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**CONTENTS**

	Page		Page
Chicken Meat Industry Act 2003—Notice .....	719	Proof of Sunrise and Sunset Act 1923—Almanac .....	729
Chiropractic and Osteopathy Practice Act 2005—Notice .....	672	Public Trustee Office—Administration of Estates .....	779
Corporations and District Councils—Notices .....	778		
Crown Lands Act 1929—Notices .....	719	<b>REGULATIONS</b>	
Development Act 1993—Notices .....	719	Freedom of Information Act 1991 (No. 19 of 2008) .....	754
Education Act 1972—Notices .....	721	Primary Industry Funding Schemes Act 1998—	
Fire and Emergency Services Act 2005—Notice .....	721	(No. 20 of 2008) .....	756
Fisheries Management Act 2007—Notice .....	721	(No. 21 of 2008) .....	758
Housing Improvement Act 1940—Notices .....	722	(No. 22 of 2008) .....	761
Land and Business (Sale and Conveyancing) Act 1994—		Radiation Protection and Control Act 1982—	
Notices .....	723	(No. 23 of 2008) .....	763
Liquor Licensing Act 1997—Notices .....	724	(No. 24 of 2008) .....	771
Mining Act 1971—Notices .....	727	Road Traffic Act 1961—Notices .....	730
National Parks and Wildlife Act 1972—Notice .....	727	Security and Investigation Agents Act 1995—Notices .....	751
Petroleum Act 2000—Notices .....	727	Transport, Department of—Notice to Mariners .....	727
Petroleum (Submerged Lands) Act 1967—Notice .....	727	Waterworks Act 1932—Notices .....	751

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**CHIROPRACTIC & OSTEOPATHY BOARD  
OF  
SOUTH AUSTRALIA**

**GUIDELINES ON REGISTRATION**

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Revised December 2007

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**INDEX**

Page No

**FOREWORD****1. REGISTRATION**

- (a) Natural Persons
- (b) Students
- (c) Mutual Recognition/Trans Tasman Mutual Recognition
- (d) Recognised Qualifications
- (e) Provisional Registration
- (f) Limited Registration
- (g) Temporary Registration
- (h) Overseas Applicants
- (i) Certification of Documents
- (j) Medical Examination or Report

**2. PROFESSIONAL INDEMNITY INSURANCE****3. ENGLISH LANGUAGE PROFICIENCY****4. CRIMINAL HISTORY RECORD CHECK****5. RENEWAL OF REGISTRATION****6. NON-PRACTISING CHIROPRACTORS AND OSTEOPATHS****7. REMOVAL FROM THE REGISTER****8. REINSTATEMENT TO THE REGISTER/RE-REGISTRATION****9. CHANGE OF NAME AND ADDRESS****10. ADDITIONAL QUALIFICATIONS****11. CHIROPRACTIC AND OSTEOPATHY SERVICE PROVIDERS****12. OFFENCES AND DEFINITIONS**

- (a) Illegal Holding Out as a Registered Person
- (b) Illegal Holding Out Concerning Limitations or Conditions
- (c) Use of Certain Titles or Descriptions Permitted
- (d) Restrictions on Provision of Chiropractic or Osteopathy by Unqualified Persons
- (e) Offence to Contravene Conditions of Registration
- (f) Improper Directions to Chiropractors, Osteopaths, Chiropractic Students or Osteopathy Students
- (g) Procurement of Registration by Fraud
- (h) False or Misleading Statement
- (i) Report to Board of Cessation of Status as Student

**Appendix:** Guidelines on Fieldwork Programs for Student Chiropractors and Student Osteopaths

**Enclosures:** List of Approved/Recognised Qualifications  
Schedule of Fees

## FOREWORD

It is intended that these Guidelines will assist applicants with the formalities of obtaining and continuing registration. It is also intended to explain briefly the role and functions of the Board.

The Chiropractors Board of South Australia was established by the Chiropractors Act 1979, which was proclaimed on 27 April 1981. The Board continued in existence under the Chiropractors Act 1991, which was proclaimed on 25 June 1992.

On 27 July 2006 the Chiropractic & Osteopathy Practice Act 2005 ("the Act") was proclaimed and the new Chiropractic & Osteopathy Board of South Australia was established. Under this Act the Board is now responsible for registering chiropractors, osteopaths, chiropractic students and osteopathy students. The Board must also keep a list of chiropractic and osteopathy service providers.

The Board is the Statutory Authority in this State responsible for the administration of the Act which protects the health and safety of the public by providing for registration of practitioners and students, the regulation of the provision of chiropractic and osteopathy for the purpose of maintaining high standards of competence and conduct by those who provide it, and for other purposes.

In accordance with Section 6 of the Act the Board consists of nine members appointed by the Governor, and of these:

- four must be registered chiropractors chosen at an election;
- one must be a registered osteopath chosen at an election;
- one must be a legal practitioner nominated by the Minister;
- one must be a medical practitioner nominated by the Minister; and
- two must be persons nominated by the Minister who are not eligible for appointment under any of the preceding provisions (laypersons).

Members of the Board are appointed for a term of office not exceeding three years but are eligible for reappointment upon the expiration of their term of office. However a member may not hold office for consecutive terms that exceed 9 years in total.

The Board meets regularly on the first Wednesday of each month except in January. The agenda closes one week prior to the date set for such meetings.

Pursuant to Section 14 of the Act the functions of the Board are as follows:

- " (1) *The functions of the Board are as follows:*
- (a) *to oversee the practice of chiropractic and osteopathy in the public interest;*
  - (b) *to approve, after consultation with authorities considered appropriate by the Board, courses of education or training that provide qualifications for registration under this Act;*
  - (c) *to determine, after consultation with authorities considered appropriate by the Board, the requirements necessary for registration under this Act;*
  - (d) *to establish and maintain the registers contemplated by this Act;*
  - (e) *to prepare or endorse, subject to the approval of the Minister, codes of conduct or professional standards for registered persons or codes of conduct for chiropractic or osteopathy services providers;*
  - (f) *to prepare or endorse guidelines on continuing chiropractic or osteopathy education for chiropractors and osteopaths;*

- (g) *to establish administrative processes for handling complaints received against registered persons, chiropractic or osteopathy services providers or persons who occupy positions of authority in corporate or trustee chiropractic or osteopathy services providers (which may include processes under which the registered person, provider or person who occupies the position voluntarily enters into an undertaking);*
  - (h) *to provide advice to the Minister as the Board considers appropriate;*
  - (i) *to carry out other functions assigned to the Board by or under this Act or by the Minister.*
- (2) *The Board must perform its functions under this Act with the object of protecting the health and safety of the public by achieving and maintaining high professional standards both of competence and conduct in the provision of chiropractic and osteopathy in this State. ”*

Registered practitioners are urged to fully acquaint themselves with the Act and Regulations, the Code of Professional Conduct & Practice, and the Board's various guidelines and policies.

Clarification or information relating to any matter may be sought from the office of the Board or by visiting the Board's website [www.cbsa.saboard.com.au](http://www.cbsa.saboard.com.au).

## 1. REGISTRATION

### (a) Natural Persons

The prerequisites for registration of natural persons are defined in Section 27 (1) of the Act:

*"Subject to this Act a natural person is eligible for registration on the register of chiropractors or the register of osteopaths if the person, on application to the Board, satisfies the Board that he or she -*

- (a) has qualifications approved or recognised by the Board for the purposes of registration on that register; and*
- (b) has met the requirements determined by the Board to be necessary for the purposes of registration on that register; and*
- (c) is medically fit to provide chiropractic or osteopathy of the kind authorised by registration on that register; and*
- (d) is, unless exempted by the Board, insured or indemnified in a manner and to an extent approved by the Board against civil liabilities that might be incurred by the person in connection with the provision of chiropractic or osteopathy as a chiropractor or osteopath or proceedings under Part 4 against the person; and*
- (e) is a fit and proper person to be registered on that register."*

An application for registration must be made in the approved form and must be accompanied by the application fee and annual practice fee (refer Schedule of Fees – enclosed) and all requested supporting documentation.

All applicants will be required to undergo a criminal history check (refer Item 4 of these Guidelines) and a 100 point identity check.

Recent graduates who have not been confirmed their degree/diploma must provide a letter from the Head of School or Registrar of the awarding institution certifying that they have successfully completed all requirements for the award of the degree/diploma and are eligible to graduate. A certified copy of the degree parchment certificate OR academic transcript should be provided to the Board as soon as available.

All new registrants, including students, are issued with a Certificate of Registration, Annual Practising Certificate, a copy of the Act & Regulations, and other Board publications. All publications are also available to download and print from the Board's website.

**Note:** *If an x-ray license is required application must be made to the Department of Health, Radiation Section, P.O. Box 6, Rundle Mall, Adelaide, S.A. 5000, Telephone (08) 8130 0700.*

**(b) Students**

Section 28 of the Act states that:

*“(1) A person is not entitled to—*

- (a) undertake a course of study that provides qualifications for registration on the register of chiropractors; or*
- (b) provide chiropractic as part of a course of study related to chiropractic being undertaken by the person in a place outside the State,*

*unless the person is registered under this section as a chiropractic student.*

*(2) A person is not entitled to—*

- (a) undertake a course of study that provides qualifications for registration on the register of osteopaths; or*
- (b) provide osteopathy as part of a course of study related to osteopathy being undertaken by the person in a place outside the State,*

*unless the person is registered under this section as a osteopathy student.*

*(3) A person is eligible for registration as a chiropractic student on the chiropractic student register, or as an osteopathy student on the osteopathy student register, if the person, on application to the Board, satisfies the Board that he or she—*

- (a) genuinely requires registration on that register—*
  - (i) to enable the person to undertake a course of study that provides qualifications for registration on the register of chiropractors or register of osteopaths, as the case may be; or*
  - (ii) to enable the person to provide chiropractic or osteopathy as part of a course of study related to chiropractic or osteopathy, as the case may be, being undertaken by the person in a place outside the State; and*
- (b) is medically fit to provide chiropractic or osteopathy of the kind authorised by registration on the register to which the application relates; and*
- (c) is a fit and proper person to be registered on the register to which the application relates.*

*(4) If a person who applies for registration, or reinstatement of registration, on the chiropractic student register or osteopathy student register is not, in the opinion of the Board, medically fit to provide chiropractic or osteopathy of the kind authorised by registration on that register, the Board may register the person on that register in pursuance of this subsection (limited student registration) and impose 1 or more of the following conditions on the registration:*

- (a) a condition limiting the kind of chiropractic or osteopathy that the person may provide;*
- (b) a condition limiting the period during which the registration will have effect;*
- (c) a condition requiring that the person be supervised in the provision of chiropractic or osteopathy by a particular person or by a person of a particular class;*
- (d) such other conditions as the Board thinks fit.”*

An application for registration must be made in the approved form and must be accompanied by all requested supporting documentation. Applicants for student registration must provide evidence of offer of enrolment in their course of study.

There is no registration fee payable.

All applicants will be required to undergo a criminal history check (refer Item 4 of these Guidelines) and a 100 point identity check.

Students who fail to register or remain registered will have their enrolment cancelled by the University (if the University is located in South Australia). Students will be subject to the Board's Code of Professional Conduct & Practice and disciplinary powers.

**(c) Mutual Recognition/Trans Tasman Mutual Recognition**

The Mutual Recognition (SA) Act 1993, adopts the Mutual Recognition Act 1992, of the Commonwealth and the Trans Tasman Mutual Recognition (SA) Act 1999 adopts the Trans Tasman Mutual Recognition Act 1997, of the Commonwealth, as a law of the State and provides that a person who is registered in one State/Territory or New Zealand for an occupation is, by virtue of the Commonwealth Act entitled after notifying the local registration authority of another State/Territory or New Zealand for the equivalent occupation -

- to be registered in that other State/Territory or New Zealand for the equivalent occupation; and
- pending such registration, to carry on the equivalent occupation in that other State/Territory or New Zealand.

The manner of carrying on an occupation and the continuance of registration is subject to the laws of the other State/Territory or New Zealand.

A person who lodges a duly completed notice/application under Mutual Recognition or Trans Tasman Mutual Recognition with a local registration authority of a State/Territory or New Zealand is, pending the grant or refusal of registration, taken to be registered. Such registration is called "deemed registration" and the Board is required to determine the application within one month from the "lodgement date". Deemed registration in one State/Territory or New Zealand does not itself provide a basis for registration in another jurisdiction.

Once considered, the Board may grant what is called "substantive registration" which is registration under the law of the relevant State/Territory or New Zealand. Conditions may be applied to a person's registration.

Should a person's registration in any State/Territory or New Zealand -

- (a) be cancelled or suspended; or
- (b) be subject to a condition

on disciplinary grounds, or as a result of, or in anticipation of, criminal, civil or disciplinary procedures, then the person's registration in the other jurisdiction(s) is affected in the same way. The Board however, does have discretion given the circumstances of the matter.

An application for registration under Mutual Recognition or Trans Tasman Mutual Recognition must be made on the relevant form for this purpose.

The application form can be obtained from the Board's website or by contacting the office of the Board, in which case it will be forwarded without delay together with the Board's Guidelines on Registration and Code of Professional Conduct & Practice.

The application fees are the same as for natural persons (refer Schedule of Fees – enclosed). Payment of both the application fee and annual practice fee is a condition of registration and non-payment will result in refusal to grant registration or deemed registration.

The Board must give the person who lodges an application for registration, a notice in writing of its decision to grant registration, or to postpone or refuse the grant of registration, or to impose conditions on registration. Applicants must give consent to the making of inquiries or, and the exchange of information with, the authorities of any State/Territory or New Zealand regarding his or her activities in the practice of the profession or matters relevant to the notice. Deemed registration or substantive registration may be refused if any of the information supplied on the application form or accompanying documents is materially false or misleading.

Applicants must provide with their application, an original or certified copy of a document evidencing current registration in another State/Territory or New Zealand and proof of identity. From the moment a person is deemed registered that person will be subject to all the requirements of the Chiropractic & Osteopathy Practice Act 2005, and Regulations, and the Board's Code of Professional Conduct & Practice, with respect to the practice of chiropractic or osteopathy in this State. Persons are therefore urged to fully acquaint themselves with these documents.

A certificate of full registration together with other Board publications will be forwarded to the registrant upon the grant of substantive registration.

**(d) Recognised Qualifications**

Pursuant to Section 27 (1) (a) of the Act the Board has prepared a list of qualifications which are recognised for the purposes of registration, and this list is enclosed.

**(e) Provisional Registration**

Section 29 of the Act states:

- “ (4) *If it appears likely to the Registrar that the Board will grant an application for registration, the Registrar may provisionally register the applicant (provisional registration).*
- (5) *Provisional registration remains in force until the Board determines the application.*
- (6) *The registration by the Board under this Act of a person who was provisionally registered has effect from the commencement of the provisional registration. ”*

Provisional registration enables a practitioner to commence practise prior to full registration being granted and carries with it all rights and privileges of full registration.

**(f) Limited Registration**

Section 27 of the Act states:

- “ (2) *If a person who applies for registration, or reinstatement of registration, on the register of chiropractors or the register of osteopaths—*
- (a) *does not, in the opinion of the Board, have the necessary qualifications or experience required for registration on that register; or*
  - (b) *is not, in the opinion of the Board, medically fit to provide chiropractic or osteopathy of the kind authorised by registration on that register; or*
  - (c) *is not, in the opinion of the Board, a fit and proper person to be registered on that register,*
- the Board may register the person on the register in pursuance of this subsection (limited registration)—*
- (d) *in order to enable the person—*
    - (i) *to do whatever is necessary to become eligible for full registration under this Act; or*
    - (ii) *to teach or to undertake research or study in this State; or*
    - (iii) *in the case of an applicant who has obtained qualifications for the practice of chiropractic or osteopathy under the law of a place outside of Australia—to practise in a part of the State or at a place that the Minister and the Board consider is in urgent need of the services of a chiropractor or osteopath; or*
  - (e) *if, in its opinion, it would otherwise be in the public interest to do so.*
- (3) *In registering a person under subsection (2) the Board may impose 1 or more of the following conditions on the registration:*
- (a) *a condition restricting the places or times at which the person may provide chiropractic or osteopathy;*
  - (b) *a condition limiting the kind of chiropractic or osteopathy that the person may provide;*
  - (c) *a condition limiting the period during which the registration will have effect;*
  - (d) *a condition requiring that the person be supervised in the provision of chiropractic or osteopathy by a particular person or by a person of a particular class;*
  - (e) *such other conditions as the Board thinks fit. ”*

Limited registration for example may be granted to a person wishing to re-enter the workforce to upgrade his or her skills.

**(g) Temporary Registration**

Temporary registration is available to chiropractors or osteopaths wishing to undertake a locum position in South Australia. Temporary registration in these circumstances is granted for a period not exceeding two (2) calendar months and applicants should nominate the date from which they require their registration to commence.

Temporary registration is at a reduced fee (refer Schedule of Fees – enclosed) and carries with it all rights and privileges of full registration.

**(h) Overseas Applicants**Chiropractors

Overseas trained chiropractors wishing to obtain registration or seeking migration under the Skilled Migration Category must firstly undertake an assessment of their qualifications and competency.

The assessment process involves 2 stages:

- a) Stage I – Desktop Audit
- b) Stage II – Competency Board Screening Examination

Full details of the assessment process can be obtained from the website [www.ccea.com.au](http://www.ccea.com.au).

Osteopaths

The South Australian Board does not recognise any overseas osteopathic qualifications for registration and has no assessment process in place.

However, the Board recognises successful completion of the skills assessment conducted by the Osteopaths Registration Board of Victoria for registration purposes. Full details of the assessment process can be obtained from the website [www.osteoboard.vic.gov.au](http://www.osteoboard.vic.gov.au).

**(i) Certification of Documents**

All required documents must be either originals or certified copies. Each document submitted for certification must be in the form of a photocopy with the original document available for sighting.

A certified copy means that copies of your original documents must be certified as a true and accurate record of the original by either a Justice of the Peace, Notary Public, Commissioner for Taking Affidavits (Solicitor, Barrister), Proclaimed Police Officer, or Proclaimed Manager of ADI (Authorised Depositing Institution, eg. Credit Union, Bank).

Each page of each document must be marked as follows:

*"I have sighted the original document and certify this to be a true copy of the original",*

followed by the title, name, address, licence number and signature of the certifier, and the date of certification.

If all documents have not been correctly certified your application cannot be processed and it will be returned to you.

Please note that Justices of the Peace are available at the offices of the Board.

**(j) Medical Examination or Report**

Section 71 of the Act states:

- " (1) *The Board may, for any purpose associated with the administration or operation of this Act require a registered person or a person who is applying for registration or reinstatement of registration to—*
- (a) *submit to an examination by a health professional, or by a health professional of a class, specified by the Board; or*
  - (b) *provide a medical report from a health professional, or from a health professional of a class, specified by the Board,*  
*(including an examination or report that will require the person to undergo some form of medically invasive procedure).*
- (2) *If a person fails to comply with a requirement made under subsection (1), the Board may suspend the person's registration until further order of the Board.*
- (3) *In this section—*
- health professional means—**
- (a) *a medical practitioner; or*
  - (b) *a psychologist; or*
  - (c) *any other person who belongs to a profession, or who has an occupation, declared by the Board, by notice in the Gazette, to be a profession or occupation within the ambit of this definition. "*

**2. PROFESSIONAL INDEMNITY INSURANCE**

Section 64 of the Act states that:

- " (1) *A registered person or chiropractic or osteopathy services provider must not, unless exempted by the Board, provide chiropractic or osteopathy, as the case may be, unless insured or indemnified in a manner and to an extent approved by the Board against civil liabilities that might be incurred by the person or provider, as the case may be, in connection with the provision of chiropractic or osteopathy.*
- (2) *The Board may, subject to such conditions as it thinks fit, exempt a person, or a class of persons, from the requirements of this section and may, whenever it thinks fit, revoke an exemption or revoke or vary the conditions under which an exemption operates."*

The Board has determined that registered chiropractors, osteopaths and service providers must possess a minimum level of \$10 000 000 professional indemnity insurance cover for any one claim.

Breaches of this section may incur a maximum \$10 000 fine.

In considering which person or class of persons the Board may exempt under clause 64 (2) of the Act the Board has ruled that a chiropractor or osteopath who conducts a practice and attends members of the public (including partners and family members) shall not be eligible for exemption.

Non-practising chiropractors or osteopaths will however be exempt from the requirements of this section (refer Item 6 of these Guidelines).

In addition, it is a requirement under Section 27 (1) (d) of the Act that applicants for registration must provide evidence of insurance cover prior to registration being granted (certificate of currency/compliance from the insurer/broker).

This requirement will also apply to applicants for renewal of registration.

### 3. ENGLISH LANGUAGE PROFICIENCY

A high level of English language proficiency is essential to enable chiropractors and osteopaths to communicate with patients, other chiropractors/osteopaths and other professionals, to write reports that often deal with complex matters and to maintain professional standards.

Applicants for registration (under the Chiropractic & Osteopathy Practice Act 2005) as a chiropractor, osteopath, chiropractic student or osteopathy student in South Australia, for whom English is not the first or native language, need to submit evidence to the Board of competency in both oral and written communication in English, as demonstrated by the following:

- Achieved a minimum score of seven (7) in each of the four components (Listening, Reading, Writing and Speaking) in the International English Language Testing System (IELTS) examination (Academic Module).
- Obtained an overall pass in the Occupational English Test (OET) administered by the Centre for Adult Education with grades A or B only in each of the four components.

Results of these tests must have been obtained within two (2) years prior to applying for registration.

An IELTS or OET Report more than two years old will be accepted as evidence of present level of ability if accompanied by proof that an applicant has actively maintained employment as a chiropractor or osteopath in a country where English is the native or first language.

An exemption may apply when the applicant can provide evidence of:

- (a) completion of all components of their qualification for registration at a tertiary institution where programs and assessments are conducted in English; and/or
- (b) at least three years practice of the profession as a registered Chiropractor or Osteopath (or its equivalent in the country of practice) using English as the primary means of communication; and/or
- (c) successful completion of the overseas qualifications assessment process carried out by the Council on Chiropractic Education Australasia (CCEA).

#### NOTE:

1. The applicant is responsible for the cost of the English tests.
2. Pass results in each component of either the IELTS or OET must be obtained at the one sitting, ie. pass results in a module from a previous attempt at either examination cannot be carried forward to a subsequent sitting which, when combined, would give an overall pass in the examination.
3. Specific details regarding the English language testing systems are available at:

IELTS - [www.ielts.org](http://www.ielts.org)

OET - [www.oet.com.au](http://www.oet.com.au)

#### **4. CRIMINAL HISTORY RECORD CHECK**

All applicants for registration with the Chiropractic & Osteopathy Board of South Australia must either provide the Board with consent to undertake a criminal history record check (utilising the Commonwealth agency, CrimTrac) or provide the Board with a National Police Certificate.

The Board's costs in obtaining the criminal history check for persons applying for registration as a chiropractor or osteopath are subsidised by the Board.

There is no legal requirement for an applicant to give their consent for the Board to conduct a criminal history record check. However if the applicant does not provide consent for the Board to undertake a criminal history check then a National Police Certificate must be enclosed with the application for registration. The applicant's costs in obtaining this National Police Certificate will be their own responsibility. Applications are available at local Police Stations.

Full details regarding the criminal history record check are set out in Appendix B of the relevant application form.

Offences will be assessed using the following general guidelines:

- Child protection implications, age and vulnerability
- Relevance in a practice environment
- The gravity and nature of convictions
- Circumstances surrounding the offence(s), whether alcohol, drugs or a weapon was involved
- The harm to any victim including injury or loss
- Adverse impact on the profession
- Total criminal history
- Severity of sentence imposed
- Length of time since offence, any rehabilitation
- Age at time of offence(s), eg. adult or juvenile
- Evidence of the applicant's good character since offence committed
- Whether offence has been decriminalised
- Whether found guilty 'without conviction'
- Whether penalty restricted only to a fine
- Personal circumstances at the time of offending

#### **5. RENEWAL OF REGISTRATION**

Section 32 of the Act provides for an application for renewal of registration to be made to the Board by registered chiropractors, osteopaths, chiropractic students and osteopathy students by 30 November each year (dated fixed by Board).

Notices of renewal are forwarded to the postal address of all registrants at the beginning of October every year. Reminder notices are sent to those applicants who do not pay on time.

Upon receipt of a duly completed application form, requested supporting documentation and annual practice fee (refer Schedule of Fees – enclosed) the Board will renew a registrant's registration for a period of twelve months expiring on the last day of December in the following year. A receipt and an annual practising certificate are issued. Students are not required to pay the annual practice fee.

If renewal of registration is not effected by the 30 November (date fixed by Board) in the given year, the registrant's name may be removed from the appropriate Register pursuant to Section 32 (3) of the Act and the person concerned would no longer be entitled to practise as or hold out as a chiropractor or osteopath (refer Item 12 "Offences and Definitions" of these Guidelines). Renewal of registration is not possible once registration has lapsed and the name removed from the Register. Once registration has lapsed it is necessary for persons to apply for reinstatement of registration (refer Item 8 of these Guidelines).

Should either the renewal form, supporting documents or annual practice fee not be received by the due date, the application for renewal will not be processed and the person will be removed from the Register.

## 6. NON-PRACTISING CHIROPRACTORS AND OSTEOPATHS

At the time of annual renewal, chiropractors and osteopaths will have the option to renew as "non-practising". It should be noted that it is not possible for a registrant to change their status to "non-practising" during the year, this option is only available at renewal time.

Chiropractors or osteopaths who wish to remain on the register but who are non-practising within the State of South Australia will be exempt from the requirement to provide evidence of professional indemnity insurance and the requirement to engage in continuing education (ongoing competency).

The Board has determined that the definition of a non-practising chiropractor or osteopath is as follows:

*"Chiropractors or osteopaths who are not engaging in any form of chiropractic or osteopathy practice including but not limited to remunerated or unremunerated consultations or procedures, writing referrals and signing documents requiring the exercise of knowledge and skills of a chiropractor or osteopath, within the State of South Australia."*

Therefore any practitioners involved in the practice of chiropractic or osteopathy for any purpose (including for partners and family members) must be registered and suitably insured. Practitioners who are not practising within the State of South Australia may remain on the register once paying the appropriate fee but will be exempt from providing evidence of insurance and continuing professional development. Such practitioners may include:

- Those currently interstate or overseas who are not practising within South Australia;
- Retirees who are not engaging in any of the above chiropractic or osteopathy practices.

Non-practising chiropractors or osteopaths must sign a declaration which is available from the Board's website under "Registration".

Practitioners who wish to return to practice within a period of 5 years must apply to the Board to change their registration status and provide evidence of their appropriate insurance cover. These practitioners must also pay the balance between the non-practising fee that has already been paid, and the appropriate annual practice fee applicable at that time of year.

Practitioners who have not practised for a period of 5 years or more must apply to the Board as above (including payment of the appropriate fee) and must also comply with Section 38 of the Act which states:

" (1) A registered person who has not provided chiropractic or osteopathy of the kind authorised by his or her registration for a period of 5 years or more must not provide any such chiropractic or osteopathy without first obtaining the approval of the Board.  
Maximum penalty: \$20 000

- (2) *The Board –*
- (a) *may, before granting its approval under subsection (1), require the applicant to obtain qualifications or experience specified by the Board and for that purpose may require the applicant to undertake a specified course of instruction or training in chiropractic or osteopathy, as the case may require; and*
  - (b) *may impose 1 or more of the following conditions on the applicant's registration:*
    - (i) *a condition restricting the places and times at which the applicant may provide chiropractic or osteopathy;*
    - (ii) *a condition limiting the kind of chiropractic or osteopathy that the applicant may provide;*
    - (iii) *a condition requiring that the applicant be supervised in the provision of chiropractic or osteopathy by a particular person or by a person of a particular class;*
    - (iv) *such other conditions as the Board thinks fit. ”*

Also refer to Item 12 “Offences and Definitions” of these Guidelines in relation to restrictions on the provision of chiropractic and osteopathy.

## **7. REMOVAL FROM THE REGISTER**

Section 30 of the Act states:

- “ (1) *The Registrar must, on application by a registered person, remove the person from the register to which the application relates.*
- (2) *The Registrar must remove from the appropriate register a person—*
- (a) *who dies; or*
  - (b) *who ceases to hold a qualification required for registration on that register; or*
  - (c) *who ceases for any other reason to be entitled to be registered on that register; or*
  - (d) *who completes, or ceases to be enrolled in, the course of study that formed the basis for the person's registration on the chiropractic student register or osteopathy student register; or*
  - (e) *whose registration on the appropriate register has been suspended or cancelled under this Act.*
- (3) *The Registrar may act under subsection (2) without giving prior notice to the relevant person. ”*

## **8. REINSTATEMENT TO THE REGISTER/RE-REGISTRATION**

If registration is allowed to lapse for any reason persons must re-apply for registration using the same forms, fees and procedure as for initial registration.

It is not necessary to resubmit evidence of qualifications which is already held on file. Current copies of all other information/documents requested on the application form must be provided.

Section 31 of the Act states:

- “(1) A person who has been removed from a register under this Act—*
- (a) on his or her application; or*
  - (b) on account of failure to pay the annual practice fee or to furnish the return required under section 32; or*
  - (c) on account of failure to pay a fine imposed on the person by the Board under this Act; or*
  - (d) on account of the person—*
    - (i) ceasing to hold a qualification required for registration on that register or otherwise ceasing to be entitled to be registered on that register; or*
    - (ii) ceasing to be enrolled in the course of study that formed the basis for the person's registration on the chiropractic student register or osteopathy student register,*
- may apply to the Board at any time for reinstatement on that register.*
- (2) A person whose registration on a register has been suspended may apply to the Board for reinstatement on that register (but not, in the case of an order for suspension for a specified period, until after the expiry of that period).*
- (3) A person who has been disqualified from being registered on a register under this Act may, subject to the terms of the order for disqualification, apply to the Board for reinstatement on that register.*
- (4) An application for reinstatement must—*
- (a) be made to the Board in the manner and form approved by the Board; and*
  - (b) be accompanied by the reinstatement fee fixed under this Act.*
- (5) An applicant for reinstatement must, if the Board so requires provide the Board with specified information to enable the Board to determine the application.*
- (6) The Board may require an applicant for reinstatement of registration—*
- (a) to submit a medical report or other evidence acceptable to the Board as to the applicant's medical fitness to provide chiropractic or osteopathy of the kind authorised by registration on the register to which the application relates; or*
  - (b) to obtain additional qualifications or experience specified by the Board before the Board determines the application.*
- (7) Subject to this section, the Board must reinstate on the appropriate register an applicant under this section if satisfied that the applicant is eligible for registration on that register.*
- (8) The Board may refuse to reinstate the applicant on the appropriate register until all complaints (if any) laid against the applicant under this Act have been finally disposed of.”*

## **9. CHANGE OF NAME AND ADDRESS**

In accordance with Section 25 (3) of the Act a registered person must, within 1 month after changing his or her name or nominated contact address, inform the Registrar in writing of the change. The corresponding penalty for breaches of this Section is a maximum penalty of \$250.

Registered persons are also asked to ensure that the Board is always advised of any change of postal, employment or residential addresses, email and phone numbers. This may be done by telephone provided proof of identity can be established.

## 10. ADDITIONAL QUALIFICATIONS

At any time a registered chiropractor or osteopath may apply to have additional qualifications entered on the Register.

These qualifications will be assessed by the Board on an individual basis in accordance with the following policy:

### 1. *Australian Qualifications*

*The Board will recognise for entry on the Register qualifications from institutions listed and accredited by the Australian Qualifications Framework under "Universities and Other Self-Accrediting Higher Education Institutions" and "Non Self-Accrediting Higher Education Institutions".*

### 2. *Overseas Qualifications*

*The Board will recognise for entry on the Register qualifications from institutions listed and recognised by Australian Education International, National Office of Overseas Skills Recognition (AEI-NOOSR) under "Higher Education" in their Country Education Profiles at the level of Bachelor Degree or above.*

A new certificate of registration may be requested.

The fees for such applications and duplicate certificates appear in the enclosed Schedule of Fees.

## 11. CHIROPRACTIC AND OSTEOPATHY SERVICE PROVIDERS

Section 33 of the Act states:

- " (1) *A chiropractic or osteopathy services provider must—*
- (a) in the case of a person who was such a provider immediately before the commencement of this section—within 60 days of that commencement; and*
  - (b) in any other case—within 60 days of becoming such a provider,*  
*give written notice to the Board of—*
  - (c) the provider's full name and business or (in the case of a corporation) registered address; and*
  - (d) the address of the premises at which the provider provides chiropractic or osteopathy; and*
  - (e) the full names and nominated contact addresses of the chiropractors or osteopaths through the instrumentality of whom the provider is providing chiropractic or osteopathy; and*
  - (f) in the case of a corporate or trustee chiropractic or osteopathy services provider—the full names and addresses of all persons who occupy a position of authority in the provider.*
- (2) *The provider must, within 30 days of any change occurring in the particulars required to be given under subsection (1), inform the Board in writing of the change.*
- (3) *A person who contravenes or fails to comply with this section is guilty of an offence. Maximum penalty: \$10 000.*

- (4) *The Board must keep a record of information provided to the Board under this section available for inspection, on payment of the prescribed fee, by any person during ordinary office hours at the office of the Board and may make the record available to the public by electronic means.* ”

A chiropractic or osteopathy service provider means a person (not being a chiropractor or osteopath) who provides chiropractic or osteopathy through the instrumentality of a chiropractor, osteopath, chiropractic student or osteopathy student, but does not include an exempt provider.

