may be conferred upon the Association by the LP Act, any other legislation, Rules of Court, or otherwise;
 - (j) to confer, and when thought fit, to cooperate with bodies in Australia or elsewhere representing the profession of the law or any branch thereof, or with any other bodies in Australia or elsewhere, as to matters directly or indirectly affecting the profession of the law, or which may affect the Association or its members, or may affect the attainment of the objects of Association; and, form and maintain associations with the Australian Bar Association and the Law Council of Australia, or any other body in Australia or elsewhere whether or not connected with the profession of the law;
 - (k) to make suggestions upon legislation, Rules of Court, the business and procedure of Courts, and the accommodation and condition of Court buildings;
 - (l) to inquire into and report upon applications for admission as a legal practitioner and to take such action thereon as may be deemed proper; and
 - (m) to promote, conduct or cooperate in the promotion or conduct of activities of a professional, educational, cultural, sporting and social nature amongst Members of the Association.

Nature of the Scheme

- D. The Bar Association of Queensland Scheme ('the Scheme') is a scheme under the Professional Standards Act 2004 (Qld) ('the PS Act') that applies to the persons referred to below in Clause 2.
- E. The Scheme does not apply to all members of the Association. Article 4.1 of the Bar Association of Queensland Constitution provides for four types of membership: Ordinary Member—Class A, Class B or Class C; Associate Member; Honorary Member; or Life Member. The Constitution provides that a person, who agrees before admission to membership to undertake to abide by the Constitution and Rules of the Association, may be admitted as an Ordinary Member:
- (a) in Class A for any local practising barrister;
 - (b) in Class B for any person who holds a practising certificate issued by the Association who is not a local practising Barrister; or
 - (c) in Class C, being an interstate practising barrister.

Article 4.7 of the Constitution provides that Life Members are members or former members of the Association appointed for exceptional service to justice, the law or the Association upon nomination by the President, seconded by the Vice-President and approved by no less than three-quarters majority of a general meeting. A Life Member may also belong to another class of membership.

The Scheme will only apply to Class A Ordinary members and Life Members.

- F. The approximate number of members of the Association to whom the Scheme might apply at its commencement is 932.
- G. The Scheme is intended to operate under the PS Act, which has the purpose of improving the occupational standards of professional persons, and to protect the consumers of their services.
- H. The Scheme limits the occupational liability of a person to whom it applies.
- I. The occupational liability limited by the Scheme is, that provided for by the PS Act, which at present is all civil liability for damages (in tort, contract equity, or otherwise) in relation to a cause of action founded on an act or omission of a person to whom the Scheme applies acting in the performance of the person's occupation that happens when the Scheme is in force.
- J. The Scheme does not apply to any liability to which the PS Act does not apply from time to time, which at present is any liability for damages arising from death or personal injury to a person, any negligence or other fault of a lawyer in acting for a client in a personal injury claim, a breach of trust, fraud or dishonesty or liability that may be the subject of proceedings under the Land Title Act 1994 (Qld), Part 9, Division 2, Subdivision C.
- K. The Scheme does not affect any claim for damages below the monetary ceiling specified in the Scheme for each member.
- L. The Scheme limits liability for damages to the monetary ceiling specified for a person to whom it applies provided that the person has insurance as required by Section 22 of the PS Act.

Risk Management

- N. The Association has adopted strategies which cover requirements for professional entry to practice at the Bar in Queensland, and continuing professional development in the areas of ethics and regulation of the profession management, substantive law, court practice and procedure, and evidence, and advocacy, mediation and other barristers' skills, including making rules about legal practice in this jurisdiction engaged in by an Australian legal practitioner as a barrister.
- O. The Association will report annually on the implementation and monitoring of its risk management strategies, the effect of those strategies and any changes made or proposed to be made to them.

Complaints and Discipline

- P. Association members are subject to a complaints and discipline system. The system operates pursuant to the requirements of the LP Act.
- Q. The Association is actively engaged in that system, and has the functions of investigation and of making a recommendation as to whether a discipline application should be started when a complaint is referred to the Association by the Legal Services Commissioner.

Standards of Insurance

- R. Members of the Association are required by the LP Act and regulations made under it, as a condition precedent to the issue of a required annual practising certificate, to have professional indemnity insurance:
 - (a) for at least \$1.5 m inclusive of defence costs; and
 - (b) provided by an insurer approved by the Association.
- S. The Association annually approves insurers for that purpose to provide annual insurance cover on the terms of particular standard form policies.
- T. The standard form policies cover occupational liability in all Australian States and Territories.

Claims Monitoring

- U. As a condition of approval of an insurer each year, the Association requires that the insurer provide claims data to the Association, so that the Association can continue to monitor claims made against its members from time to time.
- V. The Association will establish or maintain relationships with approved insurers from time to time.
- W. The Association will report annually to the Professional Standards Council on claims monitoring, tactics, performance measures and monitoring systems.

Scheme Administration

- X. Responsibility for administration of the Scheme and ensuring that it complies with the requirements of the PS Act and of the Professional Standards Council rests with the Association.

Duration

- Y. It is intended for the Scheme to remain in force for a period of five years from its commencement unless it is revoked, extended or ceases in accordance with Section 33 of the PS Act.

Operation as an interstate scheme

- Z. The Scheme is intended to operate in a jurisdiction other than Queensland in accordance with the corresponding law to the PS Act of that jurisdiction and subject to the requirements of the corresponding law, so that references to a provision of the PS Act, the application of the Scheme to a liability, the limit of a liability under the PS Act or what constitutes occupational liability are intended to pick up the relevant provisions of the corresponding law, applied *mutatis mutandis*, to the extent that is necessary for the application of the Scheme in that jurisdiction as an interstate scheme.

THE BAR ASSOCIATION OF QUEENSLAND SCHEME**1. Occupational Association**

- 1.1 The Bar Association of Queensland Scheme ('the Scheme') is a scheme under the PS Act.
- 1.2 The Scheme was prepared by the Association, whose business address is: Ground Floor, Inns of Court, 107 North Quay, Brisbane, Queensland. 4000.

2. Persons to Whom the Scheme Applies

- 2.1 The Scheme applies to any barrister who holds a Queensland practising certificate issued under the LP Act or regulations made under it, is a Class A Ordinary member or a Life member of the Association and is insured under an approved professional indemnity insurance policy which complies with the requirements under the LP Act and regulations made under it (or any Act replacing those requirements) and Clause 3.1 below.
- 2.2 This Scheme also applies to any person to whom it applies by the operation of ss 20, 21 or 21A of the PS Act.
- 2.3 The Scheme limits the occupational liability, in relation to a cause of action founded on an act or omission that happens when the Scheme is in force, of any person to whom the Scheme applies when the act or omission happens.
- 2.4 The Association may, upon application by a person to whom the Scheme applies, exempt that person from participation in the Scheme with effect from a date specified by the Bar on or after the date on which the exemption is granted.
- 2.5 The Association may, upon application by a person exempted from the Scheme under Clause 2.4, revoke such exemption with effect from a date specified by the Bar.

3. Limitation of Liability

- 3.1 If a person to whom this Scheme applies and against whom a cause of action relating to occupational liability is brought is able to satisfy the court that:
- (a) the person has the benefit of an insurance policy insuring the person against the occupational liability; and
 - (b) the amount payable under the insurance policy in relation to the occupational liability is at least the amount of the monetary ceiling specified in clause 3.8 in relation to the class of person and the kind of work to which the cause of action relates;
- the person is not liable in damages in relation to that cause of action above the amount of that monetary ceiling. For the purposes of Section 27 of the PS Act, the Scheme only affects a liability for damages arising from a single cause of action to the extent that the liability results in damages exceeding \$1 500 000.
- 3.2 For the operation of this Scheme in Queensland or in a jurisdiction other than Queensland pursuant to the PS Act, “occupational liability” in this Scheme means any civil liability arising whether in tort, contract or otherwise, directly or vicariously from anything done or omitted by a member of the Association acting in the performance of the member’s occupation and any other liability included in the meaning of ‘occupational liability’ under the PS Act from time to time.
- 3.3 For the operation of this Scheme in a jurisdiction other than Queensland under a corresponding law of that jurisdiction, ‘occupational liability’ means any liability included in the meaning of “occupational liability” in the corresponding law which is in force in that jurisdiction from time to time.
- 3.4 The occupational liability for which a person is not liable above the amount of the monetary ceiling is an occupational liability in relation to a cause of action founded on an act or omission that happens when the Scheme is in force in a jurisdiction to which the Scheme applies.
- 3.5 Notwithstanding Clause 3.1, for the operation of this Scheme in Queensland or in a jurisdiction other than Queensland pursuant to the PS Act the occupational liability to which this Scheme applies does not include liability to which the PS Act states, from time to time, that it does not apply.
- 3.6 Notwithstanding Clause 3.1, for the operation of this Scheme in a jurisdiction other than Queensland under a corresponding law of that jurisdiction the occupational liability to which this Scheme applies does not include liability to which the corresponding law states, from time to time, that it does not apply.
- 3.7 The Scheme is intended to apply in respect of occupational liability of a person to whom the Scheme applies arising in the jurisdictions of Queensland, New South Wales, Victoria, South Australia, Western Australia, the Australian Capital Territory and the Northern Territory and to apply in each of those jurisdictions from the time the Scheme commences under the PS Act or, to the extent required by a corresponding law of another jurisdiction, by the corresponding law of the relevant jurisdiction.
- 3.8 The monetary ceiling is \$1 500 000.
- 3.9 The monetary ceiling is in Australian currency.

4. Conferral of discretionary authority

- 4.1 The Scheme confers on the Association a discretionary authority, on application by a person to whom the Scheme applies, to specify a higher maximum amount of liability than would otherwise apply under the Scheme in relation to the person, either in all cases or in any specified case or class of case, being a specified monetary ceiling not exceeding \$50 million.

5. Duration

- 5.1 It is proposed the Scheme will be approved and commence in Queensland under the PS Act on 1 July 2013 and in the jurisdictions of Queensland, New South Wales, Victoria, South Australia, Western Australia, the Australian Capital Territory and the Northern Territory on 1 July 2013 under their corresponding laws.
- 5.2 In the event the Scheme, or a Notice relating to the Scheme, is published in the *Gazette* of any jurisdiction after 1 July 2013, the Scheme will commence on such day two months after the date of its publication in that jurisdiction.
- 5.3 The Scheme will remain in force for a period of five years from its commencement in Queensland unless:
- 5.3.1 it is revoked, extended or ceases in accordance with Section 32 of the PS Act, or
 - 5.3.2 it is extended for a period of up to 12 months in accordance with Section 33 of the PS Act.
- 5.4 Subject to Section 33 of the PS Act, the Scheme will remain in force for a period of five years from its commencement unless it is extended, terminated or otherwise ceases in accordance with the corresponding law of the relevant jurisdiction.
-

PROFESSIONAL STANDARDS ACT 2004*Law Institute of Victoria Limited Scheme*

PURSUANT to Section 14 (1) of the Professional Standards Act 2004, I authorise the publication in the *Gazette* of the Law Institute of Victoria Limited Scheme.

Dated 25 July 2013.

JOHN RAU, Attorney-General

LAW INSTITUTE OF VICTORIA LIMITED SCHEME*Professional Standards Act 2003 (Vic)***PREAMBLE**

- A. The Law Institute of Victoria Limited ('the LIV') is a voluntary occupational association for legal practitioners (solicitors) in Victoria.
- B. The LIV has made an application to the Professional Standards Council ('Council'), appointed under the Professional Standards Act 2003 (Vic) ('the Act') for approval of a scheme under the Act, and this document comprises the scheme ('the Scheme').
- C. The Scheme has been prepared by the LIV for the purposes of limiting Occupational Liability of Participating Members to the extent to which such liability may be limited under the Act.
- D. The Scheme is to apply to all Participating Members.
- E. The Scheme is intended to operate as a scheme of Victoria, New South Wales, Queensland, South Australia, Western Australia, the Northern Territory and the Australian Capital Territory.
- F. The LIV has furnished the Council with a detailed list of the risk management strategies intended to be implemented in respect of its Participating Members and the means by which those strategies are intended to be implemented.
- G. Subject to Section 34 of the Act, the Scheme is intended to remain in force after its commencement in all applicable jurisdictions until 30 June 2015.
- H. The Scheme commences on 1 July 2010.

LAW INSTITUTE OF VICTORIA SCHEME**1. Preparation of the Scheme**

- 1.1 This Scheme is a scheme under the Act prepared by the LIV, whose business address is 470 Bourke Street, Melbourne, Victoria.
- 1.2 Relevant definitions for the purpose of this Scheme are as follows:
 - 'Australian Practising Certificate' has the same meaning as it has in the Legal Profession Act 2004 (Vic);
 - 'Corporate Legal Practitioner' has the same meaning as it has in the Legal Profession Act 2004 (Vic);
 - 'Court' has the same meaning as it has in the Act;
 - 'Damages' has the same meaning as it has in the Act;
 - 'Financial Year' means a financial accounting period ending 30 June;
 - 'Full Member' means a person within the category of full membership of the LIV as contemplated in the LIV's constitution (as amended from time to time);
 - 'Incorporated Legal Practice' means a corporation within the category of incorporated legal practice membership as contemplated in the LIV's constitution (as amended from time to time);
 - 'Law Practice' has the same meaning as it has in the Legal Profession Act 2004 (Vic);
 - 'Occupational Liability' has the same meaning as it has in the Act¹;
 - 'Participating Members' means those persons specified in Clause 2.1 of the Scheme;
 - 'Principal' has the same meaning as it has in the Legal Profession Act 2004 (Vic);

¹ Section 5 (1) of the Act provides that the Act does not apply to liability for damages arising from the death of or personal injury to a person, any negligence or other fault of an Australian legal practitioner in acting for a client in a personal injury claim; a breach of trust or fraud or dishonesty. Section 5 (2) of the Act also provides that the Act does not apply to liability, which may be the subject of proceedings under Section 110 of the Transfer of Land Act 1958 (Vic).

‘Relevant Time’ refers to a cause of action founded on an act or omission, specifically to the time of that act or omission occurring; and

‘Total Annual Fee Income’ means the amount charged during a Financial Year for services provided by or on behalf of a Law Practice some of whose members are Participating Members.

2. Persons to Whom the Scheme Applies

- 2.1 The Scheme applies to:
- 2.1.1 Full Members who hold a current Australian Practising Certificate who are not excluded or exempted under Clauses 2.2 or 2.3 of the Scheme;
 - 2.1.2 Incorporated Legal Practices;
 - 2.1.3 all persons to whom, by virtue of ss 20, 21 or 22 of the Act², the Scheme applies;
 - 2.1.4 all persons to whom Clause 2.1.1 applied at the Relevant Time but no longer applies;
 - 2.1.5 all corporations to which Clause 2.1.2 applied at the Relevant Time but no longer applies;
 - 2.1.6 all persons to whom Clause 2.1.3 applied at the Relevant Time but no longer applies.
- 2.2 A person referred to in Clause 2.1 does not include a Corporate Legal Practitioner.
- 2.3 A person or corporation referred to in Clause 2.1 may, on application, be exempted from participation in the Scheme by the LIV. This clause does not apply to persons to whom the Scheme applies by virtue of ss 20 or 21 of the Act.

3. Limitation of liability

- 3.1 The Scheme limits the Occupational Liability of a Participating Member for Damages³:
- 3.1.1 arising from a single cause of action founded on the act or omission; and
 - 3.1.2 to the extent those Damages exceed \$1.5 million for Participating Members in Class 1 or Class 2 of the table in Clause 3.3, or as the case may be, \$10 million for Participating Members in Class 3 or Class 4 of the table in Clause 3.3.
- 3.2 If a Participating Member against whom a proceeding relating to Occupational Liability is brought is able to satisfy the Court that—
- 3.2.1 the Participating Member has the benefit of an insurance policy or policies insuring him or her against the Occupational Liability to which the cause of action relates; and
 - 3.2.2 the amount payable under the policy or policies in respect of that Occupational Liability⁴ is not less than the amount of the monetary ceiling (maximum amount of liability) specified in the third column of the table in Clause 3.3 as applying to such Participating Member to which the cause of action relates—

the Participating Member is not liable in Damages in relation to that cause of action above the amount of that monetary ceiling.

² Section 5 (1) of the Act provides that the Act does not apply to liability for damages arising from the death of or personal injury to a person, any negligence or other fault of an Australian legal practitioner in acting for a client in a personal injury claim; a breach of trust or fraud or dishonesty. Section 5 (2) of the Act also provides that the Act does not apply to liability, which may be the subject of proceedings under Section 110 of the Transfer of Land Act 1958 (Vic).

³ Damages as defined in Section 4 of the Act means:

- (a) damages awarded in respect of a claim or counter-claim or by way of set-off; or
- (b) costs in or in relation to the proceedings ordered to be paid in connection with such an award (other than costs incurred in enforcing a judgment or incurred on an appeal made by a defendant); or
- (c) any interest payable on the amount of those damages or costs.

⁴ Section 4 (2) of the Act provides that a reference in the Act ‘to the amount payable under an insurance policy in respect of an occupational liability includes a reference to:

defence costs payable in respect of a claim, or notification that may lead to a claim (other than reimbursement of the defendant for the time spent in relation to the claim), but only if those costs are payable out of the one sum insured under the policy in respect of the occupational liability; and
the amount payable under or in relation to the policy by way of excess’.

However, see also Section 28A of the Act and its note, which has the effect that Section 4 (2) does not reduce the cap on the liability of the Participating Member to the client.

- 3.3 The monetary ceiling applicable for the purposes of limitation of liability under the Scheme at the Relevant Time is to be determined according to the table below:

| Class | Description | Monetary Ceiling |
|-------|---|------------------|
| 1. | Participating Members who were at the Relevant Time in a Law Practice consisting of up to and including 20 Principals and where the Law Practice generated Total Annual Fee Income for the Financial Year at the Relevant Time up to and including \$10 million. | \$1.5 million |
| 2. | Any Participating Member which was at the Relevant Time an Incorporated Legal Practice consisting of up to and including 20 Principals and where the Law Practice generated Total Annual Fee Income for the Financial Year at the Relevant Time up to and including \$10 million. | \$1.5 million |
| 3. | (a) participating Members who were at the Relevant Time in a Law Practice consisting of greater than 20 Principals; or (b) participating Members who were at the Relevant Time in a Law Practice where the Law Practice generated Total Annual Fee Income for the Financial Year at the Relevant Time greater than \$10 million. | \$10 million |
| 4. | (a) any Participating Member which was at the Relevant Time an Incorporated Legal Practice consisting of greater than 20 Principals; or (b) any Participating Member which was at the Relevant Time a Law Practice where the Law Practice generated Total Annual Fee Income for the Financial Year at the Relevant Time greater than \$10 million. | \$10 million |

4. Conferral of Discretionary Authority

- 4.1 The LIV has discretionary authority, on application by a Participating Member, to specify in relation to the Participating Member, a higher maximum amount of liability (monetary ceiling) than would otherwise apply under the Scheme in relation to him, her or it either in all cases or in any specified case or class of case.
- 4.2 If, in the exercise of its discretion under Clause 4.1, the LIV has specified a higher maximum amount of liability (monetary ceiling) than would otherwise apply under the Scheme in relation to a Participating Member, the maximum amount of liability (monetary ceiling) in relation to that Participating Member is that higher maximum amount.

5. Duration

- 5.1 Subject to Section 34 of the Act, the Scheme will be in force after its commencement in all applicable jurisdictions until 30 June 2015.

South Australia

Public Sector (Reorganisation of Public Sector Operations) Notice 2013

under section 9(1) of the *Public Sector Act 2009*

1 – Short Title

This notice may be cited as the Public Sector (Reorganisation of Public Sector Operations) Notice 2013.

2 – Commencement

This notice will come into operation on 1 August 2013

3 – Transfer of employees

Each of the following Department of the Premier and Cabinet – Outback Communities Authority employees is transferred to employment in the Department of Primary Industries and Regions SA (PIRSA) on the same basis of engagement as applied before the transfer.

| <u>Employees</u> | <u>Public Sector Agency</u> |
|------------------|-----------------------------|
|------------------|-----------------------------|

| | |
|-----------------------|-------|
| (a) Mark Sutton | PIRSA |
| (b) Brenda Honan | PIRSA |
| (c) Byron Gough | PIRSA |
| (d) Daniel Brunsnahan | PIRSA |
| (e) Mark Shirley | PIRSA |
| (f) Julie Warde | PIRSA |
| (g) Debra Allen | PIRSA |
| (h) Lorena McKenzie | PIRSA |

Made by the Premier

On 30 July 2013

DPC13/039CS

South Australia

Public Sector (Reorganisation of Public Sector Operations) Notice 2013

under section 9(1) of the *Public Sector Act 2009*

1 – Short Title

This notice may be cited as the Public Sector (Reorganisation of Public Sector Operations) Notice 2013.

2 – Commencement

This notice will come into operation on 1 August 2013

3 – Transfer of employees

Each of the following Department of the Premier and Cabinet - Local Government Grants Commission employees is transferred to employment in the Primary Industries and Regions SA (PIRSA) on the same basis of engagement as applied before the transfer.

| Employees | Public Sector Agency |
|-----------|----------------------|
|-----------|----------------------|

| | |
|--------------------|-------|
| (i) Peter Llee | PIRSA |
| (j) Lynne Skouborg | PIRSA |
| (k) Thi Le | PIRSA |

Made by the Premier

On 30 July 2013

DPC13/039CS

South Australia

Public Sector (Reorganisation of Public Sector Operations) Notice 2013

under section 9(1) of the *Public Sector Act 2009*

1 – Short Title

This notice may be cited as the Public Sector (Reorganisation of Public Sector Operations) Notice 2013.

2 – Commencement

This notice will come into operation on 1 August 2013

3 – Transfer of employees

Each of the following Department of the Premier and Cabinet employees is transferred to employment in the Department of Planning, Transport and Infrastructure (DPTI) on the same basis of engagement as applied before the transfer.

| Employees | Public Sector Agency |
|-----------|----------------------|
|-----------|----------------------|

| | |
|-----------------------|------|
| (a) Jo Turner | DPTI |
| (b) Carole Weedon | DPTI |
| (c) Michael Barry | DPTI |
| (d) Prue Archer | DPTI |
| (e) Natalie Ponting | DPTI |
| (f) Louise Jacka | DPTI |
| (g) Alex Hart | DPTI |
| (h) Tamara Sutherland | DPTI |
| (i) Alix Phair | DPTI |

Made by the Premier

On 30 July 2013

DPC13/039CS

South Australia

Public Sector (Reorganisation of Public Sector Operations) Notice 2013

under section 9(1) of the *Public Sector Act 2009*

1 – Short Title

This notice may be cited as the Public Sector (Reorganisation of Public Sector Operations) Notice 2013.

2 – Commencement

This notice will come into operation on 1 August 2013

3 – Transfer of employees

Each of the following Department of the Premier and Cabinet employees is transferred to employment in the Department of Primary Industries and Regions (PIRSA) on the same basis of engagement as applied before the transfer.

| Employees | Public Sector Agency |
|-----------|----------------------|
|-----------|----------------------|

| | |
|--------------------|-------|
| (a) Leanne Gravell | PIRSA |
| (b) Colin Hore | PIRSA |

Made by the Premier

On 30 July 2013

DPC13/039CS

South Australia

Public Sector (Reorganisation of Public Sector Operations) Notice 2013

under section 9(1) of the *Public Sector Act 2009*

1 – Short Title

This notice may be cited as the Public Sector (Reorganisation of Public Sector Operations) Notice 2013.

2 – Commencement

This notice will come into operation on 1 August 2013

3 – Transfer of employees

Each of the following Department of the Premier and Cabinet employees is transferred to employment in the Attorney General's Department (Office of the Ombudsman) on the same basis of engagement as applied before the transfer.

| <u>Employees</u> | <u>Public Sector Agency</u> |
|-------------------------|-------------------------------|
| (a) Gaybrielle Cotton | AGD – Office of the Ombudsman |
| (b) Kym Davey | AGD – Office of the Ombudsman |
| (c) Priya Gnanachandran | AGD – Office of the Ombudsman |

Made by the Premier

On 30 July 2013

DPC13/039CS

TRAINING AND SKILLS DEVELOPMENT ACT 2008

Part 4—Apprenticeships/Traineeships

Pursuant to the provision of the Training and Skills Development Act 2008, the Training and Skills Commission (TaSC) gives notice that determines the following Trades or Declared Vocations in addition to the *Gazette* notices of:

- | | | | |
|-----------------------|----------------------|-----------------------|-----------------------|
| 1. 25 September 2008 | 2. 23 October 2008 | 3. 13 November 2008 | 4. 4 December 2008 |
| 5. 18 December 2008 | 6. 29 January 2009 | 7. 12 February 2009 | 8. 5 March 2009 |
| 9. 12 March 2009 | 10. 26 March 2009 | 11. 30 April 2009 | 12. 18 June 2009 |
| 13. 25 June 2009 | 14. 27 August 2009 | 15. 17 September 2009 | 16. 24 September 2009 |
| 17. 9 October 2009 | 18. 22 October 2009 | 19. 3 December 2009 | 20. 17 December 2009 |
| 21. 4 February 2010 | 22. 11 February 2010 | 23. 18 February 2010 | 24. 18 March 2010 |
| 25. 8 April 2010 | 26. 6 May 2010 | 27. 20 May 2010 | 28. 3 June 2010 |
| 29. 17 June 2010 | 30. 24 June 2010 | 31. 8 July 2010 | 32. 9 September 2010 |
| 33. 23 September 2010 | 34. 4 November 2010 | 35. 25 November 2010 | 36. 16 December 2010 |
| 37. 23 December 2010 | 38. 17 March 2011 | 39. 7 April 2011 | 40. 21 April 2011 |
| 41. 19 May 2011 | 42. 30 June 2011 | 43. 21 July 2011 | 44. 8 September 2011 |
| 45. 10 November 2011 | 46. 24 November 2011 | 47. 1 December 2011 | 48. 8 December 2011 |
| 49. 16 December 2011 | 50. 22 December 2011 | 51. 5 January 2012 | 52. 19 January 2012 |
| 53. 1 March 2012 | 54. 29 March 2012 | 55. 24 May 2012 | 56. 31 May 2012 |
| 57. 7 June 2012 | 58. 14 June 2012 | 59. 21 June 2012 | 60. 28 June 2012 |
| 61. 5 July 2012 | 62. 12 July 2012 | 63. 19 July 2012 | 64. 2 August 2012 |
| 65. 9 August 2012 | 66. 30 August 2012 | 67. 13 September 2012 | 68. 4 October 2012 |
| 69. 18 October 2012 | 70. 25 October 2012 | 71. 8 November 2012 | 72. 29 November 2012 |
| 73. 13 December 2012 | 74. 25 January 2013 | 75. 14 February 2013 | 76. 21 February 2013 |
| 77. 28 February 2013 | 78. 7 March 2013 | 79. 14 March 2013 | 80. 21 March 2013 |
| 81. 28 March 2013 | 82. 26 April 2013 | 83. 23 May 2013 | 84. 30 May 2013 |
| 85. 13 June 2013 | 86. 20 June 2013 | 87. 11 July 2013 | |

Trades or Declared Vocations and Required Qualifications and Training Contract Conditions for the Australian Meat Industry Training Package MTM11 v4

| *Trade #Declared Vocation Other Occupation | Code | Title | Nominal Term of Training Contract | Probationary Period |
|---|----------|--|--|------------------------|
| *Butcher | MTM30813 | Certificate III in Meat Processing (Retail Butcher) | 36 months | 3 months |



**Government
of South Australia**

**TREASURER'S
QUARTERLY STATEMENT**

for the

**THREE MONTHS ended on
31 MARCH 2013 and 31 MARCH, 2012**

*Presented by the
Honourable J.W. Weatherill M.P.
Treasurer of South Australia*

GOVERNMENT OF SOUTH AUSTRALIA**COMMENTARY TO THE STATEMENT OF THE AMOUNTS CREDITED TO
AND ISSUED FROM THE CONSOLIDATED ACCOUNT FOR THE QUARTERS
ENDED 31 MARCH 2013 AND 31 MARCH 2012*****Receipts******Taxation***

Gambling tax receipts in the first nine months of 2012-2013 are higher than the same period a year ago mainly due to the return of reserves as higher distributions by SA Lotteries as part of the sale of the SA Lotteries' sub-licence during the year.

Land tax receipts for the March quarter 2013 are lower than the same period a year ago largely reflecting the timing of land tax payments made by the Housing Trust of South Australia. Land tax receipts for 2012-2013 are expected to be marginally lower than 2011-12, consistent with movements in site values between these years.

Higher payroll tax receipts for the March quarter 2013 compared with the same period a year ago reflect growth in taxable payrolls as well as the Government's decision to abolish the payroll tax exemption on apprentices and trainees wages from 1 July 2012.

Stamp duty receipts were higher in the March quarter 2013 compared to the same period a year ago due to the receipt of duty from a large transaction that occurred in the March quarter. The year-to-date increase reflects several other, large one-off transactions, including duty on the transfer of SA Lotteries' sub-licence and the forward sale of the forest rotations in the South East.

Recoveries

Recoveries receipts in the first nine months of 2012-2013 are higher than the same period a year ago mainly due to receipt of monies from DPTI Indentured Ports which was received earlier in 2012-2013 compared to 2011-2012.

Fees and charges

Fees and charges were lower in the March quarter 2013 compared with the same period a year ago due to lower regulator fees from Land Services Group.

Royalties

Higher royalty receipts for the March quarter 2013 compared with the same period in 2012 are due to timing issues associated with the transfer of receipts to the Consolidated Account. Underlying royalty collections for the March quarter 2013 were lower than for the same period last year. Updated royalty receipt details will be included in the Treasurer's Quarterly Statement for the June quarter 2013.

