

EXTRAORDINARY GAZETTE



THE SOUTH AUSTRALIAN
GOVERNMENT GAZETTE

www.governmentgazette.sa.gov.au

PUBLISHED BY AUTHORITY

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

ADELAIDE, THURSDAY, 9 JUNE 2011

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South Australia

Hydroponics Industry Control (Fees) Variation Regulations 2011

under the *Hydroponics Industry Control Act 2009*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Hydroponics Industry Control Regulations 2010*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Hydroponics Industry Control (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Hydroponics Industry Control Regulations 2010*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- 1 Application for hydroponic equipment dealer's licence—
 - (a) if the applicant is a body corporate \$651
 - (b) if the applicant is a natural person \$401
- 2 Application for approval as hydroponics industry employee \$401

3 Annual fee for licence holders—	
(a) if the licence holder is a body corporate	\$713
(b) if the licence holder is a natural person	\$546
4 Annual fee for approved person	\$260
5 Penalty for default (regulation 14(5))	\$149

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 9 June 2011

No 51 of 2011

MPOL11/004 CS

South Australia

Waterworks (Fees) Variation Regulations 2011

under the *Waterworks Act 1932*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Waterworks Regulations 1996*

- 4 Variation of regulation 29—Other charges

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Waterworks (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Waterworks Regulations 1996*

4—Variation of regulation 29—Other charges

Regulation 29(1)—delete subregulation (1) and substitute:

- (1) Subject to these regulations, the following charges are payable to the Corporation:
 - (a) Standard capital contribution \$3 116.00
 - (b) Installation of water connection (including installation of meter)
 - Nominal diameter:
 - 20 mm \$2 177.00
 - 25 mm \$3 089.00
 - 40 mm \$4 321.00
 - 50 mm \$6 039.00

	<ul style="list-style-type: none"> • greater than 50 mm 	estimated cost quoted by Corporation
	Note—	
	A separate fee is payable for installation of a water connection for fire fighting purposes—see item (f).	
(c)	Installation of meter	
	Nominal diameter of connection:	
	<ul style="list-style-type: none"> • 20 mm • 25 mm • 40 mm • 50 mm 	\$294.00 \$366.00 \$662.00 \$1 679.00
(d)	Installation of manifold and meters for each unit in a strata or community scheme (Nominal meter diameter on the manifold: 20 mm)	\$429.00 for each meter connected to manifold
(e)	Installation of manifold and meters for each unit in a strata or community scheme (Nominal meter diameter on the manifold: 25 mm with maximum of 5 meters per manifold)	\$551.00 for each meter connected to manifold
(f)	Installation of water connection for fire fighting purposes	
	Nominal diameter:	
	<ul style="list-style-type: none"> • 100 mm • 150 mm • greater than 150 mm 	\$9 605.00 \$12 187.00 estimated cost quoted by Corporation
(g)	Installation of additional isolating valve for water connection installed for fire fighting purposes	
	Nominal diameter:	
	<ul style="list-style-type: none"> • 100 mm • 150 mm • 200 mm • greater than 200 mm 	estimated cost quoted by Corporation estimated cost quoted by Corporation estimated cost quoted by Corporation estimated cost quoted by Corporation
(h)	Replacement of meter	
	Nominal diameter of connection:	
	<ul style="list-style-type: none"> • 15 mm and 20 mm • 25 mm 	\$293.00 \$359.00

	• 32 mm and 40 mm	\$634.00
	• 50 mm	\$1 596.00
	• greater than 50 mm	Corporation's costs of replacement
(i)	Repair or replacement of fittings other than meters	
	Nominal diameter of connection:	
	• 15 mm and 20 mm	\$200.00
	• 25 mm	\$200.00
	• 32 mm and 40 mm	\$317.00
	• 50 mm	\$359.00
	• greater than 50 mm	Corporation's costs of repair or replacement
(j)	Disconnection of water connection installed for fire fighting purposes	\$4 528.00
(k)	Disconnection of any other water connection 50 mm or less from main pipe	\$507.00
(l)	Disconnection of any other water connection greater than 50 mm from main pipe	estimated cost quoted by Corporation
(m)	Removal of meter	\$93.50
(n)	Provision of permanent overhead standpipe and meter (including connection to main pipe)	estimated cost quoted by Corporation
(o)	Relocation of unmetered 20 mm or 25 mm water connection by 4 m or less and installation of meter	
	Relocation distance:	
	• 0.5 m or less	\$806.00
	• more than 0.5 m but not more than 1 m	\$893.00
	• more than 1 m but not more than 2 m	\$991.00
	• more than 2 m but not more than 3 m	\$1 087.00
	• more than 3 m but not more than 4 m	\$1 186.00
(p)	Relocation of metered 20 mm or 25 mm water connection by 4 m or less	
	Relocation distance:	
	• 0.5 m or less	\$494.00
	• more than 0.5 m but not more than 1 m	\$625.00
	• more than 1 m but not more than 2 m	\$720.00
	• more than 2 m but not more than 3 m	\$853.00
	• more than 3 m but not more than 4 m	\$992.00