Under the Act an exempt provider means:

- “ (a) *a recognised hospital, incorporated health centre or private hospital within the meaning of the South Australian Health Commission Act 1976; or*
- (b) *any other person declared by the regulations to be an exempt provider for the purposes of this Act.*”

No other persons have been declared by the regulations to be an exempt provider.

Section 3 of the Act states:

- “ (5) *For the purposes of this Act:*
- (a) *a corporate chiropractic or osteopathy services provider is a chiropractic or osteopathy services provider that is a body corporate and a person occupies a position of authority in such a provider if the person—*
- (i) *is a director of the body corporate; or*
- (ii) *exercises, or is in a position to exercise, control or substantial influence over the body corporate in the conduct of its affairs; or*
- (iii) *manages, or is to manage, the business of the body corporate that consists of the provision of chiropractic or osteopathy; or*
- (iv) *where the body corporate is a proprietary company—is a shareholder in the body corporate; and*
- (b) *a trustee chiropractic or osteopathy services provider is a person acting as a chiropractic or osteopathy services provider in the capacity of trustee of a trust and a person occupies a position of authority in such a provider if the person is a trustee or beneficiary of the trust.*
- (6) *For the purposes of this Act a person occupies a position of authority in a body corporate other than a corporate chiropractic or osteopathy services provider if the person—*
- (a) *is a director of the body corporate; or*
- (b) *exercises, or is in a position to exercise, control or substantial influence over the body corporate in the conduct of its affairs; or*
- (c) *where the body corporate is a proprietary company—is a shareholder in the body corporate.*
- (7) *However—*
- (a) *a minor who is a shareholder in a proprietary company, or a beneficiary under a trust, is not, for that reason, to be regarded as a person occupying a position of authority; and*
- (b) *a charitable organisation that is a beneficiary of a trust is not, for that reason, to be regarded as occupying a position of authority.*

- (8) *For the purposes of this Act a person who holds more than 10 per cent of the issued share capital of a public company will be regarded as a person occupying a position of authority in that company. ”*

A service provider must possess a minimum level of \$10 million professional indemnity insurance cover for any one claim (refer Item 2 of these Guidelines).

Service providers will be subject to the Board's Code of Professional Conduct & Practice and disciplinary powers.

## 12. OFFENCES AND DEFINITIONS

(Also refer to Items 2, 5, 6, 9, and 11 of these Guidelines for information relating to offences under the Act.)

The Act sets out the following definitions:

“ **chiropractic** means—

- (a) *restricted therapy; and*
- (b) *all diagnostic, therapeutic, health or other services or advice not referred to in paragraph (a) provided in the course of practice by a chiropractor or a person who holds himself or herself out, or is held out by another, as a chiropractor; ”*

“ **osteopathy** means—

- (a) *restricted therapy; and*
- (b) *all diagnostic, therapeutic, health or other services or advice not referred to in paragraph (a) provided in the course of practice by an osteopath or a person who holds himself or herself out, or is held out by another, as an osteopath; ”*

“ **physical therapy** means *physical treatment applied to the human body for the purpose of preventing, curing or alleviating any abnormality of movement or posture or any other sign associated with physical disability; ”*

“ **restricted therapy** means *physical therapy consisting of or involving—*

- (a) *the manipulation or adjustment of the spinal column or joints of the human body involving a manoeuvre during which a joint is carried beyond its normal physiological range of motion; or*
- (b) *any other therapy declared by the regulations to be restricted therapy; ”*

### (a) Illegal Holding Out as a Registered Person

Section 34 of the Act states:

- “ (1) *A person must not hold himself or herself out as a registered chiropractic student, registered osteopathy student, chiropractor or osteopath or permit another person to do so unless registered on the appropriate register.*

*Maximum penalty: \$50 000 or imprisonment for 6 months.*

- (2) *A person must not hold out another as a registered chiropractic student, registered osteopathy student, chiropractor or osteopath unless the other person is registered on the appropriate register.*

*Maximum penalty: \$50 000 or imprisonment for 6 months. ”*

**(b) Illegal Holding Out Concerning Limitations or Conditions**

Section 35 of the Act states:

- " (1) A person whose registration is limited or subject to a condition under this Act must not hold himself or herself out as having a registration that is not limited or not subject to a condition or permit another person to do so.*

*Maximum penalty: \$50 000 or imprisonment for 6 months.*

- (2) A person must not hold out another whose registration is limited or subject to a condition under this Act as having a registration that is not limited or not subject to a condition.*

*Maximum penalty: \$50 000 or imprisonment for 6 months. "*

**(c) Use of Certain Titles or Descriptions Permitted**

Section 36 of the Act states:

- " (1) A person who is not registered on the appropriate register must not use a prescribed word, or its derivatives, to describe himself or herself or a service that he or she provides.*

*Maximum penalty: \$50 000.*

- (2) A person must not, in the course of advertising or promoting a service that he or she provides, use a prescribed word, or its derivatives, to describe a person who is engaged in the provision of the service but is not registered on the appropriate register.*

*Maximum penalty: \$50 000.*

- (3) In this section—*

*prescribed word means—*

- (a) in relation to registration on the chiropractic student register—registered chiropractic student;*
- (b) in relation to registration on the osteopathy student register—registered osteopathy student;*
- (c) in relation to registration on the register of chiropractors—
  - (i) chiropractor; or*
  - (ii) manipulative therapist; or*
  - (iii) spinal therapist; or**
- (d) in relation to registration on the register of osteopaths—
  - (i) osteopath; or*
  - (ii) manipulative therapist; or*
  - (iii) spinal therapist; or**
- (e) any other word or expression prescribed by the regulations.*

- (4) However, this section does not prevent the title "manipulative therapist" or "spinal therapist" being used by or in relation to a person registered as a physiotherapist under the Physiotherapy Practice Act 2005. "*

Regulation 7 under the Act states:

- “ (1) For the purposes of paragraph (e) of the definition of prescribed word in section 36 (3) of the Act the following words and expressions are prescribed in relation to registration on the register of chiropractors or register of osteopaths:
- (a) *subluxation;*
  - (b) *spinal manipulation;*
  - (c) *spinal adjustment;*
  - (d) *spinal specialist;*
  - (e) *manipulative specialist.*
- (2) Section 36 (1) of the Act does not apply in relation to the use of an expression prescribed by subregulation (1) (other than paragraph (a)) by a person registered as a physiotherapist under the Physiotherapy Practice Act 2005 to describe himself or herself or a service that he or she provides.
- (3) Section 36 (2) of the Act does not apply in relation to the use of an expression prescribed by subregulation (1) (other than paragraph (a)) by a person, in advertising or promoting a service that he or she provides, if the person uses that expression to describe a person who is registered as a physiotherapist under the Physiotherapy Practice Act 2005. ”

**(d) Restrictions on Provision of Chiropractic or Osteopathy by Unqualified Persons**

Section 37 of the Act states:

- “ (1) A person must not provide restricted therapy unless—
- (a) *the person is a qualified person; or*
  - (b) *the person provides that therapy through the instrumentality of a qualified person.*

*Maximum penalty: \$50 000 or imprisonment for 6 months.*

- (2) *Subsection (1) does not apply in relation to restricted therapy provided by an unqualified person in prescribed circumstances or pursuant to an exemption under subsection (3).*
- (3) *The Governor may, by proclamation, exempt a person from subsection (1) if of the opinion that good reason exists for doing so in the particular circumstances of the case.*
- (4) *An exemption under subsection (3) may be subject to such conditions as the Governor thinks fit and specifies in the proclamation.*
- (5) *A person who contravenes, or fails to comply with, a condition of an exemption under this section is guilty of an offence.*

*Maximum penalty: \$50 000.*

- (6) *The Governor may, by proclamation, vary or revoke a proclamation under this section.*
- (7) *In this section—*  
*qualified person, in relation to restricted therapy, means a person authorised by or under this Act or any other Act to provide such therapy. ”*

**(e) Offence to Contravene Conditions of Registration**

Section 55 of the Act states:

*"A person who contravenes, or fails to comply with, a condition imposed under this Act on the person's registration is guilty of an offence.*

*Maximum penalty: \$75 000 or imprisonment for 6 months. "*

**(f) Improper Directions to Chiropractors, Osteopaths, Chiropractic Students or Osteopathy Students**

Section 58 of the Act states:

*" (1) If a person who provides chiropractic or osteopathy through the instrumentality of a chiropractor, osteopath, chiropractic student or osteopathy student directs or pressures the chiropractor, osteopath, chiropractic student or osteopathy student to engage in unprofessional conduct, the person is guilty of an offence."*

*Maximum penalty: \$75 000.*

*" (2) If a person who occupies a position of authority in a corporate or trustee chiropractic or osteopathy services provider directs or pressures a chiropractor, osteopath, chiropractic student or osteopathy student through whom the provider provides chiropractic or osteopathy to engage in unprofessional conduct, the person and the provider are each guilty of an offence."*

*Maximum penalty: \$75 000.*

**(g) Procurement of Registration by Fraud**

Section 59 of the Act states:

*"A person who, by fraud or any other dishonest means, procures registration or reinstatement of registration under this Act (whether for himself or herself or for another person) is guilty of an offence.*

*Maximum penalty: \$20 000 or imprisonment for 6 months. "*

**(h) False or Misleading Statement**

Section 61 of the Act states:

*"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 under this Act.*

*Maximum penalty: \$20 000. "*

**(i) Report to Board of Cessation of Status as Student**

Section 63 of the Act states:

*" (1) The person in charge of an educational institution must, if a chiropractic student or osteopathy student completes, or ceases to be enrolled in, a course of study at that institution providing qualifications for registration on the register of chiropractors or register of osteopaths, cause written notice of that fact to be given to the Board.*

*Maximum penalty: \$5 000.*

*(2) A person registered on the chiropractic student register or the osteopathy student register who completes, or ceases to be enrolled in, the course of study that formed the basis for that registration must cause written notice of that fact to be given to the Board.*

*Maximum penalty: \$1 250. "*

## CHIROPRACTIC & OSTEOPATHY BOARD OF SOUTH AUSTRALIA

### Guidelines For Fieldwork Programs in South Australia

The Chiropractic & Osteopathy Board of South Australia believes that the period of fieldwork following completion of the academic component of the chiropractic and osteopathy undergraduate course is extremely important. It should be a challenging and stimulating period that introduces the student to clinical practice and refines practical skills.

To ensure that the period of fieldwork is undertaken with clear understanding, the Board believes it is necessary to provide these guidelines to students and supervising practitioners. They are designed to establish the minimum standards expected by the Board and to make clear any relevant sections of the Chiropractic & Osteopathy Practice Act 2005 that may apply to this program. Failure to comply with these guidelines may make the student and/or the supervising practitioner liable to disciplinary action by the Board.

#### **1. Aim of the Fieldwork Program**

The Board believes that the aims of the fieldwork programme should be to:

- provide chiropractic or osteopathy care under supervision;
- develop skills in interpersonal relationships;
- develop skills in record keeping and associated administrative procedures;
- reinforce professional ethics and responsibility;
- develop commitment to continuing professional education;
- develop patient management and treatment skills.

#### **2. Entrance Requirements**

The fieldwork program is available to students in the final year of the course who have completed all aspects of an accredited chiropractic or osteopathy course, including the Clinical Proficiency Assessment, with the exception of the final examinations.

Pursuant to the Chiropractic & Osteopathy Practice Act 2005, these students must also be registered with the Board on either the Chiropractic Student Register or the Osteopathy Student Register. Information on registration is available in the "Guidelines on Registration" booklet which can be downloaded from the Board's website ([www.cbsa.sboards.com.au](http://www.cbsa.sboards.com.au)) under "Publications" or requested from the office of the Board (08 8443 9669). There is no fee applicable for student registration.

#### **3. Approval**

The Board expects that the institution at which the student is studying ("the institution") request, in writing, approval from the Board of the clinic and supervising practitioner for the fieldwork placement. This will allow the Board to perform an inspection of the premises on behalf of the institution, if necessary, and thus ensure an appropriate learning environment for the student.

It is expected that the fieldwork placement will be for a finite period, defined in the approval request from the institution. The placement may be extended only with written permission from the Board and the institution.

#### **4. Notification**

The Board will, on approval of the placement request, inform both student and supervisor of their respective responsibilities in relation to this program.

The Board would expect to be notified if a placement is terminated prior to the pre-arranged expiry date, if another practitioner is to become responsible for the student's supervision or if the location of the placement is to be changed.

#### **5. Supervision**

The Board requires that the student be under the direct supervision of the practitioner approved for the fieldwork placement. This means that the approved supervisor is physically on the same premises and is generally aware of the activities of the student, but is not necessarily in the same room at all times. The supervisor retains overall responsibility for patient care and ensures that patient records are maintained in an acceptable manner.

#### **6. Approved Supervisor**

The role of supervisor is extremely important. Approval ensures a professional relationship of accountability for the student's work is established.

It is the supervisor's role to:

- Provide the student with systematic, high level instruction in both the basic sciences and practical service.
- Demonstrate skills in the assessment, treatment and management of patients to the student.
- Reinforce appropriate protocols for record keeping and clinic administration.
- Discuss legal responsibilities and relevant legislation with the student.
- Discuss the ethical issues surrounding the practice of chiropractic or osteopathy with the student.
- Discuss the models of chiropractic or osteopathy care with the student.
- Instruct the student on the etiquette of relationships with patients, other chiropractors or osteopaths, and other health professionals.
- Observe the student practising in the clinic setting.
- Provide the student with regular feedback on performance.
- Identify themselves to the patient in the initial consultation.
- Ensure their availability for consultation with student and/or patient if required.

The student's institution should be informed immediately in the following circumstances:

- If the supervisor wishes to terminate the placement or their involvement in the fieldwork program.
- If there is to be a change of supervisor.
- If there is to be a change of location of the placement.
- If the supervisor believes that the student's skill level is inadequate, to the point of jeopardising patient care.

#### **7. Informed Consent**

Each patient observed and/or treated by a fieldwork student should provide informed consent. For this to be given, patients should be clearly informed of the presence and status of the student. This is particularly important if the student is to adjust the patient. Consent should be recorded in the case notes and preferably signed by the patient.

## 8. Insurance

It is a requirement of the Board that the institution at which the student is studying provides professional indemnity insurance cover for the student, covering anything that arises from the period of the specified approved placement.

The student should keep a record of the names and details of all patients who have been under his/her care during a placement and make that record available to the institution and its insurer to the extent necessary for insurance purposes.

The student is expected to advise the institution immediately if there is any incident involving the care of a patient.

It is also advisable that the supervising practitioner notify his/her insurer of the presence of a fieldwork student in the clinic.

## 9. Payment

Payment to the fieldwork student is to be at the discretion of the approved supervisor.

## 10. Titles

A number of restrictions of title apply to the fieldwork student. They are as follows:

- The student or supervisor must not imply in any way that the student is a registered chiropractor or registered osteopath or holds a qualification which has not been conferred.
- The student or supervisor must not use the words "*chiropractor*", "*osteopath*", "*manipulative therapist*" or "*spinal therapist*" or any of their derivatives to describe the student or the services they provide.
- The student must not use the title "Dr".
- The student may use either the title "*chiropractic student*" or "*osteopathy student*".

## 11. General Restrictions

Students should not provide care to WorkCover, SGIC Third Party or DVA patients as these bodies insist that a registered chiropractor or osteopath provides care to the patient.

Services provided by students only will not be recognised for benefit purposes from the health funds.

# CHIROPRACTIC & OSTEOPATHY BOARD OF SOUTH AUSTRALIA

## Investigation Process – Unprofessional Conduct/Fitness to Practice

### 1. INTRODUCTION

The Chiropractic & Osteopathy Board of South Australia (“the Board”) is a statutory authority created by the **Chiropractic and Osteopathy Practice Act 2005** (“the Act”).

The Board’s role is to protect the health and safety of the public and ensure the provision of the best possible chiropractic and osteopathy care for the community. The Board has authority to investigate the **professional conduct and fitness to practise** of registered practitioners, and service providers and to impose sanctions where necessary.

Registered practitioner includes chiropractors, osteopaths, and chiropractic or osteopathy students.

A service provider is a person (not being a chiropractor or osteopath) who provides chiropractic or osteopathy through the instrumentality of a chiropractor, osteopath, chiropractic student or osteopathy student, but does not include an exempt provider.

Exempt provider means:

- a recognised hospital, incorporated health centre or private hospital within the meaning of the SA Health Commission Act 1976; or
- any other person declared by the Regulations to be an exempt provider.

### 2. ADMINISTRATIVE PROCESSES

In accordance with Section 15 of the Act:

“(1) *The functions of the Board are as follows ...*

- (g) *to establish administrative processes for handling complaints received against registered persons, chiropractic or osteopathy services providers or persons who occupy positions of authority in corporate or trustee chiropractic or osteopathy services providers (which may include processes under which the registered person, provider or person who occupies the position voluntarily enters into an undertaking);”*

and

“(4) *The administrative processes established by the Board for handling complaints received against registered persons, chiropractic or osteopathy services providers or persons who occupy positions of authority in corporate or trustee chiropractic or osteopathy services providers must be designed –*

- (a) *to be fair to both the aggrieved person and the respondent; and*  
(b) *to keep both the aggrieved person and the respondent properly informed about the steps taken by the Board in response to the complaint; and*  
(c) *to provide, where appropriate, opportunities for the clarification of any misapprehension or misunderstanding between the aggrieved person and the respondent; and*  
(d) *to keep both the aggrieved person and the respondent properly informed about the outcome of the processes; and*  
(e) *to take into account the needs of particular classes of persons who may otherwise suffer disadvantage in the conduct of those processes.”*

### 3. **UNPROFESSIONAL CONDUCT**

There is proper cause for disciplinary action against a registered practitioner if the person is guilty of unprofessional conduct, or against a service provider if the provider has engaged in conduct that would, if the person were a registered person, constitute unprofessional conduct.

Unprofessional conduct is defined in the Act as including:

- “ (a) *improper or unethical conduct in relation to professional practice; and*
- (b) *incompetence or negligence in relation to the provision of chiropractic or osteopathy; and*
- (c) *a contravention of or failure to comply with –*
- (i) *a provision of this Act; or*
- (ii) *a code of conduct or professional standard prepared or endorsed by the Board under this Act; and*
- (d) *conduct that constitutes an offence punishable by imprisonment for 1 year or more under some other Act or law. ”*

A reference in the Act to unprofessional conduct extends to:

- (a) unprofessional conduct committed before the commencement of the Act; and
- (b) unprofessional conduct committed within or outside South Australia or the Commonwealth.

A reference in the Act to “*engaging in conduct*” includes a reference to failing or refusing to engage in conduct.

In case law unprofessional conduct includes conduct which may reasonably be held to violate, or to fall short of, to a substantial degree, the standard of professional conduct observed and approved by members of the profession of good repute and competency.

The Board has published a “Code of Professional Conduct & Practice” which practitioners and service providers are expected to comply with. A breach of the Code may lead to a complaint of unprofessional conduct being laid under the provisions of the Act. The Code may be downloaded from the Board’s website [www.cbsa.saboard.com.au](http://www.cbsa.saboard.com.au) under “Publications”.

### 4. **FITNESS TO PRACTICE (Fit and Proper)**

There is proper cause for disciplinary action against a registered practitioner if the person is, for any reason, no longer a fit and proper person to be registered on the appropriate Register, and against a service provider if the provider is, for any reason, not a fit and proper person to be a provider.

Fitness and propriety of a person relates to knowledge, competency, honesty, moral integrity, ability and character.

The Board uses the following case law as a guide to the meaning of the term "fit and proper":

Sobey v Commercial and Private Agents Board (1979)  
22 SASR 70, at page 76 per Walters J:

*"The issue whether an appellant has shown himself to be a fit and proper person within the meaning of section 16(1) of the Act is not capable of being stated with any degree of precision. But for the purposes of the case under appeal, I think all that I need to say is that, in my opinion, what is meant by that expression is that an applicant must show not only that he is possessed of a requisite knowledge of the duties and responsibilities devolving upon him as the holder of a particular licence under the Act but also that he is possessed of sufficient moral integrity and rectitude of character as to permit him to be safely accredited to the public, without further inquiry, as a person to be entrusted with the sort of work to which the licence entails. The burden clearly lay upon the appellant to satisfy the board of his fitness and propriety to hold the licences for which he applied."*

Medical fitness of a practitioner is treated separately under the Act and an application to the Board to inquire into the matter can only be made by the Registrar, Minister or a representative body.

The Board must have regard to the question of whether the practitioner is able to provide chiropractic or osteopathy personally to a patient without endangering the patient's health or safety.

## **5. NOTIFICATION OF A COMPLAINT/PRELIMINARY CONSIDERATION**

Upon receipt of a Notification of Complaint it will be considered by the Board at its next scheduled meeting. The Board will refer the matter to the Registrar for preliminary consideration by the Complaints Committee.

The Complaints Committee comprises the Registrar and one or more Board members, or members of the profession appointed by the Board.

In the majority of cases the notification and attachments will be forwarded by registered mail to the practitioner or service provider seeking a response to the allegations. This response may then be forwarded to the notifier for a right of reply, and once received the matter will again be considered by the Complaints Committee. This process may take 1-3 months.

**Note:** Complaints made to the Board in good faith are covered by qualified privilege (which provides defence against proceedings for defamation) but complaints made maliciously and without regard to the truth are not.

Practitioner vs Practitioner Complaints: The Board will use its discretion whether or not to investigate complaints from one practitioner against another when the complaint is one of soliciting patients.

Normally the Board will not proceed with this type of complaint until the matter is settled in or out of court as a result of civil action. An exception to this rule is where a member of the public has been severely disadvantaged by the actions of the practitioner

## 6. INVESTIGATIONS

In accordance with Section 41 of the Act:

- “ (1) *If there are reasonable grounds for suspecting –*
- (a) that there is proper cause for disciplinary action against a person; or*
  - (b) that a chiropractor, osteopath, chiropractic student or osteopathy student is medically unfit to provide chiropractic or osteopathy, as the case may be; or*
  - (c) that a person is guilty of an offence against this Act,*
- an inspector may investigate the matter.*
- (2) *For the purposes of an investigation, an inspector may –*
- (a) at any reasonable time, enter and inspect premises of a registered person or premises on which the inspector reasonably suspects an offence against this Act has been or is being committed; or*
  - (b) with the authority of a warrant issued by a magistrate or in circumstances in which the inspector reasonably believes that immediate action is required, use reasonable force to break into or open any part of, or anything in or on any premises referred to in paragraph (a); or*
  - (c) while on premises entered under paragraph (a) or (b), seize and retain anything found on the premises that the inspector reasonably believes may afford evidence relevant to the matters under investigation; or*
  - (d) require any person who has possession of documents or records relevant to the matters under investigation to produce those documents or records for inspection, including written records that reproduce in a readily understandable form information kept by computer, microfilm or other process; or*
  - (e) inspect any documents or records produced to the inspector and retain them for such reasonable period as the inspector thinks fit, and make copies of the records or documents; or*
  - (f) require any person who is in a position to provide information relevant to the matters under investigation to answer any question put by the inspector in relation to those matters; or*
  - (g) take photographs, film or video or audio recordings; or*
  - (h) if the inspector reasonably suspects that an offence against this Act has been or is being committed, require the suspected offender to state his or her full name and address. ”*

The Registrar is an authorised Inspector. In addition, other appropriate persons may be authorised as Inspectors to investigate the complaint and the Board may utilise the Government Investigations Unit of the Attorney-General's Department or private investigators.

The Complaints Committee will consider the inspector's report and if necessary obtain legal advice from the Crown Solicitor and advice from expert witnesses. If this is warranted the process may take 3-6 months.

The Registrar may, on the advice of the Complaints Committee or in his absolute discretion, at any time during, or after, the investigation determine that:

(a) No further action be taken on the grounds that:

- the notification of complaint is frivolous\*, vexatious\* or has no merit;
- there is insufficient evidence to substantiate laying a formal complaint of unprofessional conduct before the Board.

(\*Frivolous means “of little or no weight” or “lack of seriousness”. Vexatious means “causing annoyance” or “instituted without sufficient grounds”.)

(b) Whether or not the notification of complaint constitutes grounds for the taking of disciplinary action, the:

- notifier be invited to participate in an interview by the Complaints Committee to explain any misunderstandings that may have occurred;
- practitioner or service provider be invited to participate in an interview by the Complaints Committee to discuss aspects of his/her professional practice that may be improved. These sessions are voluntary and are designed to be educational in order to avoid further complaints being made;
- subject matter of the complaint may be determined as suitable for mediation and an independent mediator may be appointed;
- practitioner or service provider voluntarily enter into an undertaking with the Board.

(c) The practitioner be invited to undergo an examination by a specified health professional.

(d) The practitioner be invited to participate in an assessment of their competency by a chiropractor or osteopath or a competency review panel.

(e) An inquiry be held into the conduct of the practitioner or service provider as detailed in a formal complaint to the Board lodged by the Registrar (or in some cases the Minister or a representative body declared by the Regulations).

- Note:**
- (i) All information given by the notifier, practitioner or service provider during the investigation or in an interview, mediation, health examination or competency assessment, may be used as evidence in subsequent disciplinary proceedings.
  - (ii) A practitioner’s conduct during an investigation and level of assistance with the Board’s complaint handling processes may be taken into account by the Registrar when determining whether grounds exist for disciplinary action.
  - (iii) Given that the role of the notifier is that of “informant” rather than “prosecutor” the notifier is not entitled to have access to the investigation documentation or minutes of the Board.
  - (iv) Complaints outside the jurisdiction of the Act or complaints involving summary offences against the Act are referred to the relevant authorities or to the Crown Solicitor’s Office for investigation/prosecution.
  - (v) The Complaints Committee has the discretion to go in any direction in the investigative process as it deems appropriate given the circumstances of individual matters.

(vi) Also refer to Part 4, Division 2 "Investigations" of the Act.

A flowchart of the investigation process is attached as Appendix I.

Details of categories of complaint used by the Board appears as Appendix II.

## **7. PROCEEDINGS BEFORE THE BOARD**

Pursuant to Section 20 of the Act:

- " (1) *In proceedings before the Board under this Act the Board –*
- (a) *is not bound by the rules of evidence and may inform itself on any matter as it thinks fit; and*
  - (b) *must act according to equity, good conscience and the substantial merits of the case without regard to technicalities and legal forms.*
- (2) *In proceedings before the Board under this Act the Board must keep the parties to the proceedings properly informed as to the progress and outcome of the proceedings. "*

With respect to inquiries by the Board as to matters constituting grounds for disciplinary action, Section 45 of the Act states:

- " (1) *A complaint setting out matters that are alleged to constitute grounds for disciplinary action against a person may be laid before the Board (in a manner and form approved by the Board) by—*
- (a) *the Registrar; or*
  - (b) *the Minister; or*
  - (c) *a representative body; or*
  - (d) *a person who is aggrieved by the conduct of the person or, if the person aggrieved is a child or is suffering from a mental or physical incapacity, by a person acting on his or her behalf.*
- (2) *If a complaint is laid under this section, the Board must inquire into the subject matter of the complaint unless the Board considers that the complaint is frivolous or vexatious.*
- (3) *If a complaint has been laid under this section by or on behalf of an aggrieved person and the Board is satisfied that the complaint arose from a misapprehension on the part of the complainant or from a misunderstanding between the parties, it may, before proceeding further with the hearing of the complaint, require the parties to attend before the Registrar in order to clarify the misapprehension or misunderstanding.*
- (4) *If, after conducting an inquiry under this section, the Board is satisfied on the balance of probabilities that there is proper cause for disciplinary action against the respondent, the Board may, by order, do 1 or more of the following:*
- (a) *censure the respondent;*
  - (b) *require the respondent to pay to the Board a fine not exceeding \$10 000;*

- (c) *if the respondent is a registered person—*
    - (i) *impose conditions on the respondent's registration restricting the respondent's right to provide chiropractic or osteopathy;*
    - (ii) *suspend the respondent's registration for a period not exceeding 1 year;*
    - (iii) *cancel the respondent's registration;*
    - (iv) *disqualify the respondent from being registered;*
  - (d) *prohibit the respondent from carrying on business as a chiropractic or osteopathy services provider;*
  - (e) *prohibit the respondent from occupying a position of authority in a corporate or trustee chiropractic or osteopathy services provider.*
- (5) *The Board may—*
- (a) *stipulate that a disqualification or prohibition under subsection (4) is to apply—*
    - (i) *permanently; or*
    - (ii) *for a specified period; or*
    - (iii) *until the fulfilment of specified conditions; or*
    - (iv) *until further order;*
  - (b) *stipulate that an order relating to a person is to have effect at a specified future time and impose conditions as to the conduct of the person or the person's business until that time.*
- (6) *If—*
- (a) *a person has been found guilty of an offence; and*
  - (b) *the circumstances of the offence form, in whole or in part, the subject matter of the complaint,*
- the person is not liable to a fine under this section in respect of conduct giving rise to the offence.*
- (7) *The Board may—*
- (a) *fix a period within which a fine imposed under this section must be paid;*
  - (b) *on application by a person liable to pay a fine imposed under this section, extend the period within which the fine must be paid.*
- (8) *A fine imposed under this section is recoverable by the Board as a debt.*
- (9) *The Board may, without further notice, remove from the appropriate register a person who fails to pay a fine imposed under this section. "*

Usually counsel from the Crown Solicitor's Office will be appointed to represent the Registrar at the inquiry and the notifier's role will be that of witness. The registered practitioner or service provider the subject of the inquiry has the right to appear and be represented at the inquiry.

Section 19 of the Act relates to the powers of the Board in relation to witnesses.

Inquiries are held in private and the names of the notifier and witnesses are suppressed in any order or finding which is released by the Board. Depending on the complexity of the inquiry, a further 6-12 months may elapse.

**Note:** Also refer to Part 4, Division 3 "Proceedings before the Board" of the Act.

## 8. COMPLAINT DIRECTLY TO BOARD

It is open for a person who is aggrieved by the conduct of the practitioner or service provider (or if a child or a person suffering from mental or physical incapacity, by a person acting on his or her behalf) to lay a complaint directly to the Board, and the Board must inquire into the subject matter of the complaint unless the Board considers that the complaint is frivolous or vexatious.

Such an inquiry, if held, will be conducted by the aggrieved person or the person's representative (solicitor) at his/her own expense.

If the person does not prove the allegations of unprofessional conduct, the Board has the power to award costs against the person.

For these reasons, aggrieved persons are strongly urged to refrain from laying a formal complaint until the investigation process by the Board is completed and the Registrar has determined whether or not to lay a formal complaint before the Board.

## 9. COSTS

The Board as a regulatory and judicial body can recover its costs of investigation and proceedings before the Board, which can be quite substantial.

In accordance with Section 22 of the Act:

- “ (1) *The Board may award such costs against a party to proceedings before it as the Board considers just and reasonable.*
- (2) *A party who is dissatisfied with the amount of the costs awarded by the Board may request a Master of the District Court to tax the costs and, after taxing the costs, the Master may confirm or vary the amount of the costs awarded by the Board.*
- (3) *Costs awarded by the Board under this section may be recovered as a debt. ”*

It should be noted that the practitioner/service provider and the Registrar are parties to proceedings.

## 10. APPEALS

In accordance with Section 51 of the Act:

- “ (1) *An appeal lies to the District Court against –*
- (a) *a refusal by the Board to register, or reinstate the registration of, a person under this Act; or*
- (b) *the imposition by the Board of conditions on a person's registration under this Act; or*
- (c) *a decision made by the Board in proceedings under Part 4.*
- (2) *An appeal under subsection (1) (c) against a decision may be instituted by the complainant or the respondent in the proceedings in which the decision was made.*
- (3) *An appeal must be instituted within 1 month of the date of the decision appealed against. ”*

**Note:** Also refer to Division 4, Part 5 “Appeals” of the Act.

## 11. PUBLICATION

The Board in its discretion and in the public interest, following the holding of an inquiry into a practitioner's or service provider's conduct or fitness to practice, may publish any relevant information (including the name of the practitioner or service provider) in its Annual Report, the Government Gazette or other public medium.

All chiropractors and osteopaths Boards in Australia and New Zealand, Health Funds, WorkCover and recognised Professional Associations will be informed immediately of the suspension or cancellation of any person's registration.