Commonwealth—General Purpose Payments

Growth in general purpose grants between the third quarter of 2012-2013 and the corresponding quarter for 2011-2012 is not indicative of underlying Goods and Services Tax (GST) revenue growth. This is because monthly grants are paid according to a payment schedule prepared by the Commonwealth Government rather than in accordance with the actual emerging monthly GST collections.

Commonwealth—Specific Purpose Payments

Specific Purpose Payments (SPP) for the March quarter 2013 were lower than the same period in 2012 due mainly to the National Healthcare SPP which is now being paid directly to the Department of Health, rather than into the Consolidated Account.

Commonwealth—National Partnership Payments

National Partnership (NP) payments in the March quarter 2013 are higher than the same period a year ago, mainly due to several large payments being made to the Consolidated Account in relation to an NP for public hospital services. The payments were made on the confirmation of outcomes on the NP, which relate to services provided over several years.

Other receipts

Other receipts were higher in the March quarter 2013 compared to the same period a year ago due to proceeds from the Forestry SA and SA Lotteries transactions.

Payments

Payments were made pursuant to the Appropriation Act 2012 and also in accordance with other Acts for which specific appropriation has been authorised. The timing of payments is based on agreed drawdown schedules, and may change from period to period depending on specific agency requirements.

Payments made from the Consolidated Account, for the March 2013 quarter, were lower than the same period in 2012-2013 due mainly to the timing of the past service superannuation payment.

Note

Caution should be exercised in interpreting the quarterly statement of Consolidated Account transactions. Unlike, the State Budget, which comprises transactions on an accrual basis, the information reflected in the quarterly statements is limited to cash transactions. Also, the Consolidated Account does not capture all the transactions undertaken by the general government sector (in particular, it does not record receipts to and payments from special deposit accounts). Finally, the timing of receipts and payments could be volatile within a particular year. As a result, apparently large movements between years may only be due to changes in the timing of receipts and payments and therefore may not have consequences for the underlying budget position.

GOVERNMENT OF SOUTH AUSTRALIA

**SUMMARY OF THE STATEMENT
ON THE CONSOLIDATED ACCOUNT FOR THE
QUARTERS AND 9 MONTHS ENDED 31 MARCH 2013, AND 31 MARCH, 2012**

(Prepared on a Cash Basis)

| - Nine months ended - | | | - Quarter ended - | | |
|------------------------------------|----------------------------|---------------------|----------------------------|----------------------------|---------------------|
| 31 March 2013 \$ 000 | 31 March 2012 \$ 000 | Variation \$ 000 | 31 March 2013 \$ 000 | 31 March 2012 \$ 000 | Variation \$ 000 |
| RECEIPTS | | | | | |
| 8,460,501 | 7,897,147 | 563,354 | 2,586,547 | 2,690,778 | -104,231 |
| PAYMENTS | | | | | |
| 9,556,793 | 9,785,348 | -228,555 | 2,842,630 | 2,672,305 | 170,325 |
| FINANCING REQUIREMENT | | | | | |
| 1,096,292 | 1,888,201 | -791,909 | 256,083 | -18,473 | 274,556 |
| BORROWINGS | | | | | |
| - | - | - | - | - | - |
| CONSOLIDATED ACCOUNT RESULT | | | | | |
| Deficit / - Surplus | | | | | |
| 1,096,292 | 1,888,201 | -791,909 | 256,083 | -18,473 | 274,556 |

GOVERNMENT OF SOUTH AUSTRALIA

STATEMENT OF THE RECEIPTS AND BORROWINGS ON THE CONSOLIDATED ACCOUNT
FOR THE QUARTERS AND 9 MONTHS ENDED 31 MARCH, 2013 AND 31 MARCH, 2012

| | <i>(Prepared on a Cash Basis)</i> | | | | |
|--|-----------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| | Budget 2012-13 \$ 000 | - Nine months ended - | | - Quarter ended - | |
| | | 31 March 2013 \$ 000 | 31 March 2012 \$ 000 | 31 March 2013 \$ 000 | 31 March 2012 \$ 000 |
| RECEIPTS - | | | | | |
| Taxation - | | | | | |
| Gambling | 460,247 | 326,387 | 309,509 | 117,001 | 98,952 |
| Land Tax | 585,800 | 399,607 | 503,154 | 175,968 | 287,115 |
| Payroll Tax | 1,298,600 | 955,216 | 901,353 | 315,216 | 298,174 |
| Stamp Duties | 1,275,709 | 1,040,137 | 952,084 | 338,511 | 294,673 |
| Commonwealth Places Mirror Tax | 24,000 | 18,286 | 17,408 | 5,582 | 5,284 |
| Other taxes on property | 10 | 40 | 11 | 5 | 1 |
| River Murray Levy | 25,400 | 19,802 | 19,461 | 6,780 | 6,501 |
| Total Taxation | 3,669,766 | 2,759,475 | 2,702,980 | 959,063 | 990,700 |
| Contributions from State Undertakings | 365,817 | 118,564 | 90,848 | 67,732 | 29,629 |
| Recoveries | 46,312 | 45,589 | 16,902 | 15,189 | 3,626 |
| Fees and charges | 393,553 | 237,730 | 246,797 | 64,997 | 80,419 |
| Royalties | 235,570 | 154,789 | 114,323 | 52,040 | 31,456 |
| Commonwealth - | | | | | |
| General Purpose Grants | 4,511,800 | 3,312,229 | 3,349,269 | 1,009,348 | 1,108,001 |
| Specific Purpose Grants | 567,311 | 567,052 | 1,162,086 | 267,749 | 380,508 |
| National Partnership Payments | 64,633 | 119,574 | 19,917 | 119,448 | 6,444 |
| Total Commonwealth | 5,143,744 | 3,998,855 | 4,531,272 | 1,396,545 | 1,494,953 |
| Other Receipts | 269,310 | 1,145,499 | 194,025 | 30,981 | 59,995 |
| Total Receipts | 10,124,072 | 8,460,501 | 7,897,147 | 2,586,547 | 2,690,778 |
| BORROWINGS - | | | | | |
| Funds borrowed from South Australian Government Financing Authority | | | | | |
| | 2,277,631 | - | - | - | - |
| Total Receipts and Borrowings | 12,401,703 | 8,460,501 | 7,897,147 | 2,586,547 | 2,690,778 |

GOVERNMENT OF SOUTH AUSTRALIA

STATEMENT OF THE PAYMENTS ON THE CONSOLIDATED ACCOUNT
FOR THE QUARTERS AND 9 MONTHS ENDED 31 MARCH, 2013 AND 31 MARCH, 2012*(Prepared on a Cash Basis)*

| | - Nine months ended - | | - Quarter ended - | | |
|--|-----------------------|-----------|-------------------|----------|----------|
| | Budget | 31 March | 31 March | 31 March | 31 March |
| | 2012-13 | 2013 | 2012 | 2013 | 2012 |
| | \$ 000 | \$ 000 | \$ 000 | \$ 000 | \$ 000 |
| PAYMENTS - | | | | | |
| Arts SA | 123,727 | 113,077 | 107,476 | 25,416 | 23,380 |
| Attorney-General's Department | 89,409 | 71,434 | 101,624 | 15,360 | 30,450 |
| Administered items for Attorney-General's Department | 43,344 | 36,124 | 33,712 | 5,525 | 4,862 |
| Auditor-General's Department | 15,444 | 11,435 | 10,170 | 3,624 | 3,228 |
| Courts Administration Authority | 87,507 | 64,648 | 64,660 | 19,720 | 19,511 |
| Defence SA | 23,225 | 18,635 | 23,175 | 4,590 | 8,000 |
| Department for Communities and Social Inclusion ^(a) | 961,839 | 850,616 | 1,059,114 | 199,800 | 284,700 |
| Administered Items for the Department for Communities and Social Inclusion ^(a) | 164,327 | 123,200 | 131,400 | 30,728 | 33,600 |
| Department for Correctional Services | 241,934 | 178,995 | 152,930 | 58,036 | 49,378 |
| Department of Education and Child Development ^(c) | 2,633,800 | 1,922,609 | 1,667,485 | 643,458 | 574,926 |
| Administered Items for the Department of Education and Child Development ^(c) | 220,355 | 207,114 | 200,194 | 14,496 | 15,120 |
| Department of Health and Ageing | 3,010,707 | 2,280,835 | 2,860,500 | 663,891 | 847,000 |
| Department for Manufacturing, Innovation Trade and Resources ^(d) | 86,228 | 63,256 | 39,709 | 19,710 | 13,636 |
| Administered Items for the Department for Manufacturing, Innovation, Trade, Resources and Energy | 959 | 720 | - | 240 | - |
| Department for Water | 87,728 | 71,572 | 73,893 | 14,373 | 18,160 |
| Administered Items for the Department for Water | 7,009 | 6,538 | 6,375 | 500 | 500 |
| Department of Environment and Natural Resources | 127,990 | 96,064 | 88,106 | 25,692 | 27,762 |
| Administered Items for the Department of Environment and Natural Resources | 12,443 | 12,424 | 14,203 | - | 1,200 |
| Department of Further Education, Employment, Science and Technology | 519,768 | 430,977 | 280,500 | 135,500 | 74,500 |
| Department of Planning and Local Government | - | - | 11,605 | - | 2,607 |
| Administered Items for the Department of Planning and Local Government | - | - | 2,313 | - | 232 |
| Department for Planning, Transport and Infrastructure ^(b) | 954,509 | 721,483 | 460,587 | 235,130 | 147,016 |
| Administered Items for the Department for Planning, Transport and Infrastructure ^(b) | 4,041 | 2,964 | 10,355 | 936 | 3,473 |
| Department of Primary Industries and Resources | 89,658 | 71,280 | 89,064 | 19,956 | 24,232 |
| Administered items for the Department of Primary Industries and Resources | 3,471 | 2,328 | 2,415 | 776 | 805 |
| Department of the Premier and Cabinet | 113,059 | 86,280 | 83,938 | 22,798 | 23,658 |
| Administered items for the Department of Premier and Cabinet | 20,551 | 20,102 | 7,274 | 15,937 | 2,403 |
| Department of Treasury and Finance | 67,538 | 59,581 | 58,963 | 14,400 | 17,400 |

GOVERNMENT OF SOUTH AUSTRALIA

STATEMENT OF THE PAYMENTS ON THE CONSOLIDATED ACCOUNT
FOR THE QUARTERS AND 9 MONTHS ENDED 31 MARCH, 2013 AND 31 MARCH, 2012*(Prepared on a Cash Basis)*

| | - Nine months ended - | | - Quarter ended - | | |
|---|-----------------------|-----------|-------------------|-----------|-----------|
| | Budget | 31 March | 31 March | 31 March | 31 March |
| | 2012-13 | 2013 | 2012 | 2013 | 2012 |
| | \$ 000 | \$ 000 | \$ 000 | \$ 000 | \$ 000 |
| PAYMENTS - | | | | | |
| Administered items for the Department of Treasury and Finance | 1,799,067 | 1,373,715 | 1,520,716 | 450,160 | 219,337 |
| Electoral Commission of South Australia | 3,122 | 2,103 | 2,337 | 707 | 742 |
| Environment Protection Authority | 0 | - | 5,611 | - | - |
| House of Assembly | 8,239 | 4,786 | 4,905 | 1,363 | 1,945 |
| Independent Gambling Authority | 1,657 | 1,220 | 1,200 | 366 | 360 |
| Joint Parliamentary Services | 14,305 | 10,598 | 6,025 | 3,840 | 1,912 |
| Legislative Council | 5,379 | 2,850 | 3,111 | 738 | 1,129 |
| Minister for Tourism | 4,454 | 4,454 | 4,454 | - | - |
| South Australia Police | 681,531 | 501,941 | 466,912 | 153,780 | 153,494 |
| Administered items for South Australia Police | 171 | 113 | 110 | 57 | 55 |
| South Australian Tourism Commission | 49,080 | 40,600 | 42,700 | 12,400 | 13,300 |
| State Governor's Establishment | 3,134 | 3,084 | 2,203 | 1,465 | 654 |
| Payments for which specific appropriation is authorised in various Acts | 120,994 | 87,038 | 83,324 | 27,162 | 27,638 |
| | 12,401,703 | 9,556,793 | 9,785,348 | 2,842,630 | 2,672,305 |

(a) Name changed effective 21 October 2011. Previously Department of Trade and Economic Development

(b) Name changed effective 21 October, 2011. Previously Department for Transport, Energy and Infrastructure

(c) Name changed effective 21 October, 2011. Previously Department of Education and Children's Services

(d) Name changed effective 21 October, 2011. Previously Department for Families and Communities

South Australia

Road Traffic (Apparatus for Conducting Oral Fluid Analyses) Notice 2013

under section 47H of the *Road Traffic Act 1961*

1—Short title

This notice may be cited as the *Road Traffic (Apparatus for Conducting Oral Fluid Analyses) Notice 2013*.

2—Commencement

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

3—Apparatus for conducting oral fluid analyses

Apparatuses of the following kind are approved for the purpose of conducting oral fluid analyses:

Alere™ DDS® Reader

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

MRS13/04CS

GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2013

| | \$ | | \$ |
|--|--------|--|--------|
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| First Name..... | 48.50 | Each Subsequent Name..... | 12.40 |
| Each Subsequent Name | 12.40 | Noxious Trade | 35.75 |
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| be appointed')..... | 61.00 | Rate per page (in 6pt) | 407.00 |
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South Australia

Adelaide Cemeteries Authority (Designation of Employing Authority) Proclamation 2013

under section 3 of the *Adelaide Cemeteries Authority Act 2001*

1—Short title

This proclamation may be cited as the *Adelaide Cemeteries Authority (Designation of Employing Authority) Proclamation 2013*.

2—Commencement

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

3—Designation of employing authority

The person for the time being holding or acting in the position of Chief Executive of the Department of Planning, Transport and Infrastructure is designated as being the employing authority for the purposes of the definition of *employing authority* in section 3(1) of the *Adelaide Cemeteries Authority Act 2001*.

Schedule 1—Revocation of proclamation

The *Adelaide Cemeteries Authority (Designation of Employing Authority) Proclamation 2012* (*Gazette 23.8.2012 p3828*) is revoked.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

DPC13/039CS

South Australia

Administrative Arrangements (Committal of Acts) Proclamation 2013

under section 5 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Committal of Acts) Proclamation 2013*.

2—Commencement

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

3—Committal of Acts

The administration of an Act referred to in Schedule 1 is committed to the Minister whose title appears at the head of the list in which the Act appears.

Schedule 1—Acts committed to Ministers

Minister for Finance

Local Government Finance Authority Act 1983

Minister for Planning

Adelaide Cemeteries Authority Act 2001

Adelaide Show Grounds (Regulations and By-laws) Act 1929

Local Government Act 1934

Local Government Act 1999

Local Government (Elections) Act 1999

Local Government (Implementation) Act 1999

Private Parking Areas Act 1986

Minister for Regional Development

Outback Communities (Administration and Management) Act 2009

South Australian Local Government Grants Commission Act 1992

Minister for Water and the River Murray

Local Government (City of Enfield Loan) Act 1953

Local Government (City of Woodville West Lakes Loan) Act 1970

Metropolitan Area (Woodville, Henley and Grange) Drainage Act 1964

South-Western Suburbs Drainage Act 1959

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

DPC13/039CS

South Australia

Administrative Arrangements (Conferral of Ministerial Functions and Powers) Proclamation 2013

under section 6 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Conferral of Ministerial Functions and Powers) Proclamation 2013*.

2—Commencement

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

3—Conferral of ministerial functions and powers

The ministerial functions and powers of the Premier under the *City of Adelaide Act 1998*, other than under Part 2, are conferred on the Minister for Planning.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

DPC13/039CS

South Australia

Administrative Arrangements (Interpretative Provision) Proclamation 2013

under section 8 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Interpretative Provision) Proclamation 2013*.

2—Commencement

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

3—Interpretative provisions

- (1) A reference to the Minister for State/Local Government Relations in an Act, a statutory instrument under an Act or any other kind of instrument, or a contract, agreement or other document will have effect as if it were a reference to the Minister for Planning.
- (2) A reference to the Department of Planning and Local Government in regulation 7(d) of the *Freedom of Information (Exempt Agency) Regulations 2008* will have effect as if it were a reference to the Department of Planning, Transport and Infrastructure.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

DPC13/039CS

South Australia

Livestock (Miscellaneous) Amendment Act (Commencement) Proclamation 2013

1—Short title

This proclamation may be cited as the *Livestock (Miscellaneous) Amendment Act (Commencement) Proclamation 2013*.

2—Commencement

The *Livestock (Miscellaneous) Amendment Act 2012* (No 25 of 2012) will come into operation on 22 August 2013.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

13MAFF09CS

South Australia

National Parks and Wildlife (Lake Gilles Conservation Park—Hunting and Food Gathering by Aboriginal Persons) Proclamation 2013

under section 68D of the *National Parks and Wildlife Act 1972*

1—Short title

This proclamation may be cited as the *National Parks and Wildlife (Lake Gilles Conservation Park—Hunting and Food Gathering by Aboriginal Persons) Proclamation 2013*.

2—Commencement

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

3—Taking of plants, animals or eggs by Aboriginal persons permitted

An Aboriginal person may take a native plant or a protected animal or the eggs of a protected animal in pursuance of Part 5A Division 2 of the *National Parks and Wildlife Act 1972* from the Lake Gilles Conservation Park.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

13MSECCS048

South Australia

Oaths (Appointments) Proclamation 2013

under section 33 of the *Oaths Act 1936*

1—Short title

This proclamation may be cited as the *Oaths (Appointments) Proclamation 2013*.

2—Commencement

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

3—Appointment of persons to take declarations and attest instruments

The following police officers are appointed to take declarations and attest the execution of instruments:

Jade Slee Brooks
Alex Michael Byrne
Scott Glenn Crowther
Jamie Daniels
Nadia Lee De Bellis
David Alan Dowling
Aaron Christopher Doyle
Daryl Stephen Drury
Kylie Anne Evans
Andrew John Fraser
Leigh Alex Haring
Matthew Hawyes
Garreth Lee Jones
Shane William Kenney
Krystle Jane Kerber
Thomas Charles Knight
Kate Alice Lock
Christopher David Manchip
Simon Paul Mileson
Merrilyn Anne Millar
Nicholas Robert Millard
Geoffrey Peter Munn
Randal Marc Murch
Cambell Andrew Murdoch

Olivia Louise Negruk
Andrew William Newell
Emma Paige Nykiel
Grant James O'Dea
Janet Pirjo Parker
Ruth Phillips
Kathryn Helene Piovesan
Lisa Rachel Prosser
Ian Michael Ralston
Marcus John Rogers
Linda Kate Ross
Phillip Aaron Rundle
Scott Raymond Salter
Kurt Jay Schueler
David Paul Sherratt
Julian Mark Snowden
Matthew Paul Spiniello
Simon Malvyn Sagrera Watkins
Melanie Esther Whittemore
Steven Glen Winter

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

JP13/024CS

South Australia

Wheat Marketing Act (Expiry) Proclamation 2013

under section 12 of the *Wheat Marketing Act 1989*

1—Short title

This proclamation may be cited as the *Wheat Marketing Act (Expiry) Proclamation 2013*.

2—Commencement

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

3—Expiry of *Wheat Marketing Act 1989*

In accordance with section 12 of the *Wheat Marketing Act 1989*, 8 August 2013 is fixed as the day on which that Act will expire.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

13MAFF24CS

South Australia

Fisheries Management (Demerit Points) Variation Regulations 2013

under the *Fisheries Management Act 2007*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Fisheries Management (Demerit Points) Regulations 2009*

- 4 Variation of Schedule 1—Demerit point offences and demerit points
 - 11A *Fisheries Management (Miscellaneous Broodstock and Seedstock Fishery) Regulations 2013*
 - 11B *Fisheries Management (Miscellaneous Developmental Fishery) Regulations 2013*
 - 11C *Fisheries Management (Miscellaneous Research Fishery) Regulations 2013*

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (Demerit Points) Variation Regulations 2013*.

2—Commencement

These regulations will come into operation 4 months after the day on which they are made (see *Subordinate Legislation Act 1978* section 10AA).

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 *Fisheries Management (Demerit Points) Regulations 2009*

4—Variation of Schedule 1—Demerit point offences and demerit points

Schedule 1, Part 2—after clause 11 insert:

11A—*Fisheries Management (Miscellaneous Broodstock and Seedstock Fishery) Regulations 2013*

| Regulations | Description of offence | Demerit points |
|-------------|--|----------------|
| reg 10 | <i>Failing to complete or deliver periodic catch return—</i> | |

| Regulations | Description of offence | Demerit points |
|-------------|--|----------------|
| | (a) if the offence is expiated | 10 |
| | (b) in any other case | 50 |
| reg 11 | <i>Failing to make and retain copy of periodic catch return—</i> | |
| | (a) if the offence is expiated | 10 |
| | (b) in any other case | 50 |

11B—Fisheries Management (Miscellaneous Developmental Fishery) Regulations 2013

| Regulations | Description of offence | Demerit points |
|-------------|--|----------------|
| reg 10 | <i>Failing to complete or deliver periodic catch return—</i> | |
| | (a) if the offence is expiated | 10 |
| | (b) in any other case | 50 |
| reg 11 | <i>Failing to make and retain copy of periodic catch return—</i> | |
| | (a) if the offence is expiated | 10 |
| | (b) in any other case | 50 |

11C—Fisheries Management (Miscellaneous Research Fishery) Regulations 2013

| Regulations | Description of offence | Demerit points |
|-------------|--|----------------|
| reg 9 | <i>Failing to complete or deliver periodic catch return—</i> | |
| | (a) if the offence is expiated | 10 |
| | (b) in any other case | 50 |
| reg 10 | <i>Failing to make and retain copy of periodic catch return—</i> | |
| | (a) if the offence is expiated | 10 |
| | (b) in any other case | 50 |

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

No 189 of 2013

MAFF09/015CS

South Australia

Fisheries Management (Fees) Variation Regulations 2013

under the *Fisheries Management Act 2007*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Fisheries Management (Fees) Regulations 2007*

- 4 Variation of Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (Fees) Variation Regulations 2013*.

2—Commencement

These regulations will come into operation 4 months after the day on which they are made (see *Subordinate Legislation Act 1978* section 10AA).

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 *Fisheries Management (Fees) Regulations 2007*

4—Variation of Schedule 1—Fees

- (1) Schedule 1, Part 1, heading to Division 1—after "Licence" insert:

and permit

- (2) Schedule 1, Part 1, Division 1—after clause 19 insert:

Application fees payable by an applicant for the issue of a fishery permit (section 54(1)(c) of Act)

| | | |
|-----|---|------------|
| 19A | For a permit in respect of the Miscellaneous Broodstock and Seedstock Fishery | \$350.00 |
| 19B | For a permit in respect of the Miscellaneous Developmental Fishery | \$4 321.00 |
| 19C | For a permit in respect of the Miscellaneous Research Fishery | \$350.00 |

**Annual fees payable by the holder of a fishery permit
(section 56(5)(a) of Act)**

| | | |
|-----|--|------------|
| 19D | For a permit in respect of the Miscellaneous Developmental Fishery | \$2 000.00 |
|-----|--|------------|

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

No 190 of 2013

MAFF09/015CS

South Australia

Fisheries Management (Fish Processors) Variation Regulations 2013

under the *Fisheries Management Act 2007*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Fisheries Management (Fish Processors) Regulations 2007*

- 4 Variation of regulation 3—Interpretation
 - 5 Substitution of regulation 4
 - 4 Persons not required to be registered as fish processors
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (Fish Processors) Variation Regulations 2013*.

2—Commencement

These regulations will come into operation 4 months after the day on which they are made (see *Subordinate Legislation Act 1978* section 10AA).

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 *Fisheries Management (Fish Processors) Regulations 2007*

4—Variation of regulation 3—Interpretation

Regulation 3(1)—after the definition of *Marine Scalefish Fishery* insert:

Miscellaneous Broodstock and Seedstock Fishery means the fishery of that name constituted by the *Fisheries Management (Miscellaneous Broodstock and Seedstock Fishery) Regulations 2013*;

5—Substitution of regulation 4

Regulation 4—delete the regulation and substitute:

4—Persons not required to be registered as fish processors

Pursuant to section 62(2)(c) of the Act, the following persons are not required to be registered as fish processors:

- (a) persons who buy and sell aquatic resources without ever taking physical possession of the aquatic resources;
- (b) persons who sell aquatic resources that are taken pursuant to a permit in respect of the Miscellaneous Broodstock and Seedstock Fishery.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

No 191 of 2013

MAFF09/015CS

South Australia

Fisheries Management (General) Variation Regulations 2013

under the *Fisheries Management Act 2007*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Fisheries Management (General) Regulations 2007*

- 4 Variation of regulation 3—Interpretation
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (General) Variation Regulations 2013*.

2—Commencement

These regulations will come into operation 4 months after the day on which they are made (see *Subordinate Legislation Act 1978* section 10AA).

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 *Fisheries Management (General) Regulations 2007*

4—Variation of regulation 3—Interpretation

- (1) Regulation 3(1)—after the definition of *mesh net* insert:

Miscellaneous Broodstock and Seedstock Fishery means the fishery of that name constituted by the *Fisheries Management (Miscellaneous Broodstock and Seedstock Fishery) Regulations 2013*;

- (2) Regulation 3(1), definition of *undersize fish*—after paragraph (b) insert:

- (c) fish taken by the holder of an aquaculture licence under a permit in respect of the *Miscellaneous Broodstock and Seedstock Fishery*;

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

No 192 of 2013

MAFF09/015CS

South Australia

Fisheries Management (Miscellaneous Developmental Fishery) Regulations 2013

under the *Fisheries Management Act 2007*

Contents

| | |
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| 1 | Short title |
| 2 | Commencement |
| 3 | Interpretation |
| 4 | Constitution of fishery |
| 5 | Issue of permits |
| 6 | Power of Minister to limit fishing activities |
| 7 | Registration |
| 8 | Revocation of registration |
| 9 | Transfer of permits |
| 10 | Periodic returns |
| 11 | Copies of periodic returns to be made and kept |

1—Short title

These regulations may be cited as the *Fisheries Management (Miscellaneous Developmental Fishery) Regulations 2013*.

2—Commencement

These regulations will come into operation 4 months after the day on which they are made (see *Subordinate Legislation Act 1978* section 10AA).

3—Interpretation

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

Act means the *Fisheries Management Act 2007*;

Corporations Act means the *Corporations Act 2001* of the Commonwealth;

current company extract means a document prepared by the Australian Securities and Investment Commission from its national database kept under the Corporations Act that contains current details of the following in relation to a company:

- (a) the company's name;
- (b) the address of the company's registered office;
- (c) the date of registration of the company;
- (d) the State or Territory in which the company is taken to be registered under the Corporations Act;
- (e) the company's Australian Company Number;
- (f) whether the company is a proprietary company or a public company;
- (g) the full name of each director of the company;

(h) the full name of each secretary (if any) of the company;

fishery means the Miscellaneous Developmental Fishery constituted by these regulations;

prescribed fishery regulations means any of the following regulations:

- (a) the *Fisheries Management (Abalone Fisheries) Regulations 2006*;
- (b) the *Fisheries Management (Blue Crab Fishery) Regulations 1998*;
- (c) the *Fisheries Management (Charter Boat Fishery) Regulations 2005*;
- (d) the *Fisheries Management (Lakes and Coorong Fishery) Regulations 2009*;
- (e) the *Fisheries Management (Marine Scalefish Fisheries) Regulations 2006*;
- (f) the *Fisheries Management (Prawn Fisheries) Regulations 2006*;
- (g) the *Fisheries Management (River Fishery) Regulations 2006*;
- (h) the *Fisheries Management (Rock Lobster Fisheries) Regulations 2006*;

waters of the State means all the waters to which the Act applies.

- (2) In these regulations, unless the contrary intention appears, **company**, **director**, **proprietary company** and **public company** have the same respective meanings as in the Corporations Act.
- (3) In these regulations, a reference to the **taking of aquatic resources** includes a reference to an act preparatory to, or involved in, the taking of the aquatic resources.

4—Constitution of fishery

- (1) The Miscellaneous Developmental Fishery is constituted.
- (2) The Miscellaneous Developmental Fishery consists of the taking of aquatic resources in the waters of the State but does not include a fishing activity of a class constituted as a fishery by prescribed fishery regulations.
- (3) The Miscellaneous Developmental Fishery is declared to be a developmental fishery for the purposes of the Act.

5—Issue of permits

- (1) The Minister may issue permits in respect of the fishery.
- (2) Permits in respect of the fishery will be of the following classes:
 - (a) exploratory permits;
 - (b) developmental permits.
- (3) The Minister may only grant an exploratory permit in respect of the fishery if satisfied that the applicant is a natural person of at least 15 years of age and is a fit and proper person to hold a permit in respect of the fishery.
- (4) The Minister may only grant a developmental permit in respect of the fishery if satisfied as to the following:
 - (a) if the applicant is a natural person—that the person is at least 15 years of age and is a fit and proper person to hold a permit in respect of the fishery;
 - (b) if the applicant is a company—that each director of the company is a fit and proper person to be a director of a company that holds a permit in respect of the fishery.

6—Power of Minister to limit fishing activities

The Minister may impose conditions on a permit in respect of the fishery limiting the class of fishing activities that may be engaged in under the permit.

7—Registration

An application by the holder of a permit in respect of the fishery—

- (a) to register a boat or device for use under the permit; or
- (b) to register a person as a master of a boat that may be used under the permit,

must be accompanied by the documents specified in the application form.