(q)	Rotation of 20 mm and 25 mm meter up to 180 degrees	\$158.00
(r)	Rotation of 40 mm meter up to 180 degrees	\$609.00
(s)	Raising or lowering of water connection	
	Nominal diameter of connection:	
	• 15 mm and 20 mm	\$618.00
	• over 20 mm but not exceeding 50 mm	\$1 021.00
	• greater than 50 mm	estimated cost quoted by Corporation
(t)	Shortening of water connection	
	Nominal diameter of connection:	
	• 20 mm and 25 mm	\$847.00
	• 32 mm, 40 mm and 50 mm	\$989.00
	• greater than 50 mm	estimated cost quoted by Corporation
(u)	Extension of water connection	estimated cost quoted by Corporation
(v)	Restoration of water supply following restriction of supply at meter	\$42.75
(w)	Restoration of water supply following restriction of supply at main pipe	estimated cost quoted by Corporation
(x)	Restoration of water supply—where connection pipe in ground and can be used	\$413.00
(y)	Provision and installation of metal underground box to cover meter	
	Nominal diameter:	
	• 20 mm and 25 mm	\$637.00
	• 32 mm, 40 mm and 50 mm	\$1 432.00
	• greater than 50 mm	estimated cost quoted by Corporation
(z)	Testing of meter at request of consumer	\$131.00
(za)	Special reading of meter on request	\$14.80
(zb)	Provision of certificate of rates or charges unpaid for the purposes of settlement of land transactions	\$8.10
(zc)	Provision of statement of existence or non-existence of easements or other encumbrances in favour of the Corporation or back flow prevention devices	\$8.10
(zd)	Application fee for authorisation to take water by means of portable hydrant supplied by Corporation	\$146.00
(ze)	Hire of portable hydrant—for each period of 3 months or part of such a period	\$66.00

(zf)	Additional administrative cost in relation to breach of terms and conditions of hire of portable hydrant	\$125.00
(zg)	Additional administrative cost in relation to a dishonoured payment (eg by cheque or direct debit) used to pay a charge or other amount under these regulations	\$21.00
(zh)	Additional administrative cost in relation to a charge or other amount due under these regulations but not paid by the date for payment in the notice served on the person liable	\$8.30
(zi)	Visit in relation to the non-payment of a charge or other amount to the land in relation to which the charge or amount is payable	\$29.75

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 9 June 2011

No 52 of 2011
MWA11/0003CS

South Australia

Sewerage (Fees) Variation Regulations 2011

under the *Sewerage Act 1929*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Sewerage Regulations 1996*

- 4 Variation of regulation 36—Other charges

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Sewerage (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Sewerage Regulations 1996*

4—Variation of regulation 36—Other charges

Regulation 36(1)—delete subregulation (1) and substitute:

- (1) Subject to these regulations, the following charges are payable to the Corporation:
 - (a) Standard capital contribution \$6 107.00
 - (b) Installation of sewer connection (including sewer connection application fee)
 - Nominal diameter:
 - 100 mm \$4 118.00
 - 150 mm or less (but greater than 100 mm) \$6 545.00
 - greater than 150 mm estimated cost quoted by Corporation