### Decisions of disciplinary actions on website:

- *Reprimanded or Censured* – decisions published under “Inquiries – Disciplinary” on the website will include the practitioner's or service provider's name for a period of one year. The names of notifiers and witnesses will not be published. After the period of one year has lapsed, all identifiers will be removed and the anonymous decision will remain on the website.
- *Suspension of Registration/Prohibition Orders* – decisions published under “Inquiries – Disciplinary” on the website will include the practitioner's or service provider's name for a period of two years. The names of notifiers and witnesses will not be published. After the period of two years has lapsed, all identifiers will be removed and the anonymous decision will remain on the website.
- *Cancellation of Registration* – decisions published under “Disciplinary – Inquiries” on the website will include the practitioner's name for a period of five years. The names of notifiers and witnesses will not be published. After the period of five years has lapsed, all identifiers will be removed and the anonymous decision will remain on the website.

### Suspensions/conditions/prohibition orders on the website:

- The names of all practitioners with *current conditions on their registration*, and detailing those conditions – names will be removed when the conditions have been met and the persons granted full registration.
- The names of all practitioners who have been *suspended or cancelled from holding registration*, and a brief description of the findings of the Board – names will be removed when the period of suspension is served, the person cancelled is reinstated to the Register, or the person is deceased.
- A list of all *prohibition orders* placed on service providers.

### Annual Report Recording:

#### (a) Complaints/Disciplinary Inquiries

- ***Unsubstantiated***  
Only the category of unprofessional conduct, the allegations made and Committee/Board findings will be reported, not the identity of the practitioner or service provider concerned.
- ***Substantiated***  
The allegations, detailed findings of the Board of Inquiry (including penalty and costs awarded) and the name of the practitioner or service provider concerned will be reported in the Annual Report.

(b) Complaints/Prosecutions under the Act

- ***No Prosecution or Unsuccessful Prosecution***  
The event will be reported, but not the name of the person concerned.
- ***Successful Prosecution/Conviction Recorded***  
The event, allegations, Court finding (including penalty) and the name of the person will be reported in the Annual Report.

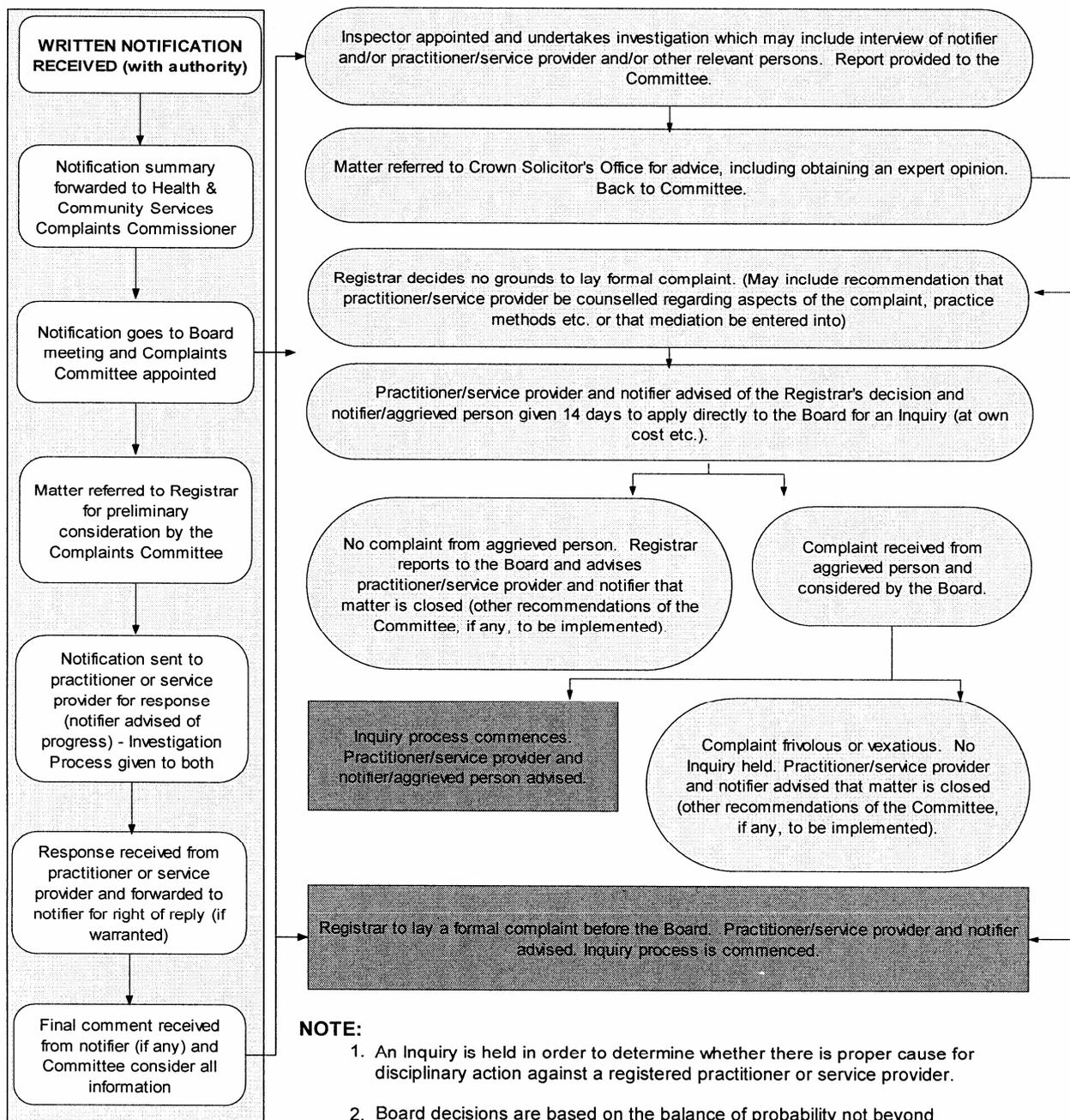
**All correspondence should be directed to:**

Peter Martin  
Registrar/CEO  
Chiropractic & Osteopathy Board of South Australia  
P.O. Box 229  
TORRENSVILLE PLAZA S.A. 5031  
Phone: 08 8443 9669  
Fax: 08 8443 9550  
Email: [cbsa@sboards.com.au](mailto:cbsa@sboards.com.au)  
Web: [www.cbsa.sboards.com.au](http://www.cbsa.sboards.com.au)

**CHIROPRACTIC & OSTEOPATHY BOARD OF SOUTH AUSTRALIA**  
**Investigation Process - Unprofessional Conduct/Fitness to Practice**

**PRELIMINARY CONSIDERATION**

**FURTHER INVESTIGATION WARRANTED**



- NOTE:**
1. An Inquiry is held in order to determine whether there is proper cause for disciplinary action against a registered practitioner or service provider.
  2. Board decisions are based on the balance of probability not beyond reasonable doubt.
  3. It is open at any time for a person who is aggrieved by the conduct of a practitioner or service provider to lay a complaint directly to the Board and the Board must inquire into the subject matter of the complaint unless it considers that the complaint is frivolous or vexatious.

**CATEGORY OF COMPLAINT – DEFINITIONS**

**Including example of levels of seriousness of conduct –  
(1) less serious to (5) most serious**

**(Could vary dependent upon the amount of harm caused and any admission of guilt)**

**1. QUALITY OF TREATMENT/SERVICE**

- (i) Inadequate diagnosis:** Condition or injury has been missed, overlooked, wrongly identified or diagnosed.  
(3 - 4)
- (ii) Wrong treatment/service:** The incorrect choice of therapy has been made.  
(2 - 3)
- (iii) Unskilled or incompetent treatment/service:** Clumsy, incompetent or substandard performance of a treatment/service, but not alleging negligence in the legal sense.  
(3 - 4)
- (iv) Negligent treatment/service:** Explicit allegations of legal liability under tort law.  
(4 - 5)
- (v) Inadequate treatment/service:** Insufficient use of therapy of choice but not "negligent treatment/service".  
(2 - 3)
- (vi) Rough treatment:** Roughness or unnecessary pain inflicted during an examination or treatment.  
(1 - 2)
- (vii) Incorrect prescribing:** The practitioner has prescribed incorrect or inappropriate drugs for the consumer. It also includes the over prescription of drugs.  
(4 - 5)

**2. ACCESS**

- (i) Refusal to admit or treat:** Refusal by an institution or clinic to admit a client, or by a practitioner to accept a client for treatment.  
(1 - 2)
- (ii) Waiting list delay:** Unreasonable delay for treatment/service, lack of review if a case becomes acute, further postponement after a date has been set.  
(1 - 2)
- (iii) Delay in admission or treatment:** Delays occurring after user is at the point of service.  
(1)
- (iv) Non-attendance:** Practitioner fails to keep an agreed appointment, or to attend to give emergency treatment.  
(2 - 3)
- (v) Discharge or transfer arrangements:** Premature discharge from treatment, inadequate discharge planning or lack of continuity of care.  
(2 - 3)
- (vi) Inadequate or no service:** Complaints about inadequacy or lack of service.  
(1 - 2)

### 3. COMMUNICATION/INFORMATION ABOUT TREATMENT OR SERVICE

- (i) **Inadequate information about treatment/service options:** Lack of discussion or consultation between the practitioner and consumer on options available.  
(1 – 2)
- (ii) **Inadequate information about available services:** Lack of discussion between practitioner and consumer on what services are available.  
(1 – 2)
- (iii) **Wrong/misleading information:** Wrong, confusing or misleading information (as distinct from failure to give information).  
(2 – 3)
- (iv) **Inadequate or inaccurate records:** Complaints that personal information in a health record held by a practitioner is incomplete or inaccurate.  
(1 – 2)
- (v) **Access to records:** Restriction or refusal of access to information in any personal health record.  
(2 – 3)
- (vi) **Accuracy of records:** The personal health record of the consumer does not contain accurate information regarding consultations, treatment and services provided.  
(2 – 3)
- (vii) **Certificate or report problems:** Failure to provide a correct certificate or report. Claims that a practitioner has falsified a certificate or failed to certify in accordance with the law.  
(2 – 3)

### 4. COSTS

- (i) **Over charging:** Complaint about the size of a fee or account.  
(1 – 2)
- (ii) **Over servicing/unnecessary treatment:** Too frequent visits, ordering of unnecessary tests, etc.  
(2 – 3)
- (iii) **Fraud:** Claims that a practitioner has deliberately tried to make a profit dishonestly, or gain an unjust financial advantage, or become beneficiary to a vulnerable person's will, or commit Medicare or health insurance fraud (such as billing for consultations which did not occur, or billing twice for one service, or falsifying items).  
(4 – 5)
- (iv) **Inadequate information about costs:** A consumer thinks a fee is too high because not enough prior information was offered, or the information was partial or misleading.  
(1 – 2)
- (v) **Unfair billing practices:** Item numbers used in a disadvantageous way, or extra fees for services normally included in a global fee, or unreasonable penalties for late payment, or refusal to consider financial circumstances, etc.  
(1 – 2)

## 5. DECISIONMAKING

- (i) **Failure to consult consumer:** Lack of discussion and consultation by the practitioner with the consumer in the decision making process.  
(1 – 2)
- (ii) **Consent not informed:** Failure to provide sufficient information so that the consumer can make an informed decision about treatment. Failure to obtain informed consent.  
(2 – 3)
- (iii) **Consent not obtained:** Treatment/service is performed without the provider obtaining any consent from the consumer.  
(3)
- (iv) **Failure/refusal to refer:** Refusal or failure by a practitioner to refer to another service, eg for a second opinion or more appropriate treatment.  
(2 – 3)

## 6. PRIVACY/UNPROFESSIONAL BEHAVIOUR

- (i) **Inconsiderate service:** Rudeness, discourtesy, negative attitude, patronising or overbearing manner.  
(1 – 2)
- (ii) **Failure to ensure privacy:** Lack of personal privacy, failure to offer gowns, demeaning or humiliating treatment.  
(1 – 2)
- (iii) **Breach of confidentiality:** Disclosure to a third party of confidential information, including gossip, indiscretion, unauthorised access or breach of privacy of information.  
(3 – 4)
- (iv) **Discrimination:** Less favourable health treatment on one of the civil (race, sex, age, religion, colour) grounds in anti-discrimination law or covenant.  
(2 – 3)
- (v) **Not culturally appropriate:** The provider does not take into account the consumer's cultural and ethnical background (beliefs, feelings, values, etc) when consulting with and treating consumers.  
(1 – 2)
- (vi) **Sexual impropriety:** Behaviours such as gestures or comments that are sexually demeaning to a consumer.  
(2 – 3)
- (vii) **Sexual transgression/misconduct:** Any touching of a sexual nature and any sexual relationship with a client whether or not initiated by the consumer.  
(5)
- (viii) **Assault:** Physically aggressive or violent actions.  
(5)
- (ix) **Sexual Assault:** Assault that can lead to criminal assault, rape or other sexual offences.  
(5)
- (x) **Unprofessional conduct:** Unethical or improper actions or failures of professional responsibility affecting health rights.  
(3 – 4)

## 7. GRIEVANCES

- (i) **Inadequate response to complaint:** A complaint has been made direct to a practitioner by a consumer and the action taken in response, is inadequate or non-existent.  
(2 – 3)
- (ii) **Reprisal following a complaint:** Any action causing detriment to a consumer (or other participant in a complaint made) as a result of the complaint.  
(3 – 4)

## 8. STANDARDS

- (i) **Standard of facilities:** Building/s and equipment damaged, rundown and in need of repair (refer to "public health" for poor physical environmental standards). Likely to cause a health or safety hazard.  
(4)
- (ii) **Standard of institution/clinic:** Unsatisfactory procedures, lack of skills and expertise.  
(3 – 4)
- (iii) **Public health/hygiene issue:** Hazards in physical environment, inadequate fire safety, lack of adequate heating or cooling, unsanitary state of treatment area, poor infection control, unsafe storage of sharps, worn or soiled bedding, food lacking quality and nutrition, etc.  
(4 – 5)

## 9. OTHER

- (i) **Administrative practices:** Complaints about the administrative (rather than treatment) actions of a practitioner or institution.  
(1 – 2)
- (ii) **Advertising issues:** Any false or misleading public advertising or any breach of advertising guidelines by the Board.  
(1 – 2)
- (iii) **Quackery or illegal practice:** Alleged breaches of trade practices law, deceptive claims, assuming bogus qualifications, extortion, criminal actions, fraudulent claims of curative properties, etc.  
(3 - 4)

**Note:** Decisions of the Board in disciplinary proceedings may vary from the levels of seriousness of conduct mentioned above given admissions of guilt by the practitioner, recognition of unprofessional behaviour, and the level of harm caused to the client.

**CHIROPRACTIC & OSTEOPATHY BOARD  
OF  
SOUTH AUSTRALIA**

**Policy  
For Registered Chiropractors and Osteopaths**

**RE: Assistants in Chiropractic or Osteopathy Practice**

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MILE END S.A. 5031

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TORRENSVILLE PLAZA S.A. 5031

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## CONTENTS

	<b>Page</b>
1. Introduction .....	
2. Definition .....	
3. Role responsibilities .....	
3.1 Role responsibilities of employer.....	
3.2 Role responsibilities of the registered practitioner .....	
3.3 Role responsibilities of assistant .....	
4. Employment of chiropractic or osteopathy students as assistants .....	
5. Training of assistants .....	
6. Supervision of assistants.....	
7. Reporting processes .....	
8. Function of assistants.....	
8.1 Tasks/treatment techniques which must not be delegated to assistants.....	
8.2 Tasks/treatment techniques which may be delegated to assistants .....	

## 1. Introduction

This document is the policy of the Chiropractic & Osteopathy Board of South Australia on the employment and use of assistants (or support staff) by registered chiropractors or osteopaths.

This policy should be read in conjunction with the Board's Code of Professional Conduct & Practice.

This policy is the standard against which a registered chiropractor or osteopath will be evaluated in relation to the use of assistants in their practice.

For the purpose of this document, the term "assistant" will be used and "registered/supervising/treating practitioner" will mean a "chiropractor" or "osteopath" registered under the Act.

## 2. Definition

An assistant is a member of staff employed within a facility or private practice who assists the registered practitioner in the efficient delivery of their services to their patients.

The extent to which the assistant can be involved in treatment is defined in this document.

The supervising practitioner is required to comply with the requirements of the Board's Code of Professional Conduct & Practice.

***The registered practitioner is always directly accountable for the scope of practice of the assistant and the care the patient receives and vicariously liable for the conduct of the assistant.***

## 3. Role responsibilities

### 3.1 Role responsibilities of employer

The employer has an obligation to provide the environment to which the following role responsibilities can be fulfilled.

### 3.2 Role responsibilities of the registered practitioner

The registered practitioner has the responsibility to ensure that:

- The assistant is clearly and correctly identified as an assistant.
- The assistant understands the scope and limits of their responsibilities.
- The assistant is trained to be competent for the tasks required in that facility.
- The assistant is provided with clear direction as to the work to be undertaken.
- There are clearly defined lines of communication and delegation.
- The quality of the work of the assistant is regularly evaluated to ensure they are safe, effective, efficient and competent.
- At no time is an assistant to be requested or required to undertake a task which is outside their competence and cannot be delegated as defined in this policy.

### **3.3 Role responsibilities of the assistant**

The assistant must:

- Respect the rights and dignity of all individuals and be sensitive to their needs.
- Maintain confidentiality of patient information.
- Recognise the extent and limitations of their role responsibilities and only undertake activities that they are competent and delegated to perform.
- Maintain high standards of personal behaviour and conduct.
- Display professionalism toward other health providers.

## **4. Employment of chiropractic or osteopathy students as assistants**

Chiropractic or osteopathy students should not undertake employment where their developing knowledge as a student is being used to fulfil the requirements of a registered practitioner.

Registered practitioners who employ chiropractic or osteopathy students as assistants must adhere to this Policy of the Board.

## **5. Training of assistants**

Formal training for assistants should be encouraged to ensure an appropriate knowledge base and minimum standards of practice. Such training should include:

- Dealing with adverse reactions/outcomes
- Emergency procedures
- Confidentiality
- Basic chiropractic or osteopathy terminology
- Other recognised courses for assistants or equivalent study as determined by the registered practitioner/Board

Additional competence based training may be required to meet the specific requirements of a particular workplace. A training log and written procedures should be made available to the assistant where applicable.

A review of performance should be conducted annually.

## **6. Supervision of assistants**

The assistant is professionally responsible to and must work under the direction and supervision of a designated registered practitioner.

Supervision may be direct or indirect as identified by the registered practitioner and may depend on:

- Practice setting and type of service
- The nature of the task
- The acuity and/or stability of the patient's condition
- The complexity of the patient's needs
- The level of competence of the assistant

The lines of responsibility must be clearly defined both in terms of employment, in relation to the supervising practitioner and in keeping with roles as defined in the policy. The position description should include the procedure to be followed should the designated registered practitioner not be present. An assistant must have:

- a specifically designated chiropractic or osteopathy supervisor
- documented instructions from the supervising practitioner which are regularly reviewed
- ready access to the supervisor on the premises.

## 7. Reporting Processes

Where the assistant may be undertaking activities away from the direct supervision of the registered practitioner the job description should specify:

- the required methods, content and frequency of reporting
- the process for reporting emergency situations to the appropriate health care professional

## 8. Function of assistants

### 8.1 Tasks/treatment techniques which must not be delegated to assistants

The assistant **must not** under any circumstances:

- interpret referrals for chiropractic or osteopathy
- interpret diagnosis or prognosis
- interpret assessment findings
- undertake treatment procedures and goals of treatment
- conduct formal history taking with patients (must not conduct the complete history)
- undertake assessment procedures
- develop a physical diagnosis
- plan treatment programs
- institute or modify treatment programs
- offer advice with respect to conditions for the management of chiropractic/osteopathy complaints

The registered practitioner must apply the following procedures:

- Assess the client prior to each treatment.
- The site, timing, and spread of treatment must be clearly determined and set by the treating practitioner at the time of treatment.
- Undertake all warning and safety procedures, instruct the patient of contraindications and the expected reactions of the modality to be applied.
- Reassess the patient at intervals that are deemed appropriate for the condition being treated.

The registered practitioner bears full responsibility for the use and application of any treatment.

The following activities must not be delegated to an assistant or any other person who is not a registered practitioner or a student on supervised clinical practice, under any circumstances. Thus, an assistant must not apply:

- chiropractic or osteopathic examination
- electrotherapies
- motorised traction
- acupuncture (insertion or removal)
- orthopaedic examination
- neurological examination
- radiology/radiography

## 8.2 Tasks/treatment techniques which may be delegated to assistants

The assistant may undertake receptionist, clerical and housekeeping duties according to the requirements of the service subject to the processes and procedures specified by the registered practitioner. Such processes and procedures should be developed in accordance with acceptable standards of:

- patient safety
- quality assurance
- award conditions of employment
- occupational health, safety and welfare considerations

The assistant may supervise the safety of clients receiving these treatment techniques/modalities. The registered practitioner must provide specific instructions for the assistant to act in an emergency while summoning assistance. In the event of the occurrence of pain, discomfort or unexpected changes the matter must be reported to the treating practitioner immediately. The supervising practitioner must remain on-site during such treatments and be available to respond immediately.

The assistant may undertake non-treatment activities as required by the service, such as:

- escorting patients
- reception of patients
- preparing patients for chiropractic or osteopathy and aiding dressing following treatment
- preparing and maintaining equipment required for treatment

The assistant may also assist the registered practitioner:

- to lift/move patients
- with group activities
- with certain techniques, eg. cranials etc.
- in generating and maintaining medical records
- with patient assessment, such as collection of demographic data

Under the **specific instruction** of a registered practitioner the assistant may:

- supervise the practice of established exercise programs
- apply/remove weighted and/or mechanical traction provided that:
  - the assistant has completed appropriate training as determined by the manufacturer, technique given, and registered practitioner, and keeps a training log;
  - the patient's condition is not acute

Following the appropriate patient assessment by the treating practitioner, the assistant may prepare, apply and monitor, and remove the following treatments:

- hydro collator packs
  - infra-red lamps
  - ice/heat packs
- 
-

## CHICKEN MEAT INDUSTRY ACT 2003

## NOTICE BY THE MINISTER

*Appointment of Registrar*

I, RORY McEWEN, Minister for Agriculture, Food and Fisheries, pursuant to section 6 (2) of the Chicken Meat Industry Act 2003, do hereby appoint Andrew Curtis as Registrar for the purposes of this Act.

Dated 27 February 2008.

RORY McEWEN, Minister for Agriculture,  
Food and Fisheries

## CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I, GAIL GAGO, Minister for Environment and Conservation, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY dedicate the Crown Land defined in The Schedule as Public Road.

**The Schedule**

Allotment 101 in Deposited Plan 76766, Hundred of Paringa, County of Alfred, being within the district of Renmark Paringa.

Dated 28 February 2008.

GAIL GAGO, Minister for Environment  
and Conservation

DEH 11/3742

## CROWN LANDS ACT 1929: SECTION 5

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

1. Resume the land defined in The First Schedule.
2. Dedicate the Crown Land defined in The Second Schedule as a Reserve for Kindergarten Purposes and declare that such land shall be under the care, control and management of the Minister for Education and Children's Services.

**The First Schedule**

Portion of Park Lands, portion of Section 1168, now identified as Allotment 54 in Deposited Plan 75624, Hundred of Davenport, County of Frome, the notice of which, together with other land was published in the *Government Gazette* of 29 August 1985 at page 672, The Second Schedule, being portion of the land comprised in Crown Record Volume 5550, Folio 685.

**The Second Schedule**

Allotment 54 in Deposited Plan 75624, Hundred of Davenport, County of Frome, exclusive of all necessary roads.

Dated 28 February 2008.

GAIL GAGO, Minister for Environment  
and Conservation

DEH 13/1061

## DEVELOPMENT ACT 1993, SECTION 25 (17): DISTRICT COUNCIL OF GRANT—GRANT (DC) DEVELOPMENT PLAN—YAHL TOWNSHIP EXPANSION PLAN AMENDMENT REPORT

*Preamble*

1. The Development Plan amendment entitled 'Grant (DC)—Yahl Township Expansion Plan Amendment Report (the Plan Amendment)' has been finalised in accordance with the provisions of the Development Act 1993.

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

## NOTICE

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

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

Dated 28 February 2008.

PAUL HOLLOWAY, Minister for Urban  
Development and Planning

## DEVELOPMENT ACT 1993, SECTION 25 (17): THE COORONG DISTRICT COUNCIL—THE COORONG GENERAL PLAN AMENDMENT REPORT

*Preamble*

1. The Development Plan amendment entitled 'The Coorong District Council—The Coorong General Plan Amendment Report' has been finalised in accordance with the provisions of the Development Act 1993.

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

## NOTICE

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

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

Dated 28 February 2008.

PAUL HOLLOWAY, Minister for Urban  
Development and Planning

## DEVELOPMENT ACT 1993, SECTION 25 (17): CITY OF CHARLES STURT—DISTRICT CENTRE (KILKENNY) ZONE DEVELOPMENT PLAN AMENDMENT

*Preamble*

1. The Development Plan amendment entitled 'City of Charles Sturt—District Centre (Kilkenny) Zone Development Plan Amendment' (the Plan Amendment) has been finalised in accordance with the provisions of the Development Act 1993.

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

## NOTICE

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

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

Dated 28 February 2008.

PAUL HOLLOWAY, Minister for Urban  
Development and Planning

## DEVELOPMENT ACT 1993, SECTION 29 (2) (b) (ii): AMENDMENT TO THE PORT PIRIE (RC) DEVELOPMENT PLAN

*Preamble*

It is necessary to amend the Port Pirie (RC) Development Plan dated 12 July 2007.

## NOTICE

PURSUANT to section 29 (2) (b) (ii) of the Development Act 1993, I, Paul Holloway, being the Minister administering the Act, amend the Port Pirie (RC) Development Plan dated 12 July 2007 as follows:

1. On page 77, under Principle of Development Control 19, amend the entry for ' Dwelling except where...' to read:

Dwelling except where the site is connected to at least one or more of the following:

- (a) a reticulated water supply;
- (b) community waste water disposal system;
- (c) mains electricity;
- (d) sealed road network.

2. On page 77, under Principle of Development Control 19, amend the entry for ' Domestic Outbuilding except where...' to read:

Domestic Outbuilding except where:

- (a) it complies with Principle 5 of the Residential Zone;
- (b) it has a wall height of not greater than 3 m from the natural ground level; and
- (c) it is to be placed on a site where a dwelling has been approved or is legally established.

3. On page 82, under Principle of Development Control 15, amend the entry for ' Domestic outbuildings except where...' to read:

Domestic outbuildings except where:

- (a) the floor area is not greater than 135 m<sup>2</sup>;
- (b) wall heights are not greater than 3.6 m; and
- (c) it is to be placed on a site where a dwelling has been approved or legally established.

Dated 28 February 2008.

PAUL HOLLOWAY, Minister for Urban Development and Planning

#### DEVELOPMENT ACT 1993

##### *Greater Mount Gambier Deferred Urban Development Plan Amendment Prepared by the Minister— Draft for Public Consultation*

NOTICE is hereby given that the Minister for Urban Development and Planning has, pursuant to sections 24 and 26 of the Development Act 1993, prepared a Development Plan Amendment (DPA) to amend the Mount Gambier (City) and Grant (DC) Development Plans.

The DPA proposes to introduce a Deferred Urban (Northern Gateway) Zone for land located on the northern outskirts of the City of Mount Gambier along Penola Road and extending into the adjoining District Council of Grant along the Riddoch Highway. The DPA seeks to ensure development that might be contrary to the strategic directions of the Planning Strategy, in particular, the Northern Gateway Precinct within the Greater Mount Gambier Master Plan does not occur.

The draft DPA will be on public consultation from Thursday, 28 February 2008 until Thursday, 24 April 2008.

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

[www.planning.sa.gov.au/go/MountGambierDPA](http://www.planning.sa.gov.au/go/MountGambierDPA).

Alternatively the draft DPA can be viewed during normal office hours at the offices of the affected Councils.

Written submissions regarding the draft DPA should be received no later than 5 p.m. on Thursday, 24 April 2008. All submissions should be addressed to the Presiding Member, Development Policy Advisory Committee, c/o Planning SA, G.P.O. Box 1815, Adelaide, S.A. 5001 and should clearly indicate whether you wish to be heard in support of your submission at the public meeting. If you wish to lodge your submission electronically, please email the electronic submission to [plnsa.dpac@saugov.sa.gov.au](mailto:plnsa.dpac@saugov.sa.gov.au).

Copies of all submissions will be available for inspection by interested persons from the close of submissions at Planning SA, Level 5, 136 North Terrace, Adelaide, until the conclusion of the public meeting, and will also be available for viewing on the Planning SA website.

A public meeting will be held on Monday, 12 May 2008 at 7 p.m. at the Quality Inn International, Millicent Road, Mount Gambier, at which time interested persons may appear to be heard in relation to the draft DPA and the submissions. The public meeting will not be held if no submissions are received or if no submission includes a request to be heard. Please check Planning SA's website at [www.planning.sa.gov.au/go/MountGambierDPA](http://www.planning.sa.gov.au/go/MountGambierDPA) before the scheduled date of the meetings to find out whether they are being held.

If you would like further information about the draft DPA, contact Steven Copus on telephone 8303 0659 or via email at [copus.steven@saugov.sa.gov.au](mailto:copus.steven@saugov.sa.gov.au).

Dated 28 February 2008.

S. UNDERWOOD, Secretary, Development Policy Advisory Committee

#### DEVELOPMENT ACT 1993

##### *Planning Strategy for South Australia—Alterations*

PURSUANT to section 22 (5) (c) of the Development Act 1993, I declare that an alteration has been made to the Planning Strategy for the purposes of section 22 by creating a new volume of the strategy titled 'Greater Mount Gambier Master Plan, February 2008'.

Copies of the Greater Mount Gambier Master Plan are available for inspection and purchase at the offices of Planning SA, Department of Primary Industries and Resources South Australia, Level 5, Roma Mitchell Building, 136 North Terrace, Adelaide.

Copies are also available for inspection on the Internet:

[www.planning.sa.gov.au/go/mountgambiermasterplan](http://www.planning.sa.gov.au/go/mountgambiermasterplan)

Dated 28 February 2008.

PAUL HOLLOWAY, Minister for Urban Development and Planning

#### DEVELOPMENT ACT 1993

##### *Alteration to the Planning Strategy—Greater Mount Gambier Master Plan*

THE Minister for Urban Development and Planning, Paul Holloway MLC, has formally incorporated the document titled 'Greater Mount Gambier Master Plan, February 2008' into the Planning Strategy, pursuant to the provisions of section 22 of the Development Act 1993.

The 'Greater Mount Gambier Master Plan, February 2008' will guide future growth of the Greater Mount Gambier area. The area includes the City of Mount Gambier and the District Council of Grant.

With the adoption of this Master Plan, a consequential alteration has been made to the Planning Strategy by the creation of a new volume of the Planning Strategy for South Australia titled 'Greater Mount Gambier Master Plan, February 2008'.

##### *Availability of Document*

The Greater Mount Gambier Master Plan is available online at [www.planning.sa.gov.au/go/planning-strategy](http://www.planning.sa.gov.au/go/planning-strategy).

Copies of the document can also be obtained (without charge) at Planning SA, Level 5, 136 North Terrace, Adelaide (Telephone (08) 8303 0724) and at the offices of the City of Mount Gambier and the District Council of Grant.

For further information telephone (08) 8303 0760 or email [PLNSA.strategic@saugov.sa.gov.au](mailto:PLNSA.strategic@saugov.sa.gov.au).

PAUL HOLLOWAY, Minister for Urban Development and Planning

## EDUCATION ACT 1972

*Dissolution and Establishing of School Governing Councils*

TAKE notice that, pursuant to section 85 (1) (b) of the Education Act 1972, I, Jane Lomax-Smith, Minister for Education and Children's Services, Minister of the Crown to whom the administration of the Education Act 1972, is committed, do hereby dissolve the School Governing Council of Spence Primary School and Heysen Primary School and establish a single School Governing Council for Spence Primary School and Heysen Primary School (to be known as Thiele Primary School).

JANE LOMAX-SMITH, Minister for Education and Children's Services

## EDUCATION ACT 1972

*Dissolution of School Governing Councils*

TAKE notice that, pursuant to section 85 (1) (e) of the Education Act 1972, I, Jane Lomax-Smith, Minister for Education and Children's Services, Minister of the Crown to whom the administration of the Education Act 1972, is committed, do hereby dissolve the School Governing Council of:

Broadmeadows Primary School  
Browns Well District Area School  
Rosedale Primary School,

which have been permanently closed.

JANE LOMAX-SMITH, Minister for Education and Children's Services

## FIRE AND EMERGENCY SERVICES ACT 2005

## SECTION 79 (3) (b)

*Fires During the Fire Danger Season*

I, EUAN ARTHUR FERGUSON AFSM, the Chief Officer of the South Australian Country Fire Service, hereby vary the restriction on lighting and maintaining of fires to allow the use of fireworks, fire pots and gas-fired BBQs during the period from midnight on Thursday, 6 March 2008 until midnight on Sunday, 9 March 2008, within the part of the State named Botanic Park, bounded by Frome Road, the Adelaide Botanic Gardens, Hackney Road and the Adelaide Zoo.