8—Revocation of registration

- (1) The Minister may, on application by the holder of a permit in respect of the fishery, revoke the registration of—

- (a) a boat or device used under the permit; or
- (b) a person as a master of a boat that may be used under the permit.

- (2) An application for revocation of registration must—

- (a) be made in a manner and form approved by the Minister; and
- (b) be signed by the applicant and be completed in accordance with the instructions contained in the form; and
- (c) be accompanied by the documents specified in the application form.

9—Transfer of permits

- (1) Exploratory permits are not transferable.
- (2) Developmental permits are transferable.
- (3) An application for consent to the transfer of a developmental permit must be accompanied by—
- (a) the permit to be transferred; and
 - (b) a form of return as required by regulation 10 completed by the holder of the permit up to the date of application; and
 - (c) if the transferee is a company—a current company extract relating to the transferee issued not more than 1 month immediately preceding the date of application.
- (4) The Minister may only consent to the transfer of a developmental permit if satisfied as to the following:
- (a) that any fees or other amounts payable in relation to the permit under the Act have been paid in full;
 - (b) that the permit to be transferred has not been suspended;
 - (c) that no proceedings alleging an offence against the Act or the repealed Act are pending or likely to be commenced in the State against the holder of the permit;
 - (d) if the transferee is a natural person—that the transferee is at least 15 years of age and is a fit and proper person to hold a permit in respect of the fishery;
 - (e) if the transferee is a company—that each director of the company is a fit and proper person to be a director of a company that holds a permit in respect of the fishery.

10—Periodic returns

The holder of a permit in respect of the fishery must, on a date or dates determined by the Minister in each year, provide the Minister with a periodic return containing such information as the Minister requires in the manner and form determined by the Minister.

Maximum penalty: \$5 000.

Expiation fee: \$315.

11—Copies of periodic returns to be made and kept

The holder of a permit in respect of the fishery must—

- (a) make a copy of each return that he or she fills out pursuant to these regulations before the return is sent or delivered to the Minister; and
- (b) retain the copy for the period of 12 months from the last day of the month to which the return relates.

Maximum penalty: \$5 000.

Expiation fee: \$315.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

No 193 of 2013

MAFF09/015CS

South Australia

Fisheries Management (Miscellaneous Research Fishery) Regulations 2013

under the *Fisheries Management Act 2007*

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1—Short title

These regulations may be cited as the *Fisheries Management (Miscellaneous Research Fishery) Regulations 2013*.

2—Commencement

These regulations will come into operation 4 months after the day on which they are made (see *Subordinate Legislation Act 1978* section 10AA).

3—Interpretation

- (1) In these regulations—

Act means the *Fisheries Management Act 2007*;

fishery means the Miscellaneous Research Fishery constituted by these regulations.

- (2) In these regulations, a reference to the *taking of aquatic resources* includes a reference to an act preparatory to or involved in the taking of the aquatic resources.

4—Constitution of Fishery

- (1) The Miscellaneous Research Fishery is constituted.
- (2) The Miscellaneous Research Fishery consists of the taking of aquatic resources in the waters of the State for the purposes of research undertaken as part of a business.

5—Issue of permits

- (1) The Minister may issue permits in respect of the fishery.
- (2) The Minister may only grant a permit in respect of the fishery if satisfied as to the following:
- (a) if the applicant is a natural person—that the person is at least 15 years of age and is a fit and proper person to hold a permit in respect of the fishery;

- (b) if the applicant is a company—that each director of the company is a fit and proper person to be a director of a company that holds a permit in respect of the fishery.

6—Power of Minister to limit fishing activities

The Minister may impose conditions on a permit in respect of the fishery limiting the class of fishing activities that may be engaged in under the permit.

7—Registration

An application by the holder of a permit in respect of the fishery—

- (a) to register a boat or device for use under the permit; or
 - (b) to register a person as a master of a boat that may be used under the permit,
- must be accompanied by the documents specified in the application form.

8—Revocation of registration

- (1) The Minister may, on application by the holder of a permit in respect of the fishery, revoke the registration of—
 - (a) a boat or device used under the permit; or
 - (b) a person as a master of a boat that may be used under the permit.
- (2) An application for revocation of registration must—
 - (a) be made in a manner and form approved by the Minister; and
 - (b) be signed by the applicant and be completed in accordance with the instructions contained in the form; and
 - (c) be accompanied by the documents specified in the application form.

9—Periodic returns

The holder of a permit in respect of the fishery must, on a date or dates determined by the Minister in each year, provide the Minister with a periodic return containing such information as the Minister requires in the manner and form determined by the Minister.

Maximum penalty: \$5 000.

Expiation fee: \$315.

10—Copies of periodic returns to be made and kept

The holder of a permit in respect of the fishery must—

- (a) make a copy of each return that he or she fills out pursuant to these regulations before the return is sent or delivered to the Minister; and
- (b) retain the copy for the period of 12 months from the last day of the month to which the return relates.

Maximum penalty: \$5 000.

Expiation fee: \$315.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

No 194 of 2013

MAFF09/015CS

South Australia

Fisheries Management (Miscellaneous Broodstock and Seedstock Fishery) Regulations 2013

under the *Fisheries Management Act 2007*

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1—Short title

These regulations may be cited as the *Fisheries Management (Miscellaneous Broodstock and Seedstock Fishery) Regulations 2013*.

2—Commencement

These regulations will come into operation 4 months after the day on which they are made (see *Subordinate Legislation Act 1978* section 10AA).

3—Interpretation

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

Act means the *Fisheries Management Act 2007*;

Corporations Act means the *Corporations Act 2001* of the Commonwealth;

current company extract means a document prepared by the Australian Securities and Investment Commission from its national database kept under the Corporations Act that contains current details of the following in relation to a company:

- (a) the company's name;
- (b) the address of the company's registered office;
- (c) the date of registration of the company;
- (d) the State or Territory in which the company is taken to be registered under the Corporations Act;
- (e) the company's Australian Company Number;
- (f) whether the company is a proprietary company or a public company;
- (g) the full name of each director of the company;
- (h) the full name of each secretary (if any) of the company;

fishery means the Miscellaneous Broodstock and Seedstock Fishery constituted by these regulations;

- (2) In these regulations, unless the contrary intention appears, *company*, *director*, *proprietary company* and *public company* have the same respective meanings as in the Corporations Act.
- (3) In these regulations, a reference to the *taking of aquatic resources* includes a reference to an act preparatory to or involved in the taking of the aquatic resources.

4—Constitution of Fishery

- (1) The Miscellaneous Broodstock and Seedstock Fishery is constituted.
- (2) The Miscellaneous Broodstock and Seedstock Fishery consists of—
 - (a) the taking of sexually mature aquatic organisms in the waters of the State to provide reproductive material for the purposes of aquaculture; or
 - (b) the taking of juvenile aquatic organisms in the waters of the State for the purposes of aquaculture.

5—Issue of permits

- (1) The Minister may issue permits in respect of the fishery.
- (2) The Minister may only grant a permit in respect of the fishery if satisfied as to the following:
 - (a) that the applicant is the holder of an aquaculture licence;
 - (b) if the applicant is a natural person—that the person is at least 15 years of age and is a fit and proper person to hold a permit in respect of the fishery;
 - (c) if the applicant is a company—that each director of the company is a fit and proper person to be a director of a company that holds a permit in respect of the fishery.

6—Power of Minister to limit fishing activities

The Minister may impose conditions on a permit in respect of the fishery limiting the class of fishing activities that may be engaged in under the permit.

7—Registration

An application by the holder of a permit in respect of the fishery—

- (a) to register a boat or device for use under the permit; or
 - (b) to register a person as a master of a boat that may be used under the permit,
- must be accompanied by the documents specified in the application form.

8—Revocation of registration

- (1) The Minister may, on application by the holder of a permit in respect of the fishery, revoke the registration of—
 - (a) a boat or device used under the permit; or
 - (b) a person as a master of a boat that may be used under the permit.
- (2) An application for revocation of registration must—
 - (a) be made in a manner and form approved by the Minister; and
 - (b) be signed by the applicant and be completed in accordance with the instructions contained in the form; and

- (c) be accompanied by the documents specified in the application form.

9—Transfer of permits

- (1) A permit in respect of the fishery is transferable.
- (2) An application for consent to the transfer of a permit must be accompanied by—
 - (a) the permit to be transferred; and
 - (b) a form of return as required by regulation 10 completed by the holder of the permit up to the date of application; and
 - (c) if the transferee is a company—a current company extract relating to the transferee issued not more than 1 month immediately preceding the date of application.
- (3) The Minister may only consent to the transfer of a permit if satisfied as to the following:
 - (a) that any fees or other amounts payable in relation to the permit under the Act have been paid in full;
 - (b) that the permit to be transferred has not been suspended;
 - (c) that no proceedings alleging an offence against the Act or the repealed Act are pending or likely to be commenced in the State against the holder of the permit;
 - (d) that the transferee is the holder of an aquaculture licence;
 - (e) if the transferee is a natural person—that the transferee is at least 15 years of age and is a fit and proper person to hold a permit in respect of the fishery;
 - (f) if the transferee is a company—that each director of the company is a fit and proper person to be a director of a company that holds a permit in respect of the fishery.

10—Periodic returns

The holder of a permit in respect of the fishery must, on a date or dates determined by the Minister in each year, provide the Minister with a periodic return containing such information as the Minister requires in the manner and form determined by the Minister.

Maximum penalty: \$5 000.

Expiation fee: \$315.

11—Copies of periodic returns to be made and kept

The holder of a permit in respect of the fishery must—

- (a) make a copy of each return that he or she fills out pursuant to these regulations before the return is sent or delivered to the Minister; and
- (b) retain the copy for the period of 12 months from the last day of the month to which the return relates.

Maximum penalty: \$5 000.

Expiation fee: \$315.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

No 195 of 2013

MAFF09/15CS

South Australia

Fisheries Management (Miscellaneous Fishery) Variation Regulations 2013

under the *Fisheries Management Act 2007*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (Miscellaneous Fishery) Variation Regulations 2013*.

2—Commencement

These regulations will come into operation 4 months after the day on which they are made (see *Subordinate Legislation Act 1978* section 10AA).

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 *Fisheries Management (Miscellaneous Fishery) Regulations 2000*

4—Variation of regulation 4—Interpretation

- (1) Regulation 4(3)—delete subregulation (3) and substitute:
 - (3) In these regulations—
 - (a) all lines in spatial descriptions are geodesics based on the Geocentric Datum of Australia 1994 (**GDA94**) as defined in the Commonwealth of Australia Gazette GN35 of 6 September 1995, and all coordinates are expressed in terms of GDA94;

- (b) common and scientific fish names are given according to AS:SSA-001 *Australian Fish Names Standard* published by Seafood Services Australia in July 2007, as amended from time to time;
- (c) a reference to the *taking of aquatic resources* includes a reference to an act preparatory to or involved in the taking of the aquatic resources.

(2) Regulation 4, note—delete the note

5—Substitution of regulation 6

Regulation 6—delete the regulation and substitute:

6—Issue of licences

- (1) If a licence in force in respect of the fishery ceases to be held by a person, the Minister may issue the licence to another person.
- (2) If the Minister considers that it would not be detrimental to the aquatic resources of the State to issue an additional licence in respect of the fishery, the Minister may issue a licence in respect of the fishery.
- (3) The Minister may, but is not required to, call for applications in respect of a licence to be issued under this regulation in accordance with the competitive tender procedure prescribed by Schedule 2.
- (4) Subject to subregulation (5), if the Minister conducts a tender in accordance with Schedule 2, the Minister must not grant a licence in respect of which the procedure was conducted except to the person who was the successful applicant for the licence at the tender.
- (5) If a person who is a successful applicant at a tender conducted in accordance prescribed by Schedule 2—
 - (a) fails to make an application for the licence in respect of which the person was the successful applicant; or
 - (b) having made an application for that licence, is for any reason not granted the licence,

the Minister may call for additional applications in respect of that licence in accordance with the procedure prescribed by Schedule 2.

- (6) The Minister may not issue a licence to an applicant under this regulation unless satisfied—
 - (a) in the case of a natural person—that the person is at least 15 years of age and is a fit and proper person to hold a licence in respect of the fishery;
 - (b) in the case of a company—that each director of the company is a fit and proper person to be a director of a company that holds a licence in respect of the fishery.

6—Revocation of Schedule 3

Schedule 3—delete the Schedule

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

No 196 of 2013

MAFF09/15CS

South Australia

Livestock Regulations 2013

under the *Livestock Act 1997*

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-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Livestock Regulations 2013*.

2—Commencement

These regulations will come into operation on the day on which the *Livestock (Miscellaneous) Amendment Act 2012* comes into operation.

3—Interpretation

(1) In these regulations—

Act means the *Livestock Act 1997*;

Agvet Code of South Australia has the same meaning as in the *Agricultural and Veterinary Chemicals (South Australia) Act 1994*;

animal holding area includes a goat depot;

authorised manufacturer, in relation to identification tags or PIDs, means a person authorised by the Chief Inspector under regulation 76 to manufacture identification tags or PIDs;

authorised recycler, in relation to PIDs, means a person authorised by the Chief Inspector under regulation 76 to recycle PIDs;

birds includes poultry;

bobby calf means a weaned calf of or under 6 weeks of age;

cattle includes buffalo and bobby calves but does not include deer;

class 1 vaccine—see Schedule 1 Part 1;

class 2 vaccine—see Schedule 1 Part 2;

corresponding law means—

- (a) *Animal Diseases Act 2005* of the Australian Capital Territory;
- (b) *Stock Diseases Act 1923* of New South Wales;
- (c) *Livestock Act* of the Northern Territory;
- (d) *Stock Act 1915* of Queensland;
- (e) *Animal (Brands and Movement) Act 1984* of Tasmania;
- (f) *Livestock Disease Control Act 1994* of Victoria;
- (g) *Biosecurity and Agriculture Management Act 2007* of Western Australia;
- (h) *Stock Diseases (Regulations) Act 1968* of Western Australia;
- (i) *Stock (Identification and Movement) Act 1970* of Western Australia;

deer means an animal of the family *Cervidae*;

destination land, in relation to the movement of animals, means the land to which the animals are or are to be moved;

foundation, in relation to a beehive, means material impressed with the pattern of cell bases on which bees build comb;

HGP earmark means an earmark of the kind required to be made immediately after cattle or buffalo are treated with a hormonal growth promotant (see regulation 32);

HGP free declaration means a declaration, in a form approved by the Chief Inspector, that cattle or buffalo have not been treated with hormonal growth promotants;

HGP free invoice means an invoice issued by a stock agent in respect of cattle or buffalo sold by the agent containing an endorsement in a form approved by the Chief Inspector for the purposes of indicating that HGP free tags were attached to cattle or buffalo at the time of sale;

HGP free tag means a tag of a colour, and conforming to any other requirements, specified by the Chief Inspector for the purposes of indicating that cattle or buffalo to which such tags are attached have not been treated with hormonal growth promotants;

hive identification code—see Part 2 Division 2;

hormonal growth promotant means a product containing one or more hormones (including but not limited to oestradiol, progesterone, trenbolone and zeranol) that increases the growth rate of, and enhances feed conversion in, cattle or buffalo;

identification code, in relation to a place, means—

- (a) a current PIC for the place; or
- (b) a code (by whatever description) that is currently applied to the place for the purposes of identification under a corresponding law;

identification code of a stock agent—see Part 10 Division 3;

identification tag, in relation to a deer, means an ear tag obtained from an authorised manufacturer (see Part 11);

land of dispatch, in relation to the movement of animals, means the land from which the animals are, or are to be, removed;

lice means sheep body lice of the genus *Bovicola ovis*;

lice-infested sheep means sheep on which 1 or more live lice are present;

live export depot means premises at which livestock are prepared or inspected for live export;

livestock saleyard includes any place where the public sale of livestock is conducted;

manufactured stock food means anything that is manufactured or processed as food for livestock but does not include stock food comprised only of chaff, hay or wholegrains;

movement documentation—see regulation 62;

national vendor declaration, in relation to animals of a particular type, means a vendor declaration of a kind designated, for the time being by the Chief Inspector by notice in the Gazette as a national vendor declaration for animals of that type for the purposes of these regulations;

NLIS means National Livestock Identification System;

NLIS database manager means the person designated for the time being by the Chief Inspector by notice in the Gazette as the NLIS database manager for the purposes of these regulations;

non-functioning PID, in relation to an electronic PID, means a PID that fails to provide a reading when scanned;

over-the-hooks sale means the sale of the carcass of an animal on the basis of the weight of the carcass immediately after slaughter (commonly known as hot standard carcass weight);

owner of land—

- (a) in relation to land alienated from the Crown in fee simple—means the owner of an estate in fee simple in the land;

- (b) in relation to land held from the Crown by lease, licence or agreement to purchase—means the lessee, licensee or purchaser;

package, in relation to a stock food, means anything in or by which the stock food is cased, covered, enclosed, contained or packed;

PIC or **property identification code**—see Part 10 Division 1;

PID or **permanent identification device** means a device for the permanent identification of livestock of a particular class obtained from an authorised manufacturer or an authorised recycler or a person authorised under a corresponding law to manufacture or recycle such devices or through an ordering system approved under a corresponding law;

pig tattoo code—see Part 10 Division 2;

port for live export includes a wharf, airport or other area at which livestock are assembled immediately before their live export, but does not include a live export depot;

prescribed movement details—see subregulation (2);

prescribed premises means—

- (a) premises on which a special event is held; or
- (b) an animal feedlot; or
- (c) an animal holding area; or
- (d) a live export depot; or
- (e) a pound;

registered beekeeper means a person registered as a beekeeper under section 17 of the Act;

registered veterinary product has the same meaning as in the Agvet Code of South Australia;

responsible person, for an identification code, means—

- (a) in the case of a PIC for land on which poultry are kept—the person nominated as the responsible person for the PIC in an application for allocation or renewal of the PIC or, in the absence of such an application or nomination, the relevant accredited poultry grower or person who is required to hold such an accreditation for the poultry; or
- (b) in the case of a PIC for land on which birds are kept for the purposes of an egg production business—the person nominated as the responsible person for the PIC in an application for allocation or renewal of the PIC or, in the absence of such an application or nomination, the person who is accredited to engage in the egg production business or who is required to hold an accreditation to engage in the business; or
- (c) in the case of a PIC for land on which any other livestock are kept or handled—the person nominated as the responsible person for the PIC in an application for allocation or renewal of the PIC or, in the absence of such an application or nomination, the owner or occupier of the place identified by the PIC; or
- (d) in the case of a hive identification code—the relevant registered beekeeper; or
- (e) in the case of an identification code of a stock agent—the stock agent;

restricted animal material means material derived wholly or partly from a vertebrate, but does not include milk, a milk product, gelatine, tallow or an extracted oil;

sheep health statement means a declaration about the health of sheep in a form approved by the Chief Inspector;

special event means an event at which animals are exhibited, or involved in a competitive activity, and includes a show, fair, rodeo and campdraft;

stock agent, in relation to a vendor or purchaser of livestock, means a person who, for fee or reward, arranges for the sale or purchase of the livestock on behalf of the vendor or purchaser;

stock food means—

- (a) manufactured stock food; or
- (b) chaff, hay or wholegrains; or
- (c) anything else used as food for livestock;

unmanaged goat means a goat other than a goat kept in a domestic or captive state;

vaccine means—

- (a) a class 1 or class 2 vaccine; or
- (b) any other preparation or substance capable of producing immunity in livestock to disease;

vendor declaration means a declaration made in connection with the sale or proposed sale of livestock, using—

- (a) a form known as a "Vendor Declaration" from time to time approved by the Chief Inspector in respect of livestock of the relevant kind; or
- (b) a form to the same effect as the form referred to in paragraph (a).

(2) For the purposes of these regulations, the **prescribed movement details**, for cattle, sheep or goats being moved, means the following details:

- (a) the number of animals and the type of animals (that is, whether cattle, sheep or goats) being moved;
- (b) the serial number of the national vendor declaration (if any) accompanying the animals during their movement;
- (c) the date on which the animals are being moved;
- (d) the identification code of the land of dispatch;
- (e) the identification code of the destination land;
- (f) in addition—
 - (i) in the case of sheep or goats that were bred on the land of dispatch—that fact; and
 - (ii) in the case of sheep or goats that were not bred on the land of dispatch and are not identified with a PID bearing the identification code of the land of dispatch—the number or code on each PID attached to the animals; and
 - (iii) in the case of cattle—the number or code on each animal's PID.

(3) For the purposes of these regulations—

- (a) an animal will not be regarded as being removed from land if that land and the destination land have the same identification code;
- (b) an animal will not be regarded as being pastured on land if—

- (i) it is kept for a period not exceeding 7 days at a livestock saleyard to which it has been consigned for sale; or
- (ii) it is kept for a period not exceeding 7 days at an abattoir at which it is to be slaughtered;
- (c) an animal will not be taken to be bred on land unless it has been pastured on the land since its birth;
- (d) a requirement to provide to a person, or notify a person of, details comprised of a number or code on a PID will be satisfied if either of the following is provided:
 - (i) the number or code generated when the PID is scanned; or
 - (ii) the number or code that appears on the exterior of the PID or tag;
- (e) the NLIS database manager will only be taken to be notified if notified in a manner authorised by the NLIS database manager;
- (f) a reference to the operator of prescribed premises will, in the case of premises on which a special event is held, be taken to be a reference to the person in charge of the special event.

4—Prescribed expiable offences

For the purposes of section 82 of the Act, the following are prescribed expiable offences:

- (a) an expiable offence under section 33(3) of the Act;
- (b) expiable offences under Part 11 of these regulations.

5—Authorisations

- (1) An authorisation of the Chief Inspector under these regulations—
 - (a) must be in writing; and
 - (b) may be given to a particular person or to a class of persons or may apply generally; and
 - (c) may be subject to conditions; and
 - (d) may be varied or revoked by the Chief Inspector at any time.
- (2) An authorisation of the Chief Inspector under these regulations or the variation or revocation of such an authorisation takes effect—
 - (a) if the authorisation is given to a particular person—when written notice of the authorisation or of the variation or revocation (as the case may be) is served on the person; or
 - (b) if the authorisation is given to a class of persons or applies generally—when notice of the authorisation or of the variation or revocation (as the case may be) is published in the Gazette.

Part 2—Special provisions relating to bees

Division 1—Registration of beekeepers

6—Registration of beekeepers

- (1) Bees for which a hive is kept are a prescribed class of livestock for the purposes of section 17 of the Act.

- (2) A person who keeps bees is not required to be registered under section 17 of the Act if—
- (a) the bees are kept only in hives in respect of which another person is registered as a beekeeper; or
 - (b) the bees are kept in a hive brought into the State from another State or Territory for a period of not more than 90 days in any continuous period of 12 months and the manner in which the person keeps the bees would, if those bees were being kept in that other State or Territory, comply with the requirements of the corresponding laws of that State or Territory.

7—Term of registration and renewal

- (1) Registration as a beekeeper is for a term expiring on the last day of February following registration.
- (2) Registration as a beekeeper may be renewed from time to time for a further term of 12 months.
- (3) An application for renewal of registration as a beekeeper must—
 - (a) be made to the Chief Inspector; and
 - (b) be in the form and contain or be accompanied by the information required by the Chief Inspector; and
 - (c) be accompanied by the fee set out in Schedule 3.
- (4) The Chief Inspector may, at his or her discretion and on payment of the late application fee set out in Schedule 3, renew registration on a late application despite the fact that the registration has expired and, in that event, the renewal has effect from the end of the term for which the registration was previously granted or renewed.

8—Change of address

A registered beekeeper must within 14 days after changing his or her postal address notify the Chief Inspector of the change in writing.

Maximum penalty: \$250.

Expiation fee: \$80.

Division 2—Hive identification

9—Hive identification

- (1) A registered beekeeper must ensure that each hive in which bees are kept by the beekeeper is marked in accordance with this regulation with a hive identification code allocated to the beekeeper in writing by the Chief Inspector.

Maximum penalty: \$5 000.

Expiation fee: \$315.
- (2) Unless otherwise directed by the Chief Inspector, the hive identification code must be marked on a hive in the following manner:
 - (a) subject to subregulation (3), the code must be placed in the centre of an external vertical face of the hive; and
 - (b) the code may be burned, stencilled, embossed, carved or etched directly onto the face of the hive, or it may be inscribed on a metal plate secured to the face of the hive; and

- (c) each character of the code must be 30 millimetres in height.
- (3) If the face of a hive has previously been marked with a hive identification code (or a brand under the *Apiaries Act 1931*), any subsequent hive identification codes allocated to the hive must be marked on the same vertical face, the first such code being placed in the top left hand corner of that face and each subsequent code being placed in the next corner proceeding clockwise.

Division 3—Health and management of bees

10—Annual honey testing for American Foul Brood

- (1) The Chief Inspector may, by notice in writing, require a beekeeper to provide the Chief Inspector, within a period specified in the notice, with—
 - (a) a copy of the results of an AFB test carried out on a composite sample of honey collected following the notice or within the preceding 3 months from hives kept by the beekeeper; or
 - (b) a composite sample of honey collected following the notice or within the preceding 3 months from hives kept by the beekeeper to be subjected to an AFB test at the cost of the beekeeper.
- (2) The Chief Inspector may not make a requirement under subregulation (1) of the same beekeeper more than once in each 12 month period commencing on 1 March.
- (3) If a beekeeper refuses or fails to comply with a requirement under subregulation (1), the Chief Inspector may—
 - (a) cause a composite sample of honey to be collected by an inspector from hives kept by the beekeeper and to be subjected to an AFB test; and
 - (b) recover costs and expenses reasonably incurred in doing so as a debt owed by the person of whom the requirement was made.
- (4) A beekeeper who does not comply with a requirement made under subregulation (1) is guilty of an offence.
Maximum penalty: \$1 250.
Expiation fee: \$160.
- (5) This regulation does not derogate from other powers of an inspector to take samples of honey or to require honey to be tested.
- (6) For the purposes of this regulation, a composite sample of honey must be collected from hives kept by a beekeeper as follows:
 - (a) if the number of hives kept is 20 or less—a sample of at least 10 millilitres of honey must be collected from each of the hives;
 - (b) if the number of hives kept is more than 20 but less than 100—a sample of at least 10 millilitres of honey must be collected from each of 20 different hives chosen randomly;
 - (c) if the number of hives kept is more than 100—a sample of at least 10 millilitres of honey must be collected from each of a number of different hives chosen randomly, that number being 20 per cent of the total number of hives kept (ignoring any resulting fraction).

(7) In this regulation—

AFB test means a test for the presence of American Foul Brood conducted by a laboratory approved for the purpose by the Chief Inspector.

11—Bees must be kept in frame-hive

A person who keeps bees, unless otherwise authorised by the Chief Inspector in accordance with regulation 5, must keep the bees in a hive (a frame-hive) that complies with the following requirements:

- (a) the hive must consist of a box with a lid that is removable so that the movement of bees in and out of the frame-hive can be easily controlled; and
- (b) the box must be fitted with movable frames supported inside the box so that they stand on edge in a vertical position and there is an interval of at least six millimetres, but not more than 20 millimetres, between adjacent frames; and
- (c) each movable frame must—
 - (i) have inserted at its centre a flat sheet of foundation; and
 - (ii) be separated from all inner surfaces of the box and any other movable frame placed above it by a space of at least eight millimetres; and
 - (iii) be placed inside the box so that it can be easily removed for inspection.

Maximum penalty: \$5 000.

Expiation fee: \$315.

12—Exposure of hive or bee products

A beekeeper must not without reasonable excuse, leave a hive, part of a hive (including frames, combs, honey, foundation or beeswax) or an appliance (including any article, apparatus or implement used in connection with the keeping of bees or the extraction or storage of honey) exposed in a manner or under conditions likely to attract robber bees.

Maximum penalty: \$5 000.

Expiation fee: \$315.

13—Abandonment and neglect of hives

(1) A beekeeper must not, without reasonable excuse—

- (a) abandon a hive previously kept by the beekeeper; or
- (b) neglect the management and care of a hive kept by the beekeeper to the extent that the hive is likely to become infected with disease or to attract robber bees; or
- (c) fail to destroy or properly dispose of any unwanted bees or part of a hive (including frames, combs, honey, foundation or beeswax).

Maximum penalty: \$5 000.

Expiation fee: In the case of an offence against paragraph (b) in the circumstances set out in subregulation (2)(b)—\$315.

(2) Without limiting paragraph (b) of subregulation (1), a beekeeper will be taken to neglect the management and care of a hive to the extent referred to in that paragraph if—

- (a) the hive is not examined for the presence of disease at least once in each 6 month period; or

- (b) the hive is one of a number of hives comprising an apiary and at least three of the following conditions apply to the apiary:
 - (i) there is no source of water accessible to bees within 200 metres of a hive in the apiary;
 - (ii) the prescribed number of hives in the apiary are, or exhibit signs of having been, infested with wax moth;
 - (iii) the prescribed number of hives in the apiary are dead;
 - (iv) a hive or part of a hive in the apiary has been left exposed in a manner or under conditions likely to attract robber bees.
- (3) In proceedings for an offence against this regulation, hives located on the same holding will, in the absence of proof to the contrary, be taken to comprise an apiary.
- (4) In this regulation—

apiary means a number of hives managed together;

prescribed number of hives in an apiary means—

 - (a) if the number of hives comprising the apiary is less than 10—one;
 - (b) if the number of hives comprising the apiary is 10 or more—the number that is 10 per cent of the total number of hives comprising the apiary (ignoring any resulting fraction).
- (5) For the purposes of this regulation, a hive is *dead* if a substantial number of the bees in the hive are dead.