(c)	Installation of additional or replacement sewer connection off a sewer 450 mm or greater	estimated cost quoted by Corporation
(d)	Disconnection of sewer connection Nominal diameter:	
	• 150 mm or less	\$823.00
	• greater than 150 mm	estimated cost quoted by Corporation
(e)	Sewer connection application fee Nominal diameter:	
	• 100 mm	\$141.00
	• 150 mm or less (but greater than 100 mm)	\$537.00
	• greater than 150 mm	estimated cost quoted by Corporation
(f)	Provision of certificate of rates or charges unpaid for the purposes of settlement of land transactions	\$8.10
(g)	Provision of statement of existence or non-existence of easements or other encumbrances in favour of the Corporation	\$8.10
(h)	Consideration and determination by Corporation of application for authorisation to discharge trade waste into the undertaking	
	• if the application is assessed as complex by the Corporation having regard to the number and complexity of activities associated with the discharge, the scale of the discharge, risks associated with the discharge, the need for testing samples and other relevant factors	\$545.00
	• in any other case	\$294.00
(i)	Checking of compliance with conditions of authorisation to discharge trade waste into undertaking	
	• if the compliance check is assessed as complex by the Corporation having regard to the number and complexity of activities associated with the discharge, the scale of the discharge, risks associated with the discharge, the need for testing samples and other relevant factors	\$121.00
	• in any other case	\$99.50

(j)	Additional administrative cost in relation to a dishonoured payment (for example by cheque or direct debit) used to pay a charge or other amount under these regulations	\$21.00
(k)	Additional administrative cost in relation to a charge or other amount due under these regulations but not paid by the date for payment in the notice served on the person liable	\$8.30
(l)	Visit in relation to the non-payment of a charge or other amount to the land in relation to which the charge or amount is payable	\$29.75

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 9 June 2011

No 53 of 2011

MWA11/0003CS

South Australia

Fees Regulation (Assessment of Requirements—Water and Sewerage) (Fees) Variation Regulations 2011

under the *Fees Regulation Act 1927*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Fees Regulation (Assessment of Requirements—Water and Sewerage) Regulations 1997*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fees Regulation (Assessment of Requirements—Water and Sewerage) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation in accordance with section 5 of the *Fees Regulation Act 1927*.

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 *Fees Regulation (Assessment of Requirements—Water and Sewerage) Regulations 1997*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- | | | |
|---|---|----------|
| 1 | On the original assessment of the requirements of South Australian Water Corporation where the requirements relate only to the provision of water supply or sewerage services | \$323.00 |
| 2 | On updating the original or a subsequent assessment (including where the update is required because of an amended plan of development) where the requirements relate only to the provision of water supply or sewerage services | \$93.00 |

Made by the Governor

with the advice and consent of the Executive Council
on 9 June 2011

No 54 of 2011

MWA11/0003CS

South Australia

Controlled Substances (Pesticides) (Fees) Variation Regulations 2011

under the *Controlled Substances Act 1984*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Controlled Substances (Pesticides) Regulations 2003*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Controlled Substances (Pesticides) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Controlled Substances (Pesticides) Regulations 2003*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- | | | |
|---|---|----------|
| 1 | On application for the issue or renewal of a pest controller's licence— | |
| | (a) for 1 year | \$276.00 |
| | (b) for 3 years | \$827.00 |
| 2 | On application for the issue or renewal of a full pest management technician's licence— | |
| | (a) for 1 year | \$68.00 |

	(b) for 3 years	\$204.00
3	On application for the issue of a limited pest management technician's licence	\$68.00
4	On application for an extension of the term of a limited pest management technician's licence	\$26.50

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

following consultation by the Minister with the Controlled Substances Advisory Council and with the advice and consent of the Executive Council
on 9 June 2011

No 55 of 2011

HEAC-2011-00009

South Australia

Tobacco Products (Fees) Variation Regulations 2011

under the *Tobacco Products Regulation Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Tobacco Products Regulations 2004*

- 4 Variation of regulation 4—Licence fee (section 10(3))
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Tobacco Products (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Tobacco Products Regulations 2004*

4—Variation of regulation 4—Licence fee (section 10(3))

Regulation 4—delete "\$231" and substitute:

\$238

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 9 June 2011

No 56 of 2011

HEAC-2011-00009

South Australia

Public and Environmental Health (Waste Control) (Fees) Variation Regulations 2011

under the *Public and Environmental Health Act 1987*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Public and Environmental Health (Waste Control) Regulations 2010*

- 4 Substitution of Schedule 2

Schedule 2—Fees

Part 1—Fees applicable if the authority is a council

- 1 Installation or alteration of a waste control system—(other than a temporary facility)
- 2 Installation or alteration of a temporary waste control system
- 3 Connection of waste control system to a STED scheme or sewer
- 4 Referral to Minister