Dated 22 February 2008.

EUAN FERGUSON, Chief Officer,  
SA Country Fire Service

## FISHERIES MANAGEMENT ACT 2007: SECTION 80 (1)

*Appointment of Fisheries Officers*

I, PAUL HOLLOWAY, Acting Minister for Agriculture, Food and Fisheries in the State of South Australia, appoint the following persons to be Fisheries Officers for the purposes of the Fisheries Management Act 2007:

Benjamin Mark Bansemmer	Dale Vaughan McKerlie
Brett Trevor Chalmers	Gary Phillip Biggs
Darryl Scott Cowan	Michael John Cresshull
Peter John Dietman	Gary Martin Darter
Randel Todd Donovan	Deryck James Donovan
Shane Anthony Gassner	Paul Faithow
David Scott Grant	Benn Gramola
Troy Anthony Harris	Aaron Wade Hanson
Gregory John Heycock	Peter Anthony Henwood
David Alan Hobbs	Penelope Cara Heycock
Stephen Anthony William Kempster	Mark Patrick Spencer
Mark Lewis	Rhys Kirkbright
Yolande Michelle Markey	Sean Matthew Luke
Robin Nicholas Parkes	Alexander James McKay
Trevor John Puckridge	Leslie Allan Parsons
Gregory James Rowley	Matthew John Read
	Margret Ruth Rowley

James Sydney Sheppard  
Melanie Anne Snart  
Phillip Lawrence Stanley  
Michael John Stewart  
Paul Andrew Tatarelli  
Aaron John Thiele  
Pasquale Tripodi  
Brett Anderson Williss  
Morgan William Trenaman

Kane David Slater  
Brooke Nicole Stanley  
Roger Grant Stening  
Barry James Tarr  
Hamish Alexander Telfer  
Renee Cara Tietzel  
Scott Raymond Webb  
Tania Wurst  
Adrian David Williss

Appoint the following Victorian Fisheries Officers to be Fisheries Officers for the purposes of the Fisheries Management Act 2007:

Benjamin Stewart Amey  
Mark David Asplin  
Rodney Warren Barber  
Michael Joseph Battanin  
Colby Robert Bowden  
Sean Dermott Brodie  
David Anthony Bull  
Ashley Robert Burns  
Jason Dylan Bux  
Benjamin Joseph Carroll  
David Crosbie Cass  
Marcus James Clarke  
Darren Douglas Deering  
Loris Peter Dri  
Stephen Craig Eddy  
Mark David Gibson  
Grant Keith Griffin  
Darren Heil  
Andre Bernard Holman  
Robert John Hutton  
Cameron Donald McCallum  
Matthew Peter McMahan  
Eain Paterson McRae  
Gabrielle Joy Mitchell

Christopher John Angwin  
Darren Kenneth Bailey  
Mathew James Bateson  
Paul Anthony Bodsworth  
Gregory John Brodie  
Iain William Bruce  
David Clive Burgess  
Murray Burns  
Heath Gordon Cameron  
Ian Keith Carroll  
David Stanley Cattlin  
Charles Galbraith Cooper  
Murray Sidney Donaldson  
Troy Anthony Duthie  
Christopher Francis Epskamp  
David Jeffrey Green  
Joshua Charles John Hannaford  
Gary Charles Hodges  
Michael James Hosking  
Timothy James Hutton  
William Norman McCarthy  
Stephen Craig McMonigle  
Paul Edmond Millar  
Leonard Joseph O'Brien

Appoint the following Western Australian Fisheries Officers to be Fisheries Officers for the purposes of the Fisheries Management Act 2007:

Ian David Jones  
David Alan Hollingsworth  
Maxine Alexandra Birkin  
John David Mutter  
Russell Scott Adams  
Gary John Harburn  
Graeme Hall  
Ali Claire Jennings  
Bradley Tilley

Benjamin Wayne Smith  
Nigel Denis Schofield  
Alexander Eric George Knights  
Phillip Douglas Shaw  
Kevin Ross Johnson  
Steven Bradley Embling  
Kane Holtom  
Gary Brown

Appoint the following New South Wales Fisheries Officers to be Fisheries Officers for the purposes of the Fisheries Management Act 2007:

Peter William Tilbrook  
David James Potter  
Peter James Angel  
Stephen John Ward  
Ronald William Smith

Andrew Carol Driscoll  
Brian Gregory Twomey  
Scott Alan Mathieson  
Mark John Hauser

Appoint the following Queensland Boating and Fisheries Patrol Officers to be Fisheries Officers for the purposes of the Fisheries Management Act 2007:

David Kahler  
Jeffrey Alan Krause  
Coby Scott Walker  
Richard Bray  
Matt Daniel Davidson  
Alister Spicer  
Loren Horn

Gary Alan Muhling  
Glen Thomas Shiels  
Paul Kuhn  
Robert Marsh  
Cherelle Broughton  
Mark Anthony Saul

Dated 29 November 2007.

PAUL HOLLOWAY, Acting Minister for  
Agriculture, Food and Fisheries

## HOUSING IMPROVEMENT ACT 1940

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

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published	Maximum rental per week payable in respect of each house \$
		Volume	Folio		
1 Bridges Street, Broadview	Allotment 59 in Filed Plan 111367, Hundred of Yatala	5805	127	26.7.07, page 3177	121.00
5 Brussels Street, Broadview	Allotment 13 in Filed Plan 111221, Hundred of Yatala	5926	56	20.12.07, page 4895	137.00
6 Martlesham Crescent, Colonel Light Gardens	Allotment 41 in Deposited Plan 3210, Hundred of Adelaide	5824	772	8.11.07, page 4183	190.00
87 Thomas Street, Murray Bridge	Allotment 70 in Deposited Plan 2627, Hundred of Mobilong	5818	372	20.12.07, page 4895	145.00
26 Griffiths Drive, Moana	Allotment 247 in Deposited Plan 3752, Hundred of Willunga	5154	715	22.2.07, page 555	169.00
8 Agnes Street, New Town, (via Kadina)	Allotment 26 in Deposited Plan 2390 in the area named New Town, Hundred of Wallaroo	5237	62	27.10.05, page 3813	80.00
37 Patapinda Road, Old Noarlunga	Allotment 91 in Filed Plan 164703 and Filed Plan 166882, Hundred of Noarlunga	5310 5309	2 874	2.3.06, page 766	192.00
12 Woodfull Street, Parafield Gardens	Allotment 216 in Deposited Plan 7816, Hundred of Yatala	5586	315	20.12.07, page 4895	191.00
315 Bridges Road, Para Hills	Allotment 25 in Deposited Plan 7056, Hundred of Yatala	5354	559	11.10.07, page 3907	175.00
27 Clyde Street, Parkside	Allotment 128 in Filed Plan 14380, Hundred of Adelaide	5485	324	21.9.78, page 1004	120.00

Dated at Adelaide, 28 February 2008.

D. HUXLEY, Director, Corporate and Board Services

## HOUSING IMPROVEMENT ACT 1940

NOTICE is hereby given that the South Australian Housing Trust in the exercise of the powers conferred by the Housing Improvement Act 1940, does hereby declare the houses described in the table hereunder to be substandard for the purposes of Part 7 of the Housing Improvement Act 1940.

No. of House and Street	Locality	Allotment, Section, etc.	Certificate of Title	
			Volume	Folio
Lot 51, Blockers Road	Basket Range	Allotment 51 in Deposited Plan 49060, Hundred of Onkaparinga	5517	928
21 Race Course Road	Balaklava	Allotment 10 in Filed Plan 12452, Hundred of Balaklava	5488	947
24 Park Terrace	Enfield	Allotment 68 in Deposited Plan 4685, Hundred of Yatala	5130	373
34 Bay Road	Moonta Bay	Allotment 52 in Filed Plan 8297, Hundred of Wallaroo	5078	502
52 Clayton Drive	Wallaaroo (North Beach)	Allotment 2 in Filed Plan 1231, Hundred of Wallaroo	5921	975

Dated at Adelaide, 28 February 2008.

D. HUXLEY, Director, Corporate and Board Services

## HOUSING IMPROVEMENT ACT 1940

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

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published
		Volume	Folio	
1189 Grand Junction Road, Hope Valley	Allotment 1 of portion of section 829, Hundred of Yatala	5468	9	20.1.77, page 135
10 Hender Avenue, Magill	Allotment 137 in Deposited Plan 3574, Hundred of Adelaide	5848	307	26.6.03, page 2710
Section 416, Ruffrock Road, Millicent	Allotment 556 of portion of section 416, Hundred of Muirhead	5550	992	28.10.93, page 2118
13 Cooke Street, Kingston, S.E.	Allotment 93 of portion of Allotment 51, Hundred of Lacepede	5371	68	24.8.95, page 508
Unit 1/6 Vine Street, Prospect	Unit 1 in Strata Plan 3597, Hundred of Yatala	5033	898	22.2.07, page 555
25 Whiting Road, St Agnes	Allotment 87 in Filed Plan 132189, Hundred of Yatala	5334	503	15.12.05, page 4282
73 Jervois Street, Torrensville	Allotment 151 in Deposited Plan 1059, Hundred of Adelaide	5592	27	11.10.07, page 3907
Unit 10/9 Irwin Street, Wallaroo	Allotment 3 in Filed Plan 158872, Hundred of Wallaroo	5287	975	26.7.07, page 3177

Dated at Adelaide, 28 February 2008.

D. HUXLEY, Director, Corporate and Board Services

LAND AND BUSINESS (SALE AND CONVEYANCING)  
ACT 1994*Exemption*

TAKE notice that, pursuant to section 23 (3) of the Land and Business (Sale and Conveyancing) Act 1994, I, Jennifer Rankine, Minister for Consumer Affairs, do hereby exempt the person named in Schedule 1 from the application of section 23 (2) of the Act in relation to the purchase of the land specified in Schedule 2.

## SCHEDULE 1

James Melvin Havelberg, an employee of Rob Brown Real Estate Pty Ltd.

## SCHEDULE 2

The land described in a portion of certificate of title register book volume 5956, folio 649, situated at Lot 9, Preiss Street, Mannum, S.A. 5238.

J. RANKINE, Minister for Consumer Affairs

LAND AND BUSINESS (SALE AND CONVEYANCING)  
ACT 1994*Exemption*

TAKE notice that, pursuant to section 23 (3) of the Land and Business (Sale and Conveyancing) Act 1994, I, Jennifer Rankine, Minister for Consumer Affairs, do hereby exempt the person named in Schedule 1 from the application of section 23 (2) of the Act in relation to the purchase of the land specified in Schedule 2.

## SCHEDULE 1

David Braunack, an employee of Homburg Group Pty Ltd.

## SCHEDULE 2

The land described in a whole of certificate of title register book volume 5968, folio 905, situated at Lot 19, Atze Parade, Nuriootpa, S.A. 5355.

J. RANKINE, Minister for Consumer Affairs

LAND AND BUSINESS (SALE AND CONVEYANCING)  
ACT 1994*Exemption*

TAKE notice that, pursuant to section 23 (3) of the Land and Business (Sale and Conveyancing) Act 1994, I, Jennifer Rankine, Minister for Consumer Affairs, do hereby exempt the person named in Schedule 1 from the application of section 23 (2) of the Act in relation to the purchase of the land specified in Schedule 2.

## SCHEDULE 1

Martin Leon Nitschke, an employee of Wardle Co. Pty Ltd.

## SCHEDULE 2

The land described in a whole of certificate of title register book volume 5295, folio 170, situated at Lot 38, Hundred of Crystal Brook, S.A. 5523.

J. RANKINE, Minister for Consumer Affairs

LAND AND BUSINESS (SALE AND CONVEYANCING)  
ACT 1994*Exemption*

TAKE notice that, pursuant to section 23 (3) of the Land and Business (Sale and Conveyancing) Act 1994, I, Jennifer Rankine, Minister for Consumer Affairs, do hereby exempt the person named in Schedule 1 from the application of section 23 (2) of the Act in relation to the purchase of the land specified in Schedule 2.

## SCHEDULE 1

David Arnold Smallacombe, an employee of Smallacombe Real Estate Pty Ltd.

## SCHEDULE 2

The land described in a portion of certificate of title register book volume 5521, folio 833, situated at 1/13 Scott Street, Parkside, S.A. 5063.

J. RANKINE, Minister for Consumer Affairs

LAND AND BUSINESS (SALE AND CONVEYANCING)  
ACT 1994

*Exemption*

TAKE notice that, pursuant to section 23 (3) of the Land and Business (Sale and Conveyancing) Act 1994, I, Jennifer Rankine, Minister for Consumer Affairs, do hereby exempt the person named in Schedule 1 from the application of section 23 (2) of the Act in relation to the purchase of the land specified in Schedule 2.

SCHEDULE 1

Daren Brian Morris, an employee of D. & L. Morris Real Estate Pty Ltd.

SCHEDULE 2

The land described in a whole of certificate of title register book volume 5280, folio 79, situated at 46 Whitford Road, Elizabeth South, S.A. 5112.

J. RANKINE, Minister for Consumer Affairs

LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Venue Church Business Pty Ltd as trustee for Church Venue Business Unit Trust has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at Synagogue Place, Adelaide, S.A. 5000 and known as Church Entertainment Venue.

The application has been set down for hearing on 13 March 2008 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 one day before the hearing date (viz: 12 March 2008).

The applicant's address for service is c/o Adrian Battiston, G.P.O. Box 544, Adelaide, S.A. 5001.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 20 February 2008.

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 Wheatsheaf Pty Ltd has applied to the Licensing Authority for a variation to an Extended Trading Authorisation in respect of premises situated at 39 George Street, Thebarton, S.A. 5031 and known as Wheatsheaf Hotel.

The application has been set down for callover on 28 March 2008 at 9 a.m.

*Conditions*

The following licence conditions are sought:

- Variation to Extended Trading Authorisation for Areas 2, 3, 4 and 5:

Monday to Wednesday: Midnight to 12.30 a.m. the following day.

- Variation to Extended Trading Authorisation for Area 2:

Thursday to Saturday: Midnight to 2 a.m. the following day.

Any person may object to the application by lodging a notice of objection in the prescribed form with the 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 callover date (viz: 21 March 2008).

The applicant's address for service is c/o Fisher Jeffries, Level 15, 211 Victoria Square, Adelaide, S.A. 5000 (Attention: Craig Vozzo or Adrian Battiston).

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 19 February 2008.

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 Blanchetown Kart Club Inc. has applied to the Licensing Authority for a Limited Club Licence in respect of premises situated at Murraylands Road, Blanchetown, S.A. 5357 and to be known as Blanchetown Kart Club.

The application has been set down for callover on 28 March 2008 at 9 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 callover date (viz: 21 March 2008).

The applicant's address for service is c/o Blanchetown Kart Club Inc., 40 North Terrace, Blanchetown, S.A. 5357.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 19 February 2008.

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 Marco Angelo Litterini and Dianne Mariette Litterini have applied to the Licensing Authority for the removal of a Producer's Licence in respect of premises situated at Lot 103, Mengler Hill Road, Vine Vale via Tanunda, S.A. 5352 and to be situated at 10 Roenfeldt Drive, Tanunda, S.A. 5352 and known as Barossa Ridge Wine Estates.

The application has been set down for callover on 28 March 2008 at 9 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 callover date (viz: 21 March 2008).

The applicants' address for service is c/o Heuzenroeder and Heuzenroeder, 49 Murray Street, Tanunda, S.A. 5352.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 20 February 2008.

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 Michael Craig Marshall and Gilmorgan Pty Ltd have applied to the Licensing Authority for an extension of Trading Area and Extended Trading Authorisation in respect of premises situated at 50 Randell Street, Mannum, S.A. 5238 and known as Pretoria Hotel.

The application has been set down for callover on 28 March 2008 at 9 a.m.

*Conditions*

The following licence conditions are sought:

- Extension of Trading Area to include verandah as per plans lodged with this office for the following hours (including Extended Trading Authorisation):

Monday to Wednesday: 6 a.m. to midnight;

Thursday to Saturday: 6 a.m. to 2 a.m. the following day;

Sunday: 10 a.m. to midnight.

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 callover date (viz: 21 March 2008).

The applicants' address for service is c/o Wallmans Lawyers, 173 Wakefield Street, Adelaide, S.A. 5000 (Attention: Peter Hoban or Ben Allen).

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 21 February 2008.

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 Cellar Force Pty Ltd has applied to the Licensing Authority for the removal of a Direct Sales Licence in respect of premises situated at 26 Howard Street, Beaulah Park, S.A. 5067, to be situated at Epworth Building, Suite 463B, 33 Pirie Street, Adelaide, S.A. 5000 and known as Cellar Force.

The application has been set down for callover on 28 March 2008 at 9 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 callover date (viz: 21 March 2008).

The applicant's address for service is c/o Wallmans Lawyers, 173 Wakefield Street, Adelaide, S.A. 5000.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 20 February 2008.

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 Jonathan Lark and Sarah Lark have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Lot 641, Hundred of Menzies, Playford Highway, Cygnet River, S.A. 5223 and known as Kangaroo Island Spirits.

The application has been set down for hearing on 28 March 2008 at 9 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: 21 March 2008).

The applicants' address for service is c/o Jonathan Lark and Sarah Lark, P.O. Box 590, Kingscote, S.A. 5223.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 21 February 2008.

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 Vietnam Palace Pty Ltd has applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at 108/110 Goodwood Road, Goodwood, S.A. 5034 and known as Vietnam Palace Restaurant.

The application has been set down for hearing on 28 March 2008 at 9 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 March 2008).

The applicant's address for service is c/o Cormac McCarron, 108/110 Goodwood Road, Goodwood, S.A. 5034.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 22 February 2008.

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 Dean Consulting Pty Ltd as trustee for Dean Family Trust has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 162B King William Road, Hyde Park, S.A. 5061 and to be known as Darriwill Farm.

The application has been set down for callover on 28 March 2008 at 9 a.m.

*Conditions*

The following licence conditions are sought:

1. The licence authorises the sale of the following liquor for consumption off the premises:

- (a) Darriwill Farm Wines;
- (b) Boutique Wines in excess of \$15 per bottle. Boutique Wines are defined as wineries that produce less than 250 tonnes; and
- (c) French Champagne.

2. Sale of liquor on the licensed premises (other than direct sales transactions) shall be limited to the following hours:

Monday to Friday: 9 a.m. to 6 p.m.

Saturday: 9 a.m. to 5 p.m.; and

Sunday: 11 a.m. to 5 p.m.

3. The licence authorises the licensee to sell or supply Darriwill Farm labelled wine by way of sample for consumption on a part of the licensed premises approved for the purposes by the Licensing Authority.

4. The licence authorises the sale of wine only. The licensee shall not sell beer, spirits or ready to drink products.

5. The licence authorises the licensee to sell liquor at any time through direct sales transactions (provided that, if the liquor is to be delivered to an address in this State, the liquor is dispatched and delivered only between the hours of 8 a.m. and 9 p.m. and not on Good Friday or Christmas Day).

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 callover date (viz: 21 March 2008).

The applicant's address for service is c/o Dean Consulting Pty Ltd as trustee for Dean Family Trust, 121 King William Road, Unley, S.A. 5061.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 25 February 2008.

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 Chloe Bay Pty Ltd has applied to the Licensing Authority for a variation to Conditions in respect of premises situated at 11-13 Forsyth Street, Whyalla, S.A. 5600 and to be known as Hotel Bay View.

The application has been set down for callover on 28 March 2008 at 9 a.m.

##### *Conditions*

The following licence conditions are sought:

- Variation to Condition 1 from:  
Patrons will not be admitted to the premises after 2.30 a.m. on Thursday, Friday and Saturday nights.

To:

When entertainment is provided, patrons will not be admitted to the premises after 2.30 a.m. on Thursday, Friday and Saturday nights.

- Variation to Condition 2 from:

At least two licensed security staff will patrol the premises and immediate vicinity from midnight until 30 minutes after patrons have left the vicinity.

To:

When entertainment is provided, at least two licensed security staff will patrol the premises and immediate vicinity from midnight until 30 minutes after patrons have left the vicinity.

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, on or before the callover date (viz: 27 March 2008).

The applicant's address for service is c/o Kelly & Co., Caroline Beeston, Level 17, 91 King William Street, Adelaide, S.A. 5000.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 25 February 2008.

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 Antonio Morelli has applied to the Licensing Authority for a Restaurant Licence and Entertainment Consent in respect of premises situated at 94-96 Gorge Road, Newton, S.A. 5074 and to be known as L'Osteria Caffè Restaurant.

The application has been set down for callover on 7 March 2008 at 9 a.m.

##### *Conditions*

The following licence conditions are sought:

- Approval under Section 34 (1) (c) to sell liquor for consumption on the licensed premises by persons:
  - (a) seated at a table; and
  - (b) attending a function at which food is provided.
- Extended Trading Authorisation:  
Sunday: 8 p.m. to 9.30 p.m.
- Entertainment Consent:  
Friday and Saturday: 12.30 p.m. to 11 p.m.  
Sunday: 12.30 p.m. to 9.30 p.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 callover date (viz: 29 February 2008).

The applicant's address for service is c/o Antonio Morelli, 94-96 Gorge Road, Newton, S.A. 5074.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 5 February 2008.

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 Carol Joy Marcus and Linda Jane O'Connell have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 48 Church Street, Penola, S.A. 5277 and known as Irises Cafe.

The application has been set down for hearing on 31 March 2008 at 9 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: 24 March 2008).

The applicants' address for service is c/o Bill Degaris, P.O. Box 869, Mount Gambier, S.A. 5290.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 21 February 2008.

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 Thachi Wines Pty Ltd has applied to the Licensing Authority for the transfer of a Producer's Licence in respect of premises situated at Lot 188, Vine Vale Road, Tanunda, S.A. 5352 and known as Vinecrest Fine Barossa Wine.

The application has been set down for hearing on 31 March 2008 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: 24 March 2008).

The applicant's address for service is c/o Claire Gitsham, G.P.O. Box 1663, Adelaide, S.A. 5001.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: [olgc@agd.sa.gov.au](mailto:olgc@agd.sa.gov.au).

Dated 22 February 2008.

Applicant

#### MINING ACT 1971

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

Applicant: Flinders Diamonds Limited

Location: Glen Oak area—Approximately 90 km north-east of Port Augusta.

Term: 1 year

Area in km<sup>2</sup>: 201

Ref.: 2008/00047

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

H. TYRTEOS, Mining Registrar

#### MINING ACT 1971

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

Applicant: Havilah Resources NL

Location: Chocolate Dam area—Approximately 105 km north-north-east of Olary.

Term: 1 year

Area in km<sup>2</sup>: 59

Ref.: 2008/00074

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

H. TYRTEOS, Mining Registrar

#### MINING ACT 1971

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

Applicant: Quasar Resources Pty Ltd 80%,  
Paladin Resources Ltd 20%

Location: Mount Hopeless area—Approximately 160 km east of Marree.

Term: 2 years

Area in km<sup>2</sup>: 429

Ref.: 2008/00078

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

H. TYRTEOS, Mining Registrar

#### NATIONAL PARKS AND WILDLIFE ACT 1972

##### *Revocation of Caerdroia Sanctuary*

PURSUANT to section 44 (2) of the National Parks and Wildlife Act 1972, I, Gail Gago, Minister for Environment and Conservation, do hereby revoke the declaration of Sanctuary No. 91 (Caerdroia Sanctuary) as depicted in the *Government Gazette* on 24 January 2002.

Dated 17 February 2008.

GAIL GAGO, Minister for Environment  
and Conservation

#### NOTICE TO MARINERS

NO. 12 OF 2008

AS part of the Marine Integrated Program (IMOS), the South Australian Research and Development Institute (SARDI) has deployed a bottom moored scientific research mooring, west of Kangaroo Island in position latitude 35°49.93'S and longitude 136°26.84'E. The mooring location is marked by two small unlit surface buoys, one red and one green. The surface and mooring buoys have SARDI labels on them, identifying them as SARDI property.

The equipment is the first of the series of semi-permanent IMOS moorings that will remain in position indefinitely.

Mariners are advised to exercise caution when navigating in the area especially if engaged in trawling operations.

Charts affected: Aus 343.

Adelaide, 20 February 2008.

PATRICK CONLON, Minister for Transport

DTEI 2008/00767

#### PETROLEUM (SUBMERGED LANDS) ACT 1967 (COMMONWEALTH)

##### *Delegation under Section 8H*

THE Joint Authority in respect of the adjacent area in respect of the State of South Australia hereby revokes all existing delegations made pursuant to section 8H of the Act and delegates all its powers under the Act (other than the power of delegation), or under an Act that incorporates the Act, to the following two persons together:

- the person from time to time performing the duties of General Manager, Offshore Resources Branch, Resources Division, Commonwealth Department of Resources, Energy and Tourism, as the person representing the Commonwealth Minister; and
- the person from time to time holding, occupying or performing the duties of the office of Director Petroleum and Geothermal, Minerals and Energy Resources, Department of Primary Industries and Resources of the State of South Australia, as the person representing the State Minister.

Dated 20 February 2008.

MARTIN JOHN FERGUSON, Minister for  
Resources and Energy

Dated 21 February 2008.

PAUL HOLLOWAY, Minister for Mineral  
Resources Development

#### PETROLEUM ACT 2000

##### *Suspension of Exploration Licence—PEL 111*

PURSUANT to section 90 of the Petroleum Act 2000, notice is hereby given that the abovementioned Exploration Licence has been suspended under the provisions of the Petroleum Act 2000, from and including 5 February 2008 until 4 May 2008, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573.

The expiry date of Exploration Licence PEL 111 is now determined to be 13 January 2010.

Dated 21 February 2008.

B. A. GOLDSTEIN,  
Director Petroleum and Geothermal  
Minerals and Energy Resources  
Primary Industries and Resources SA  
Delegate of the Minister for  
Mineral Resources Development

## PETROLEUM ACT 2000

*Grant of Geothermal Exploration Licences—GELs 340, 341, 342, 343, 344, 345, 346, 347 and 348*

NOTICE is hereby given that the undermentioned Geothermal Exploration Licences have been granted under the provisions of the Petroleum Act 2000, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573.

No. of Licence	Licensee	Locality	Area in km <sup>2</sup>	Reference
GEL 340	AAA Energy Pty Ltd	Cooper Basin	494	27/02/507
GEL 341	AAA Energy Pty Ltd	Cooper Basin	494	27/02/507
GEL 342	AAA Energy Pty Ltd	Cooper Basin	499	27/02/507
GEL 343	AAA Energy Pty Ltd	Cooper Basin	496	27/02/507
GEL 344	AAA Energy Pty Ltd	Cooper Basin	496	27/02/507
GEL 345	AAA Energy Pty Ltd	Cooper Basin	484	27/02/507
GEL 346	AAA Energy Pty Ltd	Cooper Basin	499	27/02/508
GEL 347	AAA Energy Pty Ltd	Cooper Basin	499	27/02/508
GEL 348	AAA Energy Pty Ltd	Cooper Basin	494	27/02/508

*Description of Area—GEL 340*

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

Commencing at a point being the intersection of latitude 27°22'25"S GDA94 and longitude 139°16'00"E GDA94, thence east to longitude 139°28'15"E GDA94, south to latitude 27°35'40"S GDA94, west to longitude 139°16'00"E GDA94 and north to the point of commencement.

Area: 494 km<sup>2</sup> approximately.

*Description of Area—GEL 341*

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

Commencing at a point being the intersection of latitude 27°22'25"S GDA94 and longitude 139°28'15"E GDA94, thence east to longitude 139°40'30"E GDA94, south to latitude 27°35'40"S GDA94, west to longitude 139°28'15"E GDA94 and north to the point of commencement.

Area: 494 km<sup>2</sup> approximately.

*Description of Area—GEL 342*

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

Commencing at a point being the intersection of latitude 27°17'08"S GDA94 and longitude 139°41'20"E GDA94, thence east to the western boundary of the Innamincka Regional Reserve, thence southerly along the boundary of the said Regional Reserve to latitude 27°31'30"S GDA94, west to longitude 139°40'30"E GDA94, north to latitude 27°22'25"S GDA94, east to longitude 139°41'20"E GDA94 and north to point of commencement.

Area: 499 km<sup>2</sup> approximately.

*Description of Area—GEL 343*

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

Commencing at a point being the intersection of latitude 27°35'40"S GDA94 and longitude 139°16'00"E GDA94, thence east to longitude 139°28'15"E GDA94, south to latitude 27°49'00"S GDA94, west to longitude 139°16'00"E GDA94 and north to the point of commencement.

Area: 496 km<sup>2</sup> approximately.

*Description of Area—GEL 344*

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

Commencing at a point being the intersection of latitude 27°35'40"S GDA94 and longitude 139°28'15"E GDA94, thence east to longitude 139°40'30"E GDA94, south to latitude 27°49'00"S GDA94, west to longitude 139°28'15"E GDA94 and north to the point of commencement.

Area: 496 km<sup>2</sup> approximately.

*Description of Area—GEL 345*

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

Commencing at a point being the intersection of latitude 27°31'30"S GDA94 and longitude 139°40'30"E GDA94, thence east to the western boundary of the Innamincka Regional Reserve, thence southerly and easterly along the boundary of the said Regional Reserve to longitude 139°54'00"E GDA94, south to latitude 27°39'00"S GDA94, west to longitude 139°49'00"E GDA94, south to latitude 27°40'00"S GDA94, west to longitude 139°48'00"E GDA94, south to latitude 27°47'00"S GDA94, west to longitude 139°43'00"E GDA94, south to latitude 27°49'00"S GDA94, west to longitude 139°40'30"E GDA94 and north to the point of commencement.

Area: 484 km<sup>2</sup> approximately.

*Description of Area—GEL 346*

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

Commencing at a point being the intersection of latitude 28°34'00"S GDA94 and longitude 140°24'00"E GDA94, thence east to longitude 140°33'00"E GDA94, south to latitude 28°38'00"S GDA94, east to longitude 140°34'00"E GDA94, south to latitude 28°39'00"S GDA94, east to longitude 140°35'00"E GDA94, south to latitude 28°40'00"S GDA94, east to longitude 140°37'00"E GDA94, south to latitude 28°56'00"S GDA94, west to longitude 140°33'00"E GDA94, north to latitude 28°45'00"S GDA94, west to longitude 140°24'00"E GDA94 and north to the point of commencement.

Area: 499 km<sup>2</sup> approximately.

*Description of Area—GEL 347*

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

Commencing at a point being the intersection of latitude 28°33'00"S GDA94 and longitude 140°41'00"E GDA94, thence east to longitude 140°49'00"E GDA94, south to latitude 28°39'00"S GDA94, west to longitude 140°48'00"E GDA94, south to latitude 28°47'00"S GDA94, west to longitude 140°47'00"E GDA94, south to latitude 28°48'00"S GDA94, west to longitude 140°45'00"E GDA94, south to latitude 28°49'00"S GDA94, west to longitude 140°42'00"E GDA94, south to latitude 28°51'00"S GDA94, west to longitude 140°40'00"E GDA94, south to latitude 28°53'00"S GDA94, west to longitude 140°37'00"E GDA94, north to latitude 28°40'00"S GDA94, east to longitude 140°41'00"E GDA94 and north to the point of commencement.

Area: 499 km<sup>2</sup> approximately.

*Description of Area—GEL 348*

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

Commencing at a point being the intersection of latitude 28°32'00"S GDA94 and longitude 140°57'00"E GDA94, thence east to the eastern border of the State of South Australia, thence southerly along the border of the said State to latitude 28°47'00"S GDA94, west to longitude 140°48'00"E GDA94, north to latitude 28°39'00"S GDA94, east to longitude 140°49'00"E GDA94, north to latitude 28°33'00"S GDA94, east to longitude 140°57'00"E GDA94 and north to the point of commencement.

Area: 494 km<sup>2</sup> approximately.

Dated 20 February 2008.

B. A. GOLDSTEIN, Director Petroleum and Geothermal  
Minerals and Energy Resources  
Primary Industries and Resources SA  
Delegate of the Minister for Mineral Resources Development

## PROOF OF SUNRISE AND SUNSET ACT 1923—ALMANAC FOR APRIL, MAY AND JUNE 2008

PURSUANT to the requirements of the Proof of Sunrise and Sunset Act 1923, I, Jim Hallion, Commissioner of Highways, at the direction of the Honourable the Minister for Transport and Urban Planning, publish in the Schedule hereto an almanac setting out the times of sunrise and sunset on every day for the three calendar months of April, May and June 2008.

Dated at Adelaide, 21 February 2008.

J. HALLION, Commissioner of Highways

97/03263

## THE SCHEDULE

Times of sunrise and sunset during the months of April, May and June 2008 for Adelaide: latitude 34°56'S, longitude 138°36'E, GMT + 9.50 hours (Daylight saving GMT + 10.50).