Part 3—Registration of deer keepers

14—Registration of deer keepers

Deer are a prescribed class of livestock for the purposes of section 17 of the Act.

15—Term of registration and renewal

- (1) The term fixed for the purposes of section 23(1) and (2) of the Act is 2 years.
- (2) However, the Chief Inspector may fix a term that is shorter or longer than 2 years if that is necessary in order for the term to expire at the same time as the term of a PIC for land on which the deer are or are to be kept.
- (3) An application for renewal of registration under section 17 of the Act must—
 - (a) be made to the Chief Inspector; and
 - (b) be in the form and contain or be accompanied by the information required by the Chief Inspector; and
 - (c) be accompanied by the fee set out in Schedule 3.
- (4) The Chief Inspector may, at his or her discretion and on payment of the late application fee set out in Schedule 3, renew registration on a late application despite the fact that the registration has expired and, in that event, the renewal has effect from the end of the term for which the registration was previously granted or renewed.

Part 4—Artificial breeding

16—Prescribed class of livestock

The following are prescribed classes of livestock for the purposes of the definition of *artificial breeding centre* in section 3 of the Act and for the purposes of section 19(1) of the Act:

- (a) cattle;
- (b) sheep;
- (c) goats;
- (d) pigs;
- (e) horses.

17—Eligibility requirements for artificial breeding centre

- (1) In determining whether to grant registration under section 18 of the Act to operate an artificial breeding centre, the Chief Inspector must have regard to—
 - (a) the suitability of the applicant to be granted registration; and
 - (b) the arrangements that the applicant has made to fulfil the obligations that may arise under these regulations; and
 - (c) the suitability of the premises for their purpose; and
 - (d) the standard of construction of the premises and the standard of the facilities and equipment on the premises; and
 - (e) the nature of the artificial breeding procedures to be carried out at the centre; and
 - (f) any other relevant matter.
- (2) If an application is made in respect of proposed premises, the Chief Inspector—
 - (a) must determine whether he or she will grant registration if the premises are completed substantially in accordance with the proposal and, if so, the conditions (if any) he or she will impose on the registration; and
 - (b) if he or she determines that registration will be granted in those circumstances, is bound by that decision.

18—Conditions of registration of artificial breeding centre

The following are conditions of registration under section 18 of the Act to operate an artificial breeding centre:

- (a) there must be compliance in relation to artificial breeding procedures performed by the centre with—
 - (i) the *Code of Practice for Australian Livestock Artificial Breeding Centres* published by the Australian Quarantine and Inspection Service, as in force from time to time; and
 - (ii) the *Minimum Health Standards for Stock Standing at Licensed or Approved Artificial Breeding Centres in Australia* published by the Australian Quarantine and Inspection Service, as in force from time to time;
- (b) the premises to which registration of an artificial breeding centre relates must not, without the approval of the Chief Inspector—

- (i) be altered or extended;
- (ii) be used for the carrying out of artificial breeding procedures not authorised by the registration;
- (c) the following records must be kept:
 - (i) records that ensure that the animal from which any semen or embryos have been collected and the place and date of collection can, at all times, be readily determined;
 - (ii) accurate records of all artificial breeding procedures carried out pursuant to the registration;
 - (iii) accurate records relating to the health of an animal from which semen or embryos have been collected pursuant to the registration.

19—Eligibility requirements—artificial breeding procedures

A person is not eligible to be registered under section 19 of the Act to perform an artificial breeding procedure unless the person—

- (a) is a fit and proper person to be registered; and
- (b) has qualifications and experience that the Chief Inspector considers appropriate having regard to the kind of procedures that the applicant would be authorised to perform if granted the registration.

20—Conditions of registration—artificial breeding procedures

- (1) The following categories of registration under section 19 of the Act may be granted:
 - (a) insemination of livestock—authorising the holder to carry out artificial insemination of livestock;
 - (b) semen collection and processing—authorising the holder to collect semen from livestock and process it;
 - (c) embryo collection and processing—authorising the holder to collect ova or embryos from livestock and process them.
- (2) The following are conditions of registration under section 19 of the Act:
 - (a) artificial breeding procedures not authorised by the registration must not be performed;
 - (b) the following records must be kept:
 - (i) records that ensure that the animal from which any semen or embryos have been collected and the place and date of collection can, at all times, be readily determined;
 - (ii) accurate records of all artificial breeding procedures carried out pursuant to the registration;
 - (iii) accurate records relating to the health of an animal from which semen or embryos have been collected pursuant to the registration.

21—Term of registration and renewal

- (1) The term of registration of an artificial breeding centre or a person authorised to perform artificial breeding procedures is until 30 June in the third year after its grant.
- (2) Renewal of registration is for three years.

Part 5—Veterinary diagnostic laboratories

22—Eligibility requirements

- (1) In determining whether to grant registration under section 20 of the Act to operate a veterinary diagnostic laboratory, the Chief Inspector must have regard to—
 - (a) the suitability of the applicant to be granted registration; and
 - (b) the arrangements that the applicant has made to fulfil the obligations that may arise under these regulations; and
 - (c) the suitability of the premises for their purpose; and
 - (d) the standard of construction of the premises and the standard of the facilities and equipment on the premises; and
 - (e) the nature of the examinations and tests to be carried out at the laboratory; and
 - (f) any other relevant matter.
- (2) If an application is made in respect of proposed premises, the Chief Inspector—
 - (a) must determine whether he or she will grant registration if the premises are completed substantially in accordance with the proposal and, if so, the conditions (if any) he or she will impose on the registration; and
 - (b) if he or she determines that registration will be granted in those circumstances, is bound by that decision.

23—Conditions of registration

Registration under section 20 of the Act of a veterinary diagnostic laboratory is subject to the following conditions:

- (a) the laboratory must be supervised by a person or persons approved by the Chief Inspector;

In respect of the supervision of animal disease diagnosis carried out at the laboratory, the person must be a veterinary surgeon.
In respect of the supervision of residue analysis carried out at the laboratory, the person must hold appropriate qualifications.
- (b) the methods used at the laboratory for animal disease diagnosis must conform to the *Australian Standard Techniques for Animal Diseases* published for the Australian Agricultural Council (Standing Committee on Agriculture) by CSIRO Australia, as in force from time to time;
- (c) if a result from any test or analysis carried out at the laboratory indicates that any livestock or livestock product or other property is, or is likely to be, affected with a notifiable condition the result must be reported to the Chief Inspector by the quickest practicable means, together with such further information as the Chief Inspector may reasonably require;
- (d) records of results from each test or analysis carried out at the laboratory must be kept for a period of at least 7 years;
- (e) a laboratory sample or specimen affected or reasonably suspected of being affected with a notifiable condition must not, without the approval of the Chief Inspector—
 - (i) be brought into the laboratory from interstate or overseas; or
 - (ii) be sent from the laboratory out of the State;

- (f) laboratory samples or specimens or records of results from a test or analysis carried out at the laboratory, must, at the request of the Chief Inspector, be provided to the Chief Inspector or a person nominated by the Chief;
- (g) the laboratory must participate in a quality assurance program approved by the Chief Inspector.

24—Term of registration and renewal

- (1) The term of registration of a veterinary diagnostic laboratory is until 30 June in the third year after registration is granted.
- (2) Renewal of registration is for 3 years.

Part 6—Sheep lice

25—Offence if lice-infested sheep at market

- (1) If lice-infested sheep are present at a market—
 - (a) the owner of the sheep; and
 - (b) any other person who consigned the sheep to the market,are each guilty of an offence.
Maximum penalty: \$5 000.
Expiation fee: \$315.
- (2) It is a defence to a charge of an offence against subregulation (1) if it is proved—
 - (a) that the sheep (or an appropriate number of the sheep selected on an appropriate basis) had been properly inspected for the presence of lice by a person with suitable experience or training within 14 days before the sheep were taken to the market and no live lice were found in the course of the inspection; and
 - (b) that after the inspection and before being taken to the market the sheep were kept separate from sheep other than sheep similarly inspected during that period and found to be free of live lice.

- (3) In this regulation—

market means a market, fair, sale, show, parade or other gathering or competition at which sheep from different holdings are present (but does not include an abattoir).

26—Offence if lice-infested sheep stray

If lice-infested sheep stray, the owner of the sheep and any other person responsible for control of the sheep are each guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$315.

Part 7—Vaccines

27—Sale or supply of vaccines

- (1) A person must not sell or supply a vaccine for use on livestock unless—
 - (a) in the case of a class 1 vaccine—the sale or supply is to a veterinary surgeon, or to some other person approved by the Chief Inspector, for use by that person and the sale or supply has been approved by the Chief Inspector; or

- (b) in the case of a class 2 vaccine—the sale or supply is to a veterinary surgeon, or to some other person approved by the Chief Inspector, for use by that person; or
- (c) in any other case—
 - (i) the preparation or substance is registered under the *Agricultural and Veterinary Chemicals (South Australia) Act 1994*; or
 - (ii) the approval of the Chief Inspector has been obtained.

Maximum penalty: \$5 000.

- (2) A person must not sell or supply a vaccine after the date (if any) specified on any label, covering, wrapping or container as the date after which the vaccine should not or must not be used on livestock.

Maximum penalty: \$2 500.

Expiation fee: \$210.

28—Use of vaccines

A person must not, without the approval of the Chief Inspector, use a class 1 or 2 vaccine on livestock unless the person is a veterinary surgeon.

Maximum penalty: \$5 000.

29—Storage and disposal of vaccines

A person who has in his or her possession, custody or control a vaccine intended for sale or supply must—

- (a) ensure that the vaccine is at all times stored in the manner, and at the temperature (if any) specified on any label, covering or wrapping by or under any law; and
- (b) dispose of the vaccine on, or as soon as possible after, the date (if any) specified on any label, covering, wrapping or container as the date after which the vaccine should not or must not be used on livestock.

Maximum penalty: \$2 500.

Expiation fee: \$210.

30—Prohibition on use of diagnostic agents

A person must not, without the approval of the Chief Inspector, use a diagnostic agent (including tuberculin, johnin, mallein or pullorum antigen).

Maximum penalty: \$2 500.

Part 8—Hormonal growth promotants

31—Method of treatment of cattle or buffalo with hormonal growth promotants

A person must not treat cattle or buffalo with a hormonal growth promotant otherwise than by implanting the hormonal growth promotant under the skin behind the ear of the cattle or buffalo.

Maximum penalty: \$5 000.

Expiation fee: \$315.

32—HGP earmarks

- (1) If cattle or buffalo are not, immediately after treatment with a hormonal growth promotant, each marked with an earmark consisting of an equilateral triangle with sides 20 millimetres in length, punched through the centre of the left or right ear of the animal (an *HGP earmark*)—

- (a) the owner of the cattle or buffalo; and
- (b) any other person responsible for the husbandry of the cattle or buffalo who treated the cattle or buffalo with the hormonal growth promotant, or caused or permitted the cattle or buffalo to be so treated,

are each guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) Subregulation (1) does not apply in respect of an animal that already has an HGP earmark at the time of treatment with a hormonal growth promotant.

33—HGP records

The owner (or former owner) of cattle or buffalo that are treated with hormonal growth promotants must ensure that records are made, and retained for a period of not less than 2 years after the cattle or buffalo cease to be in his or her ownership, containing the following information:

- (a) in respect of each type of hormonal growth promotant obtained or used to treat cattle or buffalo—
 - (i) the date on which it was obtained; and
 - (ii) a description of its type; and
 - (iii) the name and address of the person from whom it was obtained; and
 - (iv) the number of doses obtained;
- (b) in respect of each treatment of cattle or buffalo with each type of hormonal growth promotant—
 - (i) the date of the treatment; and
 - (ii) the breed or other description of each animal treated; and
 - (iii) the number of animals treated; and
 - (iv) a description of the type of hormonal growth promotant used for the treatment; and
 - (v) the number of doses of hormonal growth promotant used, lost or wasted in the course of the treatment;
- (c) in respect of the disposal to some other person of cattle or buffalo treated with hormonal growth promotants—
 - (i) the number of animals disposed of; and
 - (ii) the breed or other description of each animal; and
 - (iii) the fact that the animals have been treated with hormonal growth promotants; and
 - (iv) the date of the disposal; and

- (v) the name of that other person.

Maximum penalty: \$2 500.

Expiation fee: \$210.

34—HGP free declarations

- (1) A person must not make an HGP free declaration in respect of cattle or buffalo unless the person is—
- (a) the owner of the cattle or buffalo; or
 - (b) a person responsible for the husbandry of the cattle or buffalo authorised by the owner to do so.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) A person must not make a statement that is false or misleading in a material particular (whether by reason of the inclusion or omission of any particular) in an HGP free declaration.

Maximum penalty/expiation fee:

- (a) If the person made the statement knowing that it was false or misleading:

(i) Maximum penalty—\$10 000.

- (b) In any other case:

(i) Maximum penalty—\$5 000.

(ii) Expiation fee—\$315.

- (3) For the purposes of subregulation (2), the statement in an HGP declaration that the cattle or buffalo have not been treated with hormonal growth promotants will be taken to be false if the cattle or buffalo have HGP earmarks.
- (4) A person must not make an HGP free declaration in respect of cattle or buffalo that have not been continuously in the same ownership since birth unless the current owner of the cattle or buffalo received an HGP free declaration or an HGP free invoice in respect of the cattle or buffalo when they came into his or her ownership.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (5) In proceedings for an offence against subregulation (4), the burden of proving that the current owner received an HGP free declaration or invoice in respect of the cattle or buffalo when they came into his or her ownership lies on the defendant.

35—HGP free tags

- (1) If HGP free tags are attached to cattle or buffalo that have HGP earmarks or, despite not having HGP earmarks, have been treated with hormonal growth promotants—
- (a) the owner of the cattle or buffalo; and
 - (b) any other person responsible for the husbandry of the cattle or buffalo who attached the tags or caused or permitted the tags to be so attached,

are each guilty of an offence.

Maximum penalty:

If the owner or person responsible for the husbandry of the cattle or buffalo knows that the cattle or buffalo have been treated with hormonal growth promotants—\$10 000.

In any other case—\$5 000.

- (2) If HGP free tags are attached to cattle or buffalo that have not been continuously in the same ownership since birth—

- (a) the owner of the cattle or buffalo; and
- (b) any other person responsible for the husbandry of the cattle or buffalo who attached or caused or permitted the tags to be so attached,

are each guilty of an offence unless the owner received an HGP free declaration or an HGP free invoice in respect of the cattle or buffalo when they came into his or her ownership.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (3) In proceedings for an offence against subregulation (2), the burden of proving that the owner received an HGP free declaration or invoice in respect of the cattle or buffalo when they came into his or her ownership lies on the defendant.

36—HGP free invoices

- (1) A stock agent must give to the purchaser of cattle or buffalo sold by the agent that are identified at the time of sale with HGP free tags either—
- (a) an HGP free invoice; or
 - (b) if the stock agent has, in connection with the sale, received an HGP free declaration in respect of the cattle or buffalo—
 - (i) a copy of the declaration; and
 - (ii) if the declaration extends to cattle or buffalo not sold to the purchaser—an invoice that specifies the number and type of cattle or buffalo referred to in the declaration that have been sold to the purchaser (a *split lot invoice*).

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) A stock agent must ensure that each HGP free invoice issued by the agent—
- (a) specifies the number and type of cattle or buffalo that were identified at the time of sale with HGP free tags; and
 - (b) identifies the land on which the cattle or buffalo were pastured before removal for sale.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) A stock agent must retain for a period of not less than 2 years a copy of each HGP free invoice, HGP free declaration and split lot invoice given to a purchaser under this regulation.

Maximum penalty: \$2 500.

Expiation fee: \$210.

Part 9—Stock foods

Division 1—Feeding of livestock

37—Feeding of restricted animal material to ruminants

A person must not—

- (a) feed to ruminants, or permit ruminants to feed on, restricted animal material (whether or not the material has been rendered suitable for animal consumption); or
- (b) dispose of restricted animal material (whether or not the material has been rendered suitable for animal consumption) in a manner that ruminants may gain access to it.

Maximum penalty: \$10 000.

38—Feeding of restricted animal material from placental mammals to non-ruminants

(1) A person must not—

- (a) feed to livestock, or permit livestock to feed on, restricted animal material from a placental mammal unless the material has been rendered suitable for animal consumption by means of a process approved by the Chief Inspector; or
- (b) dispose of restricted animal material from a placental mammal that has not been rendered suitable for animal consumption as referred to in paragraph (a) in a manner that livestock may gain access to it.

Maximum penalty: \$10 000.

(2) In this regulation—

livestock does not include cats, dogs or ruminants.

39—Feeding of stock foods containing faeces

A person must not feed to livestock, or permit livestock to feed on, a stock food that consists wholly or partly of faeces.

Maximum penalty: \$10 000.

40—Feeding of stock foods containing registered veterinary products

A person must not feed to livestock, or permit livestock to feed on, a stock food that contains a registered veterinary product unless—

- (a) —
 - (i) the product is registered for use on the species of animal to which the livestock belongs; and
 - (ii) the stock food is being used to treat the livestock for a disease or condition of the livestock, or infestation of the livestock by a pest, specified on the approved label (within the meaning of the Agvet Code of South Australia) for containers of that product; or
- (b) the person does so in accordance with a permit (within the meaning of the Agvet Code of South Australia) or the instructions of a veterinary surgeon responsible for treating the livestock.

Maximum penalty: \$10 000.

Division 2—Standards for stock foods

41—Offence

- (1) A person must not supply stock food unless the stock food complies with the standards prescribed by this Division.
Maximum penalty: \$10 000.
- (2) This regulation does not apply in relation to stock food supplied for consumption by cats, dogs, caged birds (other than poultry) or aquarium fish.
- (3) In this regulation—
supply means supply through sale, gift, loan, exchange or hire and includes offer to supply.

42—Restricted animal material in stock foods

- (1) A stock food supplied for consumption by ruminants must not contain restricted animal material.
- (2) A stock food supplied for consumption by non-ruminant livestock must not contain restricted animal material from a placental mammal unless the material has been rendered suitable for animal consumption by means of a process approved by the Chief Inspector.

43—Substances prohibited in stock foods

A stock food must not contain a substance specified in Schedule 2 Part 1 except as provided in that Part.

44—Organochlorine pesticides in stock foods

A substance specified in Schedule 2 Part 2 must not be present in stock food in a level that is more than the maximum level prescribed by that Part for that substance.

45—Antioxidants in stock foods

A substance specified in Schedule 2 Part 3 must not be present in stock food in a level that is more than the maximum level prescribed by that Part for that substance.

46—Registered veterinary products in stock foods

- (1) A stock food must not contain a registered veterinary product unless—
 - (a) the stock food is supplied for consumption by a species of animal for which the product is registered for use on; and
 - (b) the stock food is supplied for the purpose of treating such an animal for a disease or condition of the animal, or infestation of the animal by a pest, specified on the approved label (within the meaning of the Agvet Code of South Australia) for containers of that product; and
 - (c) the proportion or amount of the product in the stock food is a proportion or amount determined in accordance with the directions for use of the product specified on the approved label (within the meaning of the Agvet Code of South Australia) for containers of the product.
- (2) Subregulation (1) does not prevent stock food containing a registered veterinary product being supplied to a veterinary surgeon for use in the treatment of livestock or to a person holding a permit (within the meaning of the Agvet Code of South Australia) authorising the supply or use of the registered veterinary product in stock food.

Division 3—Labelling of manufactured stock foods

47—Offences

- (1) A person must not supply manufactured stock food unless the stock food is labelled, or information is provided to the person to whom the stock food is supplied, in accordance with this Division.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) A person must not, without reasonable excuse—
- (a) deface, alter or obscure a label for a package of stock food containing information required by this Division; or
 - (b) remove from a package of stock food containing restricted animal material a label for the food containing information required by this Division.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) This regulation does not apply in relation to stock food supplied for consumption by cats, dogs, caged birds (other than poultry) or aquarium fish.

- (4) In this regulation—

supply means supply through sale, gift, loan, exchange or hire and includes offer to supply.

48—Requirement for label or advice note

- (1) A stock food must—
- (a) if supplied in a package—have affixed to, or printed or stencilled on, the package a label that complies with this Division; or
 - (b) if supplied without a package—be supplied in accordance with this regulation with an advice note that complies with this Division.
- (2) If stock food supplied without a package is delivered to a person, the advice note for the stock food must be handed to the person or an agent of the person.
- (3) If stock food supplied without a package is delivered to premises where no person is in attendance to accept delivery of the advice note for the stock food, the advice note must, within 7 days of the delivery, be given or sent to the person to whom the stock food was supplied.

49—General information to be included on label or advice note

A label or advice note for a stock food must state—

- (a) the distinctive name of the stock food; and
- (b) the name and principal place of business of the manufacturer, producer or supplier of the stock food.

50—Information about restricted animal material content

- (1) If—
- (a) a stock food manufactured or produced before 20 December 2001 contains restricted animal material from animals other than fish or birds; and
 - (b) the stock food is not supplied for consumption by dogs or pigeons; and

- (c) the label or advice note for the stock food does not contain a statement that the stock food is suitable for consumption by non-ruminant livestock only,
the label or advice note for the stock food must contain—
 - (d) a statement indicating whether or not the restricted animal material is from a placental mammal; and
 - (e) if the restricted animal material is from a placental mammal—a statement indicating that the stock food must not be fed to ruminants.
- (2) A label or advice note for a stock food manufactured or produced on or after 20 December 2001 must—
 - (a) if the stock food contains restricted animal material—contain the following statement:

This product contains restricted animal material—DO NOT FEED TO
CATTLE, SHEEP, GOATS, DEER OR OTHER RUMINANTS.
 - (b) if the stock food does not contain restricted animal material—contain the following statement:

This product does not contain restricted animal material.

Part 10—Identification codes

Division 1—PICs

51—Requirement to have current PIC

- (1) For the purposes of section 26A(3) of the Act—
 - (a) the following persons are each guilty of an offence if the land on which 1 or more prescribed animals are kept does not have a current PIC:
 - (i) the owner of the land;
 - (ii) the occupier of the land;
 - (iii) the owner of the animals;
 - (iv) the person responsible for the management of the animals; and
 - (b) a person who—
 - (i) keeps poultry (within the meaning of the *Primary Produce (Food Safety Schemes) (Meat Industry) Regulations 2006*) on land; and
 - (ii) is an accredited poultry grower (within the meaning of those regulations) or is required to hold such an accreditation for the poultry,is guilty of an offence if the land does not have a current PIC; and
 - (c) a person who—
 - (i) keeps birds on land for the purpose of engaging in an egg production business (within the meaning of the *Primary Produce (Food Safety Schemes) (Egg) Regulations 2012*); and
 - (ii) is, under those regulations, accredited to engage in the egg production business or is required to hold such an accreditation to engage in the business,

is guilty of an offence if the land does not have a current PIC.

(2) Pursuant to section 6A of the Act, the following categories of offences are prescribed for the purposes of section 26A(3) of the Act (and accordingly the corresponding penalties or expiation fees set out in section 26A(3) apply):

(a) a category 1 offence is—

- (i) an offence against subregulation (1)(a) committed, or alleged to have been committed, in connection with the keeping of more than 250 animals other than birds; or
- (ii) an offence against subregulation (1)(b) or (c) committed, or alleged to have been committed, in connection with the keeping of more than 1 000 birds;

(b) a category 2 offence is—

- (i) an offence against subregulation (1)(a) committed, or alleged to have been committed, in connection with the keeping of 21 to 250 (inclusive) animals other than birds; or
- (ii) an offence against subregulation (1)(b) or (c) committed, or alleged to have been committed, in connection with the keeping of 101 to 1 000 (inclusive) birds;

(c) a category 3 offence is—

- (i) an offence against subregulation (1)(a) committed, or alleged to have been committed, in connection with the keeping of 1 to 20 (inclusive) animals other than birds; or
- (ii) an offence against subregulation (1)(b) or (c) committed, or alleged to have been committed, in connection with the keeping of 1 to 100 (inclusive) birds.

(3) In this regulation—

prescribed animals means—

- (a) buffalo;
- (b) camels;
- (c) cattle;
- (d) deer;
- (e) equines (including horses, donkeys and mules);
- (f) goats;
- (g) pigs;
- (h) sheep;
- (i) South American camelids (including alpaca, llama, vicuna and guanaco).

52—Allocation and renewal of PICs

(1) The Chief Inspector may, on application or on his or her own initiative, allocate or renew a PIC identifying a particular place where livestock or livestock of a specified class may be kept or handled.

(2) An application for the allocation or renewal of a PIC for a place may be made by—

- (a) a person who is required to have a current PIC for the place under regulation 51; or

- (b) if the place is a livestock saleyard, abattoir, prescribed premises or port for live export—the owner or operator of the place; or
 - (c) if the place is a place where a special event is held—the organiser of the special event; or
 - (d) a person who proposes to become such a person or who otherwise satisfies the Chief Inspector that he or she has a proper interest in the allocation of a PIC to a place.
- (3) The boundaries of a place identified by a PIC are to be determined at the absolute discretion of the Chief Inspector.
 - (4) Subject to this Division, a PIC remains current in relation to a place for the period specified in the instrument of allocation or renewal or, if no period is so specified, 2 years.
 - (5) The Chief Inspector may, at his or her discretion and on payment of the late application fee set out in Schedule 3, renew a PIC on a late application despite the fact that the term for which the PIC was current has expired and, in that event, the renewal has effect from the end of the term for which the PIC was previously current.

53—Substitution of responsible person, variation of boundaries and cancellation of PIC

- (1) The Chief Inspector may, on application by the responsible person for a PIC or on his or her own initiative—
 - (a) substitute the person who is the responsible person for the PIC; or
 - (b) vary the boundaries of the place identified by the PIC; or
 - (c) cancel the PIC.
- (2) Before taking action in relation to a PIC on his or her own initiative, the Chief Inspector must give the responsible person for the PIC a reasonable opportunity to make submissions.
- (3) Whether a substitution, variation or cancellation should be made under this regulation is to be determined at the absolute discretion of the Chief Inspector.

Division 2—Pig tattoo codes

54—Allocation of pig tattoo code

- (1) The Chief Inspector may, on application by a person who keeps pigs or a responsible person for a PIC for land on which pigs are or are proposed to be kept or on his or her own initiative, allocate a pig tattoo code and associate the pig tattoo code with a PIC for the land.
- (2) Subject to this Division, a pig tattoo code remains current for so long as the PIC to which it is associated remains current.
- (3) More than 1 pig tattoo code may be associated with the same PIC.

55—Cancellation of pig tattoo code

- (1) The Chief Inspector may, on application by the responsible person for a PIC to which a pig tattoo code is associated or on his or her own initiative, cancel the pig tattoo code.
- (2) Before taking action in relation to a pig tattoo code on his or her own initiative, the Chief Inspector must give the responsible person for the PIC to which the pig tattoo code is associated a reasonable opportunity to make submissions.

- (3) Whether a pig tattoo code should be cancelled under this regulation is to be determined at the absolute discretion of the Chief Inspector.

Division 3—Stock agent identification codes

56—Allocation and cancellation of stock agent identification code

- (1) The Chief Inspector may, on application or on his or her own initiative, allocate an identification code to a stock agent.
- (2) The Chief Inspector may, on application or on his or her own initiative, cancel the identification code of a stock agent.
- (3) Before taking action in relation to an identification code on his or her own initiative, the Chief Inspector must give the person to whom the code is allocated a reasonable opportunity to make submissions.
- (4) Whether an identification code should be cancelled under this regulation is to be determined at the absolute discretion of the Chief Inspector.

Division 4—General

57—Applications under this Part

- (1) An application under this Part must—
 - (a) be made to the Chief Inspector; and
 - (b) be in the form and contain or be accompanied by the information required by the Chief Inspector; and
 - (c) be accompanied by the fee (if any) set out in Schedule 3.
- (2) An application under this Part may be combined with an application for registration or renewal of registration under section 17 of the Act or with any other application under this Part.

58—Register of PICs and pig tattoo codes

- (1) The Chief Inspector must maintain a register of PICs including, for each PIC—
 - (a) details of the name and address of the responsible person for the PIC; and
 - (b) details of the land identified by the PIC; and
 - (c) details of any associated pig tattoo code.
- (2) The register may contain other information that the Chief Inspector considers appropriate, such as further contact details of the responsible person or the identity and contact details of the registered proprietor of the land or the species or number of livestock kept on the land.
- (3) The operator of a livestock saleyard or abattoir, a stock agent or other person who has, in the opinion of the Chief Inspector, a legitimate interest in information as to the PIC applying to particular land and any associated pig tattoo code may, on payment of the fee set out in Schedule 3, obtain an extract from the register of the PIC, associated pig tattoo code and land details.
- (4) The Chief Inspector may make information in the register available—
 - (a) to the NLIS database manager for the purposes of the database; or
 - (b) to South Australia Police, South Australian Country Fire Service or South Australian State Emergency Service; or

- (c) to a Natural Resources Management Board for the purposes of the performance of functions under the *Natural Resources Management Act 2004* relating to the containment of livestock; or
- (d) to an agency or instrumentality of another State or a Territory of the Commonwealth for the purposes of the administration of a corresponding law; or
- (e) otherwise for the purposes of the administration of the Act or these regulations.

59—Change of address

A responsible person for an identification code must, within 14 days after changing his or her postal address, notify the Chief Inspector of the change in writing.

Maximum penalty: \$250.

Expiation fee: \$80.

Part 11—Livestock identification

Division 1—Identification of cattle, sheep and goats

60—Application of Division

This Division applies only in relation to cattle, sheep and goats.