Part 2—Fees applicable if the authority is the Minister

- 5 Matters of a kind referred to in Part 1
 - 6 Matters of any other kind
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Public and Environmental Health (Waste Control) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Public and Environmental Health (Waste Control) Regulations 2010*

4—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees

Part 1—Fees applicable if the authority is a council

1—Installation or alteration of a waste control system—(other than a temporary facility)

- (1) For the purposes of this item, the capacity of a waste control system will be taken to include (if relevant) the combined sludge scum and hydraulic loadings for both sewage and sullage waste material.
- (2) Fees payable in relation to an application for approval to install or alter a waste control system—
 - (a) if the system's capacity does not exceed 5 000 litres—\$91.50;
 - (b) if the system's capacity exceeds 5 000 litres—\$91.50, plus \$19.90 for each 1 000 litres (or part thereof) in capacity in excess of 5 000 litres,

plus \$99.50 for each inspection required by the council.

2—Installation or alteration of a temporary waste control system

Fees payable in relation to an application for approval to install or alter a temporary waste control system—

- (a) if the system will service not more than 10 persons—\$40.50;
- (b) if the system will service more than 10 persons, but not more than 100 persons—\$81.50, plus \$19.90 for each 1 000 litres (or part thereof) in capacity in excess of 5 000 litres (if any);
- (c) if the system will service more than 100 persons—\$91.50, plus \$19.90 for each 1 000 litres (or part thereof) in capacity in excess of 5 000 litres (if any),

plus \$99.50 for each inspection required by the council.

3—Connection of waste control system to a STED scheme or sewer

Fee payable in relation to the connection of a waste control system to a STED scheme or sewer—

- (a) existing system—\$91.50;

(b) new system—

- (i) if the system's capacity does not exceed 5 000 litres—\$91.50;
- (ii) if the system's capacity exceeds 5 000 litres—\$91.50, plus \$19.90 for each 1 000 litres (or part thereof) in capacity in excess of 5 000 litres,

plus \$99.50 for each inspection required by the council.

4—Referral to Minister

Fee payable if a matter must be referred to the Minister (referral fee)—\$40.50, plus \$99.50 for each inspection (if any) carried out by a person authorised by the Minister.

(A fee payable under this item is payable to the Minister but may be collected by the council on behalf of the Minister (and then forwarded to the Department).)

Part 2—Fees applicable if the authority is the Minister

5—Matters of a kind referred to in Part 1

In relation to a matter of a kind referred to in Part 1—the same fee that would be payable under that Part is payable to the Minister (as if the Minister were a council) (including a case where the waste control system is not the same as, but is similar to, a system that conforms with a prescribed code).

6—Matters of any other kind

In any other case—\$414.00, plus, if more than 1 inspection is required, \$164.00 for each additional inspection required by the Minister.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 9 June 2011

No 57 of 2011

HEAC-2011-00010

South Australia

Public and Environmental Health (Legionella) (Fees) Variation Regulations 2011

under the *Public and Environmental Health Act 1987*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Public and Environmental Health (Legionella) Regulations 2008*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Public and Environmental Health (Legionella) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Public and Environmental Health (Legionella) Regulations 2008*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- 1 On application for registration of a high risk manufactured water system—
 - (a) for registration of 1 system \$32.00
 - (b) for registration of each additional system installed on the same premises \$21.30

2	On application to the authority for renewal of registration of a high risk manufactured water system (for each system)	\$16.00
3	For inspection of a high risk manufactured water system—	
	(a) for inspection of 1 system	\$128.00
	(b) for inspection of each additional system installed on the same premises	\$85.00
4	On application to the Minister for a determination or approval under these regulations	\$532.00

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 9 June 2011

No 58 of 2011

HEAC-2011-00010

South Australia

Fire and Emergency Services (Fees) Variation Regulations 2011

under the *Fire and Emergency Services Act 2005*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Fire and Emergency Services Regulations 2005*

- 4 Variation of regulation 70—Fees
 - 5 Substitution of Schedule 17
 - Schedule 17—Fees—SAMFS
 - Schedule 18—Fees—SACFS
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fire and Emergency Services (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Fire and Emergency Services Regulations 2005*