Month	April		May		June	
Date	Sunrise hr min	Sunset hr min	Sunrise hr min	Sunset hr min	Sunrise hr min	Sunset hr min
1 .....	07 28	19 11	06 52	17 33	07 15	17 12
2 .....	07 29	19 09	06 53	17 32	07 15	17 12
3 .....	07 30	19 08	06 54	17 31	07 16	17 12
4 .....	07 31	19 06	06 54	17 30	07 16	17 11
5 .....	07 32	19 05	06 55	17 29	07 17	17 11
*6 .....	06 32	18 04	06 56	17 28	07 18	17 11
7 .....	06 33	18 02	06 57	17 28	07 18	17 11
8 .....	06 34	18 01	06 58	17 27	07 19	17 11
9 .....	06 35	18 00	06 58	17 26	07 19	17 11
10 .....	06 35	17 58	06 59	17 25	07 19	17 11
11 .....	06 36	17 57	07 00	17 24	07 20	17 10
12 .....	06 37	17 56	07 01	17 23	07 20	17 10
13 .....	06 38	17 54	07 01	17 22	07 21	17 10
14 .....	06 39	17 53	07 02	17 22	07 21	17 11
15 .....	06 39	17 52	07 03	17 21	07 22	17 11
16 .....	06 40	17 51	07 04	17 20	07 22	17 11
17 .....	06 41	17 49	07 04	17 19	07 22	17 11
18 .....	06 42	17 48	07 05	17 19	07 22	17 11
19 .....	06 43	17 47	07 06	17 18	07 23	17 11
20 .....	06 43	17 46	07 07	17 18	07 23	17 11
21 .....	06 44	17 44	07 07	17 17	07 23	17 11
22 .....	06 45	17 43	07 08	17 16	07 23	17 12
23 .....	06 46	17 42	07 09	17 16	07 24	17 12
24 .....	06 46	17 41	07 10	17 15	07 24	17 12
25 .....	06 47	17 40	07 10	17 15	07 24	17 13
26 .....	06 48	17 39	07 11	17 14	07 24	17 13
27 .....	06 49	17 38	07 12	17 14	07 24	17 13
28 .....	06 50	17 37	07 12	17 13	07 24	17 14
29 .....	06 50	17 35	07 13	17 13	07 24	17 14
30 .....	06 51	17 34	07 13	17 13	07 24	17 14
31 .....			07 14	17 12		

\*Note: Daylight saving time is subject to change.

Sunrise and Sunset times calculated on 12 November 2007.

**ROAD TRAFFIC ACT 1961****NOTICE OF EXEMPTION**

*Pursuant to Section 163AA of the Road Traffic Act 1961*

**EXEMPTION FOR SINGLE AXLE PIG TRAILERS TO EXCEED THE MAXIMUM MASS LIMIT OF 8.5 TONNES****1. REVOCATION OF PREVIOUS NOTICE**

- 1.1 I hereby revoke the Notice of Exemption titled '*Exemption for Single Axle Pig Trailers to Exceed the Maximum Mass Limit of 8.5 tonnes*' published in the *South Australian Government Gazette*, dated 4 October 2007.

**2. EXEMPTION**

- 2.1 In accordance with the powers under section 163AA of the *Road Traffic Act 1961*, delegated to me by the Minister for Transport, I hereby exempt Pig Trailers fitted with a single axle from the maximum mass limit requirement of 8.5 tonnes specified in Schedule 1, Table 1 '*Mass limits for single axles and axle groups*' of the *Road Traffic (Mass and Loading Requirements) Regulations 1999* subject to the conditions and limitations specified in this Notice.

**3. CONDITIONS AND LIMITATIONS APPLYING TO THIS NOTICE**

- 3.1 The single axle must be fitted with dual tyres.
- 3.2 The wheels and tyres fitted to the axle of the Pig Trailer must be of sufficient size and capacity to carry the part of the vehicle's gross mass transmitted to the ground through the axle.
- 3.3 The Pig Trailer was manufactured prior to 1 December 1999.
- 3.4 The mass carried on the Pig Trailer must not exceed the lesser of:
- 3.4.1 the manufacturer's specified Aggregate Trailer Mass;
  - 3.4.2 the manufacturer's specified Gross Trailer Mass;
  - 3.4.3 the Gross Trailer Mass specified by an Australian Authority; or
  - 3.4.4 9.0 tonnes.

**4. COMMENCEMENT OF THIS NOTICE**

- 4.1 This Notice is effective from 12.01 a.m. on 1 April 2008.

**5. EXPIRY OF THIS NOTICE**

- 5.1 This exemption expires at midnight on 31 March 2009.

Executive Director,  
Safety and Regulation Division

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**ROAD TRAFFIC ACT 1961****NOTICE OF EXEMPTION**

*Pursuant to Section 163AA of the Road Traffic Act 1961*

**EXEMPTION FOR TANDEM AXLE PIG TRAILERS TO EXCEED THE MAXIMUM MASS LIMIT OF 15 TONNES****1. REVOCATION OF PREVIOUS NOTICE**

- 1.1 I hereby revoke the Notice of Exemption titled '*Exemption for Tandem Axle Pig Trailers to Exceed the Maximum Mass Limit of 15 tonnes*' published in the *South Australian Government Gazette* dated 4 October 2007.

**2. EXEMPTION**

- 2.1 In accordance with the powers under section 163AA of the *Road Traffic Act 1961*, delegated to me by the Minister for Transport, I hereby exempt Pig Trailers fitted with a tandem axle group from the maximum mass limit requirement of 15 tonnes specified in Schedule 1, Table 1 '*Mass limits for single axles and axle groups*' of the *Road Traffic (Mass and Loading Requirements) Regulations 1999*, subject to the conditions and limitations specified in this Notice.

**3. CONDITIONS AND LIMITATIONS APPLYING TO THIS NOTICE**

- 3.1 Both axles must be fitted with dual tyres.
- 3.2 The wheels and tyres fitted to the axles of the Pig Trailer must be of sufficient size and capacity to carry the part of the vehicle's gross mass transmitted to the ground through the axle.
- 3.3 The Pig Trailer must be fitted with a load sharing suspension system that meets the requirements of the Road Traffic (Vehicle Standards) Rules 1999, Part 7, Division 1, Rule 65—'*Relation between axles in axle group*'.
- 3.4 The Pig Trailer was manufactured prior to 1 December 1999.
- 3.5 The mass carried on the Pig Trailer must not exceed the lesser of:
- 3.5.1 the manufacturer's specified Aggregate Trailer Mass;
  - 3.5.2 the manufacturer's specified Gross Trailer Mass;
  - 3.5.3 the Gross Trailer Mass specified by an Australian Authority; or
  - 3.5.4 16.5 tonnes.

**4. COMMENCEMENT OF THIS NOTICE**

- 4.1 This Notice is effective from 12.01 a.m. on 1 April 2008.

**5. EXPIRY OF THIS NOTICE**

- 5.1 This exemption expires at midnight on 31 March 2009.

Executive Director,  
Safety and Regulation Division

---

**ROAD TRAFFIC ACT 1961****SUPPLEMENTARY NOTICE OF APPROVAL**  
*Pursuant to Section 161A of the Road Traffic Act 1961***OPERATION OF ROAD TRAIN VEHICLES IN SOUTH AUSTRALIA****Information Note**

This Notice adds additional routes to the network that can be used by Road Train Vehicles and is a supplement to the Notice

**1. APPROVAL**

- 1.1 In accordance with the powers delegated to me by the Minister for Transport under section 163AA of the *Road Traffic Act 1961*, I hereby vary the conditions of the *Gazette* Notice of Approval and Exemption titled, '*Operation of Road Train Vehicles in South Australia*' dated 24 November 2005 as detailed below.

**2. DEFINITIONS**

- 2.1 In this Notice:
- 2.1.1 'Approved Vehicles' means Road Train Vehicles (including articulated vehicles towing converter dollies);
- 2.1.2 'Supplementary routes' means the approved routes specified in the maps '*Route Network for Road Train Vehicles*' attached to this Supplementary Notice;
- 2.1.3 'Supplementary Notice' means this Notice;
- 2.1.4 'Primary Notice' means the *Gazette* Notice '*Operation of Road Train Vehicles in South Australia*' dated 24 November 2005; and
- 2.1.5 all other terms have the same meaning as in the Primary Notice.

**3. APPLICATION OF SUPPLEMENTARY NOTICE**

- 3.1 This Supplementary Notice must be read in conjunction with the Primary Notice and applies to all Approved Vehicles operating under the Primary Notice travelling on routes specified in the attached maps.

**4. ROUTES AVAILABLE TO APPROVED VEHICLES**

- 4.1 An Approved Vehicle may operate under the conditions of the Primary Notice on the supplementary route map specified hereunder:
- 4.1.1 '*Commodity Routes for Road Trains—District Council of Ceduna—28 February 2008*' Map;
- 4.1.2 '*Commodity Routes for Road Trains—District Council of Cleve—28 February 2008*' Map;
- 4.1.3 '*Commodity Routes for Road Trains—District Council of Elliston—28 February 2008*' Map;
- 4.1.4 '*Commodity Routes for Road Trains—District Council of Kimba—28 February 2008*' Map;
- 4.1.5 '*Commodity Routes for Road Trains—District Council of Le Hunte—28 February 2008*' Map; and
- 4.1.6 '*Commodity Routes for Road Trains—District Council of Lower Eyre Peninsula—28 February 2008*' Map.

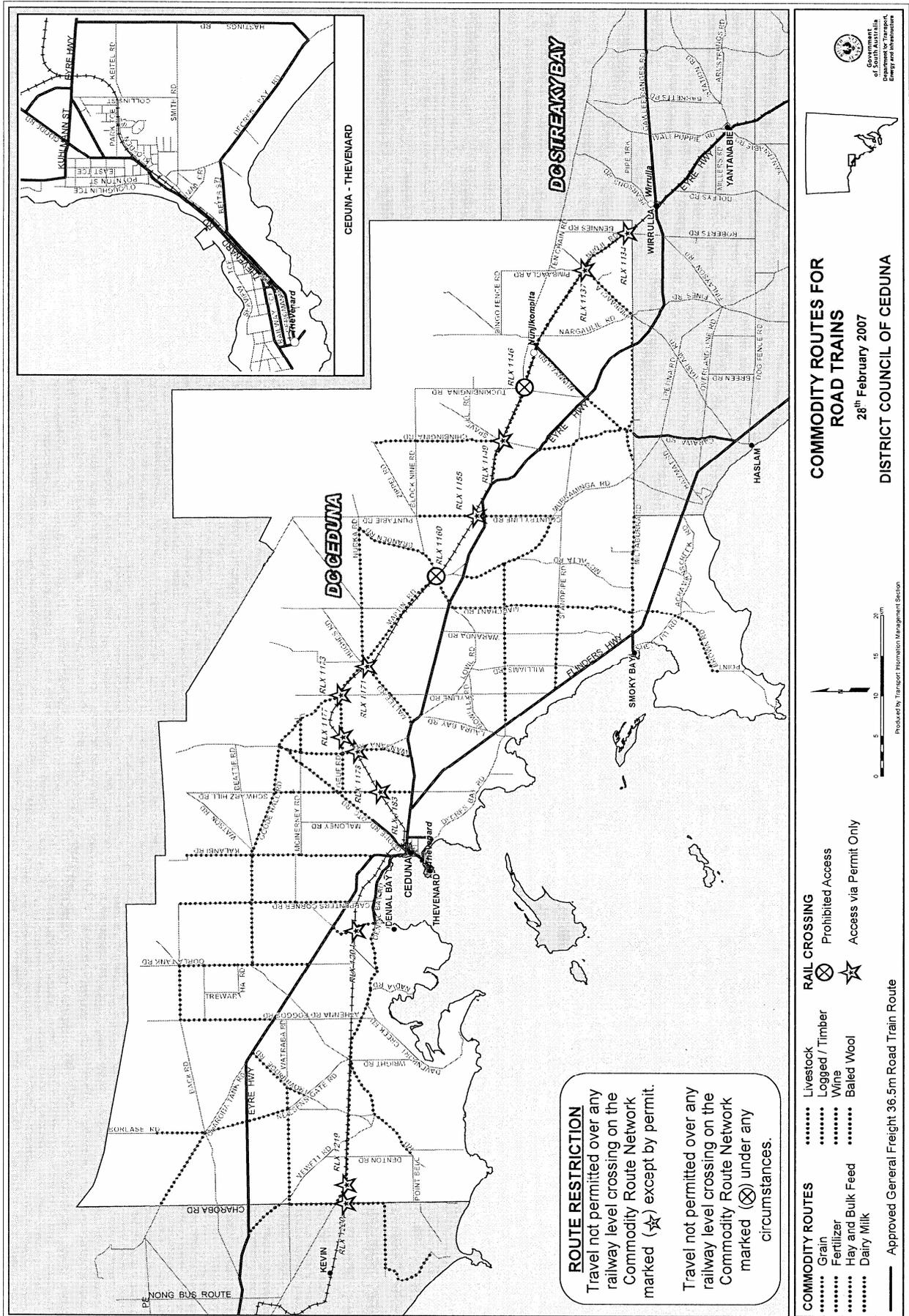
**5. CONDITIONS AND LIMITATIONS APPLYING TO THIS SUPPLEMENTARY NOTICE**

- 5.1 When operating on a route specified in the attached maps, the driver of an Approved Vehicle must:
- 5.1.1 continue to comply with all conditions and requirements of the Primary Notice; and
- 5.1.2 carry a legible, current and complete copy of:
- (i) this Supplementary Notice and attached maps;
- (ii) the Primary Notice;
- (iii) the '*Code of Practice for Road Trains*' dated November 2005;
- (iv) the map book titled '*Approved Route Network for Road Trains*' dated November 2005; and
- 5.1.3 produce these documents when requested by a Department for Transport, Energy and Infrastructure, Transport Safety Compliance Officer appointed under the *Road Traffic Act 1961* and/or the *Motor Vehicles Act 1959* or a Police Officer.

**6. COMMENCEMENT OF THIS NOTICE**

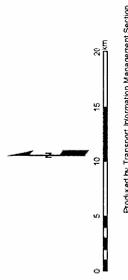
- 6.1 This Notice is effective from 12.01 a.m. on 3 March 2008.

Executive Director,  
Safety and Regulation Division



**ROUTE RESTRICTION**  
 Travel not permitted over any railway level crossing on the Commodity Route Network marked (☆) except by permit.  
 Travel not permitted over any railway level crossing on the Commodity Route Network marked (⊗) under any circumstances.

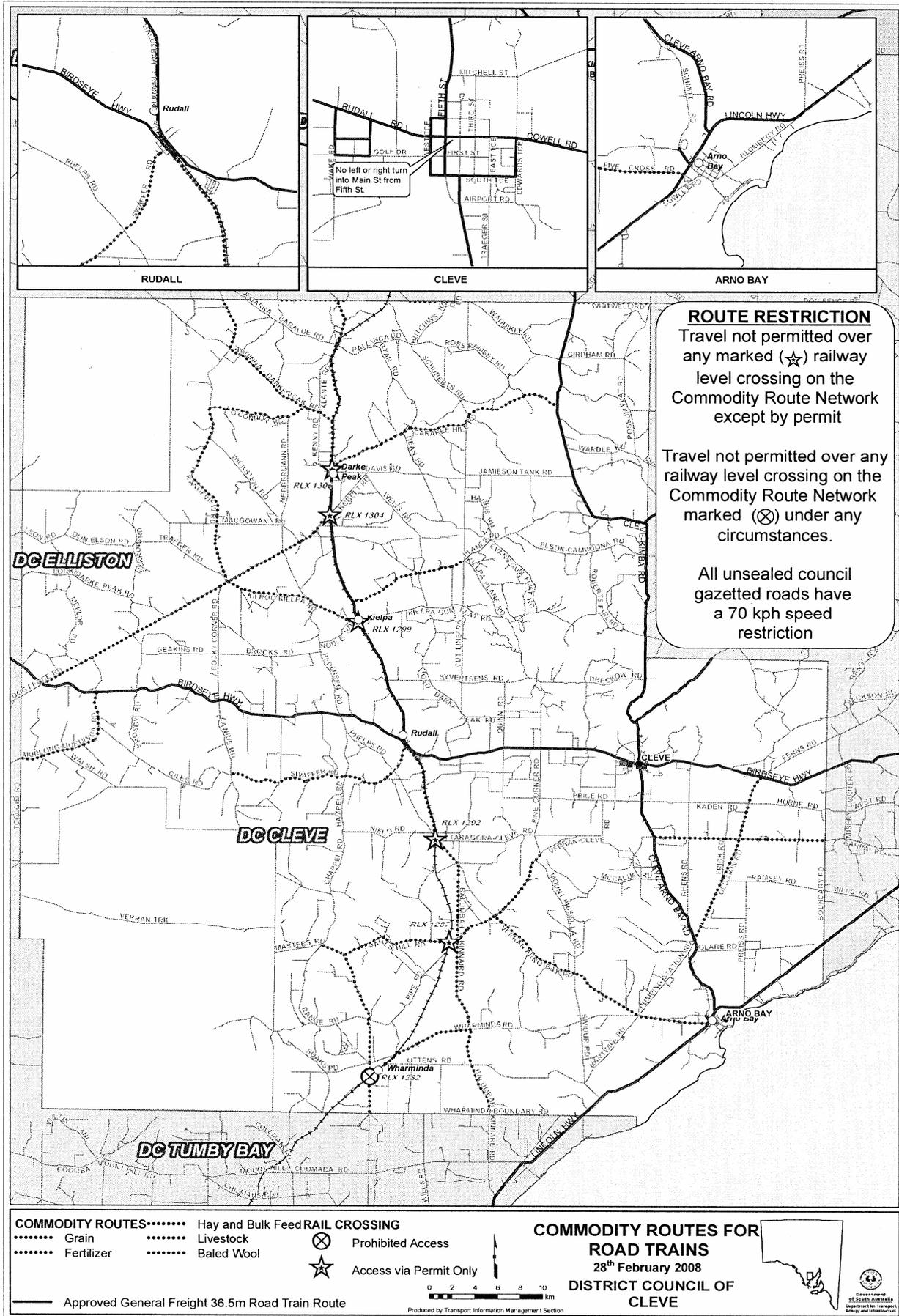
- COMMODITY ROUTES**
- ..... Livestock
  - ..... Grain
  - ..... Fertilizer
  - ..... Hay and Bulk Feed
  - ..... Dairy Milk
  - ..... Logged / Timber
  - ..... Wine
  - ..... Baled Wool
- RAIL CROSSING**
- ⊗ Prohibited Access
  - ☆ Access via Permit Only
- Approved General Freight 36.5m Road Train Route

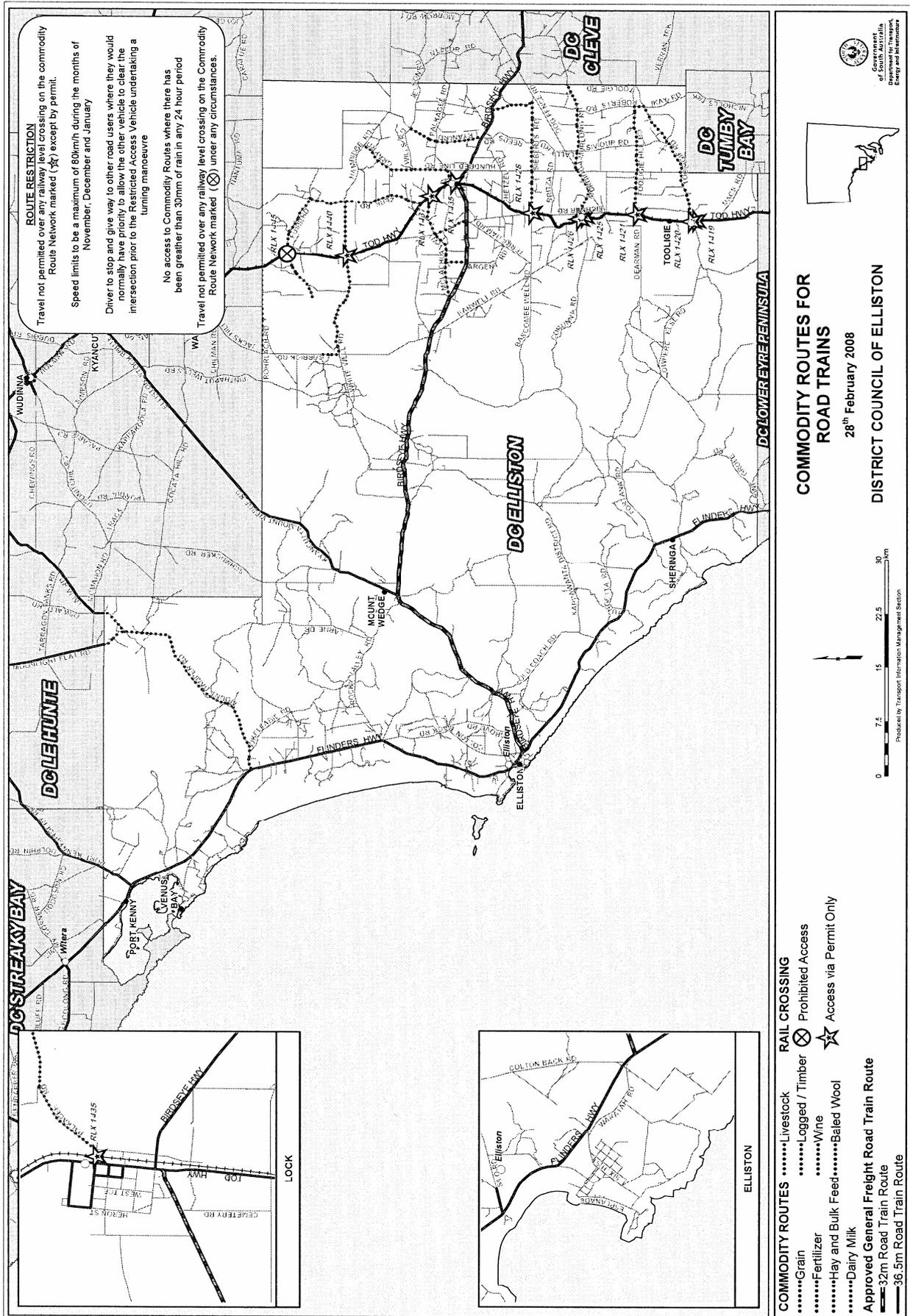


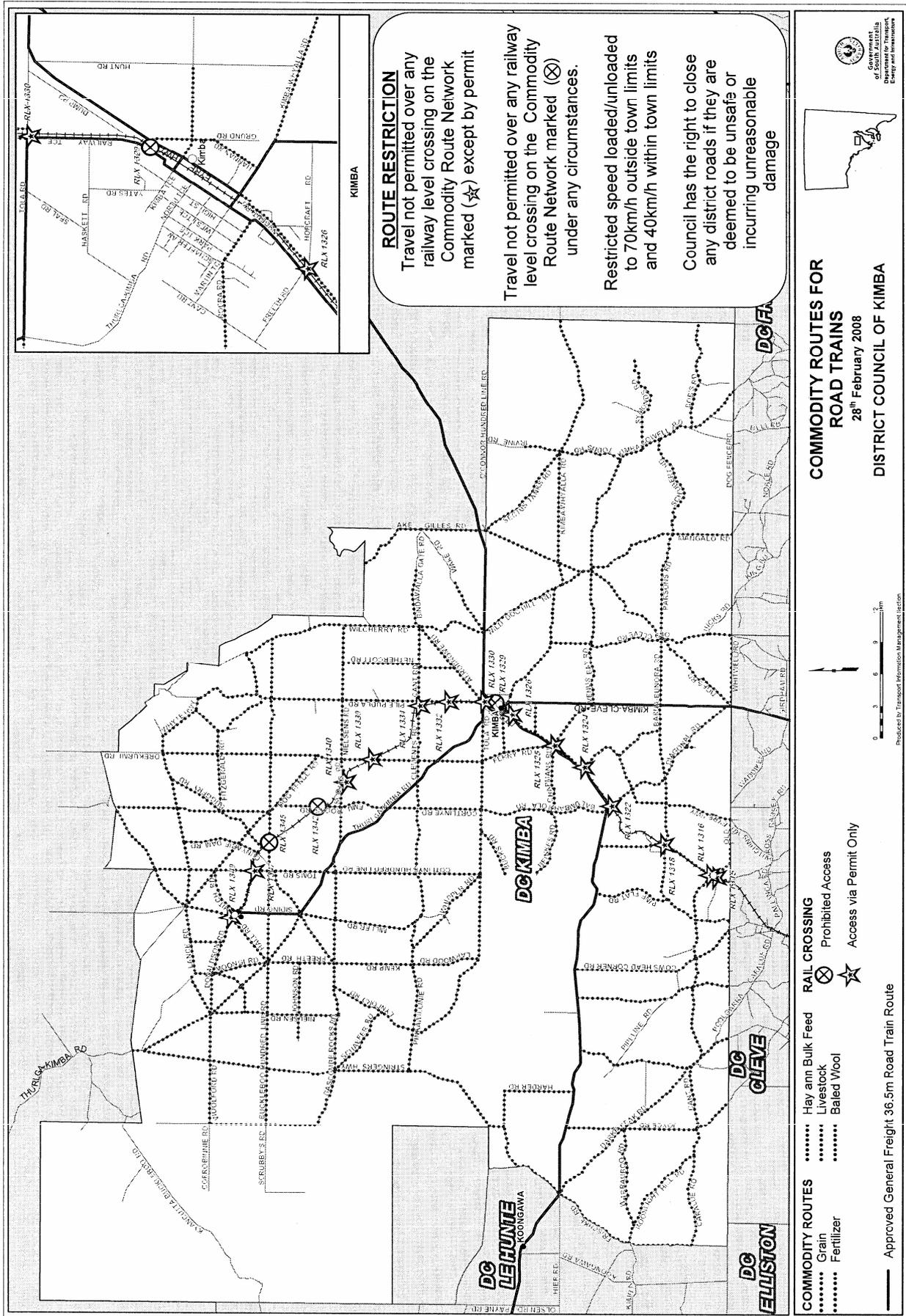
Government of South Australia  
 Department of Transport, Energy and Infrastructure

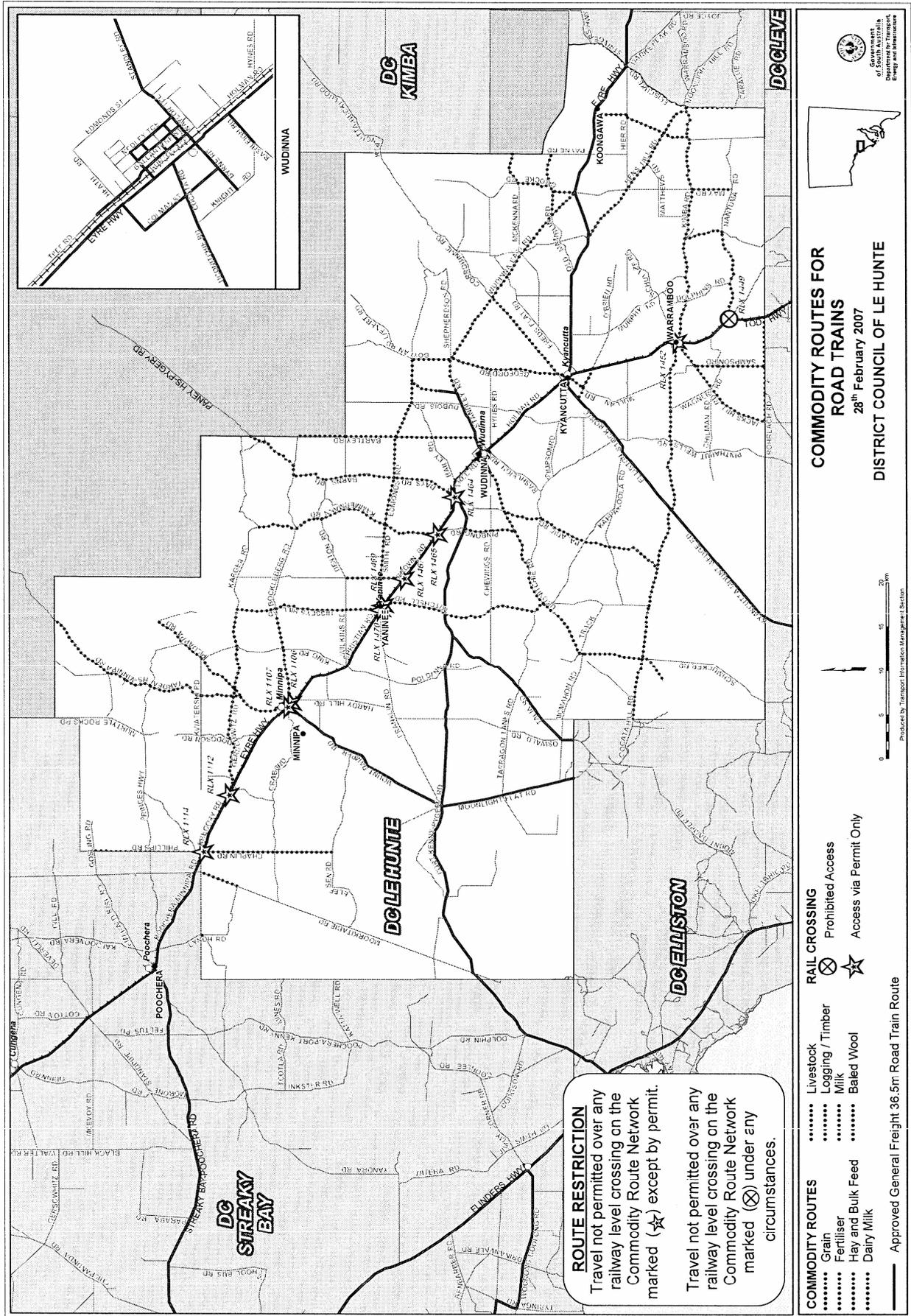
**COMMODITY ROUTES FOR ROAD TRAINS**  
 28<sup>th</sup> February 2007  
 DISTRICT COUNCIL OF CEDUNA

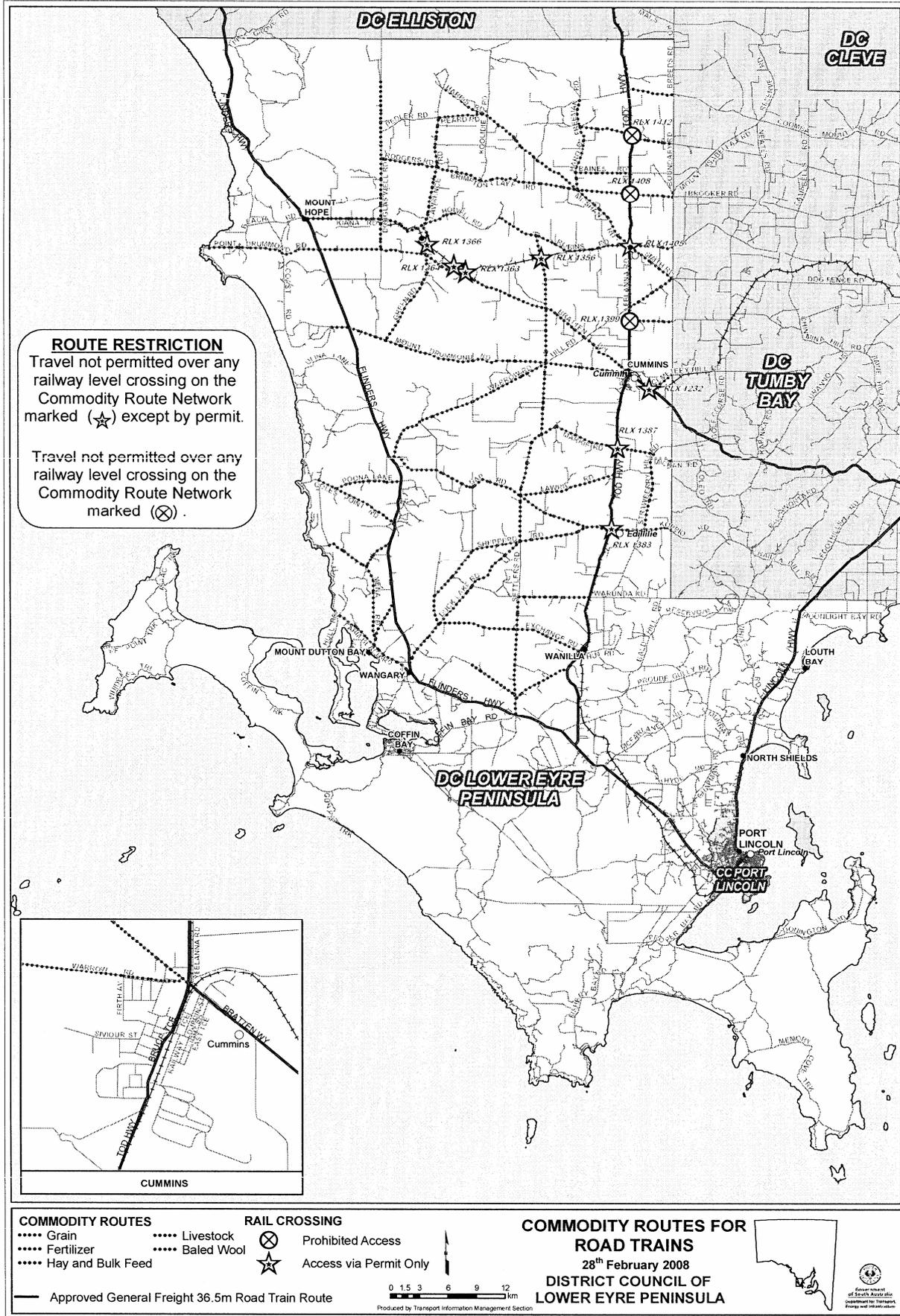
Produced by Transport Information Management System











**ROAD TRAFFIC ACT 1961****SUPPLEMENTARY NOTICE OF APPROVAL**  
*Pursuant to Section 161A of the Road Traffic Act 1961***HIGHER MASS LIMITS FOR VEHICLES FITTED WITH ROAD FRIENDLY SUSPENSION****Information Note**

This Notice adds additional routes to the network that can be used by vehicles fitted with Road Friendly Suspension and is a supplement to the Notice titled '*Higher Mass Limits for Vehicles Fitted with Road Friendly Suspension*' dated 5 May

**1. APPROVAL**

- 1.1 In accordance with the powers delegated to me by the Minister for Transport under section 163AA of the *Road Traffic Act 1961*, I hereby vary the conditions of the *Gazette* Notice of Approval and Exemption titled, '*Higher Mass Limits for Vehicles Fitted with Road Friendly Suspension*' dated 5 May 2005 as detailed below.