61—PIDs

- (1) For the purposes of this Division, an animal will not be taken to be identified with a PID unless—
 - (a) in the case of cattle—
 - (i) a PID is attached to the off-side ear of the animal, with the component of the PID containing the electronic microchip placed on the inside of the ear; or
 - (ii) a PID is inserted in the animal and a tag, indicating that the animal has such a PID inserted in it, attached to the off-side ear of the animal; or
 - (b) in the case of sheep or goats—a PID is attached to an ear of the animal.
- (2) The owner or person responsible for the management of an animal must not bring the animal into the State or remove the animal from land on which it has been pastured unless the animal is identified with a PID.

Maximum penalty: \$5 000.
Expiation fee: \$315.
- (3) Subregulation (2) does not apply to an unmanaged goat that is—
 - (a) captured; and
 - (b) pastured on land for a period not exceeding 6 weeks; and
 - (c) consigned from the land to an abattoir for slaughter and over-the-hooks sale.

62—Movement documentation

- (1) For the purposes of this Division, movement documentation, in relation to animals being moved, must comprise—
 - (a) either—

- (i) a copy of the vendor declaration completed in relation to the animals; or
 - (ii) a document containing—
 - (A) the prescribed details (see subregulation (6)) in relation to the animals; and
 - (B) the name and signature of the person completing the document; and
 - (b) in addition, in the case of sheep other than sheep consigned direct from a livestock saleyard outside the State to an abattoir in the State for slaughter—a sheep health statement.
- (2) The owner or person responsible for the management of animals that are brought into this State or removed from land on which they have been pastured (the *consignor*), is guilty of an offence unless movement documentation that complies with subregulation (1) in relation to the animals—
- (a) accompanies the animals during their movement; and
 - (b) is provided to a person (the *consignee*) as follows:
 - (i) if the animals are brought into the State or removed for the purposes of sale by a stock agent—to the stock agent;
 - (ii) if the animals are brought into the State or removed for the purposes of direct sale to a purchaser—to the purchaser or the person responsible for the management of the animals following the sale;
 - (iii) if the animals are brought into the State or removed for the purposes of their movement to an abattoir or prescribed premises—
 - (A) to the person responsible for the management of the animals following their movement; and
 - (B) to the operator of the abattoir or prescribed premises;
 - (iv) in any other case—to the person responsible for the management of the animals following their movement.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (3) If animals at a livestock saleyard are sold by a stock agent, a copy of the movement documentation, or a document containing the prescribed movement details, relating to the movement of the animals to the saleyard must be provided by the agent to a person (the *consignee*) as follows:
- (a) if the animals are to be consigned direct to an abattoir for slaughter—
 - (i) to the person responsible for the management of the animals at the abattoir; and
 - (ii) to the operator of the abattoir,by the end of the day of sale;
 - (b) in any other case—to the purchaser or the person responsible for the management of the animals following the sale within 2 working days after the sale.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (4) Without limitation, a stock agent will be taken to have complied with subregulation (3) if, within the period specified, the agent has—
- (a) uploaded the copy of the documentation to the NLIS database; and
 - (b) notified the consignee of that upload.
- (5) Records of documentation under this regulation must be kept as follows:
- (a) a consignor must keep a copy of the movement documentation relating to the consignment for at least 7 years;
 - (b) a consignee (other than the operator of an abattoir or the person in charge of a special event) must keep a copy of the movement documentation relating to the consignment for at least 7 years;
 - (c) a consignee who is the operator of an abattoir or the person in charge of a special event must keep a copy of the movement documentation relating to the consignment for at least 2 years.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (6) In this regulation—

prescribed details, in relation to animals being moved, means the following:

- (a) the number of animals and the type of animals (that is, whether cattle, sheep or goats) being moved;
- (b) the breed, gender and approximate age of the animals;
- (c) the date on which the animals are being moved;
- (d) the identification code of the land of dispatch;
- (e) the identification code of the destination land (or the address or a description of the location of that land);
- (f) in addition—
 - (i) in the case of sheep or goats that were bred on the land of dispatch—that fact; and
 - (ii) in the case of sheep or goats that were not bred on the land of dispatch and are not identified with a PID bearing the identification code of the land of dispatch—the number or code on each PID attached to the animals; and
 - (iii) in the case of bobby calves—
 - (A) the date and time movement commenced; and
 - (B) the name and signature of the person responsible for the management of the animals during their movement.

63—NLIS notification before removal of animals from land of pasture

If an animal is pastured on land (other than land on which it was bred), the owner or person responsible for the management of the animal must not remove the animal from that land unless the NLIS database manager has been notified of—

- (a) the number or code on the animal's PID; and
- (b) the identification code of the land; and

- (c) in addition, in the case of sheep or goats—the identification codes of any other land on which the animal has previously been pastured as far as may be reasonably ascertained (for example, from movement documentation relating to the movement of the animal).

Maximum penalty: \$5 000.

Expiation fee: \$315.

64—NLIS notification after animals moved to different land of pasture

- (1) Subject to this regulation, if an animal is removed from land on which it has been pastured (the *land of dispatch*) and pastured on other land (the *destination land*), the following provisions apply:
 - (a) if the land of dispatch is land or premises other than prescribed premises or a port for live export, the owner or person responsible for the management of the animal after its arrival at the destination land must notify the NLIS database manager of the prescribed movement details relating to the movement of the animal to the destination land—
 - (i) in the case of cattle—within 2 working days after the arrival of the animal at the destination land, or before the animal is removed from the destination land, whichever occurs earlier; and
 - (ii) in the case of sheep or goats—within 7 working days after the arrival of the animal at the destination land, or before the animal is removed from the destination land, whichever occurs earlier;
 - (b) if the destination land is prescribed premises, the operator of the prescribed premises must notify the NLIS database manager, by the end of the next working day after the arrival of the animal at the premises, of—
 - (i) in the case of the movement of cattle to premises on which a special event of 3 days or less is held before their direct return to the land of dispatch—
 - (A) the number or code on each animal's PID; and
 - (B) the date on which each animal's electronic PID is scanned at the special event; and
 - (C) the identification code of the premises of the special event; and
 - (ii) in the case of prescribed premises comprised of a pound—
 - (A) the date of impoundment; and
 - (B) the identification code of the pound; and
 - (C) the identification code of the land on which the animal was last pastured, or, if that code is not known, the identification code approved by the Chief Inspector for use in the circumstances as a default code; and
 - (D) the number or code on each of the animal's PIDs including, in the case of an animal that arrived at the pound without being identified with a PID, the number or code of the replacement PID attached to the animal at the pound; and
 - (E) in addition, in the case of sheep or goats—the total number of animals in the consignment (including the animal); and
 - (iii) in any other case—

- (A) the prescribed movement details relating to the movement of the animal to the prescribed premises; and
 - (B) the date of arrival of the animal at the prescribed premises;
- (c) if the land of dispatch is prescribed premises other than an animal feedlot and the destination land is land or premises other than a port for live export, the operator of the prescribed premises must notify the NLIS database manager, by the end of the next working day after the removal of the animal from the prescribed premises, of the prescribed movement details relating to the movement of the animal to the destination land;
- (d) if the land of dispatch is a live export depot and the destination land is a port for live export, the operator of the depot must, by the end of the next working day after the removal of the animal from the depot, notify the NLIS database manager of—
- (i) the date of removal of the animal; and
 - (ii) the identification code of the depot; and
 - (iii) the identification code of the port; and
 - (iv) in addition—
 - (A) in the case of sheep or goats—the total number of animals in the consignment (including the animal); and
 - (B) in the case of cattle—the number or code on each animal's PID.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) The owner or person responsible for the management of an animal after its arrival at prescribed premises must provide the operator of the premises with information necessary for that person to comply with subregulation (1)(b).

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (3) The owner or person responsible for the management of an animal after its removal from prescribed premises must provide the operator of the premises with information necessary for that person to comply with subregulation (1)(c) or (1)(d).

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (4) If the owner or person responsible for the management of an animal becomes aware that information provided to the operator of prescribed premises or the NLIS database manager in respect of the animal under this regulation is inaccurate or incomplete or that the animal was not moved direct to the destination contemplated at the time the information was provided, the person must, as soon as practicable, notify the NLIS database manager of the correct or complete information.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (5) It is not a defence to a charge of an offence under this regulation comprised of a failure to notify the NLIS database manager of the identification code of destination land to establish that an identification code had not previously been allotted to the land.

- (6) For the purposes of this regulation, if an animal is removed from land of dispatch and unloaded at any other land or premises (including a livestock saleyard) during transit, that other land or premises will be taken to be the destination land.

65—Animals at livestock saleyards must have PID and movement documentation

- (1) If an animal at a livestock saleyard is not identified with a PID, the owner and the person responsible for the management of the animal immediately before its movement to the saleyard are each guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) If, at a livestock saleyard, an animal—

- (a) that is not identified with a PID; or
- (b) in respect of which movement documentation relating to the movement of the animal to the saleyard has not been provided as required under regulation 62,

is sold, the saleyard operator, the stock agent acting on behalf of the vendor and the person responsible for the management of the animal at the saleyard are each guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (3) If an animal bears a non-functioning PID, the operator of the saleyard or a stock agent may cause the animal to be identified with a replacement PID bearing the identification code of the saleyard.

- (4) Before an animal that is not identified with a PID, or bears a non-functioning PID, is removed from a livestock saleyard—

- (a) the operator of the saleyard or a stock agent must, if the animal is not identified with a PID, cause the animal to be identified with a replacement PID bearing the identification code of the saleyard; and
- (b) the operator of the saleyard must notify the NLIS database manager of—
 - (i) the prescribed movement details relating to the movement of the animal to the saleyard (including, in the case of a non-functioning PID, the number or code on that PID); and
 - (ii) the number or code on any replacement PID.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (5) If an animal is identified with a replacement PID under subregulation (3) or (4), the saleyard operator or stock agent must make, and keep for at least 2 years, a written record of—

- (a) the prescribed movement details relating to the movement of the animal to the saleyard; and
- (b) the name of the person responsible for causing the animal to be identified with the replacement PID; and
- (c) the date on which the PID was attached or inserted; and
- (d) the name of the vendor of the animal.

Maximum penalty: \$5 000.

Expiation fee: \$315.

66—NLIS notification of animals consigned to livestock saleyard for sale

- (1) The following provisions apply in relation to animals consigned to a livestock saleyard for sale:
- (a) by the end of each day on which animals are offered for sale at the saleyard, the operator of the saleyard must notify the NLIS database manager—
 - (i) for each animal that arrives at the saleyard and is sold at the saleyard on that day, of—
 - (A) the prescribed movement details relating to the movement of the animal to the saleyard; and
 - (B) the date of the sale; and
 - (ii) for each animal that arrives at the saleyard but is not sold at the saleyard on that day, of—
 - (A) the prescribed movement details relating to the movement of the animal to the saleyard; and
 - (B) the date of the arrival; and
 - (C) in addition, in the case of an animal that was dead on arrival—the identification code approved by the Chief Inspector for use in the circumstances as a default deceased code;
 - (b) the operator of the saleyard must, for each animal sold at the saleyard, update the entry in the database for the animal with details as follows:
 - (i) if, by the end of the day of sale of the animal, the operator is aware of the destination land for the animal, the operator must—
 - (A) if the destination land is an abattoir—by the end of that day; or
 - (B) in any other case—within 2 working days after the sale,update the entry with the identification code of that land and, in the case of sheep or goats, the total number of animals in the consignment (including the animal) that are to be or have been moved direct to that land;
 - (ii) if, by the end of the day of sale of the animal, the operator is not aware of the destination land for the animal, the operator must, within 2 working days after the sale, update the entry with—
 - (A) the identification code of the stock agent acting on behalf of the purchaser of the animal, or, if no such agent was used, the stock agent acting on behalf of the vendor of the animal; and
 - (B) in the case of sheep or goats, the total number of animals in the consignment (including the animal) that are to be or have been moved direct to the destination land;
 - (c) if the operator of the saleyard updates the entry in the database for an animal with the identification code of a stock agent under paragraph (b)(ii)(A), the operator must ensure that the stock agent is aware that his or her identification code has been used for that purpose;
 - (d) before, or as soon as practicable (and, in any event, within 2 working days) after, an animal that has not been sold at the saleyard is removed from the saleyard, the operator of the saleyard must update the entry in the database for that animal with the identification code of the destination land for the animal;

- (e) before, or as soon as practicable (and, in any event, within 2 working days) after an animal that has died at the saleyard is disposed of at the saleyard or removed from the saleyard, the operator of the saleyard must update the entry in the database for that animal with the identification code approved by the Chief Inspector for use in the circumstances as a default deceased code;
- (f) if the operator of the saleyard becomes aware that information provided to the NLIS database manager is inaccurate or incomplete through an omission or error made by the operator, the operator must, as soon as practicable, provide the correct or complete information.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) A person (whether or not a stock agent) who offers an animal for sale at a livestock saleyard must provide the operator of the saleyard with information necessary for the operator to comply with subregulation (1).

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (3) A person (whether or not a stock agent) who purchases an animal at a livestock saleyard must comply with the following provisions:

- (a) if the destination land for the animal has been determined before the end of the day of the purchase, the person must, on that day, notify the operator of the saleyard of the identification code of that land;
- (b) if the destination land for the animal has not been determined before the end of the day of the purchase, the person must, on that day, notify the operator of the saleyard of the identification code of the stock agent acting on behalf of the purchaser, or, if no such agent was used, the stock agent acting on behalf of the vendor.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (4) If a person notifies the saleyard operator of the identification code of destination land under subregulation (3)(a), the agent must, as soon as practicable (and, in any event, within 2 working days) after that notification, give written notice to the purchaser of the animal setting out details of the identification code provided.

Maximum penalty: \$5 000.

Expiation fee: \$315.

Note—

The notice may be included on an invoice.

- (5) If a person notifies the saleyard operator of the identification code of a stock agent under subregulation (3)(b), the person must ensure that the stock agent is aware that his or her identification code has been used for that purpose.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (6) A stock agent whose identification code has been provided to the saleyard operator under subregulation (3)(b) must, before, or as soon as practicable (and, in any event, within 7 working days) after, the animal is removed from the saleyard, notify the NLIS database manager of the identification code of the destination land for the animal.
- Maximum penalty: \$5 000.
Expiation fee: \$315.
- (7) If a stock agent notifies the NLIS database manager of the identification code of destination land under subregulation (6), the agent must, as soon as practicable (and, in any event, within 2 working days) after that notification, give written notice to the purchaser of the animal setting out details of the identification code provided.
- Maximum penalty: \$5 000.
Expiation fee: \$315.
- Note—**
- The notice may be included on an invoice.
- (8) It is not a defence to a charge of an offence against subregulation (3) to establish that an identification code had not previously been allocated in respect of the land or person concerned.
- (9) A person selling or purchasing an animal through a stock agent must provide the stock agent with information necessary for the stock agent to comply with this regulation.
- Maximum penalty: \$5 000.
Expiation fee: \$315.
- (10) If the purchaser of an animal becomes aware that information provided to the operator of a livestock saleyard or the NLIS database manager in respect of the animal under this regulation is inaccurate or incomplete or that an animal was not moved direct to the destination land contemplated at the time the information was provided, the purchaser must, as soon as practicable, notify the NLIS database manager of the correct or complete information.
- Maximum penalty: \$5 000.
Expiation fee: \$315.

67—NLIS notification of movement of bobby calves from land of pasture to abattoir

The person responsible for transporting bobby calves from land on which they have been pastured to an abattoir must—

- (a) ensure that the PID attached to each calf is scanned and the electronic information recorded before removal of the calves from the land; and
- (b) notify the NLIS database manager, before the end of the day of arrival of the calves at the abattoir or before their slaughter (whichever occurs first), of the prescribed movement details relating to the movement of the calves to the abattoir.

Maximum penalty: \$5 000.

Expiation fee: \$315.

68—Animals at abattoirs must have PID and movement documentation

- (1) If an animal at an abattoir is not identified with a PID, the owner and the person responsible for the management of the animal immediately before its movement to the abattoir are each guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) If, at an abattoir, an animal—

(a) that is not identified with a PID; or

(b) in respect of which—

- (i) in the case of an animal that was moved direct to the abattoir from land on which it was pastured—movement documentation relating to the movement of the animal to the abattoir has not been provided as required under regulation 62(2); or
- (ii) in the case of an animal that was moved direct to the abattoir from a livestock saleyard to which it was consigned for sale and kept for a period not exceeding 7 days—documentation relating to the movement of the animal to the saleyard has not been provided as required under regulation 62(3),

is slaughtered, the operator of the abattoir and the person responsible for the management or slaughter of the animal are each guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (3) No offence is committed under subregulation (2) if the operator of the abattoir notifies an inspector, before the slaughter, of the omission and of as many prescribed movement details relating to the movement of the animal to the abattoir as may be reasonably ascertained in the circumstances.

69—NLIS notification when animals slaughtered

- (1) The operator of an abattoir must, within 2 working days after slaughtering an animal, notify the NLIS database manager of—

(a) the date of slaughter of the animal; and

(b) in addition—

(i) in the case of cattle—

(A) if the animal was moved direct to the abattoir from land on which it was pastured—the prescribed movement details relating to the movement of the animal to the abattoir; or

(B) if the animal was moved direct to the abattoir from a livestock saleyard to which it had been consigned for sale and at which it had been kept for a period not exceeding 7 days—

- the number or code on the animal's PID; and
- the identification code of the land on which the animal was last pastured; or

(ii) in the case of sheep or goats—

- (A) if the animal was moved direct to the abattoir from land on which it was pastured—the prescribed movement details relating to the movement of the animal to the abattoir; or
- (B) if the animal was moved direct to the abattoir from a livestock saleyard to which it had been consigned for sale and at which it had been kept for a period not exceeding 7 days—
 - the type of animal (that is, whether sheep or goat); and
 - the total number of animals in the consignment to the abattoir (including the animal); and
 - the identification code of the saleyard.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) The operator of an abattoir must keep a written record of the details referred to in subregulation (1) (other than those details required to be kept by the operator under regulation 62(5)) for at least 2 years.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (3) The owner or person responsible for the management of an animal at an abattoir must provide the operator of the abattoir with information necessary for the operator to comply with subregulation (1).

Maximum penalty: \$5 000.

Expiation fee: \$315.

70—Identification of animal at abattoir must be possible until fitness for human consumption assessed

The operator of an abattoir must ensure that the abattoir has in place post-slaughter procedures approved by the Chief Inspector that will enable the determination, at any time until an assessment is made of the fitness for human consumption of the carcass of an animal, of—

- (a) in the case of an animal that was moved direct to the abattoir from land on which it was pastured—the prescribed movement details relating to the movement of the animal to the abattoir; or
- (b) in the case of an animal that was moved direct to the abattoir from a livestock saleyard to which it had been consigned for sale and at which it was kept for a period not exceeding 7 days—the prescribed movement details relating to the movement of the animal to the saleyard.

Maximum penalty: \$5 000.

Expiation fee: \$315.

71—False or misleading statements under this Division

A person must not make a statement that is false or misleading in a material particular (whether by reason of the inclusion or omission of any particular) in any details required to be provided under this Division.

Maximum penalty/expiation fee:

- (a) If the person made the statement knowing that it was false or misleading:

Maximum penalty—\$10 000.

- (b) In any other case:

Maximum penalty—\$5 000.

Expiation fee—\$315.

Division 2—Identification of pigs

72—Identification of pigs

- (1) A person who keeps pigs must ensure that a pig that weighs 20 kilograms or more is not removed for the purposes of sale or slaughter from land on which it is kept unless it has a tattoo that complies with the requirements of subregulation (2).

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) The tattoo must comply with the following requirements:

- (a) the tattoo must comprise the characters of a pig tattoo code associated with a current PIC for the land from which the pig is removed;
- (b) the characters making up the pig tattoo code must be clearly legible;
- (c) the tattoo must be marked with paste or ink of a kind approved by the Chief Inspector;
- (d) the tattoo must be on the following shoulder of the pig:
 - (i) if the tattoo was applied on the property on which the pig was born—the left shoulder of the pig; and
 - (ii) in any other case—the right shoulder of the pig.

- (3) A person who keeps pigs is guilty of an offence if, when a pig kept by the person is marked with a pig tattoo code, the code is not associated with a current PIC for the land on which the pig is kept.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (4) A person must not—

- (a) mark the shoulder of a pig with a tattoo other than for the purposes of this regulation; or
- (b) remove a tattoo from the shoulder of a pig other than as authorised by the Chief Inspector in accordance with regulation 5.

Maximum penalty: \$5 000.

Expiation fee: \$315.

Division 3—Identification of deer

73—Identification of deer

A person who keeps deer must ensure that deer are not removed from land on which they are kept unless attached to the ear of each animal is an identification tag that bears the identification code of the land from which it is removed.

Maximum penalty: \$5 000.

Expiation fee: \$315.

Division 4—General

74—Removal of livestock in contravention of this Part

- (1) If an inspector suspects on reasonable grounds that a person has removed, or is about to remove, livestock from property in contravention of this Part, the inspector may—
 - (a) require the owner or person in charge of the animals to—
 - (i) muster them at or take them to a specified place convenient for inspecting or attaching identification tags to the animals;
 - (ii) attach PIDs or identification tags to animals found not to be tagged or otherwise identified in accordance with this Part;
 - (iii) detain the animals at a specified place, or return the animals to the place from which they have been removed, until they are tagged or otherwise identified in accordance with this Part; and
 - (b) if the owner or person in charge refuses or fails to comply with such a requirement, take the action required to be taken, with or without assistance.
- (2) The Minister may recover costs and expenses reasonably incurred by an inspector under subregulation (1)(b) by action in a court of competent jurisdiction as a debt owed by the person of whom the requirement was made.

75—Types of devices

A person must only attach to, or insert in, an animal a PID of the following kind:

- (a) if the device is to be attached to or inserted in the animal on the property on which the animal was born—a device of a kind approved by the Chief Inspector as a breeder device; or
- (b) in any other case—a device of a kind approved by the Chief Inspector as a post-breeder device.

Maximum penalty: \$5 000.

Expiation fee: \$315.

76—Authorisation of manufacturers and recyclers

The Chief Inspector may, in accordance with regulation 5, authorise a person—

- (a) to manufacture identification tags or PIDs for the purposes of this Part; or
- (b) to recycle PIDs for the purposes of this Part.

77—Supply of tags and devices

An authorised manufacturer or authorised recycler—

- (a) may only supply identification tags or PIDs to persons on receipt of an order form validated in a manner approved by the Chief Inspector; and
- (b) must keep records of the persons to whom the tags or devices are supplied and the number and type of tags or devices supplied in respect of each identification code.

Maximum penalty: \$5 000.

Expiation fee: \$315.

78—Animal must not have more than 1 PID

- (1) A person must not attach to or insert in an animal a PID if the animal already has a PID attached to or inserted in it.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) This regulation does not apply to the attachment of a post-breeder device to an animal—
 - (a) in accordance with regulation 75(b); or
 - (b) as a replacement for any non-functioning PID.

79—PIDs and tags must bear correct information

- (1) If a person attaches to or inserts in an animal a PID, or a tag, that bears an identification code of land other than—
 - (a) the land on which the animal is then pastured; or
 - (b) a livestock saleyard to which the animal has been consigned for sale and is then kept,

the owner of the animal and any person who caused the PID or tag to be so attached or inserted are each guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) If a person attaches a tag to an animal indicating that the animal has a PID inserted in it and the animal does not have a PID inserted in it, the owner of the animal and any person who caused the tag to be so attached are each guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$315.

80—Removal and disposal of PIDs

- (1) A person must not remove a PID from an animal.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) Subregulation (1) does not apply—

- (a) to an inspector or a person acting in the course of his or her duties at an abattoir; or
- (b) to the removal of a non-functioning PID before its replacement with a functioning PID.

- (3) The operator of an abattoir must ensure that all PIDs removed from animals at the abattoir are, on a regular basis and in any event at least monthly—
- (a) destroyed; or
 - (b) sent to an authorised recycler.
- Maximum penalty: \$5 000.
Expiation fee: \$315.
- (4) Any other person who has possession of a PID in circumstances in which the person is not entitled to use the PID for the purposes of this Part must deal with or dispose of the PID in a manner approved by the Chief Inspector.
- Maximum penalty: \$5 000.
Expiation fee: \$315.

81—Replacement of lost devices other than at livestock saleyards

- (1) If—
- (a) an animal has a PID attached to or inserted in it; and
 - (b) the device is subsequently lost; and
 - (c) a replacement PID is then attached to or inserted in the animal,
- the person who attaches or inserts the replacement device must keep records which will enable the replacement device to be identified.
- Maximum penalty: \$2 500.
Expiation fee: \$210.
- (2) A person must keep records required under subregulation (1) in relation to an animal for not less than 2 years after the date on which the animal dies or is otherwise disposed of by the person.
- (3) This regulation does not apply in relation to a replacement PID attached to an animal at a livestock saleyard under regulation 65.

82—Offence to alter or deface tags and devices

A person must not alter or deface an identification tag or PID that is attached to or inserted in an animal.

Maximum penalty: \$5 000.

Expiation fee: \$315.

83—Signing of vendor declarations

A person must not sign a vendor declaration in connection with the sale or proposed sale of livestock unless the person is, or was immediately before the sale or consignment of the livestock for sale—

- (a) the owner of the livestock; or
- (b) a person responsible for the husbandry of the livestock authorised by the owner to do so.

Maximum penalty: \$5 000.

Expiation fee: \$315.

84—False or misleading vendor declarations

A person must not make a statement that is false or misleading in a material particular (whether by reason of the inclusion or omission of any particular) in a vendor declaration.

Maximum penalty/expiation fee:

- (a) If the person made the statement knowing that it was false or misleading:

Maximum penalty—\$10 000.

- (b) In any other case:

Maximum penalty—\$5 000.

Expiation fee—\$315.

85—Chief Inspector may authorise acts otherwise prohibited under this Part

The Chief Inspector may authorise (in accordance with regulation 5) an act or activity that would otherwise be prohibited under this Part.

86—Records kept under this Part

A person who is required to keep a record under this Part must, at the request of an inspector or other person authorised in writing by the Chief Inspector, produce the record for inspection.

Maximum penalty: \$2 500.

Expiation fee: \$210.

Part 12—Fees**87—Fees**

- (1) The fees payable under the Act and these regulations are set out in Schedule 3.
- (2) The Chief Inspector may waive or reduce a fee if the Chief Inspector considers it appropriate in the circumstances.

Schedule 1—Vaccines**Part 1—Class 1 vaccines****1—Class 1 vaccines**

A class 1 vaccine is a preparation or substance capable of producing immunity in livestock to the following organisms or disease syndromes:

- (a) anthrax;
- (b) avian encephalomyelitis;
- (c) *Dichelobacter nodosus*;
- (d) Mareks disease;
- (e) rabies;
- (f) Shopes fibroma virus.

Part 2—Class 2 vaccines

2—Class 2 vaccines

A class 2 vaccine is a preparation or substance capable of producing immunity in livestock to the following organisms or disease syndromes:

- (a) bovine pestivirus;
- (b) *Campylobacter fetus* var *venerealis*;
- (c) canine adenovirus;
- (d) canine distemper;
- (e) canine calicivirus;
- (f) canine parainfluenza virus;
- (g) canine parvovirus;
- (h) canine staphylococcal dermatitis;
- (i) equine staphylococcal dermatitis;
- (j) feline calicivirus;
- (k) feline herpes virus;
- (l) feline panleukopaenia;
- (m) feline viral rhinotracheitis;
- (n) feline T-lymphocytic lentivirus;
- (o) infectious bovine rhinotracheitis;
- (p) infectious canine hepatitis;
- (q) Parainfluenza 3 virus;
- (r) Staphylococcal mastitis;
- (s) *Streptococcus equi*.

Schedule 2—Stock foods

Part 1—Prohibited substances

Hormones (whether a natural or synthetic product)

Hydroquinone

Phenothiazine

Phthalysulfacetamide

Piperazine and related compounds

Promazines

Reserpine

Sulfacetamide

Sulfacetamide sodium

Sulfachloropyridazine

Sulfafurazole

Sulfamethoxydiazine

Sulfamonomethoxine

Sulfanilimide

Sulfanitran

Sulfapyridine
 Sulfathiazole
 Thiofurfuran (except in stock food supplied for consumption by pigs)
 Thiouracil

Part 2—Permitted levels of organochlorine pesticides

| Substance | Permitted maximum level |
|------------------------------|-------------------------|
| Aldrin | 0.01 ppm |
| Chlordane | 0.01 ppm |
| DDT, DDD, DDE combined total | 0.05 ppm |
| Dieldrin | 0.01 ppm |
| Endrin | 0.03 ppm |
| Heptachlor | 0.02 ppm |
| Hexachlorobenzene (HCB) | 0.01 ppm |
| Lindane (BHC) | 0.10 ppm |
| Any combination of the above | 0.10 ppm in aggregate |

ppm = parts per million

Part 3—Permitted levels of certain antioxidants

| Substance | Permitted maximum level |
|------------------------------|-------------------------|
| Butylated hydroxy toluene | 100 ppm |
| Butylated hydroxy anisole | 100 ppm |
| Ethoxyquin | 150 ppm |
| Propyl gallate | 100 ppm |
| Any combination of the above | 150 ppm in aggregate |

ppm = parts per million

Schedule 3—Fees

| | | |
|---|---|---------|
| 1 | Application for registration or renewal of registration under section 17 of the Act as a beekeeper | \$23.60 |
| | No fee is payable under item 1 if the bees are kept for the purposes of instruction in an educational institution approved by the Chief Inspector. | |
| 2 | Application for registration or renewal of registration under section 17 of the Act as a deer keeper | \$76.00 |
| | If the term for which registration is to be granted or renewed is less than or more than 24 months, a pro rata adjustment is to be made to the amount of the fee under item 1 or 2 by applying the proportion that the number of whole months in the term bears to 24 months. | |

No registration fee is payable under item 2 if—

| | | |
|-----|--|----------|
| (a) | the application is accompanied by an application for the allocation or renewal of a PIC for the land where the deer are or are to be kept; and | |
| (b) | the proposed term of registration is no longer than the proposed term for which the PIC will be current; and | |
| (c) | a fee is payable for the application for the allocation or renewal of the PIC that is not less than the fee that would be payable for registration apart from this provision. | |
| 3 | Application for registration or renewal of registration of an artificial breeding centre | \$330.00 |
| 4 | Application for registration or renewal of registration authorising an artificial breeding procedure (The same fee applies in relation to an applicant for, or for renewal of, registration authorising more than 1 category of artificial breeding procedure). | \$66.50 |
| 5 | Application for registration or renewal of registration of a diagnostic laboratory | \$413.00 |
| 6 | Late application fee for renewal of registration | \$39.25 |
| 7 | Replacement certificate of registration | \$33.25 |
| 8 | Application for allocation or renewal of identification code—for each code If the term for which the code is to be allocated or renewed is less than or more than 24 months, a pro rata adjustment is to be made to the amount of the fee under item 7 by applying the proportion that the number of whole months in the term bears to 24 months. | \$76.00 |
| 9 | Late application fee for renewal of PIC | \$39.25 |
| 10 | For an extract from the register of identification codes comprised of a PIC or associated pig tattoo code and related details— | |
| (a) | for each PIC | \$34.25 |
| (b) | to a maximum of | \$183.00 |

Schedule 4—Revocation and transitional provisions

Part 1—Revocation of *Livestock Regulations 1998*

1—Revocation of *Livestock Regulations 1998*

The *Livestock Regulations 1998* are revoked.