4—Variation of regulation 70—Fees

- (1) Regulation 70—after subregulation (1) insert:
 - (1a) The fees set out in Schedule 18 are payable to SACFS.
- (2) Regulation 70(2)—delete "Schedule 17" and substitute:
 - Schedules 17 and 18

5—Substitution of Schedule 17

Schedule 17—delete the Schedule and substitute:

Schedule 17—Fees—SAMFS

1	Fee for fire alarm monitoring—	
	(a) in relation to the primary alarm system	\$559.00
	plus	
	(b) in relation to each secondary alarm system	\$227.00 per system
2	Fee for attending in response to a false alarm (with the following classifications of premises or places being determined by SAMFS)—	
	(a) A Class	\$697.00
	(b) B Class	\$499.00
	(c) C Class	\$356.00
3	Fees for fire safety services—	
	(a) new alarm connection fee	\$110.00
	(b) smoke testing—per hour	\$120.00
	(c) on-site inspections—per hour	\$120.00
	(d) plan appraisals/meetings—per hour	\$120.00
	(e) land agent searches—process fee	\$39.50
	(f) land agent—document fee—per page	\$3.70
	(g) fire report copies—per set	\$99.00
	(h) hydrant system test/inspection—	
	(i) per person—per hour	\$120.00
	(ii) per flow test unit—per hour	\$120.00
	(iii) per fire appliance—per hour	\$152.00
	(iv) per station officer—per hour	\$60.50
	(v) per fire-fighter—per hour	\$46.00
	(vi) equipment hire—per hour	\$9.00
	(i) evacuation training—per hour	\$120.00
4	Fee for the emergency response vessel—per hour	\$371.00
5	Salvage/fire watch—	
	(a) per fire appliance—per hour	\$152.00
	(b) per station officer—per hour	\$60.50
	(c) per fire-fighter—per hour	\$46.00
	(d) equipment hire—per hour	\$9.00
6	Meals for fire safety services and salvage/fire watch will be at cost	

Schedule 18—Fees—SACFS

1	Fee for fire alarm monitoring—	
	(a) in relation to the primary alarm system	\$559.00
	plus	
	(b) in relation to each secondary alarm system	\$227.00 per system
2	Fee for attending in response to a false alarm (with the following classifications of premises or places being determined by SACFS)—	
	(a) A Class	\$697.00
	(b) B Class	\$499.00
	(c) C Class	\$356.00
3	Fees for fire safety services—	
	(a) new alarm connection fee	\$110.00
	(b) smoke testing—per hour	\$120.00
	(c) on-site inspections—per hour	\$120.00
	(d) plan appraisals/meetings—per hour	\$120.00
	(e) fire report copies—per set	\$99.00
	(f) hydrant system test/inspection—	
	(i) per person—per hour	\$120.00
	(ii) per flow test unit—per hour	\$120.00
	(iii) per fire appliance—per hour	\$152.00

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 9 June 2011

No 59 of 2011

MES11/002CS, MES11/003CS

South Australia

Adoption (Fees) Variation Regulations 2011

under the *Adoption Act 1988*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Adoption Regulations 2004*

- 4 Substitution of Schedule 1
Schedule 1—Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Adoption (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Adoption Regulations 2004*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

Part 1—Fees in respect of adoption through Prospective Adoptive Parents Register other than overseas subregister

- | | | |
|---|---|-------|
| 1 | Expression of interest under regulation 7(1)— | |
| | (a) standard fee | \$484 |
| | (b) reduced fee | \$311 |

2	Application for registration as a prospective adoptive parent—	
	(a) standard fee	\$637
	(b) reduced fee	\$350
3	Preparation of an assessment report by the Chief Executive under regulation 9—	
	(a) standard fee	\$620
	(b) reduced fee	\$315
4	On selection of an applicant for an adoption order under regulation 19	\$309

Part 2—Fees in respect of adoption through overseas subregister

5	Expression of interest under regulation 7(1)—	
	(a) standard fee	\$744
	(b) reduced fee	\$558
6	Application for registration as a prospective adoptive parent and preparation of an assessment report by the Chief Executive under regulation 9—	
	(a) standard fee	\$3 720
	(b) reduced fee	\$3 100
	(The fee includes participation in certain workshops and seminars.)	
7	On preparation of file for lodging with relevant authority of overseas country	\$2 480
8	On selection of an applicant for an adoption order for a particular child under regulation 19—	
	(a) for first child to be placed for adoption	\$3 223
	(b) for second or subsequent child to be placed for adoption	\$3 100