**2. DEFINITIONS**

## 2.1 In this Notice:

- 2.1.1 'Approved Vehicles' means vehicles fitted with Road Friendly Suspension as described in Table 1 of the Primary Notice;
- 2.1.2 'Supplementary routes' means the approved routes specified in the maps '*Route Network for General Access Vehicles fitted with Road Friendly Suspension*' attached to this Supplementary Notice;
- 2.1.3 'Supplementary Notice' means this Notice;
- 2.1.4 'Primary Notice' means the *Gazette* Notice '*Higher Mass Limits for Vehicles Fitted with Road Friendly Suspension*' dated 5 May 2005; and
- 2.1.5 all other terms have the same meaning as in the Primary Notice.

**3. APPLICATION OF SUPPLEMENTARY NOTICE**

- 3.1 This Supplementary Notice must be read in conjunction with the Primary Notice and applies to all Approved Vehicles operating under the Primary Notice travelling on routes specified in the attached maps.

**4. ROUTES AVAILABLE TO APPROVED VEHICLES**

- 4.1 An Approved Vehicle may operate under the conditions of the Primary Notice on a supplementary route specified hereunder:

- 4.1.1 '*Route Network for General Access Vehicles fitted with Road Friendly Suspension*' Map U1 (*Sturton Road, Edinburgh and Hudson Court, Netley*);
- 4.1.2 '*Route Network for General Access Vehicles fitted with Road Friendly Suspension*' Map U2 (*Sturton Road, Edinburgh and Hudson Court, Netley*);
- 4.1.3 '*Route Network for General Access Vehicles fitted with Road Friendly Suspension*' Map U2\_3 (*Hudson Court, Netley*);
- 4.1.4 '*Route Network for General Access Vehicles fitted with Road Friendly Suspension*' Map R1 (*Cleve—Balumbah Kinnaird Road between Rudall and Darke Peak, The Ring Road around the Rudall Silo, Cleve*);
- 4.1.5 '*Route Network for General Access Vehicles fitted with Road Friendly Suspension*' Map R3 (*High School Road, Gladstone*);
- 4.1.6 '*Route Network for General Access Vehicles fitted with Road Friendly Suspension*' Map R5 (*Taylor's Road and Winery Road, Clare*);
- 4.1.7 '*Route Network for General Access Vehicles fitted with Road Friendly Suspension*' Map R7 (*Fielke Road, Berri and Railway Terrace, Waikerie and Murbko Road and River View Terrace, Morgan*);
- 4.1.8 '*Route Network for General Access Vehicles fitted with Road Friendly Suspension*' Map R8 (*Alawoona-Lameroo Road, Alawoona*);
- 4.1.9 '*Township Maps Route Network for General Access Vehicles fitted with Road Friendly Suspension*' Towns I-K (*IWS Access Road, Dublin*); and
- 4.1.10 '*Township Maps Route Network for General Access Vehicles fitted with Road Friendly Suspension*' Towns M-P (*Murbko Road and River View Terrace, Morgan*).

**5. CONDITIONS AND LIMITATIONS APPLYING TO THIS SUPPLEMENTARY NOTICE**

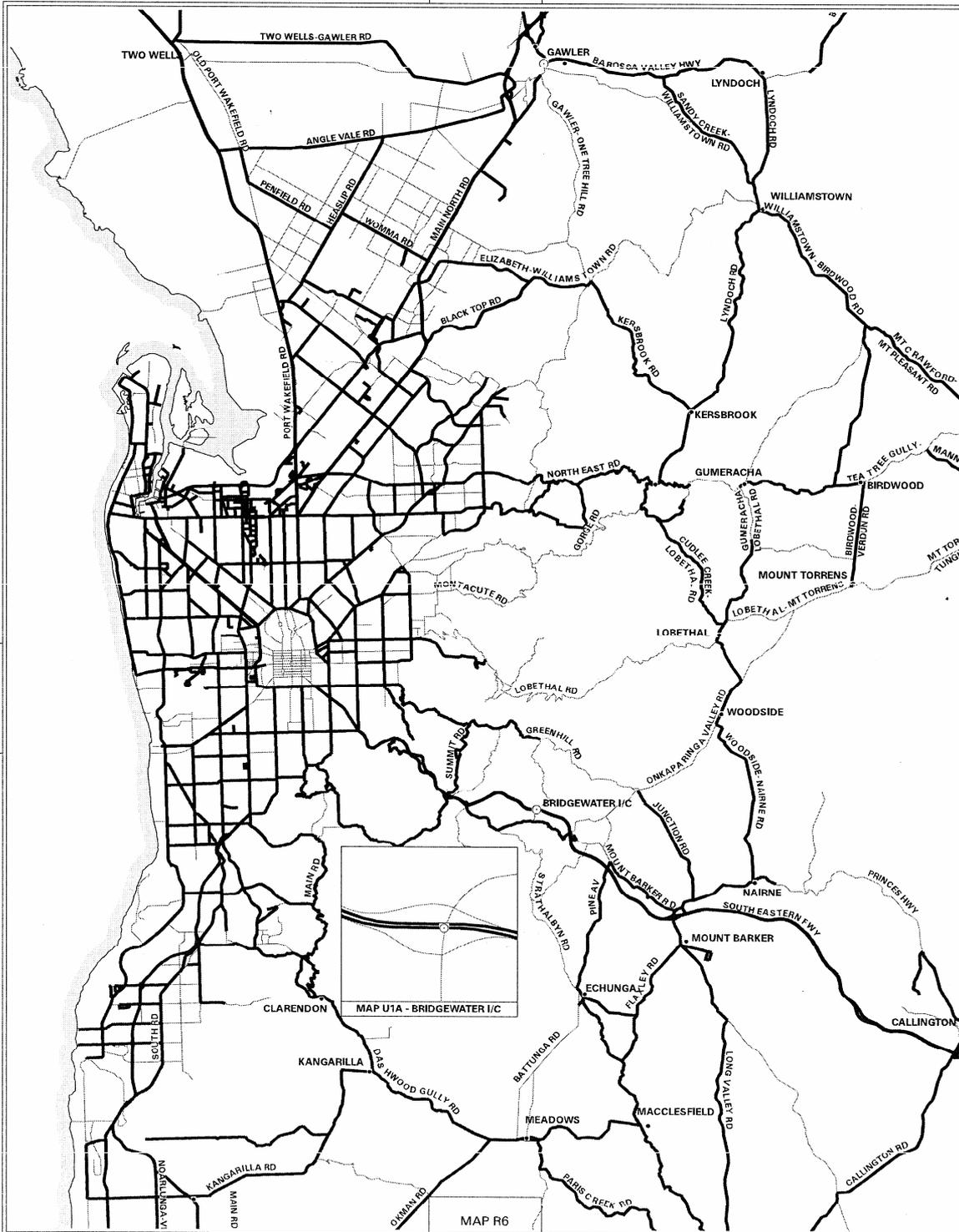
- 5.1 When operating on a route specified in the attached maps, the driver of an Approved Vehicle must:
- 5.1.1 continue to comply with all conditions and requirements of the Primary Notice; and
  - 5.1.2 carry a legible, current and complete copy of:
    - (i) this Supplementary Notice and attached maps;
    - (ii) the Primary Notice;
    - (iii) any combination specific documents as requested by the Primary Notice; and
  - 5.1.3 produce these documents when requested by a Department for Transport, Energy and Infrastructure, Transport Safety Compliance Officer appointed under the *Road Traffic Act 1961* and/or the *Motor Vehicles Act 1959* or a Police Officer.

**6. COMMENCEMENT OF THIS NOTICE**

- 6.1 This Notice is effective from 12.01 a.m. on 3 March 2008.

Executive Director,  
Safety and Regulation Division

MAP R5

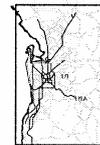


Map: U1  
28-Feb-2008

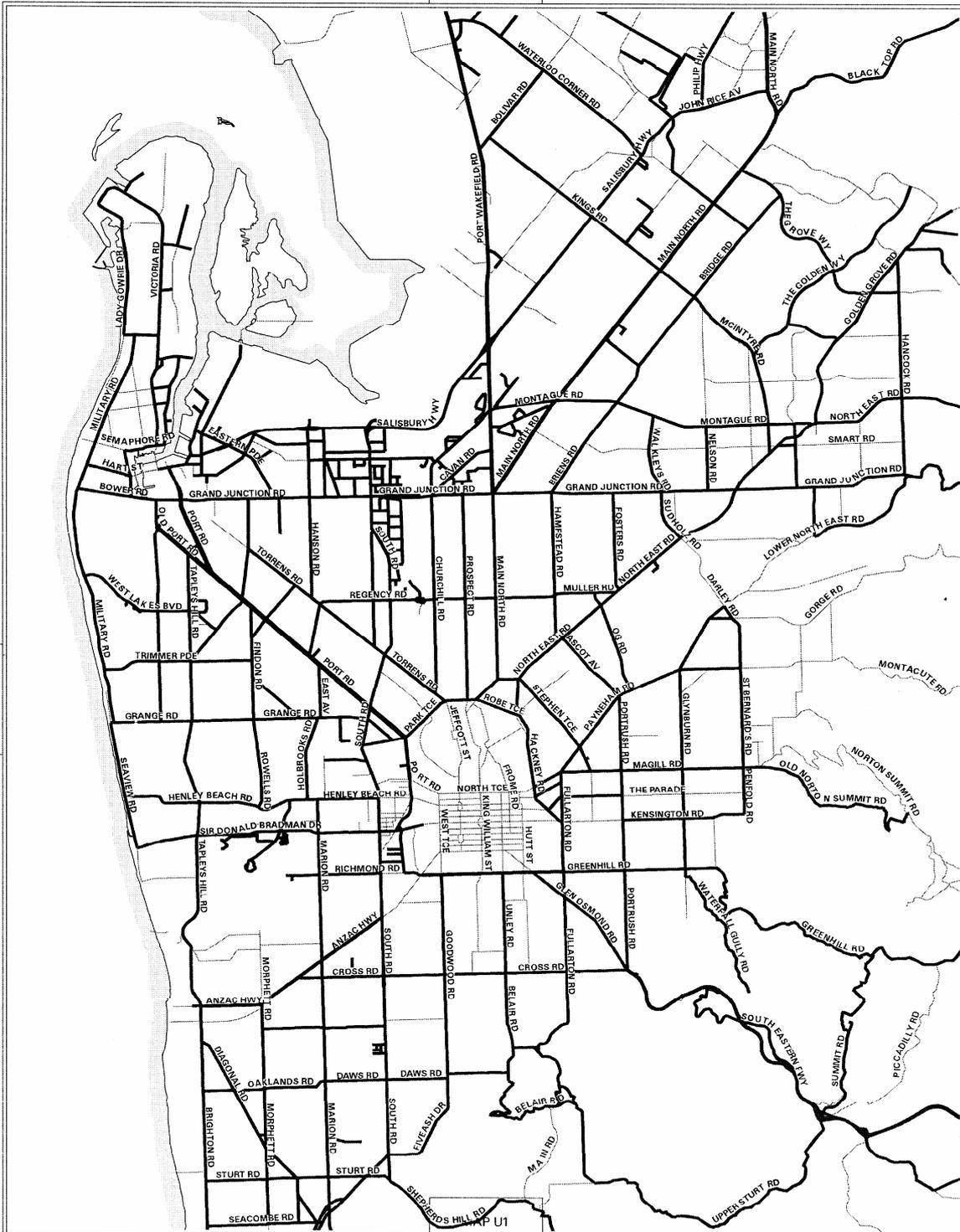
 Higher Mass Limits Approved Routes

### Route Network for General Access Vehicles fitted with Road Friendly Suspension

These routes include National Highways, State Arterial Roads, roads in the Unincorporated Areas and roads under the control of Local Government.



MAP U1



LIMIT OF MAPS

MAP U1

Map: U2  
28-Feb-2008

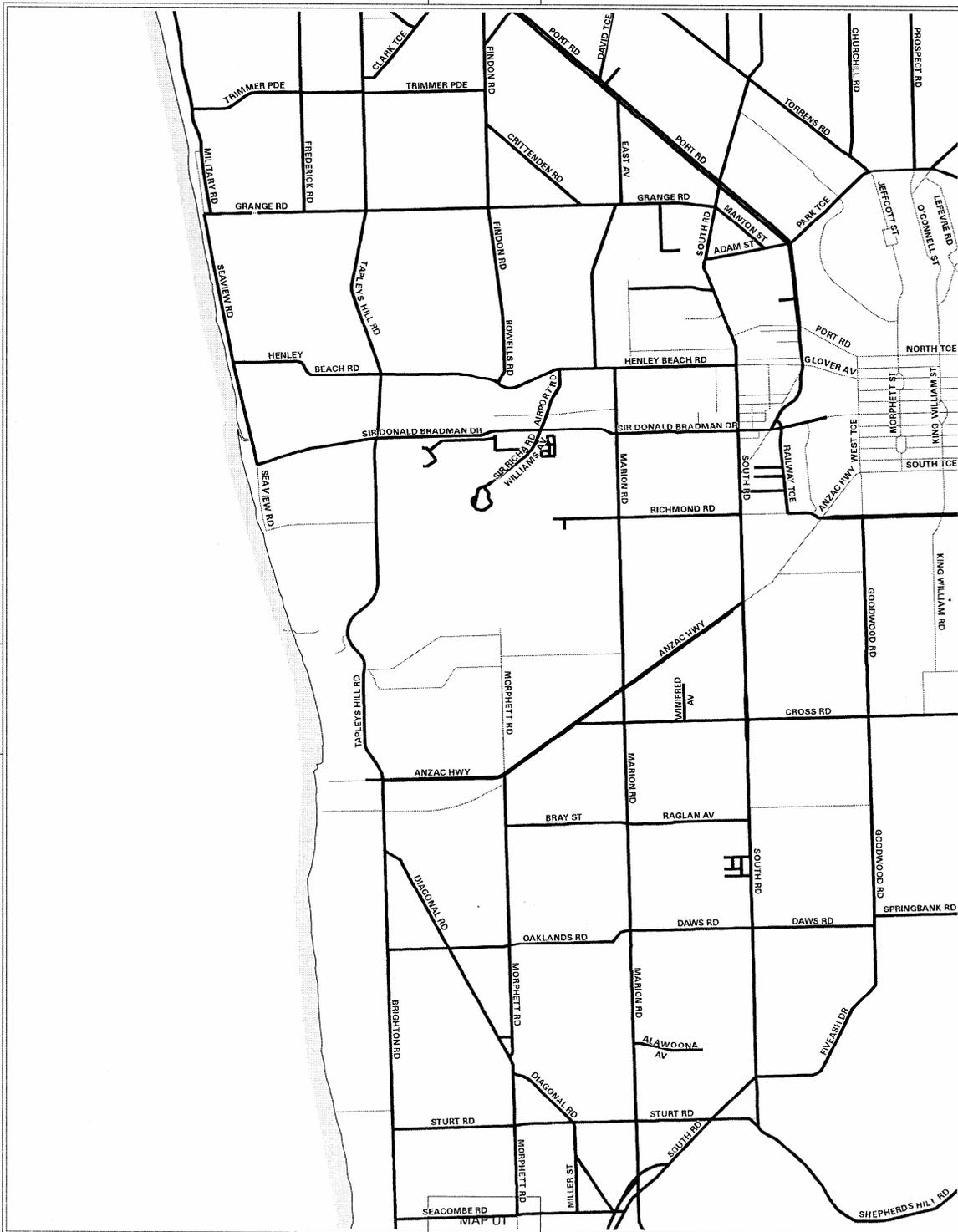
### Route Network for General Access Vehicles fitted with Road Friendly Suspension

These routes include National Highways, State Arterial Roads, roads in the Unincorporated Areas and roads under the control of Local Government.

 Higher Mass Limits Approved Routes



MAP U2\_1



LIMIT OF MAPS

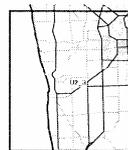
MAP U2\_4

Map: U2\_3  
28-Feb-2008

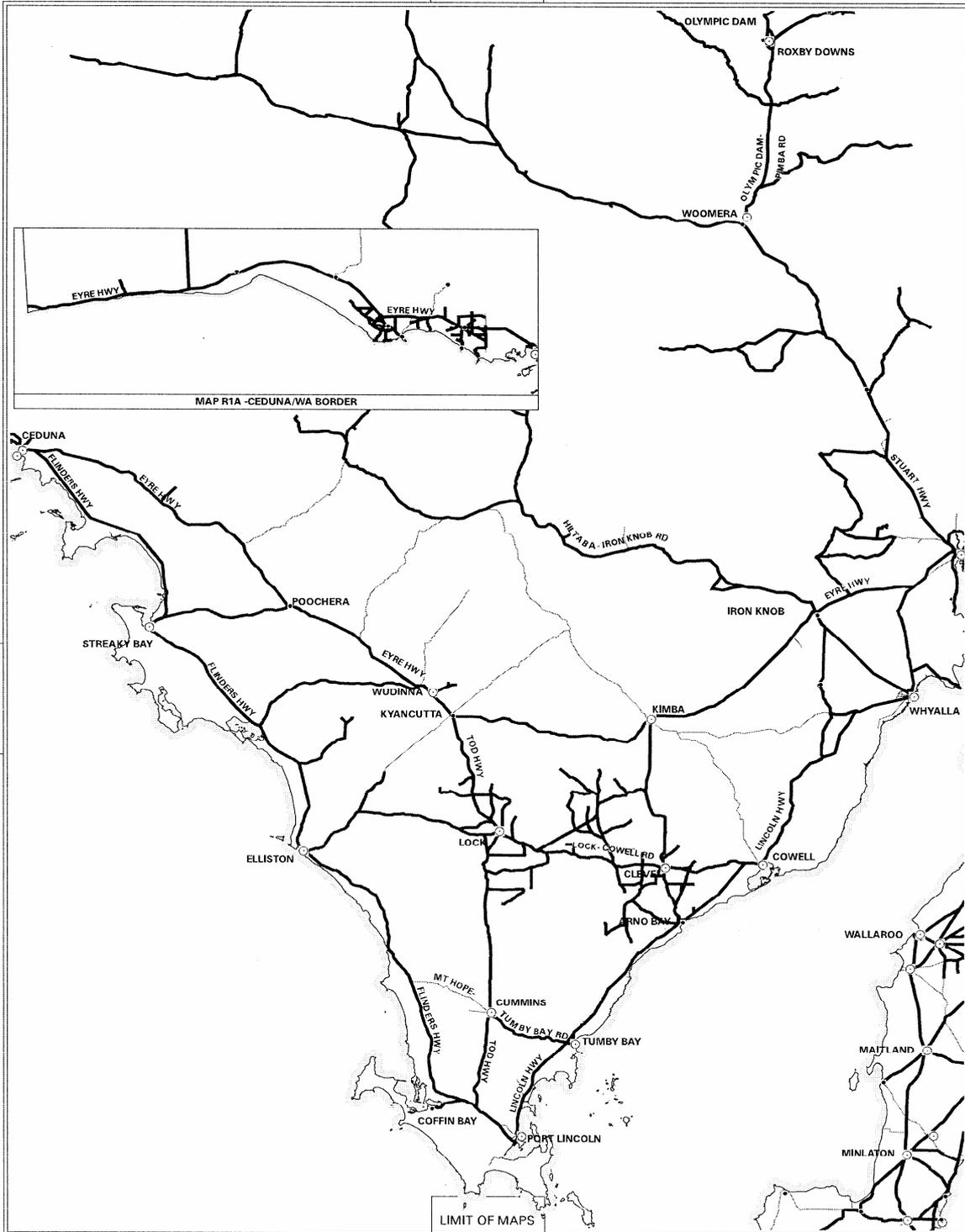
### Route Network for General Access Vehicles fitted with Road Friendly Suspension

 Higher Mass Limits Approved Routes

These routes include National Highways, State Arterial Roads, roads in the Unincorporated Areas and roads under the control of Local Government.



MAP R2



INSET

MAP R3

Map: R1  
28-Feb-2008

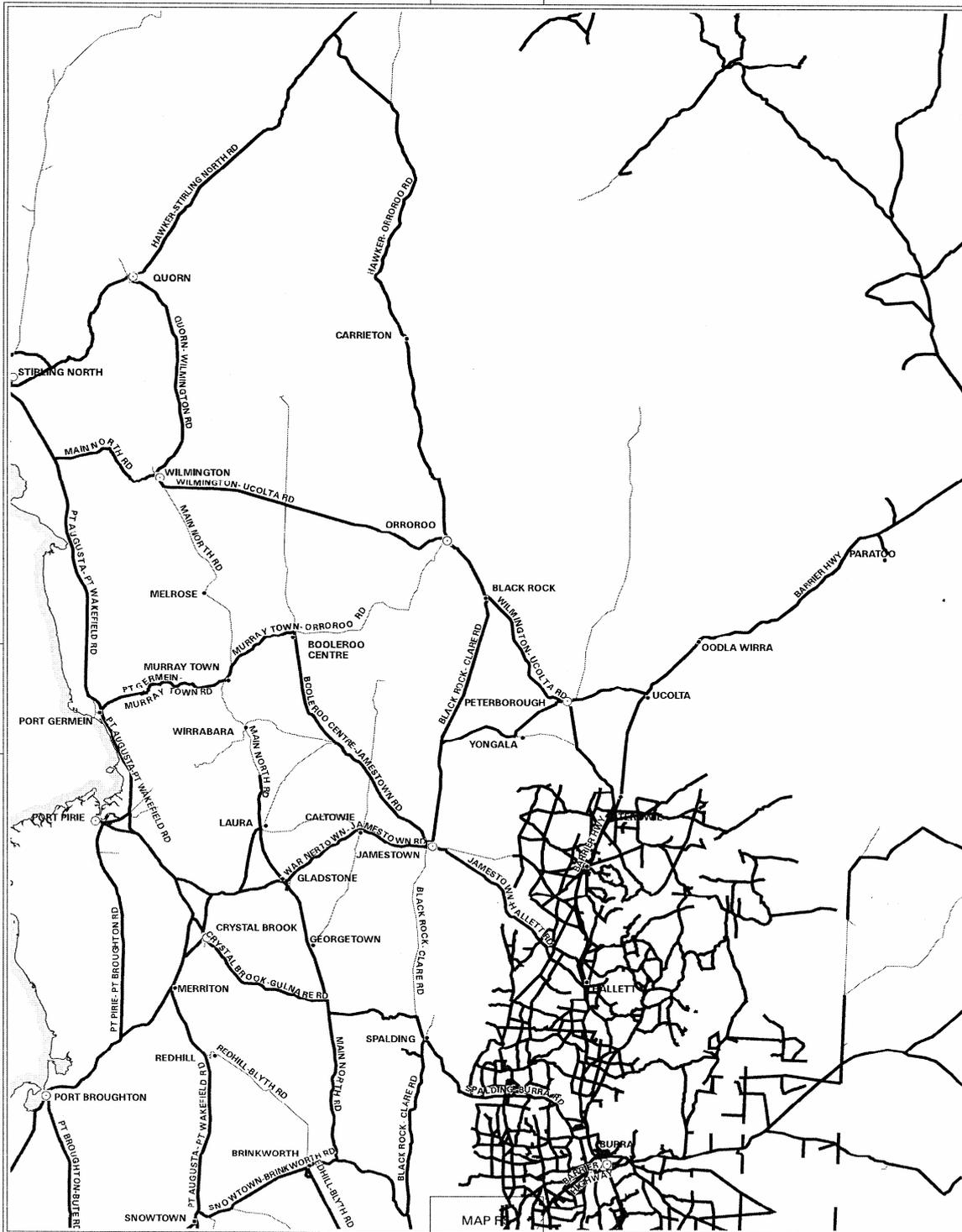
### Route Network for General Access Vehicles fitted with Road Friendly Suspension

These routes include National Highways, State Arterial Roads, roads in the Unincorporated Areas and roads under the control of Local Government.

 Higher Mass Limits Approved Routes



MAP R2



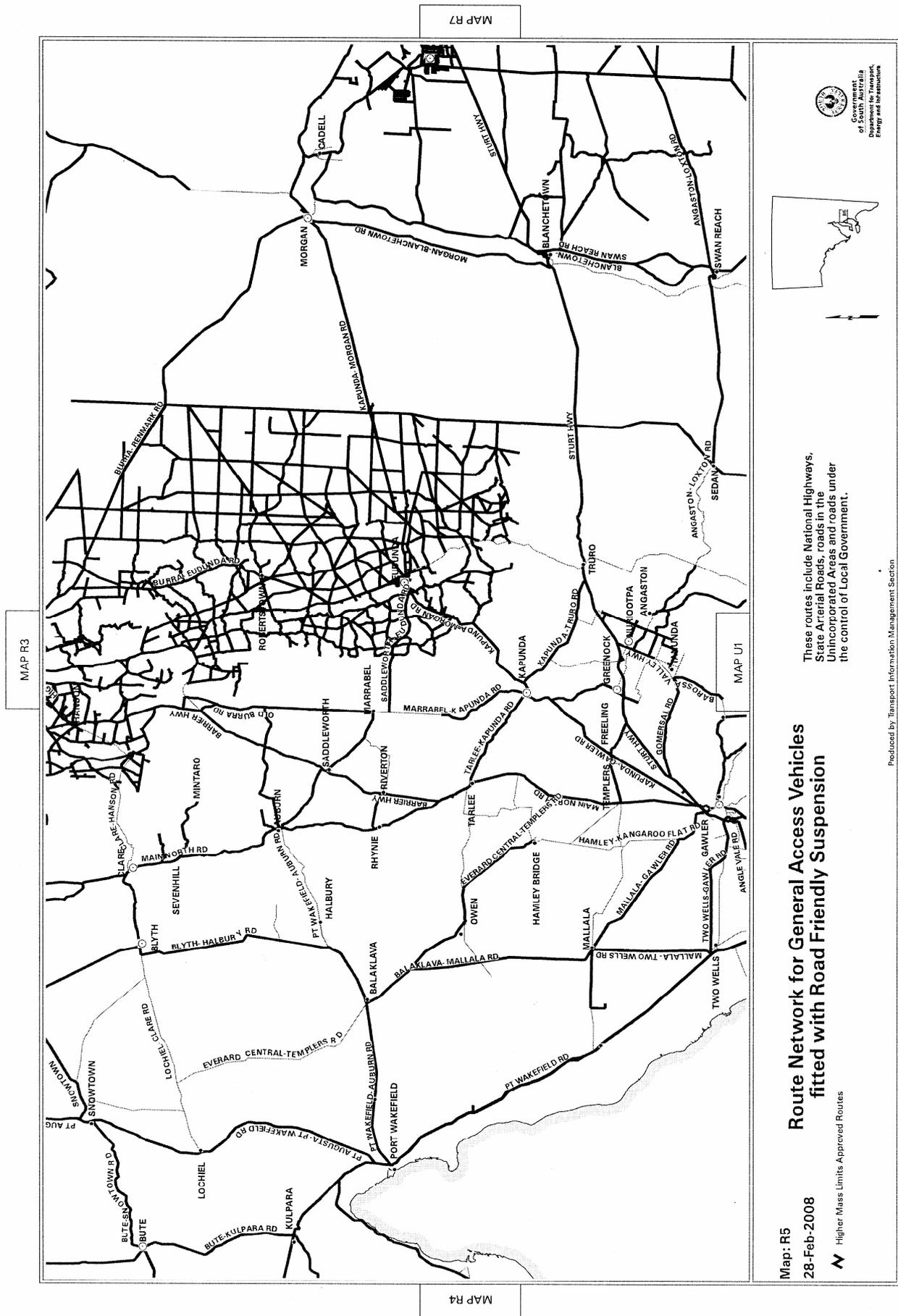
Map: R3  
28-Feb-2008

 Higher Mass Limits Approved Routes

**Route Network for General Access Vehicles fitted with Road Friendly Suspension**

These routes include National Highways, State Arterial Roads, roads in the Unincorporated Areas and roads under the control of Local Government.