Part 2—Transitional provisions

2—Interpretation

In this Part—

revoked regulations means the *Livestock Regulations 1998*.

3—HGP free declaration

An approval by the Chief Inspector of the form of a declaration for the purposes of the definition of **HGP free declaration** under the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval by the Chief Inspector of that matter for the purposes of the definition of **HGP free declaration** under these regulations.

4—HGP free invoice

An approval by the Chief Inspector of the form of an endorsement for the purposes of the definition of *HGP free invoice* under the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval by the Chief Inspector of that matter for the purposes of the definition of *HGP free invoice* under these regulations.

5—HGP free tag

A specification by the Chief Inspector in relation to the colour of a tag and any other requirement for the purposes of the definition of *HGP free tag* under the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be a specification by the Chief Inspector in relation to those matters for the purposes of the definition of *HGP free tag* under these regulations.

6—National vendor declaration

A notice in the Gazette designating a vendor declaration in relation to animals of a particular type as a national vendor declaration for animals of that type for the purposes of the definition of *national vendor declaration* under the revoked regulations, in force immediately before the commencement of this clause will be taken, on that commencement, to be a notice in the Gazette in relation to that matter for the purposes of the definition of *national vendor declaration* under these regulations.

7—NLIS database manager

A notice in the Gazette designating a person as the NLIS database manager, for the purposes of the definition of *NLIS database manager* under the revoked regulations, in force immediately before the commencement of this clause will be taken, on that commencement, to be a notice in the Gazette in relation to that matter for the purposes of the definition of *NLIS database manager* under these regulations.

8—Sheep health statement

An approval by the Chief Inspector of a form of declaration about the health of sheep for the purposes of the definition of *sheep health statement* under the revoked regulations, in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval by the Chief Inspector of that matter for the purposes of the definition of *sheep health statement* under these regulations.

9—Vendor declaration

An approval by the Chief Inspector of a vendor declaration form, for the purposes of the definition of *vendor declaration* under the revoked regulations, in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval by the Chief Inspector of that matter for the purposes of the definition of *vendor declaration* under these regulations.

10—Authorisations

- (1) An authorisation of the Chief Inspector of a matter under regulation 5A of the revoked regulations and in force immediately before the commencement of this clause will be taken, on that commencement, to be an authorisation of the Chief Inspector of that matter under regulation 5 of these regulations.
- (2) The authorisation under these regulations is subject to the same conditions (if any) as the authorisation under the revoked regulations.

11—Annual honey testing for American Foul Brood

- (1) A notice issued by the Chief Inspector under regulation 5F of the revoked regulations and in force immediately before the commencement of this clause will be taken, on that commencement, to be a notice issued by the Chief Inspector under regulation 10 of these regulations.
- (2) An approval of a laboratory by the Chief Inspector under regulation 5F of the revoked regulations for the purpose of testing for the presence of American Foul Brood and in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval by the Chief Inspector of the laboratory for that purpose under regulation 10 of these regulations.

12—Conditions of registration of artificial breeding centre

An approval by the Chief Inspector under regulation 8(b) of the revoked regulations in force immediately before the commencement of this clause in relation to—

- (a) the alteration or extension of premises; or
- (b) the use of the premises for procedures not authorised by the registration,

will be taken, on that commencement, to be an approval of the Chief Inspector in relation to those respective matters under regulation 18(b) of these regulations.

13—Conditions of registration of veterinary diagnostic laboratories

- (1) An approval by the Chief Inspector of a person or persons to supervise a laboratory under regulation 13(a) of the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval by the Chief Inspector of the person or persons to supervise the laboratory under regulation 23(a) of these regulations.
- (2) An approval by the Chief Inspector in relation to the movement of a laboratory sample or specimen under regulation 13(e) of the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval by the Chief Inspector in relation to that matter under regulation 23(e) of these regulations.
- (3) An approval by the Chief Inspector of a quality assurance program under regulation 13(g) of the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval by the Chief Inspector of the quality assurance program under regulation 23(g) of these regulations.

14—Sale or supply of vaccines

An approval by the Chief Inspector under regulation 15(1) of the revoked regulations in force immediately before the commencement of this clause of—

- (a) a person to whom a class 1 vaccine may be sold or supplied and the sale or supply of that vaccine; or
- (b) a person to whom a class 2 vaccine may be sold or supplied; or
- (c) the sale or supply of any other vaccine for use on livestock,

will be taken, on that commencement, to be an approval by the Chief Inspector of those matters under regulation 27(1) of these regulations.

15—Use of vaccines

An approval by the Chief Inspector under regulation 16 of the revoked regulations in force immediately before the commencement of this clause in relation to the use of a class 1 or class 2 vaccine will be taken, on that commencement, to be an approval by the Chief Inspector of that matter under regulation 28 of these regulations.

16—Prohibition on use of diagnostic agents

An approval by the Chief Inspector under regulation 18 of the revoked regulations in force immediately before the commencement of this clause in relation to the use of a diagnostic agent will be taken, on that commencement, to be an approval by the Chief Inspector in relation to that matter under regulation 30 of these regulations.

17—Approvals relating to restricted animal material

An approval by the Chief Inspector under regulation 37 or regulation 41 of the revoked regulations in force immediately before the commencement of this clause of a process in relation to restricted animal material from a placental mammal will be taken, on that commencement, to be an approval by the Chief Inspector in relation to that matter under regulation 38 or regulation 42 of these regulations.

18—PICs

A PIC allocated by the Chief Inspector under regulation 25 of the revoked regulations and active in relation to a place immediately before the commencement of this clause will be taken, on that commencement—

- (a) to be a current PIC in relation to that place allocated under regulation 52 of these regulations; and
- (b) to remain current in relation to that place for the remainder of the period for which it would have been active under regulation 25 of the revoked regulations immediately before that commencement.

19—Pig tattoo codes

A pig tattoo code allocated by the Chief Inspector under regulation 25B of the revoked regulations and active in relation to land (by means of an associated PIC for the land) immediately before the commencement of this clause will be taken, on that commencement, to be a current pig tattoo code in relation to that land allocated under regulation 54 of these regulations.

20—Stock agent identification codes

An identification code allocated by the Chief Inspector to a stock agent under regulation 25D of the revoked regulations and active immediately before the commencement of this clause will be taken, on that commencement, to be a current identification code allocated in relation to that stock agent under regulation 56 of these regulations.

21—Register of PICs and pig tattoo codes

The register of property identification codes maintained under regulation 25F of the revoked regulations immediately before the commencement of this clause continues, on that commencement, as the register of PICs under regulation 58 of these regulations.

22—Approval of default code or default deceased code

- (1) An approval by the Chief Inspector of an identification code as a default code under regulation 27D(1)(b)(ii)(C) of the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval of that matter under regulation 64(1)(b)(ii)(C) of these regulations.
- (2) An approval by the Chief Inspector under regulation 27EA(1) of the revoked regulations of an identification code as a default deceased code in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval of that matter under regulation 66(1) of these regulations.

23—Identification of animal at abattoir must be possible until fitness for human consumption assessed

An approval by the Chief Inspector of a post-slaughter procedure under regulation 27EF of the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval of that matter under regulation 70 of these regulations.

24—Identification of pigs

An approval by the Chief Inspector of a kind of paste or ink (for a tattoo) under regulation 27FA(2)(c) of the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval of that matter under regulation 72(2)(c) of these regulations.

25—Breeder and post-breeder devices

An approval by the Chief Inspector of a device as a breeder device or a post-breeder device under regulation 28 of the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval of that matter under regulation 75 of these regulations.

26—Supply of tags and devices

An approval by the Chief Inspector of a manner of validation of an order form under regulation 29B of the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval of that matter under regulation 77 of these regulations.

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's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

No 197 of 2013

13MAFF09CS

South Australia

Motor Vehicles Variation Regulations 2013

under the *Motor Vehicles Act 1959*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Motor Vehicles Regulations 2010*

- 4 Variation of regulation 44A—Use of photographs by Registrar under section 77BA(2)(e) of Act
 - 5 Substitution of regulation 64
 - 64 Applicant for licence to supply photographs to Registrar
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Motor Vehicles Variation Regulations 2013*.

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 *Motor Vehicles Regulations 2010*

4—Variation of regulation 44A—Use of photographs by Registrar under section 77BA(2)(e) of Act

Regulation 44A—after subregulation (1) insert:

- (1a) Photographs to which section 77BA of the Act applies may be used by the Registrar—
 - (a) for inclusion on a motor driving instructor's licence; or
 - (b) to assist in determining the identity of a person applying for—
 - (i) the issue of a motor driving instructor's licence; or
 - (ii) the issue of a duplicate motor driving instructor's licence.

5—Substitution of regulation 64

Regulation 64—delete the regulation and substitute:

64—Applicant for licence to supply photographs to Registrar

An applicant for a motor driving instructor's licence must, if requested to do so by the Registrar, supply 2 unmounted copies of a recent photograph of the applicant that—

- (a) depict only the head and shoulders of the applicant taken "full face" without any head covering and against a plain background; and
- (b) are of a size determined by the Registrar.

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's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

No 198 of 2013

MRS13/03CS

South Australia

Primary Industry Funding Schemes (Grain Industry Research and Development Fund) Regulations 2013

under the *Primary Industry Funding Schemes Act 1998*

Contents

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1—Short title

These regulations may be cited as the *Primary Industry Funding Schemes (Grain Industry Research and Development Fund) Regulations 2013*.

2—Commencement

These regulations will come into operation on 8 August 2013.

3—Interpretation

In these regulations, unless the contrary intention appears—

Act means the *Primary Industry Funding Schemes Act 1998*;

Fund—see regulation 4;

grain means—

- (a) cereal and coarse grain (for example, wheat, barley, oats, rye and triticale); or
- (b) pulses (for example, lentils, chickpeas, field peas, faba beans and lupins); or
- (c) oilseed (for example, rapeseed, canola, linseed and sunflower seed),

but does not include pasture seed (for example, lucerne, medic and clover seed);

grain grower means a person who carries on the business of producing grain;

quarter means any period of 3 months commencing on 1 January, 1 April, 1 July or 1 October;

South Australian Grain Industry Trust Fund means the fund established under the trust deed;

trust deed means the trust deed approved under section 9A of the expired *Wheat Marketing Act 1989*.

4—Grain Industry Research and Development Fund

- (1) The Grain Industry Research and Development Fund (the *Fund*) is established.
- (2) The Fund will be administered by the Minister.
- (3) The Fund consists of—
 - (a) contributions paid or collected in accordance with these regulations; and
 - (b) income of the Fund from investment; and
 - (c) any other sums received by the Minister for payment into the Fund.

5—Contributions for grain sold by grain growers

- (1) Contributions are payable to the Minister for payment into the Fund as follows:
 - (a) the amount payable is—
 - (i) 30 cents; or
 - (ii) if some other amount (which may be 0) is specified by the Minister by notice in the Gazette—that other amount,
for each tonne of grain produced and sold by a grain grower;
 - (b) contributions are payable on behalf of the grain grower by the person who purchases the grain from the grain grower (the *purchaser*);
 - (c) contributions are payable on a monthly basis, or, with the approval in writing by the Minister on application by the purchaser, on a quarterly or yearly basis;
 - (d) contributions payable for grain sold during a particular month (or other period as may be approved under paragraph (c)) fall due 28 days after that month (or other period).
- (2) A purchaser who pays contributions on behalf of a grain grower must—
 - (a) deduct the amount of the contributions from the amount payable by the purchaser to the grain grower for the grain; and
 - (b) keep proper records constituting evidence of the sale and deduction and make those records available for inspection at any reasonable time by a person authorised by the Minister for the purpose.
- (3) Each monthly (or other periodic) payment of contributions to the Minister must be accompanied by a statement setting out the name and address of each grain grower on whose behalf the contributions are paid and, for each grain grower, the tonnage of grain sold to the purchaser during the month (or other period) in respect of which the contributions are paid.
- (4) The Minister may—
 - (a) vary or revoke a notice in the Gazette made under subregulation (1)(a) by subsequent notice in the Gazette;
 - (b) vary or revoke an approval under subregulation (1)(c).
- (5) A reference in subregulation (1)(a) to grain produced by a grain grower is a reference to grain produced by the grain grower during any season (including grain produced before the commencement of these regulations and sold after that commencement).

6—Refunds of contributions

- (1) A grain grower may, by notice in writing to the Minister, within the 12 months following a financial year in respect of which contributions have been paid on behalf of the grain grower, make a claim for a refund in respect of those contributions.
- (2) A grain grower claiming a refund under subregulation (1) must supply the Minister with—
 - (a) evidence acceptable to the Minister of the contributions made on behalf of the grain grower in respect of which the claim for refund is made; and
 - (b) if required by the Minister, verification of that evidence in the form of a statutory declaration.
- (3) If the grain grower satisfies the Minister that the grain grower is entitled to a refund, the Minister must refund to the grain grower the amount of contributions paid on behalf of the grain grower in respect of grain sold during the relevant financial year.

7—Application of Fund

The Fund may be applied by the Minister for any of the following purposes:

- (a) payments to the trustees of the South Australian Grains Industry Trust Fund for 1 or more of the following purposes:
 - (i) the reasonable operating and management expenses of the Trust;
 - (ii) funding research and development into the growing, harvesting, storage, processing and marketing of grain;
 - (iii) dissemination of technical information to persons associated with the grain industry;
 - (iv) collection and dissemination to grain growers of information relevant to research and development into grains;
 - (v) other purposes of the Trust;
- (b) payments for other purposes related to the funding of research and development into grains;
- (c) payment of the expenses of administering the Fund;
- (d) repayment of contributions to the Fund under regulation 6.

8—Grain growers in default of contributions not entitled to benefits

- (1) A grain grower who is in default in relation to contributions to the Fund is not entitled to receive direct benefits or services funded by payments from the Fund.
- (2) A grain grower is in default in relation to contributions to the Fund if, within the immediately preceding 2 financial years—
 - (a) all or some of the contributions payable to the Fund on behalf of the grain grower have not been paid; or
 - (b) the grain grower has been refunded contributions from the Fund.

9—Exchange of information

- (1) The Minister may require a body to which payments are made out of the Fund under regulation 7(a) to provide the Minister with—
 - (a) a copy of the financial statements of the body; and

- (b) a copy of the annual report of the body; and
 - (c) a copy of any business plan of the body; and
 - (d) any other information reasonably required for the purposes of these regulations.
- (2) The Minister may provide the body with information identifying grain growers on whose behalf contributions have been paid or who have been refunded contributions under these regulations.

10—False or misleading statements

A person must not make a statement that is false or misleading in a material particular (whether by reason of the inclusion or omission of any particular) in any information provided, or record kept, for the purposes of these regulations.

Maximum penalty: \$5 000.

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's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

No 199 of 2013

13MAFF24CS

South Australia

Wheat Marketing (Revocation) Regulations 2013

under the *Wheat Marketing Act 1989*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement

Part 2—Revocation of *Wheat Marketing Regulations 1998*

- 3 Revocation of regulations
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Wheat Marketing (Revocation) Regulations 2013*.

2—Commencement

These regulations will come into operation on 8 August 2013.

Part 2—Revocation of *Wheat Marketing Regulations 1998*

3—Revocation of regulations

The *Wheat Marketing Regulations 1998* 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's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

No 200 of 2013

13MAFF24CS

South Australia

National Parks and Wildlife (Breakaways Conservation Park) Regulations 2013

under the *National Parks and Wildlife Act 1972*

Contents

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Part 2—Breakaways Conservation Park Co-management Board

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- 1 Transitional provision
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Preamble

- 1 The Breakaways Reserve was dedicated as a reserve for natural features on 24 June 2001 and is under the care, control and management of the District Council of Coober Pedy.
- 2 The Antakirinja Matuntjara Yankunytjatjara people have traditional ownership and native title in relation to the land comprising the reserve.
- 3 The area of the reserve was constituted as the Breakaways Conservation Park under the Act on 4 July 2013.

Note—

See Gazette 4.7.2013 p2975.

- 4 It is now intended that the Breakaways Conservation Park be co-managed by the Antakirinja Matuntjara Yankunytjatjara people, the District Council of Coober Pedy and the Minister.
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *National Parks and Wildlife (Breakaways Conservation Park) Regulations 2013*.

2—Commencement

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

3—Interpretation

In these regulations—

Act means the *National Parks and Wildlife Act 1972*;

Antakirinja Matuntjara Yankunytjatjara people means the Native Title Holders as defined in the determination of native title made by the Federal Court of Australia in Native Title Claim SAD 6007/98 on 11 May 2011 (and ***Antakirinja Matuntjara Yankunytjatjara person*** has a corresponding meaning);

AMYAC means the Antakirinja Matu-Yankunytjatjara Aboriginal Corporation incorporated under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* of the Commonwealth;

Board means the *Breakaways Conservation Park Co-management Board* established by regulation 4;

co-management agreement means the co-management agreement for the Park, as in force from time to time;

drive includes ride;

exotic plant means a plant that is not a native plant;

filming means taking moving or still pictures by any means;

nominating body, in relation to the Board, means a body (other than the Minister) who, in accordance with the co-management agreement for the Park, nominates a person for appointment as a member of the Board;

Park means the Breakaways Conservation Park;

permit means a permit or other written permission granted by the Board under these regulations;

unprotected animal means an animal (including fish and invertebrates) that is not a protected animal.

Part 2—Breakaways Conservation Park Co-management Board

4—Establishment of Board

The *Breakaways Conservation Park Co-management Board* is established as the co-management board for the Park.

5—Composition of Board

- (1) Subject to subregulation (2), the Board consists of 7 members appointed by the Minister of whom—
 - (a) 4 must be Antakirinja Matuntjara Yankunytjatjara people appointed on the nomination of AMYAC; and
 - (b) 2 must be persons nominated by the District Council of Coober Pedy; and
 - (c) 1 must be an officer of the Department.
- (2) If AMYAC refuses or fails to nominate a Antakirinja Matuntjara Yankunytjatjara person in relation to a particular office under subregulation (1)(a), the Minister may appoint a suitable Antakirinja Matuntjara Yankunytjatjara person to fill the office.
- (3) The Minister may appoint a person to be a deputy of a member appointed under subregulation (1) and a person so appointed may act as a member of the Board in the absence of the member.
- (4) A requirement or qualification specified by this regulation in relation to an appointment of a member extends to an appointment of a deputy of that member.

6—Gender balance

In nominating and appointing the members of the Board, AMYAC, the District Council of Coober Pedy and the Minister should each, as far as is reasonably practicable, endeavour to achieve a gender balance on the Board.

7—Terms and conditions

- (1) A member of the Board will be appointed on conditions determined by the Minister and for a term, not exceeding 2 years, specified in the instrument of appointment and, at the expiration of a term of appointment, is eligible for reappointment.
- (2) A member of the Board (other than a member who is an officer of the Department, or is nominated by the Minister and is a member of the Public Service) is entitled to remuneration, allowances and expenses determined by the Minister.
- (3) The Minister may remove a member of the Board from office—
 - (a) for breach of, or non-compliance with, a condition of appointment; or
 - (b) for misconduct; or
 - (c) for failure or incapacity to carry out official duties satisfactorily.
- (4) However, the Minister may only remove a member of the Board who is a member nominated by a nominating body after consultation with the nominating body.
- (5) The office of a member of the Board becomes vacant if the member—
 - (a) dies; or
 - (b) completes a term of office and is not reappointed; or
 - (c) resigns by written notice to the Minister; or
 - (d) ceases to satisfy the qualification by virtue of which the member was eligible for appointment to the Board; or
 - (e) is removed from office under subregulation (3).
- (6) If a casual vacancy occurs in the office of a member of the Board, the Minister may appoint a suitable person (including, to avoid doubt, a person who was a deputy to the member) to fill the vacancy, and that person will hold office for the balance of the term of his or her predecessor.

Note—

This subregulation does not, however, prevent the Minister from instead appointing a new member to the Board.

8—Chairperson and Deputy Chairperson

The Minister must, in accordance with any requirements in the co-management agreement, appoint 2 of the members of the Board as Chairperson and Deputy Chairperson of the Board respectively.

9—Functions and powers of Board

- (1) The functions of the Board are—
 - (a) to carry out the functions assigned to the Board by or under the Act; and
 - (b) to carry out the functions assigned to the Board by the co-management agreement; and
 - (c) to carry out other functions assigned to the Board by the Minister.

- (2) The Board has the power to do anything necessary, expedient or incidental to the performance of its functions.
- (3) Without limiting the generality of subregulation (2), the Board may enter into any form of contract, agreement or arrangement.
- (4) The Board must perform its functions, and exercise its powers, in a manner that is consistent with the co-management agreement.

10—Procedures of Board

- (1) A quorum of the Board consists of 5 members (of whom at least 3 must be Antakirinja Matuntjara Yankunytjatjara people, at least 1 must be a member appointed under regulation 5(1)(b) and 1 must be the member appointed under regulation 5(1)(c).
- (2) The Board must meet at least 2 times in each financial year.
- (3) A meeting of the Board will be chaired by the Chairperson or, in the absence of the Chairperson, by the Deputy Chairperson or, in the absence of both, the members present at a meeting of the Board must choose 1 of their number to preside at the meeting.
- (4) Subject to this regulation, a decision carried by a majority of the votes cast by members of the Board at a meeting is a decision of the Board.
- (5) Each member present at a meeting of the Board has 1 vote on any question arising for decision.
- (6) If the Board is unable to decide a question arising for decision, the question must be referred to the Minister for decision (and the decision of the Minister will be taken to be a decision of the Board).
- (7) In making a decision under subregulation (6), the Minister—
 - (a) must have regard to any written submission made by a nominating body that is received by the Minister not more than 30 days after the date of the meeting at which the Board was unable to decide the question; and
 - (b) may have regard to any other matter the Minister thinks fit.
- (8) The Minister may direct the Board to implement, or cause to be implemented, a decision of the Minister under subregulation (6).
- (9) A conference by telephone or other electronic means between the members of the Board will, for the purposes of this regulation, be taken to be a meeting of the Board at which the participating members are present if—
 - (a) notice of the conference is given to all members in the manner determined by the Board for the purpose; and
 - (b) each participating member is capable of communicating with every other participating member during the conference.
- (10) A proposed resolution of the Board becomes a valid decision of the Board despite the fact that it is not voted on at a meeting of the Board if—
 - (a) notice of the proposed resolution is given to all members of the Board in accordance with procedures determined by the Board; and
 - (b) a quorum of the Board expresses concurrence in the proposed resolution by letter, fax, email or other written communication setting out the terms of the resolution.
- (11) The Board must have accurate minutes kept of its meetings.
- (12) Subject to these regulations, the Board may determine its own procedures.

11—Conflict of interest

- (1) A member of the Board who has a direct or indirect personal or pecuniary interest in a matter decided or under consideration by the Board—
 - (a) must, as soon as reasonably practicable, disclose in writing to the Board full and accurate details of the interest; and
 - (b) must not take part in any discussion by the Board relating to that matter; and
 - (c) must not vote in relation to that matter; and
 - (d) must be absent from the meeting room when any such discussion or voting is taking place.

Maximum penalty: \$2 000.

- (2) This regulation does not apply to a member of the Board—
 - (a) in respect of an interest that is shared in common with Antakirinja Matuntjara Yankunytjatjara people generally, or a substantial section of Antakirinja Matuntjara Yankunytjatjara people; and
 - (b) in relation to a matter in which the member has an interest while the member remains unaware that he or she has an interest in the matter (but in any proceedings against the member the burden will lie on the member to prove that he or she was not, at the material time, aware of his or her interest).
- (3) The Minister may, by notice published in the Gazette, exempt a member of the Board (conditionally or unconditionally) from the application of a provision of this regulation, and may, by further notice published in the Gazette, vary or revoke such an exemption.
- (4) Non-compliance by a member of the Board with a duty imposed by this regulation constitutes a ground for removal of the member from office.
- (5) If a member or former member of the Board is convicted of an offence for a contravention of this regulation, the court by which the person is convicted may, in addition to imposing a penalty, order the convicted person to pay to the Minister—
 - (a) if the court is satisfied that the person or any other person made a profit as a result of the contravention—an amount equal to the profit; and
 - (b) if the court is satisfied that any loss or damage has been suffered as a result of the contravention—compensation for the loss or damage.
- (6) If a member or former member of the Board is guilty of a contravention of this regulation, the Minister may (whether or not proceedings have been brought for the offence) recover from the person by action in a court of competent jurisdiction—
 - (a) if the person or any other person made a profit as a result of the contravention—an amount equal to the profit; and
 - (b) if any loss or damage has been suffered as a result of the contravention—compensation for the loss or damage.

12—Vacancies or defects in appointment of members

An act or proceeding of the Board is not invalid by reason only of a vacancy in its membership or a defect in the appointment of a member.

13—Power of delegation

- (1) The Board may delegate any of its functions or powers (other than this power of delegation)—
 - (a) to a member of the Board; or
 - (b) to an officer of the Department; or
 - (c) to the District Council of Coober Pedy, or an employee of the District Council of Coober Pedy.
- (2) A delegation—
 - (a) must be in writing; and
 - (b) may be made subject to conditions and limitations specified in the instrument of delegation; and
 - (c) is revocable at will and does not derogate from the power of the Board to act in a matter.
- (3) A delegated function or power may, if the instrument of delegation so provides, be further delegated.

14—Minister may call meetings

- (1) If—
 - (a) the Chairperson of the Board refuses or fails to call a meeting of the board within 4 months after the previous meeting; or
 - (b) 2 or more successive meetings of the Board are inquorate,then the Minister may call a meeting of the Board.
- (2) The Minister may direct the members of the Board to attend a meeting called under subregulation (1).

15—Control and management of Park during suspension of Board

- (1) Subject to this regulation, during the period of any suspension of the Board under section 43I of the Act, the Park—
 - (a) is under the control of the Minister; and
 - (b) is under the management of the Director.
- (2) The Minister and the Director must, during any period of suspension of the Board, endeavour, where appropriate, to give effect to the objects set out in section 43E of the Act.

16—Annual report

For the purposes of section 43L of the Act, the annual report of the Board must include the following:

- (a) information relating to traditional hunting activities in the Park carried out in accordance with section 68D of the *National Parks and Wildlife Act 1972*;
- (b) information relating to the effect of traditional hunting activities in the Park carried out in accordance with section 68D of the *National Parks and Wildlife Act 1972* on native plants and protected animals, or the eggs of protected animals (and in particular those species that are scheduled as rare, endangered or vulnerable under the *National Parks and Wildlife Act 1972*);

- (c) information relating to the operations and work programs undertaken by or on behalf of the Board;
- (d) information relating to Park infrastructure;
- (e) any other information required by the Minister.

Part 3—General provisions

17—Application of regulations

A warden is not subject to these regulations in relation to the performance of his or her functions or the exercise of his or her powers as a warden and an employee of the Department or the Board is not subject to these regulations in relation to the performance of the duties of his or her employment.

18—Entry to Park

- (1) A person must not enter or remain on the Park unless the person has paid the appropriate fee (if any) set by the Board.
- (2) This regulation does not apply to Antakirinja Matuntjara Yankunytjatjara people.

19—Opening and closing of Park

- (1) The Board may, by causing a notice to be published in the Gazette, give notice of the hours during which the Park is open to the public.
- (2) The Board may vary or revoke a notice under this regulation at any time by subsequent notice published in the Gazette.
- (3) Subject to subregulation (5), the Board may close the Park, or any part of the Park—
 - (a) if, in the Board's opinion, the closure is necessary or desirable for the proper management of the Park; or
 - (b) if, in the Board's opinion, the closure is necessary or desirable to enable a cultural activity to occur; or
 - (c) if a total fire ban is in force in an area that includes all or part of the Park, or the risk of uncontrolled fire in the Park is, in the Board's opinion, extreme; or
 - (d) if it is, in the Board's opinion, in the interest of public safety to close the Park; or
 - (e) for any other reason contemplated by the co-management agreement for the Park.
- (4) The Board must not close the Park if to do so would be inconsistent with the co-management agreement.
- (5) A person must not, without the permission of the Board, enter or remain in the Park when it is closed to the public.