Part 3—Other fees

9	On lodgement of an application for transfer of registration under regulation 11	\$260
10	On lodgement of an application for conversion of registration under regulation 12	\$422
11	For preparation of an assessment report by the Chief Executive following an application for conversion of registration under regulation 12	\$422
12	For all functions associated with consent to adoption and, where necessary, the preparation of a report under section 22(1) of the Act prior to an application to the Court for an order for adoption of a child by a person other than a person selected as an applicant for an adoption order from the register—	
	(a) if the application for an adoption order is to relate to only 1 child	\$345

	(b) if the application for an adoption order is to relate to more than 1 child	\$345 for the first child and \$90.50 for each additional child named in the application
13	For obtaining information under section 27 or 27A of the Act	\$55.50

The reduced fee is payable if the person has previously been the subject of an assessment report under regulation 9 or a report, prepared by an agency outside this State, that, in the opinion of the Chief Executive, corresponds to an assessment report under regulation 9.

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 9 June 2011

No 60 of 2011

DFCCS/11/005

South Australia

Housing Improvement (Section 60 statements) (Fees) Variation Regulations 2011

under the *Housing Improvement Act 1940*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Housing Improvement (Section 60 statements) Regulations 2001*

- 4 Variation of regulation 6—Fee for application
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Housing Improvement (Section 60 statements) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Housing Improvement (Section 60 statements) Regulations 2001*

4—Variation of regulation 6—Fee for application

Regulation 6—delete "\$29.40" and substitute:

\$30.25

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

on the recommendation of the South Australian Housing Trust and with the advice and consent of the Executive Council

on 9 June 2011

No 61 of 2011

DFCCS/11/005

South Australia

Retirement Villages (Fees) Variation Regulations 2011

under the *Retirement Villages Act 1987*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Retirement Villages Regulations 2006*

- 4 Substitution of Schedule 2
Schedule 2—Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Retirement Villages (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Retirement Villages Regulations 2006*

4—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees

1	Application for exemption under section 4(2) of the Act	\$265.00
2	Notification of information required for register under section 12 of the Act in relation to a retirement village—	
	• if the retirement village comprises not more than 10 residences	\$15.90
	• if the retirement village comprises more than 10 residences but not more than 50 residences	\$42.50
	• if the retirement village comprises more than 50 residences but not more than 150 residences	\$159.00

	<ul style="list-style-type: none">• if the retirement village comprises more than 150 residences but not more than 300 residences	\$425.00
	<ul style="list-style-type: none">• if the retirement village comprises more than 300 residences	\$532.00
3	Notification of additional stage within a retirement village	\$53.00
4	Application for exemption under section 18(2) of the Act	\$85.00
5	Application to Tribunal for an extension of prescribed period under section 20(5) of the Act	\$425.00
6	Application to Tribunal under section 31(7) or (8) of the Act	\$425.00
7	Application to Tribunal under section 31(10) of the Act	\$106.00
8	Application to Tribunal under section 32(1) of the Act	\$106.00
9	Application for authorisation under section 34 of the Act	\$85.00

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 9 June 2011

No 62 of 2011

DFCCS/11/005

South Australia

Firearms (Fees) Variation Regulations 2011

under the *Firearms Act 1977*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Firearms Regulations 2008*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Firearms (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Firearms Regulations 2008*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- | | | |
|---|---|-------|
| 1 | Application for grant or renewal of firearms licence for prescribed firearms | \$57 |
| 2 | Application for grant or renewal of firearms licence for firearms other than prescribed firearms— | |
| | (a) if term of licence does not exceed 1 year | \$72 |
| | (b) if term of licence exceeds 1 year but does not exceed 3 years | \$187 |