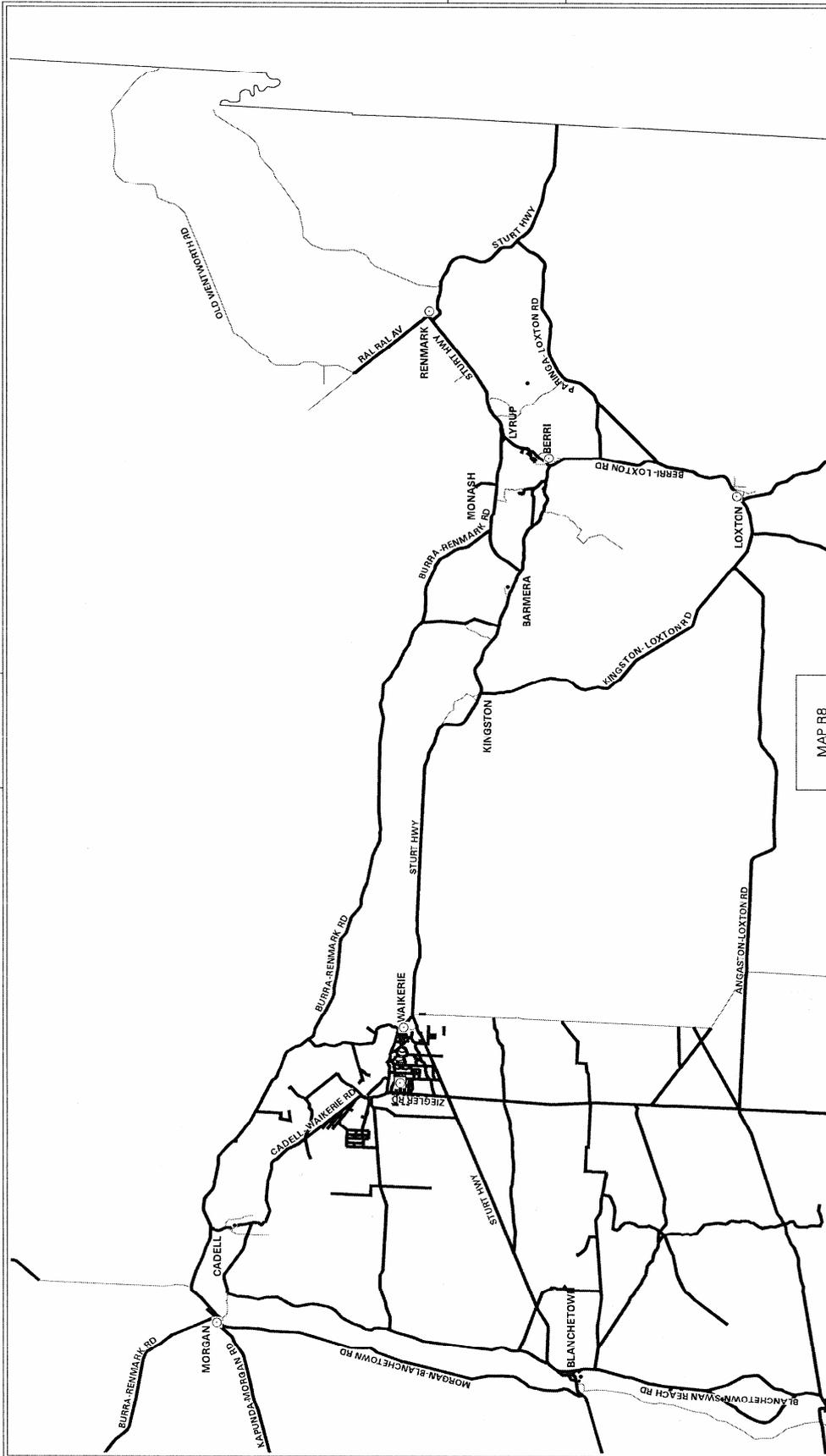
MAP R3

MAP R7

MAP U1

MAP R4

MAP R3A



MAP R5

MAP R8



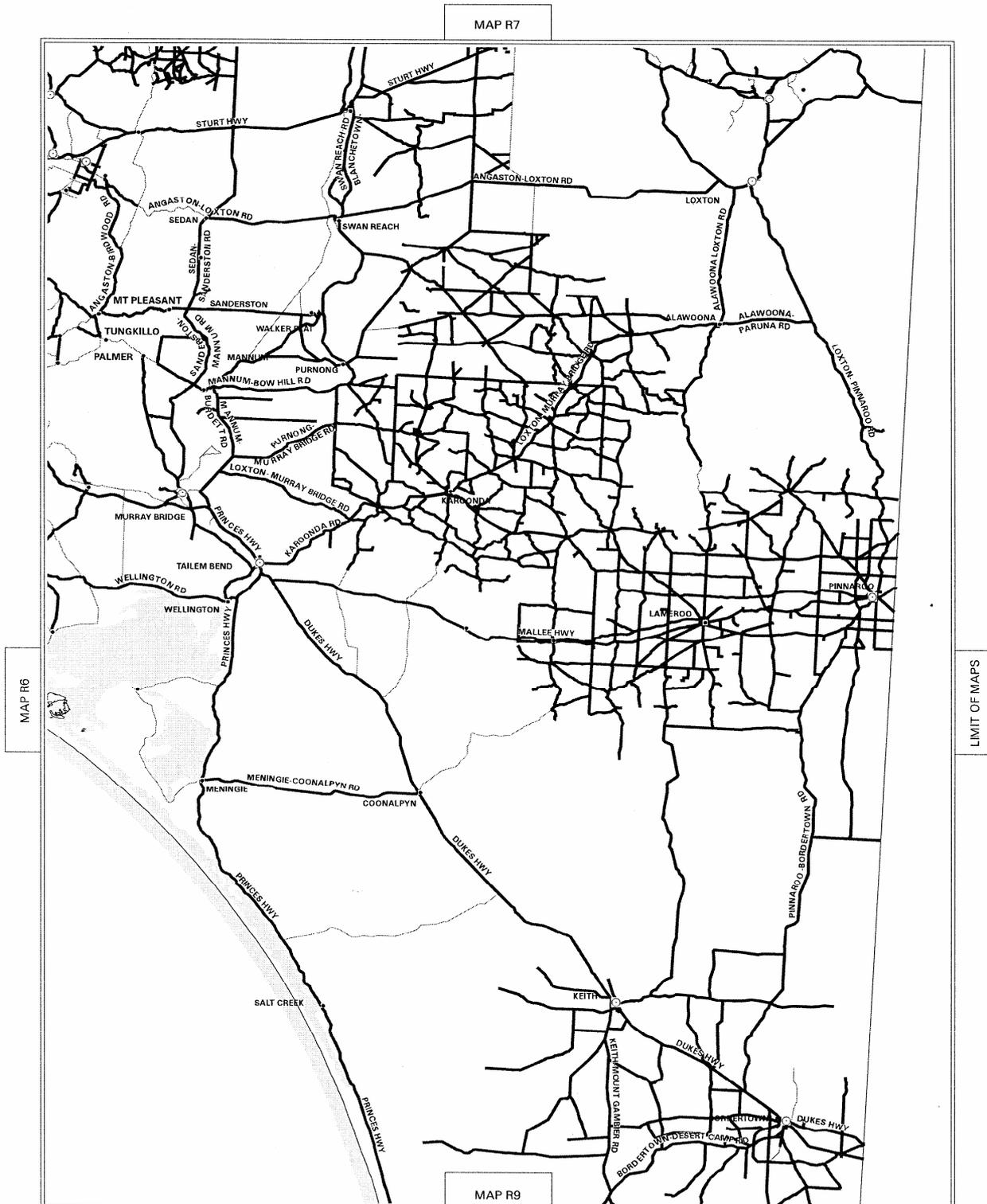
These routes include National Highways,  
State Aerial Roads, roads in the  
Unincorporated Areas and roads under  
the control of Local Government.

### Route Network for General Access Vehicles fitted with Road Friendly Suspension

Map: R7  
28-Feb-2008

Higher Mass Limits Approved Routes

Produced by Transport Information Management Section

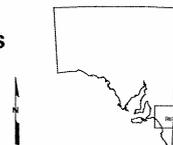


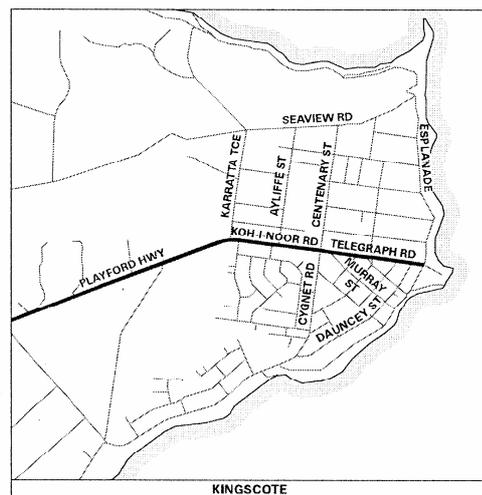
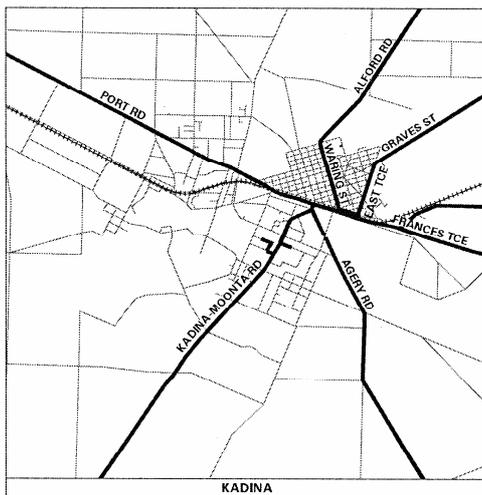
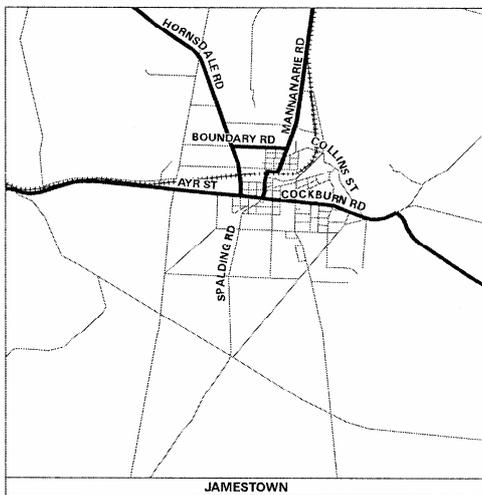
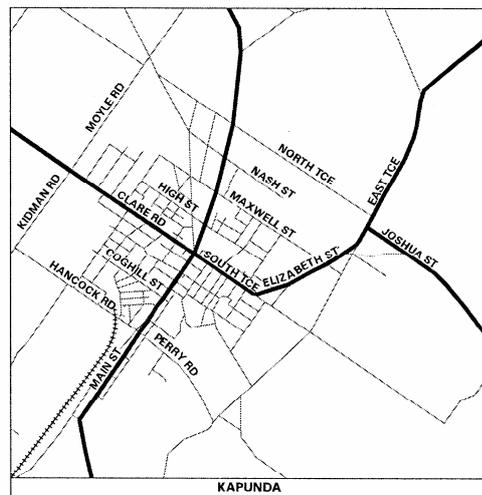
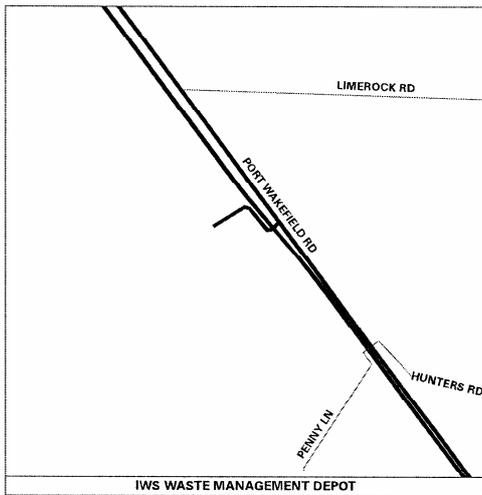
Map: R8  
28-Feb-2008

 Higher Mass Limits Approved Routes

### Route Network for General Access Vehicles fitted with Road Friendly Suspension

These routes include National Highways, State Arterial Roads, roads in the Unincorporated Areas and roads under the control of Local Government.





### Township Maps

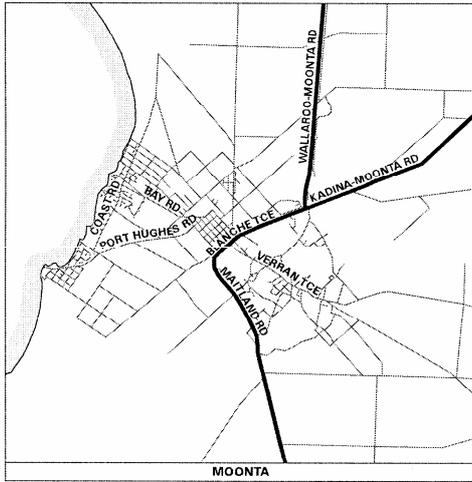
TOWNS-I-K  
28-Feb-2008

## Route Network for General Access Vehicles fitted with Road Friendly Suspension

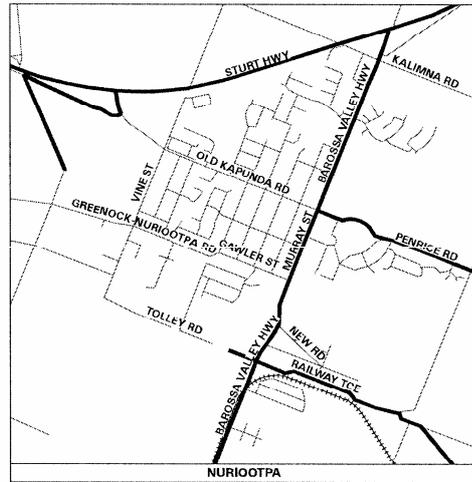
 Higher Mass Limits Approved Routes

These routes include National Highways, State Arterial Roads, roads in the Unincorporated Areas and roads under the control of Local Government.

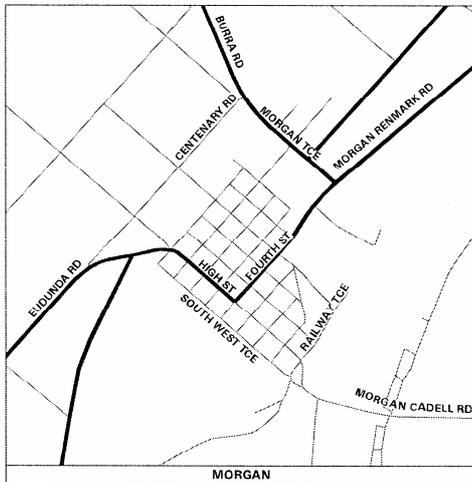




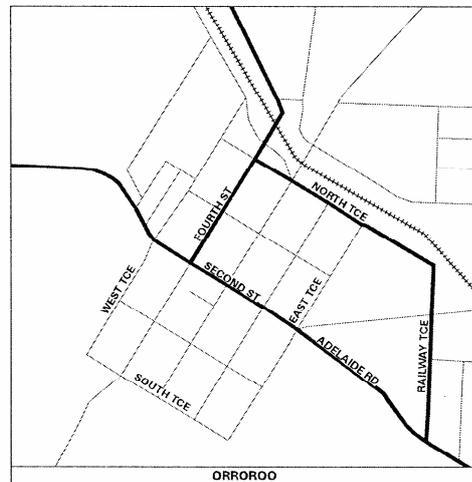
MOONTA



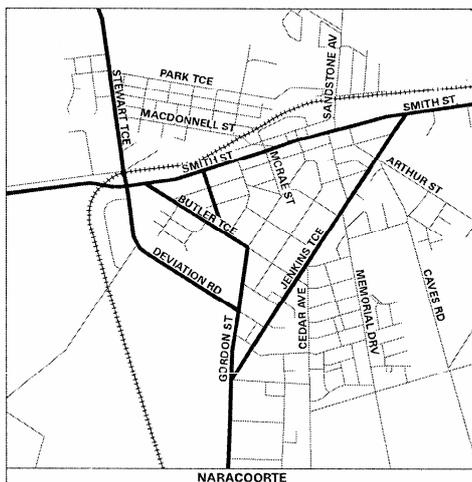
NURIOOTPA



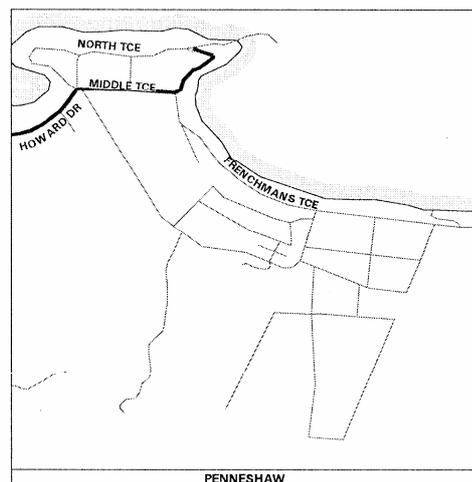
MORGAN



ORROROO



NARACOORTE



PENNESHAW

### Township Maps

TOWNS-M-P  
28-Feb-2008

### Route Network for General Access Vehicles fitted with Road Friendly Suspension

 Higher Mass Limits Approved Routes

These routes include National Highways, State Arterial Roads, roads in the Unincorporated Areas and roads under the control of Local Government.



## SECURITY AND INVESTIGATION AGENTS ACT 1995

## SECTION 33

*Exemption*

I, MICHAEL ATKINSON, Attorney-General, exempt Mal Hemmerling, the Commissioner for Consumer Affairs, from compliance with section 8B (1) of the Security and Investigation Agents Act 1995, in relation to an application for a security agent's licence received by the Commissioner for Consumer Affairs from Troy Hilgers, by no later than 14 March 2008.

Dated 20 February 2008.

MICHAEL ATKINSON, Attorney-General

## SECURITY AND INVESTIGATION AGENTS ACT 1995

## SECTION 33

*Exemption*

I, MICHAEL ATKINSON, Attorney-General, exempt Mal Hemmerling, the Commissioner for Consumer Affairs, from compliance with section 8A (1) of the Security and Investigation Agents Act 1995, in relation to an application for a security agent's licence received by the Commissioner for Consumer Affairs from Troy Hilgers, by no later than 14 March 2008.

Dated 20 February 2008.

MICHAEL ATKINSON, Attorney-General

## WATERWORKS ACT 1932: SECTION 6 (2)

*Variation of Notice*

PURSUANT to section 6 (2) of the Waterworks Act 1932, the South Australian Water Corporation varies the notice dated 25 January 2008 and published in *Government Gazette* of 31 January 2008 at page 347, more particularly set forth in the Schedule hereto, by deleting the number 671657 appearing in clause (a) thereof and substituting therefore the number 71657.

## SCHEDULE

## WATERWORKS ACT 1932

*Removal of Land from Blue Lake Country Lands Water District and Addition to Mount Gambier Water District*

PURSUANT to section 6 of the Waterworks Act 1932, the South Australian Water Corporation:

- (a) removes from the Blue Lake Country Lands Water District and adds to the Mount Gambier Water District all the land contained in allotment 10 in Deposited Plan 671657 (except the portion of that land already in the Mount Gambier Water District); and
- (b) declares that this notice will have effect from the commencement of the financial year in which it is published in the *Gazette*.

Dated 25 February 2008.

Signed for and on behalf of the South Australian Water Corporation by a person duly authorised so to do:

P. M. RUCIOCH, Manager Shared Services

In the presence of:

C. J. MCNAMARA, Billing Manager

SAWATER 07/06814 W1361

## WATERWORKS ACT 1932: SECTION 6 (2)

*Variation of Notice*

PURSUANT to section 6 (2) of the Waterworks Act 1932, the South Australian Water Corporation varies the notice dated 25 January 2008 and published in *Government Gazette* of 31 January 2008 at page 346, more particularly set forth in the Schedule hereto, by deleting the number 5 appearing in clause (a) subsection (ii) thereof and substituting therefore the number 4.

## SCHEDULE

## WATERWORKS ACT 1932

*Addition of Land to Bordertown Water District*

PURSUANT to section 6 of the Waterworks Act 1932, the South Australian Water Corporation:

- (a) adds to the Bordertown Water District all the land contained in:
  - (i) allotment 1 in Deposited Plan 15640;
  - (ii) allotments 1 to 5 inclusive in Deposited Plan 71047;
- (b) declares that this notice will have effect from 1 July 2007.

Dated 25 February 2008.

Signed for and on behalf of the South Australian Water Corporation by a person duly authorised so to do:

P. M. RUCIOCH, Manager Shared Services

In the presence of:

C. J. MCNAMARA, Billing Manager

SAWATER 07/06815 W1362

## WATERWORKS ACT 1932: SECTION 6 (2)

*Variation of Notice*

PURSUANT to section 6 (2) of the Waterworks Act 1932, the South Australian Water Corporation varies the notice dated 25 January 2008 and published in *Government Gazette* of 31 January 2008 at page 347, more particularly set forth in the Schedule hereto, by deleting section 166 in the Hundred of Wallaroo and allotment 567 in Filed Plan 198749 appearing in clause (i) and (ii) thereof and substituting therefore allotment 937 in Deposited Plan 76212.

## SCHEDULE

## WATERWORKS ACT 1932

*Removal of Land from Beetaloo Country Lands Water District and Addition to Moonta Water District*

PURSUANT to section 6 of the Waterworks Act 1932, the South Australian Water Corporation:

- (a) removes from the Beetaloo Country Lands Water District and adds to the Moonta Water District all the land contained in:
  - (i) section 166 in the Hundred of Wallaroo;
  - (ii) allotment 567 in Filed Plan 198749; and
- (b) declares that this notice has effect from the commencement of the financial year in which it is published in the *Gazette*.

Dated 25 February 2008.

Signed for and on behalf of the South Australian Water Corporation by a person duly authorised so to do:

P. M. RUCIOCH, Manager Shared Services

In the presence of:

C. J. MCNAMARA, Billing Manager

SAWATER 07/08901 W1370

## GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2007

	\$		\$
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Intention of Incorporation .....	49.75	Land—Real Property Act:	
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17-32	3.25	2.05	513-528	34.65	33.35	
33-48	4.20	3.00	529-544	35.70	34.65	
49-64	5.30	4.05	545-560	36.75	35.70	
65-80	6.25	5.15	561-576	37.50	36.75	
81-96	7.25	6.00	577-592	38.55	37.25	
97-112	8.25	7.05	593-608	39.85	38.30	
113-128	9.25	8.10	609-624	40.65	39.60	
129-144	10.35	9.15	625-640	41.70	40.10	
145-160	11.35	10.10	641-656	42.70	41.70	
161-176	12.40	11.15	657-672	43.25	42.20	
177-192	13.45	12.20	673-688	45.05	43.25	
193-208	14.50	13.35	689-704	45.85	44.30	
209-224	15.30	14.15	705-720	46.65	45.35	
225-240	16.35	15.10	721-736	48.45	46.35	
241-257	17.50	15.95	737-752	48.95	47.40	
258-272	18.45	17.00	753-768	50.00	48.20	
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417-432	28.65	27.35	913-928	59.40	58.85	
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449-464	30.50	29.20	945-960	61.50	59.90	
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South Australia

## Freedom of Information (Exempt Agency) Regulations 2008

under the *Freedom of Information Act 1991*

---

### Contents

- 1 Short title
- 2 Commencement of Act
- 3 Interpretation
- 4 Exempt agencies
- 5 Exempt agencies in respect of certain information—education agencies

Schedule 1—Revocation of *Freedom of Information (Exempt Agency) Regulations 1993*

---

#### 1—Short title

These regulations may be cited as the *Freedom of Information (Exempt Agency) Regulations 2008*.

#### 2—Commencement of Act

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

In these regulations—

*Act* means the *Freedom of Information Act 1991*.

#### 4—Exempt agencies

For the purposes of the definition of *exempt agency* in section 4(1) of the Act, the following agencies are declared to be exempt agencies:

- (a) the Senior Secondary Assessment Board of South Australia established under the *Senior Secondary Assessment Board of South Australia Act 1983*;
- (b) the RESI Corporation, continued in existence under the *Electricity Corporations Act 1994*;
- (c) the Generation Lessor Corporation, the Distribution Lessor Corporation and the Transmission Lessor Corporation established under the *Public Corporations Act 1993*;
- (d) the commission of inquiry established under the *Commission of Inquiry (Children in State Care and Children on APY Lands) Act 2004*;
- (e) each agency established by or under the *Health and Community Services Complaints Act 2004*.

## 5—Exempt agencies in respect of certain information—education agencies

(1) For the purposes of the definition of *exempt agency* in section 4(1) of the Act, the following agencies are declared to be exempt agencies in respect of comparative student performance information:

- (a) the Minister responsible for the administration of the *Senior Secondary Assessment Board of South Australia Act 1983*;
- (b) the Minister responsible for the administration of the *Education Act 1972*;
- (c) the Department of Education and Children's Services.

(2) In this regulation—

*children of compulsory education age* has the same meaning as in the *Education Act 1972*;

*comparative student performance information* means information of any of the following classes (whether presented in a statistical form or otherwise):

- (a) aggregated information relating to the results of any assessments undertaken by senior secondary students or children of compulsory education age;
- (b) aggregated information relating to the tertiary entrance ranks of senior secondary students;
- (c) aggregated information relating to exemptions granted to children of compulsory education age under the *Education Act 1972* from a requirement under that Act that the children be enrolled in an approved learning program;

*senior secondary students* means—

- (a) before the day that section 6 of the *Senior Secondary Assessment Board of South Australia (Review) Amendment Act 2008* comes into operation—a student undertaking senior secondary education (within the meaning of the *Senior Secondary Assessment Board of South Australia Act 1983*); and
- (b) on and from the day that section 6 of the *Senior Secondary Assessment Board of South Australia (Review) Amendment Act 2008* comes into operation—a student (within the meaning of the *Senior Secondary Assessment Board of South Australia Act 1983*).

## Schedule 1—Revocation of *Freedom of Information (Exempt Agency) Regulations 1993*

The *Freedom of Information (Exempt Agency) Regulations 1993* are revoked.

### Made by the Governor

with the advice and consent of the Executive Council  
on 28 February 2008

No 19 of 2008

FIN08/001CS

South Australia

## **Primary Industry Funding Schemes (Riverland Wine Industry Fund) Variation Regulations 2008**

under the *Primary Industry Funding Schemes Act 1998*

---

### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of *Primary Industry Funding Schemes (Riverland Wine Industry Fund) Regulations 2001***

- 4 Variation of regulation 5—Contributions to Fund

#### **Schedule 1—Transitional provision**

- 1 Contributions for 1 July 2007 to 30 June 2008
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Primary Industry Funding Schemes (Riverland Wine Industry Fund) Variation Regulations 2008*.

#### **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 *Primary Industry Funding Schemes (Riverland Wine Industry Fund) Regulations 2001***

#### **4—Variation of regulation 5—Contributions to Fund**

Regulation 5(1)(a)—delete subparagraph (i) and substitute:

- (i) \$1.50 is payable by the grower of the grapes; and

## Schedule 1—Transitional provision

### 1—Contributions for 1 July 2007 to 30 June 2008

- (1) For the purposes of determining the amount of the contributions that become payable under the *Primary Industry Funding Schemes (Riverland Wine Industry Fund) Regulations 2001* on the first occasion after the day on which these regulations come into operation (the *commencement day*)—
  - (a) the contribution rates prescribed under the principal regulations as varied by these regulations apply in relation to grapes delivered to a winemaker for processing on or after the commencement day; and
  - (b) the contribution rates prescribed under the principal regulations as in force immediately before the commencement day apply in relation to grapes delivered to a winemaker for processing before the commencement day.
- (2) For the purposes of this clause—
  - (a) grapes will be taken to be delivered to a winemaker by a grower when the winemaker takes possession of the grapes; and
  - (b) if a winemaker processes grapes grown by the winemaker, grapes will be taken to be delivered to the winemaker when the winemaker places the grapes in a container for the purposes of commencing processing of the grapes (including placing the grapes in a container for fermentation or in preparation for crushing or pressing).

**Note—**

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

### Made by the Governor

with the advice and consent of the Executive Council  
on 28 February 2008

No 20 of 2008

MAFF08/004CS

South Australia

# Primary Industry Funding Schemes (Adelaide Hills Wine Industry Fund) (Prescribed Rate) Variation Regulations 2008

under the *Primary Industry Funding Schemes Act 1998*

---

## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### Part 2—Variation of *Primary Industry Funding Schemes (Adelaide Hills Wine Industry Fund) Regulations 2003*

- 4 Variation of regulation 3—Interpretation
- 5 Variation of regulation 5—Contributions to Fund
- 6 Insertion of Schedule 2

#### Schedule 2—Contributions

- 1 Interpretation
  - 2 Prescribed rate
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Primary Industry Funding Schemes (Adelaide Hills Wine Industry Fund) (Prescribed Rate) Variation Regulations 2008*.

### 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 *Primary Industry Funding Schemes (Adelaide Hills Wine Industry Fund) Regulations 2003*

### 4—Variation of regulation 3—Interpretation

- (1) Regulation 3(1)—after definition of *Adelaide Hills grapes winemaker* insert:

*delivered*—see subregulation (3);

- (2) Regulation 3(1)—after definition of *prescribed period* insert:

*prescribed rate*—see Schedule 2.

- (3) Regulation 3—after subregulation (2) insert:

- (3) For the purposes of these regulations—

- (a) grapes will be taken to be *delivered* to an Adelaide Hills grapes winemaker by a grower of Adelaide Hills grapes when the winemaker takes possession of the grapes; and
- (b) if an Adelaide Hills grapes winemaker processes Adelaide Hills grapes grown by the winemaker, grapes will be taken to be *delivered* to the winemaker when the winemaker places the grapes in a container for the purposes of commencing processing of the grapes (including placing the grapes in a container for fermentation or in preparation for crushing or pressing).

### **5—Variation of regulation 5—Contributions to Fund**

- (1) Regulation 5(1)—delete subregulation (1) and substitute:

- (1) The following contributions are payable to the Minister for payment into the Fund for Adelaide Hills grapes delivered to an Adelaide Hills grapes winemaker during a prescribed period:

- (a) in the case of grapes grown by a person other than an Adelaide Hills grapes winemaker—
- (i) the grower of the grapes must contribute the prescribed rate; and
- (ii) the winemaker must contribute the prescribed rate, for each tonne of grapes delivered during the prescribed period (rounded down to the nearest tonne of grapes);
- (b) in the case of grapes grown by an Adelaide Hills grapes winemaker, the winemaker must contribute twice the prescribed rate for each tonne of grapes delivered during the prescribed period (rounded down to the nearest tonne of grapes).

- (1a) The contributions are payable on or before the last day of the month that immediately follows the prescribed period.

- (2) Regulation 5(3)(a)—delete paragraph (a) and substitute:

- (a) keep proper records relating to the tonnage of Adelaide Hills grapes delivered to the winemaker, the growers of those grapes and the contributions required to be made (on the winemaker's own behalf and on behalf of growers) in respect of those grapes; and

- (3) Regulation 5(4)—after "An Adelaide Hills grapes winemaker must" insert"

, on or before the last day of the month that immediately follows a prescribed period

- (4) Regulation 5(4)—delete "within 30 days after the end of each prescribed period,"

- (5) Regulation 5(4)—delete "processed" wherever occurring and substitute in each case:

delivered

- (6) Regulation 5(5)—delete "processed" and substitute:  
delivered
- (7) Regulation 5(7)—delete "processed" and substitute:  
delivered

## 6—Insertion of Schedule 2

After Schedule 1 insert:

### Schedule 2—Contributions

#### 1—Interpretation

In this Schedule—

*variation day* means the day on which the *Primary Industry Funding Schemes (Adelaide Hills Wine Industry Fund) (Prescribed Rate) Variation Regulations 2008* come into operation.

#### 2—Prescribed rate

The prescribed rate is as follows:

- (a) for the prescribed period 1 July 2007 to 30 June 2008—
- (i) for grapes delivered before the variation day—\$3.00 per tonne
  - (ii) for grapes delivered on or after the variation day—\$4.50 per tonne
- (b) for the prescribed period 1 July 2008 to 30 June 2009—\$5.00 per tonne
- (c) for the prescribed period 1 July 2009 to 30 June 2010—\$5.50 per tonne
- (d) for the prescribed period 1 July 2010 to 30 June 2011—\$6.00 per tonne
- (e) for the prescribed period 1 July 2011 to 30 June 2012—\$6.50 per tonne

#### Note—

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

#### Made by the Governor

with the advice and consent of the Executive Council  
on 28 February 2008

No 21 of 2008

MAFF08/004CS

South Australia

## **Primary Industry Funding Schemes (Langhorne Creek Wine Industry Fund) Variation Regulations 2008**

under the *Primary Industry Funding Schemes Act 1998*

---

### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of *Primary Industry Funding Schemes (Langhorne Creek Wine Industry Fund) Regulations 2001***

- 4 Variation of regulation 5—Contributions to Fund

#### **Schedule 1—Transitional provision**

- 1 Contributions for 1 July 2007 to 30 June 2008
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Primary Industry Funding Schemes (Langhorne Creek Wine Industry Fund) Variation Regulations 2008*.

#### **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 *Primary Industry Funding Schemes (Langhorne Creek Wine Industry Fund) Regulations 2001***

#### **4—Variation of regulation 5—Contributions to Fund**

Regulation 5(1)—delete paragraphs (a) and (b) and substitute:

- (a) in the case of grapes grown by a person other than the winemaker—
  - (i) \$3.00 is payable by the grower of the grapes; and
  - (ii) \$1.50 is payable by the winemaker; and

- (b) in the case of grapes grown by the winemaker—\$1.50 is payable by the winemaker.

## **Schedule 1—Transitional provision**

### **1—Contributions for 1 July 2007 to 30 June 2008**

- (1) For the purposes of determining the amount of the contributions that become payable under the *Primary Industry Funding Schemes (Langhorne Creek Wine Industry Fund) Regulations 2001* on the first occasion after the day on which these regulations come into operation (the *commencement day*)—
  - (a) the contribution rates prescribed under the principal regulations as varied by these regulations apply in relation to grapes delivered to a winemaker for processing on or after the commencement day; and
  - (b) the contribution rates prescribed under the principal regulations as in force immediately before the commencement day apply in relation to grapes delivered to a winemaker for processing before the commencement day.
- (2) For the purposes of this clause—
  - (a) grapes will be taken to be delivered to a winemaker by a grower when the winemaker takes possession of the grapes; and
  - (b) if a winemaker processes grapes grown by the winemaker, grapes will be taken to be delivered to the winemaker when the winemaker places the grapes in a container for the purposes of commencing processing of the grapes (including placing the grapes in a container for fermentation or in preparation for crushing or pressing).

#### **Note—**

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

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 28 February 2008

No 22 of 2008

MAFF08/004CS

South Australia

## **Radiation Protection and Control (Cosmetic Tanning Units) Regulations 2008**

under the *Radiation Protection and Control Act 1982*

---

### **Contents**

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Application of regulations
- 5 Prohibition on exposure of certain persons to ultraviolet radiation from tanning units
- 6 Prohibition on exposure of persons to ultraviolet radiation from tanning units without prior assessment of skin type and written consent
- 7 Limits on exposure of persons to ultraviolet radiation from tanning units
- 8 Requirement to ensure persons exposed to ultraviolet radiation from tanning units wear protective goggles
- 9 Requirement to ensure not more than 1 person is using a tanning unit
- 10 Information to be given to Minister by persons carrying on cosmetic tanning businesses
- 11 Requirements applying to tanning units etc
- 12 Warning notices to be displayed
- 13 Copy of these regulations etc to be kept
- 14 Maintenance and servicing of tanning units
- 15 Record of sale of tanning unit to be made and kept
- 16 Records of maintenance etc of tanning units to be kept
- 17 Prohibition on claims of therapeutic health benefits from use of tanning units

### **Schedule 1—Forms**

---

#### **1—Short title**

These regulations may be cited as the *Radiation Protection and Control (Cosmetic Tanning Units) Regulations 2008*.

#### **2—Commencement**

These regulations will come into operation on 14 March 2008.