20—Setting aside part of the Park for a particular use

- (1) The Board may, by causing a notice to be published in the Gazette, set aside part of the Park as an area in which a particular activity may be undertaken by visitors to the Park.
- (2) A notice may impose conditions in relation to the activity and the Board may vary or revoke a notice at any time by subsequent notice published in the Gazette.
- (3) A person must not contravene or fail to comply with a condition.

21—Use of vehicles

- (1) A person must not, without the permission of the Board, drive or tow a vehicle in the Park except on a road or track set aside for that purpose by the Board or in any other area of the Park set aside for that purpose by the Board.
- (2) A person must not, without the permission of the Board, drive a vehicle in the Park at a speed that exceeds the speed limit fixed by the Board.
- (3) A person must not drive a vehicle in the Park without due care, recklessly or at a speed or in a manner dangerous to the public.
- (4) A person must not leave a vehicle in a position that obstructs other vehicles from entering, leaving or proceeding along a road or track in the Park.
- (5) A warden may remove, or cause to be removed, a vehicle left in contravention of subregulation (4) and the Board may recover the costs of removal from the owner of the vehicle as a debt.
- (6) A person must not drive a motor vehicle in the Park unless it is registered and insured.
- (7) A person who drives a vehicle in the park must comply with all applicable traffic signs and signals.

22—Display of certain receipts and permits in vehicles

- (1) A person who enters the Park in a vehicle must ensure that the receipt for the entrance fee (if any) in respect of, or the permit authorising, his or her entry into the Park is displayed in the vehicle in accordance with subregulation (3) continuously until he or she or the vehicle leaves the Park.
- (2) A person who camps in the Park in or near a vehicle that he or she has travelled in to get to the camping site must ensure that the permit authorising him or her to camp in the Park is displayed in the vehicle in accordance with subregulation (3) continuously while he or she is camping in or near the vehicle.
- (3) For the purposes of these regulations a receipt for an entrance fee or a permit is displayed in a vehicle only if—
 - (a) the receipt or permit is displayed on the inside of the windscreen on the side of the vehicle opposite to the driver's position; or
 - (b) if, because of the design of the vehicle, it is not possible to comply with paragraph (a)—the receipt or permit is displayed in a prominent position in or on the vehicle,so that the receipt or permit is facing outwards from the vehicle and can be easily seen and read by a person standing beside the vehicle.
- (4) This regulation does not apply to a person who enters, or camps in, the Park as the client of a person conducting a tour for fee or reward if the vehicle concerned is owned by, or is under the control of, the tour operator.

23—Use of aircraft

- (1) Except in an emergency, a person must not, without the permission of the Board, use an aircraft on land in the Park except in an area set aside by the Board for that purpose.
- (2) A person must not, without the permission of the Board—
 - (a) jump into the Park; or
 - (b) drop an object into the Park,from an aircraft.

24—Camping

A person must not, without the permission of the Board, camp in the Park.

25—Fires

- (1) A person must not, without the permission of the Board, light, maintain or use a fire in the Park in contravention of a ban or restriction imposed by the Board.
- (2) A person must not light or maintain a fire in the Park in contravention of the *Fire and Emergency Services Act 2005*.
- (3) A person who has lit, maintained or used a fire in the Park must not leave the fire unattended.

26—Possession and use of chainsaws

- (1) Subject to subregulation (2), a person must not, without the permission of the Board, have control of, carry or use a chainsaw in the Park.
- (2) A person may have control of, carry or use a chainsaw in the Park—
 - (a) in the course of exercising rights or performing obligations pursuant to a lease, licence or agreement under this or any other Act entered into in relation to the Park; or
 - (b) in the course of exercising powers or performing obligations under an Act or statutory instrument; or
 - (c) for the purpose of fighting a bushfire or dealing with any other emergency.

27—Use of generators and alternators

- (1) Subject to subregulation (2), a person must not, without the permission of the Board, operate a generator or alternator in the Park except in an area set aside by the Board for that purpose.
Maximum penalty: \$1 000.
Expiation fee: \$150.
- (2) Subregulation (1) does not apply in relation to the use of a motor vehicle of a kind that is normally equipped with a generator or alternator.

28—Use of metal or mineral detectors

A person must not, without the permission of the Board, use a device for detecting metal or minerals in the Park.

Maximum penalty: \$1 000.

Expiation fee: \$150.

29—Possession and use of firearms etc

- (1) Subject to subregulation (2), a person must not, without the permission of the Board—
 - (a) have control of, carry or use a firearm or other weapon; or
 - (b) have control of, carry or use explosives or fireworks,in the Park.
Maximum penalty: \$1 000.
Expiation fee: \$150.

- (2) Subregulation (1)(a) does not apply to an Aboriginal person in relation to a firearm that he or she has control of, carries or uses for the purpose of taking animals in accordance with section 68D of the Act.

30—Swimming and diving

A person must not, without the permission of the Board, swim or dive in any water (including water held in a water tank) in the Park.

31—Regulation of certain recreational activities

A person must not, without the permission of the Board—

- (a) use a hang glider or any other kind of glider; or
- (b) launch a hot air balloon; or
- (c) engage in the sport of sand boarding (sliding down a sandhill on a board),

in the Park except in an area set aside by the Board for that purpose.

32—Protection of animals

- (1) A person must not, without the permission of the Minister, take or molest an unprotected animal in the Park.
- (2) A person must not, without the permission of the Minister, intentionally damage the nest or burrow of an animal in the Park.

33—Removal of carcasses

A person must not, without the permission of the Board, remove the carcass, or any part of the carcass, of a protected animal from the Park.

34—Possession and use of devices for taking animals

- (1) Subject to subregulation (2), a person must not, without the permission of the Board, while in the Park, have control of, carry or use a device designed for the purpose of taking an animal.
- (2) Subregulation (1) does not apply to an Aboriginal person in relation to a device that he or she has control of, carries or uses for the purpose of taking animals in accordance with section 68D of the Act.

35—Bringing animals into the Park

- (1) Subject to this regulation, a person who has control of an animal must not, without the permission of the Board, bring it into the Park or permit it to enter the Park.
- (2) A person who is entitled to use the Park pursuant to a lease, licence or agreement under this or any other Act may, subject to the terms of the lease, licence or agreement, bring animals into the Park in the course of using the Park pursuant to the lease, licence or agreement.
- (3) A person may ride or lead a horse in the Park on a road or track set aside for that purpose by the Board or in any other area of the Park set aside for that purpose by the Board.
- (4) A person who needs the assistance of a guide dog may bring the dog into the Park if it is restrained on a lead not exceeding 3 metres in length while in the Park.

36—Straying and grazing of animals

A person must not, without the permission of the Board, permit an animal to stray into, or graze in, the Park unless he or she is authorised to do so by a lease, licence or agreement entered into by the Board.

37—Seizure of animals etc

- (1) If an unprotected animal is in the Park and—
 - (a) is not under the control of any person; and
 - (b) is not in the Park with the written permission of the Board or pursuant to a lease, licence or agreement under this or any other Act,a warden or any other person authorised by the Board may, subject to subregulation (2)—
 - (c) capture and dispose of the animal by sale or in any other manner; or
 - (d) destroy the animal.
- (2) If a warden or other person authorised by the Board knows, or has reason to believe, that a person claims ownership of an animal in the Park, the warden or other person must, before disposing of or destroying the animal, serve notice on the person claiming ownership requiring him or her to remove the animal from the Park within 7 days.
- (3) The notice may be served—
 - (a) personally or by post; or
 - (b) if the whereabouts of the person on whom the notice is to be served are unknown—by publication of the notice in a newspaper circulating generally throughout the State.
- (4) The costs of capturing and disposing of an animal or destroying an animal under subregulation (1) are a debt due by the owner of the animal to the Board.
- (5) An animal or the carcass of an animal that has been captured or destroyed must not be surrendered to its owner until those costs have been paid.

38—Plants

- (1) A person must not, without the permission of the Board, take an exotic plant that is growing in the Park.
- (2) A person must not, without the permission of the Board, bring a plant into the Park unless the plant is dead and is brought into the Park as food for human consumption.

39—Interference with earth etc

A person must not, without the permission of the Board—

- (a) remove from the Park any—
 - (i) soil, rock, mineral or similar material; or
 - (ii) wood, mulch or other dead vegetation; or
 - (iii) fossil or archaeological remains; or
- (b) dig or otherwise intentionally disturb any soil or similar material in the Park; or
- (c) intentionally disturb any—
 - (i) wood, mulch or other dead vegetation in the Park; or
 - (ii) fossil or archaeological remains in the Park.

40—Scientific research

A person must not, without the permission of the Board, enter the Park for the purpose of carrying out scientific research in the Park.

41—Littering

A person must not, in the Park—

- (a) deposit or leave any litter, bottle, broken glass, china, pottery, plastic article, rubbish, refuse or other waste material, except in an area or receptacle provided for that purpose; or
- (b) deposit, discharge or leave any noxious, smelly, offensive or polluting substance, matter or thing; or
- (c) deposit or leave any offal, dead animal or dung; or
- (d) deposit in any receptacle provided for litter any domestic garbage; or
- (e) wilfully break any article of glass, china, pottery, plastic or other brittle material; or
- (f) deposit, discharge or leave any mineral, mineral waste or other industrial waste or by-product.

42—Pollution of waters

A person must not foul or pollute any water in a creek, river, well, dam, reservoir or lake in the Park.

43—Abandoned property

- (1) A person must not, without the permission of the Board, abandon or leave unattended for more than 24 hours any vehicle or other personal property in the Park.
- (2) Any vehicle or personal property abandoned or left unattended for more than 24 hours in the Park may be seized and impounded by a warden.
- (3) The Board may require the owner of any vehicle or personal property seized and impounded under this regulation to pay the cost of seizing, impounding and keeping such vehicle or personal property before returning the vehicle or personal property to the owner.
- (4) If, at the expiration of one month after the owner of a vehicle or personal property has been notified of its seizure or impounding, the owner has not paid to the Board the cost of seizing, impounding and keeping the vehicle or personal property, the Board may sell or otherwise dispose of the vehicle or personal property.
- (5) If the owner of any vehicle or personal property seized or impounded under this regulation is unknown or cannot be contacted, the Board may, after the expiration of one month after the vehicle or personal property has been seized or impounded, sell or otherwise dispose of the vehicle or personal property.

44—Disorderly behaviour etc

A person must not, in the Park—

- (a) behave in a disorderly, offensive or indecent manner or use any offensive or indecent language or create any disturbance; or
- (b) wilfully obstruct, disturb, interrupt or annoy any other person engaged in the proper use of the Park; or

- (c) throw, roll or discharge any stone, substance or missile to the danger of any person or animal in the Park; or
- (d) deface, paint, write on, cut names or letters in or otherwise make marks or affix bills on trees, rocks, gates, fences, buildings, signs or other property in the Park.

45—Activities that must be authorised by a lease, licence or agreement

A person must not undertake any of the following activities in the Park except pursuant to a lease, licence or agreement under this or any other Act:

- (a) filming for commercial purposes;
- (b) conducting tours for fee or reward;
- (c) conducting any other kind of competition;
- (d) selling or hiring goods or offering goods for sale or hire;
- (e) providing, or offering to provide, any service for fee or reward;
- (f) conducting speed trials;
- (g) conducting scientific experiments;
- (h) keeping bees;
- (i) an activity of any kind for the purpose of fund raising or making a profit.

Maximum penalty: \$5 000.

Expiation fee: \$315.

46—Other activities subject to Board's permission

A person must not, without the permission of the Board—

- (a) use or cause to be used, any loud speaker or similar device or other noisy equipment in the Park; or
- (b) construct or erect any booth, marquee or other structure in the Park; or
- (c) organise or cause to be organised or attend or participate in any public meeting, demonstration or gathering in the Park.

47—Compliance with notices and signs

A person in the Park must not, without the permission of the Board, contravene or fail to comply with a direction given by the Board in the form of a notice or sign displayed in the Park.

48—Compliance with directions of warden

A person must not fail to comply with any reasonable direction or request given by a warden relating to—

- (a) use of the Park; or
- (b) conduct and behaviour in the Park; or
- (c) safety in the Park.

49—Permission of Board

- (1) A permission granted pursuant to these regulations must be in writing and may be included in a lease, licence or agreement under this or any other Act with the applicant or (unless it is published in the Gazette) be in the form of a permit and may—
 - (a) be conditional; and
 - (b) be varied or revoked by the Board at any time.
- (2) Without limiting the generality of subregulation (1), a condition of a permission granted pursuant to these regulations may include a condition prohibiting the possession or consumption of alcohol in the Park.
- (3) The Board must not grant permission, or refuse to grant permission, if to do so would be inconsistent with the co-management agreement.
- (4) A permission may apply to a particular person or persons or may, if published in the Gazette, apply generally or to a particular class of persons.
- (5) If the Board grants permission subject to a condition, a person must not contravene or fail to comply with the condition.

50—Prescription of offences—section 73A

For the purposes of the definition of *prescribed offence* in section 73A(1) of the Act, an offence against regulation 51 that arises from a contravention of, or failure to comply with, 1 or more of the following provisions is prescribed:

- (a) regulation 18;
- (b) regulation 19(5);
- (c) regulation 21(1), (2), (3), (4) and (6);
- (d) regulation 22;
- (e) regulation 24.

51—General offence

- (1) Subject to an express provision to the contrary, a person who contravenes or fails to comply with a provision of these regulations is guilty of an offence.
Maximum penalty: \$1 000.
Expiation fee:
 - (a) in the case of an alleged contravention of, or failure to comply with regulation 18, 21, 25, 29(1)(a), 44(a) or (b), or 48—\$150;
 - (b) in any other case—\$75.
- (2) It is a defence to a charge of an offence against these regulations if—
 - (a) the defendant proves that he or she acted in response to an emergency; and
 - (b) the court finds that the action was reasonable in the circumstances.

Schedule 1—Transitional provision

1—Transitional provision

A licence, permit or written permission issued under the Act or the *National Parks and Wildlife (National Parks) Regulations 2001* in relation to the Park, or any other licence, permit, written permission or agreement issued or entered by the Minister in relation to the land constituting the Park, in force immediately before the commencement of these regulations continues in force in accordance with its terms.

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's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

No 201 of 2013

13MSECCS025

South Australia

National Parks and Wildlife (Lake Gairdner National Park) Regulations 2013

under the *National Parks and Wildlife Act 1972*

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Preamble

- 1 Lake Gairdner National Park was constituted as a national park by proclamation on 19 December 1991.

Note—

See Gazette 19.12.1991 p1909.

- 2 The Gawler Ranges people have a traditional association with the land constituting the national park.

- 3 It is now intended that the national park be co-managed pursuant to a co-management agreement under the *National Parks and Wildlife Act 1972* between the Minister and the Gawler Ranges (Aboriginal Corporation) representing the Gawler Ranges people.
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Part 1—Preliminary

1—Short title

These regulations may be cited as the *National Parks and Wildlife (Lake Gairdner National Park) Regulations 2013*.

2—Commencement

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

3—Interpretation

In these regulations—

Act means the *National Parks and Wildlife Act 1972*;

Board means the Lake Gairdner National Park Co-management Board established by regulation 4;

co-management agreement means the co-management agreement for the Park, as in force from time to time;

Gawler Ranges people means the Native Title Holders as defined in the determination of native title made by the Federal Court of Australia in Native Title Claim SAD 6020/98 on 19 December 2011 (and *Gawler Ranges person* has a corresponding meaning);

GRAC means the Gawler Ranges (Aboriginal Corporation) incorporated under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* of the Commonwealth;

Park means the Lake Gairdner National Park.

Part 2—Lake Gairdner National Park Co-management Board

4—Establishment of Board

The *Lake Gairdner National Park Co-management Board* is established as the co-management board for the Park.

5—Composition of Board

- (1) Subject to subregulation (2), the Board consists of 8 members appointed by the Minister of whom—
 - (a) 4 must be Gawler Ranges people appointed on the nomination of GRAC; and
 - (b) 3 must be officers of the Department; and
 - (c) 1 must be a person nominated by the Minister who has qualifications or experience that may, in the opinion of the Minister, be of benefit to the Board.
- (2) If GRAC refuses or fails to nominate a Gawler Ranges person in relation to a particular office under subregulation (1)(a), the Minister may appoint a suitable Gawler Ranges person to fill the office.

- (3) The Minister may appoint a person to be a deputy of a member appointed under subregulation (1) and a person so appointed may act as a member of the Board in the absence of the member.
- (4) A requirement or qualification specified by this regulation in relation to an appointment of a member extends to an appointment of a deputy of that member.

6—Gender balance

In nominating and appointing the members of the Board, GRAC and the Minister should each, as far as is reasonably practicable, endeavour to achieve a gender balance on the Board.

7—Terms and conditions

- (1) A member of the Board will be appointed on conditions determined by the Minister and for a term, not exceeding 4 years, specified in the instrument of appointment and, at the expiration of a term of appointment, is eligible for reappointment.
- (2) A member of the Board (other than a member who is an officer of the Department, or is nominated by the Minister and is a member of the Public Service) is entitled to remuneration, allowances and expenses determined by the Minister.
- (3) The Minister may remove a member of the Board from office—
 - (a) for breach of, or non-compliance with, a condition of appointment; or
 - (b) for misconduct; or
 - (c) for failure or incapacity to carry out official duties satisfactorily.
- (4) However, the Minister may only remove a member of the Board who is a Gawler Ranges person after consultation with GRAC.
- (5) The office of a member of the Board becomes vacant if the member—
 - (a) dies; or
 - (b) completes a term of office and is not reappointed; or
 - (c) resigns by written notice to the Minister; or
 - (d) ceases to satisfy the qualification by virtue of which the member was eligible for appointment to the Board; or
 - (e) is removed from office under subregulation (3).
- (6) If a casual vacancy occurs in the office of a member of the Board, the Minister may appoint a suitable person (including, to avoid doubt, a person who was a deputy to the member) to fill the vacancy, and that person will hold office for the balance of the term of his or her predecessor.

Note—

This subregulation does not, however, prevent the Minister from instead appointing a new member to the Board.

8—Chairperson and Deputy Chairperson

The Minister must, in accordance with any requirements in the co-management agreement, appoint 2 of the members of the Board as Chairperson and Deputy Chairperson of the Board respectively.

9—Functions and powers of Board

- (1) The functions of the Board are—
 - (a) to carry out the functions assigned to the Board by or under the Act; and
 - (b) to carry out the functions assigned to the Board by the co-management agreement; and
 - (c) to carry out other functions assigned to the Board by the Minister.
- (2) The Board has the power to do anything necessary, expedient or incidental to the performance of its functions.
- (3) Without limiting the generality of subregulation (2), the Board may enter into any form of contract, agreement or arrangement.
- (4) The Board must perform its functions, or exercise a power, in a manner that is consistent with the co-management agreement.

10—Procedures of Board

- (1) Subject to these regulations, 6 members (of whom at least 3 must be Gawler Ranges people and at least 3 must be members appointed under regulation 5(1)(b) or (c)) constitute a quorum of the Board.
- (2) The Board must meet at least 4 times in each financial year.
- (3) A meeting of the Board will be chaired by the Chairperson or, in the absence of the Chairperson, by the Deputy Chairperson or, in the absence of both, the members present at a meeting of the Board must choose 1 of their number to preside at the meeting.
- (4) Subject to this regulation, a decision carried by a majority of the votes cast by members of the Board at a meeting is a decision of the Board.
- (5) Each member present at a meeting of the Board has 1 vote on any question arising for decision.
- (6) If the Board is unable to decide a question arising for decision, the question must be referred to the Minister for decision (and the decision of the Minister will be taken to be a decision of the Board).
- (7) In making a decision under subregulation (6), the Minister—
 - (a) must have regard to any written submission made by GRAC that is received by the Minister not more than 30 days after the date of the meeting at which the Board was unable to decide the question; and
 - (b) may have regard to any other matter the Minister thinks fit.
- (8) The Minister may direct the Board to implement, or cause to be implemented, a decision of the Minister under subregulation (6).
- (9) A conference by telephone or other electronic means between the members of the Board will, for the purposes of this regulation, be taken to be a meeting of the Board at which the participating members are present if—
 - (a) notice of the conference is given to all members in the manner determined by the Board for the purpose; and
 - (b) each participating member is capable of communicating with every other participating member during the conference.

- (10) A proposed resolution of the Board becomes a valid decision of the Board despite the fact that it is not voted on at a meeting of the Board if—
 - (a) notice of the proposed resolution is given to all members of the Board in accordance with procedures determined by the Board; and
 - (b) a majority comprised of not less than 6 members (of whom at least 3 must be Gawler Ranges people and at least 3 must be members appointed under regulation 5(1)(b) or (c)) express concurrence in the proposed resolution by letter, fax, email or other written communication setting out the terms of the resolution.
- (11) The Board must have accurate minutes kept of its meetings.
- (12) Subject to these regulations, the Board may determine its own procedures.

11—Conflict of interest

- (1) A member of the Board who has a direct or indirect personal or pecuniary interest in a matter decided or under consideration by the Board—
 - (a) must, as soon as reasonably practicable, disclose in writing to the Board full and accurate details of the interest; and
 - (b) must not take part in any discussion by the Board relating to that matter; and
 - (c) must not vote in relation to that matter; and
 - (d) must be absent from the meeting room when any such discussion or voting is taking place.

Maximum penalty: \$2 000.

- (2) This regulation does not apply to a member of the Board—
 - (a) in respect of an interest that is shared in common with Gawler Ranges people generally, or a substantial section of Gawler Ranges people; and
 - (b) in relation to a matter in which the member has an interest while the member remains unaware that he or she has an interest in the matter (but in any proceedings against the member the burden will lie on the member to prove that he or she was not, at the material time, aware of his or her interest).
- (3) The Minister may, by notice published in the Gazette, exempt a member (conditionally or unconditionally) from the application of a provision of this regulation, and may, by further notice published in the Gazette, vary or revoke such an exemption.
- (4) Non-compliance by a member with a duty imposed by this regulation constitutes a ground for removal of the member from office.
- (5) If a member or former member is convicted of an offence for a contravention of this regulation, the court by which the person is convicted may, in addition to imposing a penalty, order the convicted person to pay to the Minister—
 - (a) if the court is satisfied that the person or any other person made a profit as a result of the contravention—an amount equal to the profit; and
 - (b) if the court is satisfied that any loss or damage has been suffered as a result of the contravention—compensation for the loss or damage.

- (6) If a member or former member is guilty of a contravention of this regulation, the Minister may (whether or not proceedings have been brought for the offence) recover from the person by action in a court of competent jurisdiction—
- (a) if the person or any other person made a profit as a result of the contravention—an amount equal to the profit; and
 - (b) if any loss or damage has been suffered as a result of the contravention—compensation for the loss or damage.

12—Vacancies or defects in appointment of members

An act or proceeding of the Board is not invalid by reason only of a vacancy in its membership or a defect in the appointment of a member.

13—Power of delegation

- (1) The Board may delegate any of its functions or powers (other than this power of delegation)—
- (a) to a member of the Board; or
 - (b) to an officer of the Department.
- (2) A delegation—
- (a) must be in writing; and
 - (b) may be made subject to conditions and limitations specified in the instrument of delegation; and
 - (c) is revocable at will and does not derogate from the power of the Board to act in a matter.
- (3) A delegated function or power may, if the instrument of delegation so provides, be further delegated.

14—Minister may call meetings

- (1) If—
- (a) the Chairperson refuses or fails to call a meeting of the Board within 4 months after the previous meeting; or
 - (b) 2 or more successive meetings are inquorate,
- then the Minister may call a meeting of the Board.
- (2) The Minister may direct the members of the Board to attend a meeting called under subregulation (1).

15—Control and management of Park during suspension of Board

- (1) Subject to this regulation, during the period of any suspension of the Board under section 43I of the Act, the Park—
- (a) is under the control of the Minister; and
 - (b) is under the management of the Director.
- (2) The Minister and the Director must, during any period of suspension of the Board, endeavour, where appropriate, to give effect to the objects set out in section 43E of the Act.

16—Annual report

For the purposes of section 43L of the Act, the annual report of the Board must include the following:

- (a) information relating to traditional hunting activities in the Park carried out in accordance with section 68D of the *National Parks and Wildlife Act 1972*;
- (b) information relating to the effect of traditional hunting activities in the Park carried out in accordance with section 68D of the *National Parks and Wildlife Act 1972* on native plants and protected animals, or the eggs of protected animals (and in particular those species that are scheduled as rare, endangered or vulnerable under the *National Parks and Wildlife Act 1972*);
- (c) information relating to the operations and work programs undertaken by or on behalf of the Board;
- (d) information relating to Park infrastructure;
- (e) any other information required by the Minister.

Schedule 1—Transitional provision

1—Transitional provision

A licence, permit or written permission issued under the Act or the *National Parks and Wildlife (National Parks) Regulations 2001* in relation to the Park, or any other licence, permit, written permission or agreement issued or entered by the Minister in relation to the land constituting the Park, in force immediately before the commencement of these regulations continues in force in accordance with its terms.

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's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

No 202 of 2013

AGO0014/07CS

South Australia

Liquor Licensing (Dry Areas) Variation Regulations 2013

under the *Liquor Licensing Act 1997*

Contents

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 - Schedule—Noarlunga Downs Area 1
 - 1 Extent of prohibition
 - 2 Period of prohibition
 - 3 Description of area
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas) Variation Regulations 2013*.

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) Regulations 2012*

4—Insertion of Schedule—Noarlunga Downs Area 1

After Schedule—Noarlunga Centre Area 1 insert:

Schedule—Noarlunga Downs Area 1

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

12.01 am on 21 September 2013 to 12.01 am on 22 September 2013.

3—Description of area

The area in Noarlunga Downs bounded as follows: commencing at the point at which the southern boundary of Goldsmith Drive meets the eastern boundary of Lovelock Drive, then generally southerly along that eastern boundary of Lovelock Drive to the point at which it meets the northern boundary of Lot 59 DP 44731, then westerly along the prolongation in a straight line of that northern boundary of Lot 59 (across Lovelock Drive and past the eastern boundary of Lot 3 DP 91197) to the point at which it meets the eastern fence of the railway line that runs approximately parallel to Lovelock Drive, then generally northerly along that fence line to the southern boundary of Goldsmith Drive, then easterly along that southern boundary of Goldsmith Drive to the point of commencement.

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's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

No 203 of 2013

MLI0015/13CS

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- Maps and diagrams in pdf.
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NOTE:

Closing time for lodging new copy is 4 p.m. on Tuesday preceding the regular Thursday Gazette.

CITY OF MITCHAM

Declaration of Public Road

NOTICE is hereby given pursuant to Section 210 of the Local Government Act 1999 (as amended), that the City of Mitcham at its meeting of 11 June 2013, declared the Right of Way between Eli Street and Kays Road, Torrens Park, being Allotment 177 in Filed Plan 19615 to be a public road.

M. PEARS, Chief Executive Officer

THE RURAL CITY OF MURRAY BRIDGE

Adoption of Annual Business Plan and Budget, Adoption of Valuations and Declaration of Rates 2013-2014

NOTICE is hereby given that at its meeting held on 24 July 2013, the Rural City of Murray Bridge resolved:

Annual Business Plan and Budget 2013-2014

1. That pursuant to Section 123 (6) of the Local Government Act 1999 and Regulation 5A of the Local Government (Financial Management) Regulations 1999, Council adopts the 2013-2014 Annual Business Plan as amended and secondly, pursuant to Section 123 (7) of the Local Government Act 1999 and Regulation 5B of the Local Government (Financial Management) Regulations 1999, adopts the 2013-2014 Annual Budget.

Adoption of Valuations

2. That pursuant to Section 167 (2) (a) of the Local Government Act 1999 the Council adopts for rating purposes, for the year ending 30 June 2014, the total capital values made by the Valuer-General in respect of all land within the Council's area totalling \$2 860 177 220.

Maximum Increase in General Rates

3. That pursuant to Section 153 (3) of the Local Government Act 1999, the Council resolves not to fix a maximum increase in the general rate to be charged on any rateable land within its area that constitutes the principal place of residence of a principal ratepayer.

Declaration of Rates

4. That, having taken into consideration the general principles of rating contained in Section 150 of the Local Government Act 1999 and having observed the requirements of Section 153 (1) (b) and 156 (1) (a) of the Local Government Act 1999, and in accordance with Regulation 10 of the Local Government (General) Regulations 1999, the Council declares, for the year ending 30 June 2013 the following differential rates in respect of all rateable land within its area:

- (i) 0.593241 cents in the dollar of the Capital Value of rateable land of Categories 1 and 9 uses (Residential and 'other' Categories);
- (ii) 0.949186 cents in the dollar of the Capital Value of rateable land of Categories 2, 3 and 4 uses (Commercial Categories);
- (iii) 0.830537 cents in the dollar of the Capital Value of rateable land of Categories 5 and 6 uses (Industrial Categories);
- (iv) 0.533917 cents in the dollar of the Capital Value of rateable land of Category 7 use (Primary Production Category); and
- (v) 0.771213 cents in the dollar of the Capital Value of rateable land of Category 8 use (Vacant Land Category).

Declaration of Minimum Rates

5. That pursuant to Section 158 (1) (a) of the Local Government Act 1999, the Council fixes in respect to the year ending 30 June 2014, a minimum amount payable by way of general rates of \$804.

Natural Resources Management Levy

6. That pursuant to Section 95 of the Natural Resources Management Act 2004 and Section 154 of the Local Government Act 1999, the Council declares, in respect of the year ending 30 June 2014 a separate rate of 0.010382 cents in

the dollar, based on the capital value of rateable land within the Council's area and within the area of the SA Murray Darling Basin Natural Resources Management Board in order to recover the amount payable by the Council to the Board.

Declaration of Annual Service Charges and Service Rates

7. —

7.1 *Community Waste Water Management and Water Supply Schemes*7.1.1 *Riverglen*

That pursuant to Section 155 (2) of the Local Government Act 1999, a total of \$111 329 is to be levied against the properties within the area defined as 'Riverglen' to which Council provides the prescribed services of septic tank effluent disposal and water supply. A service charge of \$700 per assessment is imposed on rateable and non-rateable land and a service rate of 0.3652384 cents in the dollar of the capital value of rateable land is declared on Allotments 1 to 30, 125 and 126 in Deposited Plan DP30450, Allotment 50 in Deposited Plan DP42391 and Units 1 to 73 in Strata Plan No. SP11238, being land to which the septic tank effluent disposal and the water supply schemes are provided.

7.1.2 *Woodlane*

That pursuant to Section 155 (2) of the Local Government Act 1999, a total of \$53 160 is to be levied against the properties within the area defined as 'Woodlane' to which Council provides the prescribed services of septic tank effluent disposal and water supply. A service charge of \$495 per assessment is imposed on rateable and non-rateable land and a service rate of 0.2238054 cents in the dollar of the capital value of rateable land is declared on Allotments 1 to 18 in Deposited Plan DP44292 and DP48073, Allotments 191 and 192 in Deposited Plan DP75292, Allotments 1 to 4, 7 to 37 and 40 in Deposited Plan DP51229, Allotment 50 in Deposited Plan DP53034 and Allotment 200 in Deposited Plan DP62423, being land to which the septic tank effluent disposal and the water supply schemes are provided.

The metered supply of water to sections of Woodlane commenced from 1 July 2010 with annual readings. The rate for supply of water is charged at \$3.73 per kL for any usage above 130kL per annum (actual supply rate from SA Water) plus a quarterly supply charge of \$73.25.

7.2 *Waste Collection*

That pursuant to Section 155 (2) of the Local Government Act 1999, the following variable annual service charges are imposed according to the nature of the service as follows:

7.2.1 *New Garbage Collection Service*

For the supply of a mobile garbage bin to land to which the new service is provided, a service charge of \$68 per bin in respect of the year ending 30 June 2014.

7.2.2 *Replacement Bins*

For the replacement of lost, damaged or stolen bins, a service charge of \$68 per bin in respect of the year ending 30 June 2014.

7.2.3 *Additional Garbage Collection Service*

For the supply of additional mobile garbage bin/s to land to which the service provided, an annual service charge of \$113 per bin in respect of the year ending 30 June 2014.

7.2.4 *Kerbside Recycling and Green Waste Services (Urban and Outer Townships)*

For the provision of kerbside recycling service to land within the urban and outer townships to which the service is provided, a total service charge of \$118 in respect of the year ending 30 June 2014.

7.2.5 *Kerbside Recycling Service only (Rural Areas excluding Outer Townships)*

For the provision of kerbside recycling service only to land within the rural areas to which the service is provided, a total service charge of \$71 be applied in respect of the year ending 30 June 2014.

Riverfront Road Shacks

8. That pursuant to Section 166 (1) (m) of the Local Government Act 1999, the Council, having regard to the road closure of Riverfront Road due to the area being declared a hazard under the State Emergency Management Plan, resolves to rebate the general rates and 100% of the waste collection charges levied against the following assessments for so long as landholders of properties at Riverfront Road are unable to access and/or occupy their properties during the 2012-2013 financial year.

| Assessment Number | Property Address |
|-------------------|--|
| 180 | Site 114 Riverfront Road |
| 197 | Sites 122A and 123 Riverfront Road |
| 208 | Sites 119, 120 and 121 Riverfront Road |
| 325 | Sites 104 and 105 Riverfront Road |
| 3943 | Sites 115 and 116 Riverfront Road |
| 6540 | Sites 156, 157 and 158 Riverfront Road |
| 6541 | Sites 154 and 155 Riverfront Road |
| 6543 | Site 151 Riverfront Road |
| 7589 | Sites 125 and 126 Riverfront Road |
| 7833 | Sites 128 and 129 Riverfront Road |
| 8433 | Sites 134 and 135 Riverfront Road |
| 9085 | Sites 132 and 133 Riverfront Road |
| 9087 | Sites 130 and 131 Riverfront Road |
| 9088 | Sites 117 and 118 Riverfront Road |

Payment of Rates

9. Pursuant to Section 181 of the Local Government Act 1999, rates for the year ending 30 June 2014 will fall due, and in four equal or approximately equal instalments, on the following dates:

- 12 September 2013;
- 3 December 2013;
- 4 March 2014; and
- 3 June 2014.

Early Payment Incentive Scheme

10. Pursuant to Section 181 (11) of the Local Government Act 1999, Council offers to give a discount of 1% of the amount payable of general rates and/or service rates and/or service charges if paid in full on or before 12 September 2013.

P. BOND, Chief Executive Officer

CITY OF PROSPECT

FOR PUBLIC CONSULTATION

Review of Elector Representation

NOTICE is hereby given that the Council has undertaken a review to determine whether alterations are required in respect to elector representation, including ward boundaries and the composition of Council.

As a result of this review Council proposes the following:

- (1) The name of the Council (i.e. City of Prospect) be retained.
- (2) The principal member of Council continue to be the Mayor, to be elected by the community at Council-wide elections.
- (3) The Council comprise of eight ward councillors and the Mayor.
- (4) The Council area be divided into four wards, with each ward being represented by two councillors.
- (5) The wards be named North, East, Central and West.

- (6) Area councillors not be required (in addition to ward councillors).

Report

Council has prepared a Representation Review Report which details the review process, the public consultation undertaken and the proposal Council considers should be carried into effect. Copies of the report are available for inspection and/or purchase at the Council's offices or via download from www.prospect.sa.gov.au.

Written Submissions

Written submissions are invited from interested persons and should be directed to the Chief Executive Officer, P.O. Box 171, Prospect, S.A. 5082 or via fax on (08) 8269 5834 or email to admin@prospect.sa.gov.au by close of business on Friday, 30 August 2013.

Any person(s) making a written submission will be given the opportunity to appear before a meeting of Council or Council Committee to be heard in support of their submission.

For further information contact Kerry Loughhead, Manager, Governance and Administration, on (08) 8269 5355.

M. GOLDSTONE, Chief Executive Officer

CITY OF PROSPECT

Adoption of Valuations and Declaration of Rates 2013-2014

NOTICE is hereby given that the Council of the City of Prospect, at a meeting of the Council held on 16 July 2013, at which six of the nine Members of the Council were present resolved that consideration of the 2013-2014 Annual Business Plan has taken into account:

- The capital valuation of the City as set by the Valuer-General of South Australia.
- The relationship of the amount of rates needed to meet the Objectives of the City of Prospect's Strategic Plan for 2012-2016 and the Annual Business Plan 2013-2014 (Budget, Long Term Financial Plan, Infrastructure and Asset Management Plan, Rating Strategies).
- The City of Prospect's Rating Strategy (per Annual Business Plan 2013-2014) as adopted by Council on 16 July 2013.
- The relationship and impact of the rates and rate differential between residential and non-residential assessments.
- The equity of the rate structure.
- Rate concessions and rebates that will apply.

A full copy of the Annual Business Plan is available for inspection at the Council's Principal Office, 128 Prospect Road, Prospect or on Council's website www.prospect.sa.gov.au.

Adoption of Valuations

That the Council of the City of Prospect, pursuant to Section 167 (2) (a) of the Local Government Act 1999, adopts valuations of capital value made by the Valuer-General in relation to the area of the Council on 1 July 2013 and specifies that the total of the values that are to apply within the area for rating purposes for the year ending 30 June 2014 is \$4 782 788 900.

Declaration of Differential General Rates

That the Council of the City of Prospect, pursuant to Sections 153 (1) (b) and 156 (1) (a) of the Local Government Act 1999, hereby declares differential general rates on rateable land within the area, which rates vary by reference to the uses of land designated by Regulation 10 (2) of the Local Government (General) Regulations 1999.

- (a) Residential: A rate of 0.314506 cents in the dollar on the capital value of such rateable land.
- (b) Commercial—Shop: A rate of 0.609000 cents in the dollar on the capital value of such rateable land.
- (c) Commercial—Office: A rate of 0.609000 cents in the dollar on the capital value of such rateable land.
- (d) Commercial—Other: A rate of 0.609000 cents in the dollar on the capital value of such rateable land.
- (e) Industry—Light: A rate of 0.609000 cents in the dollar on the capital value of such rateable land.

- (f) Industry—Other: A rate of 0.609000 cents in the dollar on the capital value of such rateable land.
- (g) Primary Production: A rate of 0.609000 cents in the dollar on the capital value of such rateable land.
- (h) Vacant Land—Residential Planning Zone: A rate of 0.393132 cents in the dollar on the capital value of such rateable land.
- (i) Vacant Land—Non-Residential Planning Zone: A rate of 0.761250 cents in the dollar on the capital value of such rateable land.
- (j) Other: A rate of 0.609000 cents in the dollar on the capital value of such rateable land.

Declaration of a Minimum Amount

That the Council of the City of Prospect, pursuant to Section 158 (1) (a) of the Local Government Act 1999, hereby fixes, in respect of the year ending 30 June 2014, a minimum amount of \$980 that shall be payable by way of general rates on rateable land within the Council's area.

Declaration of a Separate Rate (Natural Resources Management Levy)

That pursuant to Section 95 of the Natural Water Resources Management Act 2004 and Section 154 of the Local Government Act 1999, Council, in order to reimburse to the Council the amount contributed to the Adelaide and Mount Lofty Ranges Natural Resources Management Board Levy of \$437 186 declares for the year ending 30 June 2014, a separate rate of 0.009367 cents in the dollar on the capital valuation of all rateable properties within the area of the City of Prospect.

Payment of Rates

Notice is hereby given that pursuant to Section 181 of the Local Government Act 1999, that the rates shall be payable in four equal or approximately equal instalments due and payable on 4 September 2013, 4 December 2013, 4 March 2014 and 4 June 2014.

M. GOLDSTONE, Chief Executive Officer

ADELAIDE HILLS COUNCIL

Appointment of Public Officer

NOTICE is hereby given that by resolution of Council on 23 July 2013, Manager Health & Regulatory, Chris Button, was appointed as the Public Officer for the Council's Development Assessment Panel, pursuant to Section 56A (23) of the Development Act 1993. The functions of a public officer include ensuring the proper investigation of complaints about the conduct of a member of the Council's Development Assessment Panel (but nothing in this section prevents a person making a complaint to the Ombudsman at any time under the Ombudsman Act 1972, or the public officer referring a complaint to another person or authority for investigation or determination).

Any complaints should be submitted in writing to the Public Officer:

Chris Button, Manager Health & Regulatory,
P.O. Box 44, Woodside, S.A. 5244
Telephone: (08) 8408 0465
Fax: (08) 8389 7440
Email: mail@ahc.sa.gov.au

A. AITKEN, Chief Executive Officer

DISTRICT COUNCIL OF BARUNGA WEST

2013-2014 Annual Business Plan

NOTICE is hereby given that at a meeting of Council held on 9 July 2013, it was resolved that the District Council of Barunga West adopts the 2013-2014 Annual Business Plan.

Adoption of Valuations for Rating

Notice is hereby given that at a meeting of Council held on 9 July 2013, it was resolved that the District Council of Barunga West adopts the Capital Valuations of the Valuer-General, dated 1 July 2013, that are to apply for the area of rating purposes for the

2013-2014 financial year, being Capital Valuations totalling \$1 046 655 660, comprising \$1 013 547 800 for rateable land and \$33 107 860 for non-rateable land.

Adoption of Budget and Declaration of Rates

Notice is hereby given that by virtue of the powers vested in it by the Local Government Act 1999, and all other powers thereunto enabling the Council of the District Council of Barunga West (hereinafter called 'the Council') at a meeting on 9 July 2013:

1. Adopts the Annual Budget as prepared pursuant to Section 123 of the Local Government Act 1999 and Regulation 5B of the Local Government (Financial Management) Regulations 1999, including Estimates of Income (excluding general rate income) totalling \$1 208 768 as amended and the Estimates of Cash Expenditure of \$3 902 236 as amended for the financial year ending 30 June 2014.

2. Declared differential general rates on rateable land with the area of the Council for the financial year ending 30 June 2014 which differential general rates are pursuant to Section 152 (1) (c) based on two components; one being the value of the rateable land and the other being the fixed charge applicable to the rateable land and which general rates vary according to the use in accordance with Section 156 (1) (a) of the Local Government Act 1999.

3. Declared that an amount of \$325 as a fixed charge on each separate piece of rateable land in the area of the Council for the purposes of rates, pursuant to Section 152 of the Local Government Act 1999, for the year ended 30 June 2014.

4. That the amounts of differential general rates are as follows:

- That the differential general rate for all rateable land within the area of the Council which has a land use of Residential be declared at 0.2650 cents in the dollar;
- that the differential general rate for all rateable land within the area of the Council which has a land use of Commercial—Shop, Commercial—Office or Other, Industrial—Light or Other be declared at 0.2650 cents in the dollar;
- That the differential general rate for all rateable land within the area of the Council which has a land use of Primary Production be declared at 0.2315 cents in the dollar; and
- That the differential general rate for all rateable land within the area of the Council which has a land use of Vacant be declared at 0.2750 cents in the dollar.

Community Wastewater Management Schemes

1. *Port Broughton Scheme*

1.1 Adopts the Estimates of Expenditure totalling \$161 756 (excluding depreciation), relating to the operation, maintenance, replacement and improvements and residual balance being allocated to reserves for the financial year 2013-2014.

1.2 Pursuant to Section 155 of Local Government Act 1999, imposes annual service charges on rateable and non-rateable land within the District to which this service is provided as specified:

- In respect of each effluent unit applying to occupied allotments a charge of \$320; and
- In respect of each vacant allotment, a charge of \$205.

2. *Bute Scheme*

2.1 Adopts the Estimates of Expenditure totalling \$6 288 (excluding depreciation), relating to the operation, maintenance, replacement and improvements and residual balance being allocated to reserves for the financial year 2013-2014.

2.2 Pursuant to Section 155 of Local Government Act 1999, imposes annual service charges on rateable and non-rateable land within the District to which this service is provided as specified:

- In respect of each effluent unit applying to occupied allotments a charge of \$290; and
- In respect of each vacant allotment, a charge of \$55.

3. Any reference to a 'unit' being as defined in the CWMS Property Units Code in accordance with Regulation 9A of the Local Government (General) Regulations 1999.

Natural Resources Management Levy

That pursuant to Section 95 of the Natural Resources Management Act 2004 and Section 154 of the Local Government Act 1999 and in order to reimburse the Council the amount contributed to the Northern and Yorke Natural Resources Management Board for the year ending 30 June 2014, being \$137 934 a separate rate in the dollar of 0.0137 is declared on all rateable land in the Council's area.

Payment of Rates

That Notice is hereby given that the requirements for the payments of rates are as follows:

1. Rates (i.e. Differential General Rates plus fixed Charges, Service Charges and Separate Rates) declared by Council for the financial year ending 30 June 2014, will fall due in four equal or approximately equal instalments.

2. The said instalments shall be payable on or before Thursday, 5 September 2013, Thursday, 5 December 2013, Wednesday, 5 March 2014 and Thursday, 5 June 2014; failing which the said rates shall be regarded as being in arrears and subject to the imposition of fines, as prescribed.

3. In 2013-2014, no discount will apply on rates instalments paid in full on or before 5 September 2013.

P. WARD, Acting Chief Executive Officer

DISTRICT COUNCIL OF THE COPPER COAST

Exclusion from Community Land Classification

NOTICE is hereby given that Council at its meeting held on 7 November 2012, resolved that pursuant to Section 193 (4a) of the Local Government Act 1999, Council excludes from the Classification of Community Land, Allotment 50, Deposited Plan 91659, portion of Owen Terrace/Irwin Street, Wallaroo.

P. HARDER, Chief Executive Officer

DISTRICT COUNCIL OF THE COPPER COAST

Exclusion from Community Land Classification

NOTICE is hereby given that Council at its meeting held on 6 February 2013, resolved that pursuant to Section 193 (4) of the Local Government Act 1999, Council excludes from the Classification of Community Land, the acquisition of land described as The Golf Course, The Dunes, Port Hughes, Allotment 3055, Deposited Plan 91679, Certificate of Title Volume 6113, Folio 339.

P. HARDER, Chief Executive Officer

LIGHT REGIONAL COUNCIL

Adoption of Valuations and Declaration of Rates and Charges

NOTICE is hereby given that at its Special Meeting held on 16 July 2013, in relation to the financial year ending 30 June 2014, the Light Regional Council, in exercise of the powers contained within Chapter 10 of the Local Government Act 1999, resolved:

Adoption of Valuation

That Council, pursuant to and in accordance with Section 167 (2) (a) of the Local Government Act 1999, adopts for rating purposes for the year ending 30 June 2014, the most recent valuations of the Valuer-General available to the Council of the capital value of all land within the area of the Council, with the total of valuations being \$3 060 657 940 comprising \$3 011 062 340 in respect of rateable land before alteration.

Declaration of Differential General Rate

That Council, pursuant to and in accordance with Sections 153 (1) (b) and 156 (1) (a) of the Local Government Act 1999 declares the following differential general rates in respect of rateable land within the Council area based upon the capital value of rateable land, varying according to Land Use Category as designated by Regulation 10 (2) of the Local Government (General) Regulations 1999:

- (1) On rateable land attributed Land Use Category 1 (Residential) or Land Use Category 9 (Other), a rate of 0.40455 cents in the dollar of the capital value of such land;
- (2) On rateable land attributed Land Use Category 2 (Commercial—Shop) or Land Use Category 3 (Commercial—Office), a rate of 0.70796 cents in the dollar of the capital value of such land;
- (3) On rateable land attributed Land Use Category 4 (Commercial—Other), a rate of 0.8091 cents in the dollar of the capital value of such land;
- (4) On rateable land attributed Land Use Category 5 (Industry—Light) or Land Use Category 6 (Industry—Other), a rate of 1.11251 cents in the dollar of the capital value of such land;
- (5) On rateable land attributed Land Use Category 7 (Primary Production), a rate of 0.32769 cents in the dollar of the capital value of such land; and
- (6) On rateable land attributed Land Use Category 8 (Vacant Land), a rate of 0.70796 cents in the dollar of the capital value of such land;

Imposition of a Minimum Rate

That Council, pursuant to and in accordance with Section 158 (1) (a) of the Local Government Act 1999 declares that the minimum amount payable by way of general rates in respect of any one piece of rateable land within the Council area shall be \$765.

Imposition of Domestic Refuse and Recycling Annual Service Charge

That Council, pursuant to and in accordance with Section 155 of the Local Government Act 1999, imposes an annual service charge based on the nature of the services for refuse collection and recycling of \$255 on each assessment in respect of all land to which the Council provides or makes available the three bin service and of \$166 on each assessment in respect of all land to which the Council provides or makes available the two bin service.

Imposition of Community Wastewater Management System Annual Service Charge

That Council, pursuant to and in accordance with Section 155 of the Local Government Act 1999, imposes the following annual service charges based on the nature of the service on each assessment in respect of all land to which the Council provides or makes available a Community Wastewater Management System:

| System | Annual Service Charge |
|---|-----------------------|
| Kapunda | \$390 |
| Freeling | \$390 |
| Freeling (Hanson Street Estates Sewer System) | \$370 |
| Greenock | \$390 |
| Greenock Rise Subdivision (Developer Owned) | \$50 |
| Roseworthy | \$390 |

Declaration of Separate Rate for Natural Resources Management Board Levies

That Council, pursuant to and in accordance with Section 95 of the Natural Resources Management Act 2004 and Section 154 of the Local Government Act 1999 and in order to reimburse the Council for the amount contributed to the Adelaide and Mount Lofty Ranges Natural Resources Management Board, declares a separate rate of 0.009658 cents in the dollar of the capital value of land, in respect of each piece of rateable land in the Council area and in the area of the Adelaide and Mount Lofty Ranges Natural Resources Management Board.

B. CARR, Chief Executive Officer

WAKEFIELD REGIONAL COUNCIL

Adoption of Valuations and Declaration of Rates

NOTICE is hereby given that at its meeting held on 24 July 2013, Wakefield Regional Council, in exercise of its powers contained in Chapter 10 of the Local Government Act 1999, made the following resolutions:

Adoption of Valuations

That, in accordance with the provisions of Section 167 of the Local Government Act 1999, Council adopts for the year ending 30 June 2014 the most recent valuation made by the Valuer-General of capital value in relation to the area of the Council, that being the valuation listing of 19 July 2013, showing a total assessment for the district of \$1 768 612 220.

Fixed Charge

That, in accordance with the provisions of Sections 151 and 152 of the Local Government Act 1999, Council declares a fixed charge of \$320 on rateable property within its area for the financial year ending 30 June 2014.

Declaration of Differential General Rates

That pursuant to the provisions of Sections 151 and 156 of the Local Government Act 1999, Council declares differential general rates on property within its area for the financial year ending 30 June 2014, based on land use as follows:

- 0.2646 cents in the dollar on rateable land of Category 1 (Residential), Category 7 (Primary Production) and Category 9 (Other);
- 0.4419 cents in the dollar on rateable land of Category 2 (Commercial—Shop), Category 3 (Commercial—Office), Category 4 (Commercial—Other), Category 5 (Industry—Light) and Category 6 (Industry—Other); and
- 0.7356 cents in the dollar on rateable land of Category 8 (Vacant),

and further that pursuant to the provisions of Section 166 (1) (l) of the Local Government Act 1999, rebates shall be granted to provide relief against what would otherwise amount to a substantial change in rates payable by individual ratepayers due to rapid changes in valuation or anomalies in valuations, to the extent that the general rate raised on each assessment shall not incur an increase of greater than 20% on the previous year's (2012-2013) general rate amount so raised, except where an increase is the result of changes in rebates or concessions, or is the result of valuation increases as a result of new building work or development activity, or where a change of ownership has occurred in the previous eighteen months, or where a new allotment has been created, or where the land use has changed, or where there have been changes to adjoining properties or Single Farm Enterprise arrangements.

Community Wastewater Management Schemes Service Charges

That pursuant to the provisions of Section 155 of the Local Government Act 1999, Wakefield Regional Council declares service charges for the year ending 30 June 2014, for the purposes of recovering from ratepayers who will be benefited by the authorised Community Wastewater Management Schemes for the disposal of sewerage effluent, the capital cost of the work and the cost of the maintenance and operation thereof, of \$400 for each occupied unit and \$320 for each unoccupied unit.

Waste Collection Charge

That pursuant to the provisions of Section 155 of the Local Government Act 1999, Council declares a service charge for the year ending 30 June 2014 of \$245 for the purpose of recovering from ratepayers, who will be benefited by the collection of waste, the full cost of providing that service.

Natural Resources Management Levy

That, in accordance with the provisions of Section 154 of the Local Government Act 1999, Council declares a separate rate of 0.01389 cents in the dollar on rateable land within its area for the financial year ending 30 June 2014, for the purpose of raising its contribution to the Natural Resources Management levy.

Payment of Rates

That, in accordance with the provisions of Section 181 of the Local Government Act 1999, Council hereby determines that all rates imposed in respect of the year ending 30 June 2014, will fall due in four instalments and further that Council determines that the instalments will fall due on:

- Friday, 20 September 2013,
- Friday, 6 December 2013,
- Friday, 7 March 2014, and
- Friday, 6 June 2014.

C. ATKINSON, Chief Executive Officer

DISTRICT COUNCIL OF YANKALILLA

Adoption of Valuations and Declaration of Rates 2013-2014

NOTICE is hereby given that the District Council of Yankalilla pursuant to Section 155 of the Local Government Act 1999, declares an annual service charge for the financial year ending 30 June 2014, in respect of the prescribed service of effluent waste disposal on all land to which the Council provides or makes available the service and water supply, for water consumption of \$2.87/kilolitre.

A. SKULL, Chief Executive

DISTRICT COUNCIL OF YORKE PENINSULA

Exclusion from Community Land Classification

NOTICE is hereby given that Council at its meeting held on 12 September 2012, resolved that pursuant to Section 193 (4) of the Local Government Act 1999, Council excludes from the Classification of Community Land, the acquisition of Land described as Lot 7, 2 Giles Street West, Coobowie, File Plan 5467, Certificate of Title Volume 5513, Folio 306.

Dated 26 July 2013.

A. CAMERON, Chief Executive Officer

IN the matter of the estates of the undermentioned deceased persons:

Gillies, Marjorie Elsie, late of Shackleton Avenue, Ingle Farm, of no occupation, who died on 27 May 2013.

Jowett, Mary Georgina, late of Shackleton Avenue, Ingle Farm, widow, who died on 9 June 2013.

Law, David, late of Lakeside Avenue, Barmera, retired labourer, who died on 12 June 2013.

Mijalkovic, George, late of 333 Marion Road, North Plympton, of no occupation, who died on 26 October 2012.

Miller, Robertson Royce, late of 56 Monmouth Road, Westbourne Park, retired accountant, who died on 11 May 2013.

Norton, Keith Albert, late of 15 Halliday Street, Risdon Park, retired shift foreman supervisor, who died on 29 March 2013.

Pepall, Ida Barbara, late of 9 Lucas Street, Woodville South, home duties, who died on 28 September 2012.

Smyth-Blood, Coralie, late of 25 Roopena Street, Ingle Farm, retired registered nurse, who died on 31 May 2013.

Witty, John Harold Fielden, late of 25 Roopena Street, Ingle Farm, retired engineer planner, who died on 24 May 2013.

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 Office of Public Trustee, G.P.O. Box 1338, Adelaide, S.A. 5001, full particulars and proof of such claims, on or before 30 August 2013, otherwise they will be excluded from the distribution of the said estates; and notice is also hereby given that all persons 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 same to the Public Trustee.

Dated 1 August 2013.

D. A. CONTALA, Public Trustee

SALE OF PROPERTY

Auction Date: Tuesday, 20 August 2013 at 11 a.m.

Location: Online at www.auctionblue.com.au

NOTICE is hereby given that on the above date at the time and place stated, by virtue of an Order for Sale issued by the Fines Payment Unit of South Australia, Action No. EXREG 12/150481-2 and others, are directed to the Sheriff of South Australia in an action wherein Ashley Wayne Hack is the defendant, I, Mark Stokes, Sheriff of the State of South Australia, will by my auctioneers, Auctionblue make sale of the following:

2001 Ford Falcon Sedan
Registration Number: XAZ 879

SALE OF PROPERTY

Auction Date: Tuesday, 20 August 2013 at 11 a.m.

Location: Online at www.auctionblue.com.au

NOTICE is hereby given that on the above date at the time and place stated, by virtue of a Order for Sale issued by the Fines Payment Unit of South Australia, Action No. MCPAR 10/4598-2 and others, are directed to the Sheriff of South Australia in an action wherein Martin Steven Ainsworth is the defendant, I, Mark Stokes, Sheriff of the State of South Australia, will by my auctioneers, Auctionblue make sale of the following:

1995 Holden Commodore
Registration Number: WKV 139

SALE OF PROPERTY

Auction Date: Tuesday, 25 June 2013 at 11 a.m.

Location: Online at www.auctionblue.com.au

NOTICE is hereby given that on the above date at the time and place stated, by virtue of a Order for Sale issued by the Fines Payment Unit of South Australia, Action No. EXREG 11/184336-1 and others, are directed to the Sheriff of South Australia in an action wherein Kein Chung Kwok is the defendant, I, Mark Stokes, Sheriff of the State of South Australia, will by my auctioneers, Auctionblue make sale of the following:

1994 Honda Integra Hatch
Registration Number: S448 APW

SALE OF PROPERTY

Auction Date: Tuesday, 20 August 2013 at 11 a.m.

Location: Online at www.auctionblue.com.au

NOTICE is hereby given that on the above date at the time and place stated, by virtue of Order for Sale issued by the Fines Payment Unit of South Australia, Penalty No. EXREG 13/7354-1 and others, are directed to the Sheriff of South Australia in an action wherein Victoria J. Gorst is the Defendant, I, Mark Stokes, Sheriff of the State of South Australia, will by my auctioneers, Auctionblue make sale of the following:

2000 Mitsubishi Magna Sedan
Registration Number: S348AJU

SALE OF PROPERTY

Auction Date: Tuesday, 25 June 2013 at 11 a.m.

Location: Online at www.auctionblue.com.au

NOTICE is hereby given that on the above date at the time and place stated, by virtue of a Order for Sale issued by the Fines Payment Unit of South Australia, Action No. EXREG 11/110100-1 and others, are directed to the Sheriff of South Australia in an action wherein Alan S. Douglas is the defendant, I Mark Stokes, Sheriff of the State of South Australia, will by my auctioneers, Auctionblue make sale of the following:

2001 Mitsubishi Triton 4x4 Ute
Registration Number: XOO 215

SALE OF PROPERTY

Auction Date: Tuesday, 20 August 2013 at 11 a.m.

Location: Online at www.auctionblue.com.au

NOTICE is hereby given that on the above date at the time and place stated, by virtue of Orders for Sale issued by the Fines Payment Unit of South Australia, Penalty No. EXREG 12/1754371-1 and others, are directed to the Sheriff of South Australia in an action wherein Roger Tinkler is the Defendant, I, Mark Stokes, Sheriff of the State of South Australia, will by my auctioneers, Auctionblue make sale of the following:

2006 Nissan X-Trail 4x4 Station Wagon
Registration Number: XLC 381

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.

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before** 4 p.m. on Wednesday.

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.

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