#### **3—Interpretation**

In these regulations, unless the contrary intention appears—

*AS/NZS 2635:2002* means *AS/NZS 2635:2002 Solaria for cosmetic purposes* as in force from time to time;

*cosmetic tanning business* means a business consisting of or involving the provision of a cosmetic tanning service;

*cosmetic tanning service* means a service of tanning human skin for cosmetic purposes by use of a tanning unit;

*skin type 1* means fair skin that—

- (a) always burns and never tans when exposed to ultraviolet radiation; and
- (b) is often accompanied by red hair and freckles;

*skin type 2* means fair skin that almost always burns when exposed to ultraviolet radiation and tans only slightly after repeated exposure to ultraviolet radiation;

*skin type 3* means dark skin that seldom burns when exposed to ultraviolet radiation and tans increasingly after repeated exposure to ultraviolet radiation;

*skin type 4* means dark skin that seldom burns when exposed to ultraviolet radiation and tans deeply and quickly when exposed to ultraviolet radiation;

*tanning unit* means electrically powered apparatus designed to produce tanning of human skin by exposure of the skin to ultraviolet radiation emitted by the apparatus;

*ultraviolet radiation* means radiation for which the wavelengths are within the range of 100 to 400 nanometres.

#### **4—Application of regulations**

These regulations apply only in relation to tanning units used to provide a cosmetic tanning service for fee or reward.

#### **5—Prohibition on exposure of certain persons to ultraviolet radiation from tanning units**

An operator of a tanning unit must not expose a person to ultraviolet radiation from the unit if—

- (a) the person is under the age of 18 years; or
- (b) the person's skin type is skin type 1.

Maximum penalty: \$10 000.

#### **6—Prohibition on exposure of persons to ultraviolet radiation from tanning units without prior assessment of skin type and written consent**

- (1) An operator of a tanning unit must not expose a person to ultraviolet radiation from the unit unless—
  - (a) the person's skin type is skin type 2, skin type 3 or skin type 4; and
  - (b) the person has given his or her written consent to the exposure in the form set out in Schedule 1.

Maximum penalty: \$10 000.

- (2) A person who carries on a cosmetic tanning business must ensure that a copy of a written consent is provided to the person who gave the consent.

Maximum penalty: \$5 000.

- (3) A person who carries on a cosmetic tanning business must retain a copy of each written consent for a period of at least 2 years and keep it readily available for inspection on request by an authorised officer.

Maximum penalty: \$5 000.

### **7—Limits on exposure of persons to ultraviolet radiation from tanning units**

- (1) An operator of a tanning unit must not expose a person to ultraviolet radiation from the unit for a period of time that exceeds the limit determined in accordance with clause 3.1.2 of *AS/NZS 2635:2002* for the person's skin type.

Maximum penalty: \$10 000.

- (2) An operator of a tanning unit must not expose a person to ultraviolet radiation from the unit if the operator knows that—
- (a) the person has been exposed to ultraviolet radiation from a tanning unit within the preceding period of 48 hours; or
  - (b) the person has been exposed to 3 MED of ultraviolet radiation from a tanning unit within the preceding period of 6 days.

Maximum penalty: \$10 000.

- (3) In this regulation—

*MED (minimal erythema dose)* means the minimum dose of ultraviolet radiation that, for a given skin type, may cause a perceptible reddening of the skin.

### **8—Requirement to ensure persons exposed to ultraviolet radiation from tanning units wear protective goggles**

An operator of a tanning unit must ensure that, at all times while a person is exposed to ultraviolet radiation from the unit, the person is wearing protective goggles that comply with the requirements specified in paragraphs (a) to (d) inclusive of clause 3.2 of *AS/NZS 2635:2002*.

Maximum penalty: \$10 000.

### **9—Requirement to ensure not more than 1 person is using a tanning unit**

An operator of a tanning unit must ensure that while the unit is in operation not more than 1 person is present within the unit or within any enclosure in which the unit is situated.

Maximum penalty: \$10 000.

### **10—Information to be given to Minister by persons carrying on cosmetic tanning businesses**

- (1) A person who carries on a cosmetic tanning business must—
- (a) in the case of a business in existence immediately before the commencement of this regulation—within 60 days of that commencement; and
  - (b) in any other case—within 60 days of commencing to carry on such a business, give written notice to the Minister of—
    - (c) the person's full name and address; and
    - (d) the address of the premises at which cosmetic tanning services are provided by the business; and
    - (e) the number and type of tanning units used at the premises.

Maximum penalty: \$5 000.

- (2) A person who carries on a cosmetic tanning business must, within 30 days of any change occurring in the particulars required to be given under subregulation (1), inform the Minister in writing of the change.

Maximum penalty: \$5 000.

### **11—Requirements applying to tanning units etc**

- (1) A person who carries on a cosmetic tanning business must not cause, suffer or permit a cosmetic tanning service to be provided by use of a tanning unit that does not comply with this regulation.

Maximum penalty: \$10 000.

- (2) A tanning unit complies with this regulation if—

- (a) the erythema effective ultraviolet irradiance of the unit does not exceed the limit specified in clause 2.1.1 of *AS/NZS 2635:2002*; and
- (b) the emitting radiation of ultraviolet lamps in the unit are specified by the values specified in clause 2.1.2 of *AS/NZS 2635:2002*; and
- (c) all ultraviolet lamps in the unit are mechanically screened from the possibility of unintentional contact with a client and the screening is of sufficient mechanical strength to withstand accidental impact; and
- (d) the unit is not capable of being operated by a client other than to terminate or suspend a tanning session.

- (3) A person who carries on a cosmetic tanning business must ensure that—

- (a) there is within the reach of a client using a tanning unit a means by which the client may terminate or suspend a tanning session; and
- (b) there is a means by which the operator of a tanning unit may terminate a tanning session remotely; and
- (c) a timing device that is accurate within  $\pm 10$  per cent for all settings is provided to enable a tanning session to be automatically terminated when the maximum exposure time permitted by these regulations is reached; and
- (d) ultraviolet screening is provided to contain direct ultraviolet radiation emitted by a tanning unit to the area normally occupied by a client being exposed to such radiation from the unit; and
- (e) if a client is exposed to ultraviolet radiation from a tanning unit in a standing position, there is at least 1 mechanism provided to support the client in that position; and
- (f) a tanning unit is not used if any ultraviolet lamp in the unit has exceeded the manufacturer's recommended life expectancy as specified on a label on the unit or in the unit's user manual; and
- (g) if more than 1 tanning unit is installed in the same premises, each tanning unit is connected to a separate circuit breaker.

Maximum penalty: \$10 000.

- (4) In this regulation—

*client* means a person to whom a cosmetic tanning service is being provided for fee or reward;

*erythema effective ultraviolet irradiance*—the erythema effective ultraviolet irradiance of a tanning unit is the maximum value of biologically erythemally weighted irradiance within the total region likely to be occupied by a person using the tanning unit;

*irradiance* means a measure of ultraviolet radiation flux per unit area, expressed in watts per square metre;

*tanning session* means a period of time during which a tanning unit is in operation.

## 12—Warning notices to be displayed

- (1) A person who carries on a cosmetic tanning business must ensure that warning notices that comply with subregulation (2) are displayed in the premises where cosmetic tanning services are provided by the business in such a position as to be within the immediate view of every person entering the premises and every person entering an enclosure in which a tanning unit is situated.

Maximum penalty: \$10 000.

- (2) A warning notice must—

- (a) be at least 21 centimetres by 30 centimetres in size; and
- (b) be clearly legible; and
- (c) contain the following statements:

Exposure to ultraviolet radiation such as from a tanning unit contributes to the skin ageing process and may cause skin cancer.

The law prohibits the following people from being exposed to ultraviolet radiation from a tanning unit:

- people who have fair skin that always burns and never tans
- all people under 18 years of age.

Intentional exposure to the sun or a tanning unit should be avoided for 48 hours after exposure to ultraviolet radiation from a tanning unit.

Protective goggles must be worn at all times while you are being exposed to ultraviolet radiation from a tanning unit.

## 13—Copy of these regulations etc to be kept

A person who carries on a cosmetic tanning business must keep a copy of these regulations and *AS/NZS 2635:2002* at the premises at which cosmetic tanning services are provided by the business.

Maximum penalty: \$5 000.

## 14—Maintenance and servicing of tanning units

The owner of a tanning unit must ensure that the unit is maintained and serviced in accordance with the manufacturer's recommendations.

Maximum penalty: \$10 000.

**15—Record of sale of tanning unit to be made and kept**

- (1) If a tanning unit is sold, the former owner of the unit must make a written record of the date on which the unit was sold and the name and address of the person to whom it was sold.  
Maximum penalty: \$5 000.
- (2) A person must retain a record made by the person under subregulation (1) for a period of at least 2 years and keep the record readily available for inspection on request by an authorised officer.  
Maximum penalty: \$5 000.

**16—Records of maintenance etc of tanning units to be kept**

- (1) An owner of a tanning unit must make a record detailing any maintenance or servicing of the unit and keep the record readily available for inspection on request by an authorised officer.  
Maximum penalty: \$5 000.
- (2) If a tanning unit is sold, the former owner of the unit must—
  - (a) retain any records relating to the maintenance and servicing of the unit for a period of at least 2 years after the sale and keep the records readily available for inspection on request by an authorised officer; and
  - (b) give the new owner of the unit a copy of records relating to any maintenance and servicing of the unit undertaken in the period of 2 years preceding the sale.Maximum penalty: \$5 000.

**17—Prohibition on claims of therapeutic health benefits from use of tanning units**

A person must not make any representation or claim of a therapeutic health benefit from the use of tanning units.  
Maximum penalty: \$10 000.

## Schedule 1—Forms

### Form 1—Consent to exposure to ultraviolet radiation from tanning unit

CONSENT TO EXPOSURE TO UVR FROM A TANNING UNIT						
Date: .....						
<b>CLIENT INFORMATION</b>						
Full Name: ..... DOB: .....						
Address: .....						
SUBURB: ..... POSTCODE: .....						
Phone: (h) ..... (w) ..... (m) .....						
Email: .....						
<b>PLEASE CAREFULLY READ THE FOLLOWING INFORMATION:</b>						
1. EXPOSURE TO ULTRAVIOLET RADIATION (UVR) SUCH AS THAT FROM A TANNING UNIT CONTRIBUTES TO THE SKIN AGEING PROCESS AND MAY CAUSE SKIN CANCER.						
2. A person must be at least 18 years of age to use a tanning unit.						
3. People with fair skin (Skin Type 1) are banned from using a tanning unit.						
4. A person who has been exposed to UVR within 48 hours prior to this session will be banned from using a tanning unit. A person must not be exposed to UVR for at least 48 hours after a session.						
5. Protective goggles must be worn <u>at all times</u> whilst undergoing exposure to UVR.						
<b>HEALTH INFORMATION</b> (please circle)						
Have you previously been treated for solar keratoses or skin cancer? <span style="float: right;">Y            N</span>						
Are you pregnant? <span style="float: right;">Y            N</span>						
Are you wearing cosmetics? <span style="float: right;">Y            N</span>						
Are you taking (by mouth or application to skin) any medication? <span style="float: right;">Y            N</span>						
(Many medications have the potential to increase photosensitivity - eg antibiotics, anti-inflammatories - consult your medical practitioner or pharmacist about your medication before using a tanning unit).						
<b>SKIN TYPE TEST</b>						
Score	0	1	2	3	4	Total
<b>Genetic Predisposition</b>						
What is the colour of your eyes?	Light Blue, Grey or Green	Blue, Grey or Green	Blue	Dark Brown	Brownish Black	
What is the natural colour of your hair	Sandy/Red	Blonde	Chestnut/ Dark Blonde	Dark Brown	Black	
What is the colour of your skin (non-exposed areas)	Reddish	Very Pale	Pale with Beige Tint	Light Brown	Dark Brown	
Do you have freckles on unexposed areas	Many	Several	Few	Incidental	None	
					<b>Score</b>	
<b>Reaction to Sun Exposure</b>						
What happens when you stay in the sun too long?	Painful redness, blistering, peeling	Blistering followed by peeling	Burns sometimes followed by peeling	Rare burns	Never had burns	
To what degree do you turn brown?	Hardly or not at all	Light colour tan	Reasonable tan	Tan very easy	Turn dark brown quickly	
Do you turn brown within several hours after sun exposure?	Never	Seldom	Sometimes	Often	Always	
How does your face react to the sun?	Very sensitive	Sensitive	Normal	Very resistant	Never had a problem	
					<b>Score</b>	
<b>Tanning Habits</b>						
When did you last expose your body to sun/ tanning unit/ tanning cream?	More than 3 months ago	2 - 3 months ago	1 - 2 months ago	Less than a month ago	Less than 2 weeks ago	
Did you expose the area to be treated to the sun?	Never	Hardly ever	Sometimes	Often	Always	
					<b>Score</b>	
<b>Skin Type Score</b>						
Skin Type Score	Fitzpatrick Skin Type					
0 - 7	I					
8 - 16	II					
17 - 25	III					
25 - 30	IV					
Over 30	V - VI					
Your total Skin Type score is: .....						
Your Skin Type number is: .....						
Your maximum exposure time is: .....minutes						
"I, ....., (print your full name), declare that I am at least 18 years of age and have read and understood the above information and voluntarily accept the risks associated with exposure to UVR.						
Signed: ..... Date: .....						
"I, ....., (print your full name), of ....., (insert business name), declare that I have informed the above client of the health risks associated with UVR exposure, and have fully assessed their skin type."						
Signed: ..... Date: .....						

#### Note—

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

**Made by the Governor**

with the advice and consent of the Executive Council  
on 28 February 2008

No 23 of 2008

EPCS08/0002

South Australia

# Radiation Protection and Control (Non-ionising Radiation) Regulations 2008

under the *Radiation Protection and Control Act 1982*

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## Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Licences to operate radiation apparatus (section 31(1)(b))—prescribed class of apparatus
- 5 Licences to operate radiation apparatus (section 31(3))—prescribed form and fee
- 6 Renewal of licence to operate radiation apparatus (section 37(2))—prescribed form and fee

Schedule 1—Forms

Schedule 2—Fees

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## 1—Short title

These regulations may be cited as the *Radiation Protection and Control (Non-ionising Radiation) Regulations 2008*.

## 2—Commencement

These regulations will come into operation on 1 March 2009.

## 3—Interpretation

In these regulations—

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

*tanning unit* means electrically powered apparatus designed to produce tanning of human skin by exposure of the skin to ultraviolet radiation emitted by the apparatus;

*ultraviolet radiation* means radiation for which the wavelengths are within the range of 100 to 400 nanometres.

## 4—Licences to operate radiation apparatus (section 31(1)(b))—prescribed class of apparatus

For the purposes of section 31(1)(b) of the Act, tanning units are a prescribed class of non-ionising radiation apparatus.

**5—Licences to operate radiation apparatus (section 31(3))—prescribed form and fee**

For the purposes of section 31(3) of the Act—

- (a) form 1 of Schedule 1 is prescribed; and
- (b) the fee specified in Schedule 2 is prescribed.

**6—Renewal of licence to operate radiation apparatus (section 37(2))—prescribed form and fee**

For the purposes of section 37(2) of the Act—

- (a) form 2 of Schedule 1 is prescribed; and
- (b) the fee specified in Schedule 2 is prescribed.

## Schedule 1—Forms

### Form 1—Application for a licence to operate a tanning unit

#### APPLICATION FOR A LICENCE TO OPERATE NON-IONISING RADIATION APPARATUS (TANNING UNITS)

#### SECTION 31(1)(b) RADIATION PROTECTION AND CONTROL ACT 1982

When completing this form PLEASE PRINT CLEARLY

#### PERSONAL DETAILS

Title: \_\_\_\_\_ Given names: \_\_\_\_\_

Surname: \_\_\_\_\_ Birth date: \_\_\_\_\_

Previous name (if applicable): \_\_\_\_\_

Gender: Male  Female

Correspondence Address: \_\_\_\_\_

Suburb: \_\_\_\_\_ Postcode: \_\_\_\_\_

Contact Details: Telephone: (\_\_\_\_\_) \_\_\_\_\_ Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

#### EMPLOYMENT DETAILS

Applicant's occupation: \_\_\_\_\_

Name of Employer: \_\_\_\_\_

Address: \_\_\_\_\_

Suburb: \_\_\_\_\_ Postcode: \_\_\_\_\_

Principal business activity of employer: \_\_\_\_\_

#### PREVIOUS OPERATION OF TANNING UNITS AND LICENSING

Have you operated a tanning unit in the last five years? Yes  No

If yes, please provide details

\_\_\_\_\_

\_\_\_\_\_

Have you previously held a licence to operate a tanning unit in South Australia? Yes  No

If yes, state licence number: \_\_\_\_\_

#### APPLICANT'S TRAINING IN RADIATION PROTECTION

A licence may only be granted if the applicant satisfies the Minister that he or she has appropriate knowledge of the principles and practices of radiation protection to operate non-ionising radiation apparatus (tanning units).

Please provide evidence in support of your application, and attach any supporting documents.

\_\_\_\_\_

**DETAILS OF PRIOR RADIATION PROTECTION CONVICTIONS**

Have you ever been convicted of an offence under any radiation protection legislation? Yes  No

If yes, please give details \_\_\_\_\_

Have you ever had a licence issued by a radiation licensing authority (or an application for a licence) refused, suspended or cancelled?

Yes  No

If yes, please give details \_\_\_\_\_

**DECLARATION:**

I hereby declare that the information provided on this form and in support of this application is to the best of my knowledge complete and true in every particular.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**PENALTY FOR PROVIDING FALSE OR MISLEADING INFORMATION: UP TO \$10,000**

**NOTE:** This form does not constitute a legal application unless it has been properly completed and signed, and is accompanied by the appropriate fee. The form and fee will be returned by mail if insufficient information is provided.

**This form can be lodged in person at:** 103 King William Street  
KENT TOWN SA 5067

**Or by post to:** Environment Protection Authority  
Radiation Protection Division  
PO Box 721 KENT TOWN SA 5071

**Cheques should be made payable to:** Environment Protection Authority

**For credit card payment please complete the details below**

Cardholder's name .....  Visa  Bankcard  MasterCard  Amex

Card no ..... Expiry date .....

Amount of payment \$ ..... Cardholder's Signature .....

Telephone No. ....

Credit card payment only accepted within agreed trading terms

**Form 2—Application for renewal of a licence to operate a tanning unit****APPLICATION TO RENEW A LICENCE TO OPERATE  
NON-IONISING RADIATION APPARATUS (TANNING UNITS)****SECTION 31(1)(b)  
RADIATION PROTECTION AND CONTROL ACT 1982**

Name  
Address  
Licence Number

Your licence to **operate non-ionising radiation apparatus (tanning units)** will expire on / / . Operation of a tanning unit without the appropriate licence is an offence under the Radiation and Protection Control Act 1982 and may result in fines of up to \$10,000. To renew your licence please complete the declaration below and return this form with the renewal fee.

If any of your personal or employment details have changed since your licence was issued or last renewed, enter the details below. When completing this form **PLEASE PRINT CLEARLY**

**PERSONAL DETAILS**

Title: \_\_\_\_\_ Given names: \_\_\_\_\_

Surname: \_\_\_\_\_ Birth date: \_\_\_\_\_

Previous name (if applicable): \_\_\_\_\_

Gender: Male  Female

Correspondence Address: \_\_\_\_\_

Suburb: \_\_\_\_\_ Postcode: \_\_\_\_\_

Contact Details: Telephone: ( ) \_\_\_\_\_ Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

**EMPLOYMENT DETAILS**

Applicant's occupation: \_\_\_\_\_

Name of Employer: \_\_\_\_\_

Address: \_\_\_\_\_

Suburb: \_\_\_\_\_ Postcode: \_\_\_\_\_

Principal business activity of employer: \_\_\_\_\_

**DECLARATION:**

I hereby apply for renewal of my licence and declare that the information provided on this form is to the best of my knowledge complete and true in every particular.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**PENALTY FOR PROVIDING FALSE OR MISLEADING INFORMATION: UP TO \$10,000**

**NOTE:** This form does not constitute a legal application unless it has been properly completed and signed, and is accompanied by the appropriate fee.

This form can be lodged in person at: 103 King William Street  
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Or by post to: Environment Protection Authority  
Radiation Protection Division  
PO Box 721 KENT TOWN SA 5071

Cheques should be made payable to: Environment Protection Authority

For credit card payment please complete the details below

Cardholder's name .....	<input type="checkbox"/> Visa	<input type="checkbox"/> Bankcard	<input type="checkbox"/> MasterCard	<input type="checkbox"/> Amex
Card no .....	Expiry date .....			
Amount of payment \$ .....	Cardholder's Signature .....			
Telephone No. ....				
Credit card payment only accepted within agreed trading terms				

## Schedule 2—Fees

1	For the issue of a licence to operate a tanning unit—	
	(a) application fee	\$70
	(b) licence fee	\$70
2	For renewal of a licence to operate a tanning unit	\$70

### Made by the Governor

with the advice and consent of the Executive Council  
on 28 February 2008

No 24 of 2008

EPCS08/0002

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IF you fax copy to **Government Publishing SA** for inclusion in the *Government Gazette*, there is **no need** to send a Confirmation Copy to us as well.

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Phone Inquiries: (08) 8207 1045

Please include a contact person, phone number and order number so that we can phone back with any queries we may have regarding the fax copy.

**NOTE: Closing time for lodging new copy (fax, hard copy or email) is 4 p.m. on Tuesday preceding the day of publication.**

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**NOTE: Closing time for lodging new copy (fax, hard copy or email) is 4 p.m. on Tuesday preceding the day of publication.**

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## CITY OF CAMPBELLTOWN

*Conversion of Private Road to Public Road*

NOTICE is hereby given pursuant to section 210 (5) of the Local Government Act 1999, that Council resolved at its meeting held on 19 February 2008:

That pursuant to the provisions contained within section 210 of the Local Government Act 1999, the City of Campbelltown hereby declares the private road being shown as allotment 5 in Filed Plan 219101, Bilney Drive, Athelstone, to be a public road.

Dated 19 February 2008.

P. DI IULIO, Chief Executive Officer

## CITY OF NORWOOD, PAYNEHAM &amp; ST PETERS

*Declaration of Public Road*

NOTICE is hereby given pursuant to section 210 of the Local Government Act 1999, that at a future meeting of the Council, the City of Norwood, Payneham & St Peters intends to declare the pieces of land comprised in certificate of title register book volume 5877, folio 464 (allotment 1 in Deposited Plan 59337) in the name of Daniel Fisher (deceased) and in certificate of title register book volume 5699, folio 63 (piece 51 in Filed Plan 217498) in the name of Clayton Church Homes Inc., known commonly as Percival Street, Norwood, to be a public road known as 'Percival Street'.

M. BARONE, Chief Executive Officer

## CITY OF PORT ADELAIDE ENFIELD

## ROADS (OPENING AND CLOSING) ACT 1991

*Road Opening/Closing—Millbank Avenue, Gilles Plains*

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the City of Port Adelaide Enfield proposes to make a Road Process Order to:

- (i) open as road portions of allotment 120 in Deposited Plan 40344 and allotments 3 and 4 in Deposited Plan 40070, as delineated and numbered '1' on Preliminary Plan No. 08/0009; and
- (ii) close the whole of Millbank Avenue between Blacks Road and Lyndon Avenue and merge with adjoining allotment 50 in Deposited Plan 49992, allotment 101 in Deposited Plan 37364 and allotment 4 in Deposited Plan 40070 Millbank Avenue as delineated and lettered 'A' and 'B' respectively on Preliminary Plan No. 08/0009.

A copy of the plan and statement of persons affected are available for public inspection at the Civic Centre, 163 St Vincent Street, Port Adelaide, S.A. 5015, the Council offices situated in the Enfield, Greenacres and Parks Libraries and the Adelaide office of the Surveyor-General during normal office hours.

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons.

The application for easement or objection must be made in writing to the Council, P.O. Box 110, Port Adelaide, S.A. 5015 within 28 days of this notice and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated 27 February 2008.

H. J. WIERDA, City Manager

## PORT AUGUSTA CITY COUNCIL

*Annual Service Charge*

NOTICE is hereby given that at a meeting held on 25 February 2008, Council declared in accordance with section 155 (2) of the Local Government Act 1999, an annual service charge of \$120 for the purpose of a kerbside waste collection/recycling service for the financial year ending 30 June 2008.

J. G. STEPHENS, City Manager

## CITY OF SALISBURY

## ROADS (OPENING AND CLOSING) ACT 1991

*Owen Street, Salisbury Downs*

NOTICE is hereby given, pursuant to section 10 of the Roads (Open and Closing) Act 1991, that the City of Salisbury proposes to make a Road Process Order to close a portion of public road subject to any easements that may be required. The portion of public road to be closed is situated at Owen Street, Salisbury Downs.

The portion of public road to be closed marked 'A' on Preliminary Plan No. 08/0013 is to be merged with the adjoining land (Allotment 11 in Deposited Plan 4856, certificate of title 5344/545) held by C. A. and G. C. R. Howson.

A copy of the plan and statement of persons affected are available for public inspection at the Council Offices, 12 James Street, Salisbury, S.A. 5108 between the hours of 8.30 a.m. and 5 p.m. weekdays only and the Adelaide office of the Surveyor-General, 101 Grenfell Street, Adelaide, S.A. 5000 during normal office hours.

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons.

The application for easement or objection must be made in writing to the Council, P.O. Box 8, Salisbury, S.A. 5108 within 28 days of the public notice of 27 February 2008 and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1534, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Enquiries relating to this matter can be directed to Julie Bond on 8406 8306.

Dated 27 February 2008.

S. HAINS, City Manager

## CITY OF TEA TREE GULLY

## ROADS (OPENING AND CLOSING) ACT 1991

*Road Closure—Portion of Lower North East Road*

## ERRATUM

In NOTICE appearing in *Government Gazette* dated 21 February 2008 on page 638, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, the section reading:

It is proposed that the road marked 'A' be closed and be disposed of, *should* read as follows:

It is proposed that the road marked 'A' be closed and be retained.

G. J. PERKIN, Chief Executive Officer

## KINGSTON DISTRICT COUNCIL

## DEVELOPMENT ACT 1993

*Kingston District Council Development Plan—Cape Jaffa Anchorage Development Plan Amendment—Draft for Public Consultation*

NOTICE is hereby given that the Kingston District Council has prepared a draft Development Plan Amendment (DPA) to amend the Kingston District Council Development Plan.

The DPA proposes to rezone the Cape Jaffa settlement to a new Township (Cape Jaffa Anchorage) Zone to coincide with the approved plans for the Cape Jaffa Anchorage which was granted Major Development approval in January 2006. The new zone will be divided into several policy areas to reflect the various functional areas of the approved plans, including residential and boat haven, town centre, tourist accommodation, commerce/industry and service infrastructure.

The draft Development Plan Amendment and statement will be available for public inspection and purchase during normal office hours at Kingston District Council Offices, 29 Holland Street, Kingston, S.A. 5275 and will be available on Council's website at [www.kingstondc.sa.gov.au](http://www.kingstondc.sa.gov.au) from Thursday, 28 February 2008 until 5 p.m. on Wednesday, 30 April 2008. A CD-ROM copy of the Development Plan Amendment can be purchased from Council's offices for \$5.

Written submissions regarding the draft amendment will be accepted by the Kingston District Council until 5 p.m. on Wednesday, 30 April 2008. All submissions should be addressed to the Chief Executive Officer, Kingston District Council, P.O. Box 321, Kingston, S.A. 5275. The written submission should clearly indicate whether or not you wish to speak at the public hearing on your submission.

Copies of all written submissions received will be available for inspection by interested persons at Council's offices from Thursday, 1 May 2008 until the public hearing. The public hearing will be held at the Kingston Council Chamber on Tuesday, 6 May 2008, commencing at 5 p.m.

The public hearing may not be held if no submission indicates an interest in speaking at the public hearing.

Dated 28 February 2008.

M. MCCARTHY, Chief Executive Officer

#### DISTRICT COUNCIL OF LOWER EYRE PENINSULA

##### *Allocation of Road Names*

NOTICE is hereby given that the District Council of Lower Eyre Peninsula issued a resolution, pursuant to section 219 (1) of the Local Government Act 1999, to allocate the following:

Meeting held on 18 January 2008:

- For the three un-named roads, west of Coultas township, off the Flinders Highway be named Marble Creek Road, Spring Road and Old Cemetery Road.

Meeting held on 15 February 2008:

- For the two un-named roads in the Industrial Area of Coffin Bay off Lawrie Road be named Minnamurra Street and Vonnie Road.

P. AIRD, Chief Executive Officer

#### DISTRICT COUNCIL OF MOUNT BARKER

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

##### *Road Closure—Nairne*

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the District Council of Mount Barker proposes to make a Road Process Order to close the whole public road (East Crescent) and the un-named public road adjoining North Road, allotments 11 and 12 in Deposited Plan 67872, allotments 2 and 3 in Filed Plan 1667 and allotments 36 and 37 in Deposited Plan 62, shown lettered 'G' and 'H' in Preliminary Plan No. 06/0005.

Closed road 'G' to be sold to M. McCarthy and merge with allotment 3 in Filed Plan 1667.

Closed Road 'H' to be retained by the District Council of Mount Barker for Council purposes.

A copy of the plan and a statement of persons affected are available for public inspection at the office of the Council, 23 Mann Street, Mount Barker and the Adelaide office of the Surveyor-General, 101 Grenfell Street, Adelaide during normal office hours.

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons.

The application for easement or objection must be made in writing to the Council, P.O. Box 54, Mount Barker, S.A. 5251 within 28 days of this notice and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where

a submission is made, the Council will give notification of a meeting at which the matter will be considered, so that the person making the submission or a representative may attend, if so desired.

Addendum Preliminary Plan number to be altered to 06/0040.

A. STUART, Chief Executive Officer

IN the matter of the estates of the undermentioned deceased persons:

*Bourne, Donald Cornelius*, late of 437 Salisbury Highway, Parafield Gardens, retired public servant, who died on 3 December 2007.

*Bradley, Annie*, late of Newton Street, Whyalla, widow, who died on 28 July 2007.

*Cannan, John Bradley*, late of 150-164 Bay Road, Encounter Bay, retired station master, who died on 2 October 2007.

*Chartres, Viveen Shirley*, late of 181-193 Days Road, Regency Park, of no occupation, who died on 21 December 2007.

*Crowhurst, Aldyth Jean*, late of 370 Fullarton Road, Fullarton, home duties, who died on 17 December 2007.

*Hargreaves, Ellen Joyce*, late of 81 Tapleys Hill Road, Hendon, retired sales assistant, who died on 23 December 2007.

*Harrop, Dorothy Mary*, late of 2 Whinnen Street, St Agnes, home duties, who died on 19 October 2007.

*Hobbs, Lawrence George*, late of 23 Sando Street, Findon, retired lines officer, who died on 9 January 2008.

*Jolliffe, Ellen Madge*, late of 14 Frew Street, Fullarton, of no occupation, who died on 14 November 2007.

*Lewis, Margaret Mary*, late of 342 Marion Road, North Plympton, home duties, who died on 4 November 2007.

*Matthews, Grace Audrey*, late of 27 Sando Avenue, Tranmere, retired secretarial clerk, who died on 8 December 2007.

*McKenzie, Marjory Esther*, late of 18 Burdon Street, Millicent, of no occupation, who died on 10 February 2006.

*Munday, Sidney Richard*, late of 64A Cowra Street, Renmark, retired watermaster, who died on 11 December 2007.

*Nickoletos, John*, late of 247 Military Road, Semaphore, of no occupation, who died on 29 September 2007.

*Sinclair, Darcy Russell Tait*, late of 15 Halliday Street, Risdon Park, retired farmer, who died on 31 July 2007.

*Strachan, Laurel Helen*, late of 60 States Road, Morphett Vale, of no occupation, who died on 2 January 2008.

*Szla, Bo*, late of Centenary Avenue, Maitland, retired mechanic, who died on 23 September 2007.

*Travers-Holmes, Jack*, late of 53 Brighton Road, Glenelg, retired inspector, who died on 18 December 2007.

*Vale, Robert Vernon*, late of 44 Audrey Street, Ascot Park, retired executive officer, who died on 23 December 2007.

*Ziegler, Peter Kingsley*, late of White Cliffs, New South Wales, business proprietor, who died on 17 November 2007.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972, and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Public Trustee, 25 Franklin Street, Adelaide, S.A. 5000, full particulars and proof of such claims, on or before 28 March 2008, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 28 February 2008.

M. I. BODYCOAT, Public Trustee

# ATTENTION

CUSTOMERS requiring a proof of their notice for inclusion in the *Government Gazette*, please note that the onus is on you to inform **Government Publishing SA** of any subsequent corrections by **10 a.m. on Thursday**, which is our publication deadline.

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before** 10 a.m. on Thursday.

If we do not receive any communication by 10 a.m. on Thursday (day of publication) we will presume the notice is correct and will print it as it is.

**Remember**—the onus is on you to inform us of any corrections necessary to your notice.

**NOTE: Closing time for lodging new copy (electronically, fax or hard copy) is 4 p.m. on Tuesday preceding the day of publication. Phone 8207 1045—Fax 8207 1040.**

**Email: [governmentgazette@dpc.sa.gov.au](mailto:governmentgazette@dpc.sa.gov.au)**