	(c) if term of licence exceeds 3 years but does not exceed 5 years	\$297
3	Application for grant or renewal of dealer's licence authorising dealing in firearms or firearms and ammunition—	
	(a) if term of licence does not exceed 1 year	\$371
	(b) if term of licence exceeds 1 year but does not exceed 3 years	\$1 078
	(c) if term of licence exceeds 3 years but does not exceed 5 years	\$1 790
4	Application for grant or renewal of dealer's licence that only authorises dealing in ammunition—	
	(a) if term of licence does not exceed 1 year	\$109
	(b) if term of licence exceeds 1 year but does not exceed 3 years	\$297
	(c) if term of licence exceeds 3 years but does not exceed 5 years	\$487
5	Application for variation of licence	\$44
6	Application for registration of firearm in name of owner of firearm or for issue of duplicate certificate of registration	\$27
7	Application for licence to replace licence lost, stolen or destroyed	\$44
8	Application for permit to acquire ammunition	\$27
9	Fee to witness the transfer of a firearm under Part 3 Division 2A of Act	\$19
	However, if a firearm is registered in the name of the owner immediately after the transfer of the firearm is witnessed by a police officer, the witnessing fee is not payable.	
10	Administrative fee on late renewal of a licence	\$29

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 9 June 2011

No 63 of 2011
MPOL11/002CS

South Australia

Crown Land Management (Fees) Variation Regulations 2011

under the *Crown Land Management Act 2009*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Crown Land Management Regulations 2010*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Crown Land Management (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Crown Land Management Regulations 2010*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

Part 1—Application fees

- 1 Application for consent—
 - (a) to transfer, assign, mortgage, encumber or sublet a lease (or part of a lease), agreement or land grant \$359
 - (b) to transfer, assign or sublet a licence \$359

2	Application to surrender a lease for other tenure	\$380
3	Application to convert a licence to other tenure	\$380
4	Application for a duplicate or amended consent to transfer, assign, mortgage, encumber or sublet a lease, agreement or land grant	\$25.75

Part 2—Document fees

5	For preparing—	
	(a) a land grant, or alteration of a land grant	\$239
	(b) a lease or agreement	\$472
	(c) a surrender of a lease or agreement	\$284
	(d) a surrender of part of a lease or agreement	\$472
	(e) a certificate where a lease or agreement is altered, renewed or revived	\$239
	(f) a determination of a lease or agreement on completion of purchase	\$284
	(g) a resumption of a lease or agreement	\$284
	(h) a resumption of part of a lease or agreement	\$472
	(i) a request by the Minister to alter or cancel a land grant or certificate of title on behalf of another party	\$239
	(j) a grant of easement or an extinguishment of a grant of easement	\$239
	(k) a mortgage or discharge of mortgage	\$239
6	For correcting, by registration, an error in the name or other particulars supplied by or on behalf of a lessee, purchaser or other party	\$239

Part 3—Miscellaneous fees

7	For processing a transaction (other than a transaction in respect of which an application fee has been paid) under the Act at the request of any person for the benefit of that person or some other person nominated by that person	\$359
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Note—

Document fees are payable in addition to the fee for processing a transaction.

8	For production in the Lands Titles Office of land grants, certificates of title, leases and agreements held as security irrespective of the number of documents involved in the 1 transaction	\$141
9	For preparing or checking definitions for notices under the Act—	
	(a) minimum fee	\$248
	(b) additional fee where the time spent in preparing or checking definitions exceeds 2½ hours	\$98 per hour

Notes—

- 1 Lands Titles Office fees and stamp duty are not included in the fees in this Schedule but will, in appropriate circumstances, be payable.
- 2 This Schedule of fees also applies in relation to the *Irrigation (Land Tenure) Act 1930*. The *Irrigation (Land Tenure) Act 1930* is, under section 3 of that Act, incorporated with the *Crown Land Management Act 2009*.

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 9 June 2011

No 64 of 2011

MEC11/0014CS

South Australia

National Parks and Wildlife (Wildlife) (Fees) Variation Regulations 2011

under the *National Parks and Wildlife Act 1972*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *National Parks and Wildlife (Wildlife) Regulations 2001*

- 4 Substitution of Schedule 1
Schedule 1—Fees
 - 5 Substitution of Schedule 9
Schedule 9—Royalty
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *National Parks and Wildlife (Wildlife) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

3—Variation provisions

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

Part 2—Variation of *National Parks and Wildlife (Wildlife) Regulations 2001*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- 1 On application for a take permit under section 53(1)(d) of the Act

\$46.75

- 2 On application for the following permits under section 58, section 60C or section 60J, of the Act:

Permits	Fee for a period of 1, 3 or 5 years (a period of less than 1 year but more than 6 months will be taken to be 1 year) ending on 30 June	Fee for a period of 6 months or less ending 30 June
Keep and sell permits under section 58 of the Act		
Class 1	\$61.50 per year	\$33.75
Class 1A	Nil	Nil
Class 2 (Schedule 6 animals only)	\$930.00 per year	\$512.00
Class 2 (Schedule 6 and specialist animals)	\$1 333.00 per year	\$731.00
Class 3	\$108.00 per year	\$59.00
Class 3A	Nil	Nil
Class 7	\$1 834.00 per year	\$1 008.00
Class 8	\$917.00 per year	\$504.00
Class 10	Nil	Nil
Class 11	\$31.75 per year	\$17.20
Farming permits under section 60C of the Act		
Class 12 (Emus)	\$407.00	\$223.00
plus, for each additional property to which permit applies	\$165.00	\$89.50
Harvesting permits under section 60J of the Act		
Class 13 (Kangaroos)	\$459.00 per year	\$252.00
Class 14 (Kangaroos)	\$917.00 per year	\$503.00
3 On application for an additional record or return book under regulation 9A(2)		\$9.95
4 On application for approval of premises under regulation 10 or 11		\$190.00

5—Substitution of Schedule 9

Schedule 9—delete the Schedule and substitute:

Schedule 9—Royalty

- 1 An animal taken in accordance with a notice under section 52 of the Act or pursuant to a permit granted under section 53(1)(a), (b) or (d) of the Act, being—
- | | |
|--|----------|
| (a) an animal of an endangered species | \$287.00 |
| (b) an animal of a vulnerable species | \$141.00 |
| (c) an animal of a rare species | \$70.50 |
| (d) an animal of any other species of protected animal | \$35.25 |

-
- | | | |
|---|--|--------|
| 2 | A kangaroo taken for personal use pursuant to a permit granted under section 53(1)(c) of the Act | \$1.45 |
| 3 | An animal taken pursuant to a permit granted under section 60J of the Act | \$1.45 |

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 9 June 2011

No 65 of 2011

MEC11/0014CS

South Australia

National Parks and Wildlife (Hunting) (Fees) Variation Regulations 2011

under the *National Parks and Wildlife Act 1972*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *National Parks and Wildlife (Hunting) Regulations 1996*

- 4 Variation of Schedule—Fees
 - 2 Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *National Parks and Wildlife (Hunting) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

3—Variation provisions

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

Part 2—Variation of *National Parks and Wildlife (Hunting) Regulations 1996*

4—Variation of Schedule—Fees

Schedule, clause 2—delete clause 2 and substitute:

2—Fees

1	Basic hunting permit	\$22.00
2	Basic hunting permit (concession cardholder and junior concession rate)	\$11.00
3	Hunting permit with open season endorsement for quail only	\$61.50
4	Hunting permit with open season endorsement for quail only (concession cardholder and junior concession rate)	\$30.50

5	Hunting permit with open season endorsement (duck or quail)	\$61.50
6	Hunting permit with open season endorsement (duck or quail) (concession cardholder and junior concession rate)	\$31.75
7	Hunting permit (subjunior concession rate)	\$7.00
8	Transfer to endorsed permit	\$40.25
9	Transfer to endorsed permit (concession cardholder and junior concession rate)	\$20.00
10	Permit to take galahs or corellas other than by shooting	\$75.50

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 9 June 2011

No 66 of 2011

MEC11/0014CS

South Australia

Botanic Gardens and State Herbarium (Fees) Variation Regulations 2011

under the *Botanic Gardens and State Herbarium Act 1978*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Botanic Gardens and State Herbarium Regulations 2007*

- 4 Substitution of Schedule 1
- Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Botanic Gardens and State Herbarium (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Botanic Gardens and State Herbarium Regulations 2007*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

1—Admission charges

The Conservatory (during usual opening hours)—

- (a) for each adult \$5.00

(b)	for each child (4 to 15 years) or concession cardholder	\$2.80
(c)	for each family	\$10.50

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

on the recommendation of the Board of the Botanic Gardens and State Herbarium and with the advice and consent of the Executive Council

on 9 June 2011

No 67 of 2011

MEC11/0014CS

South Australia

Historic Shipwrecks (Fees) Variation Regulations 2011

under the *Historic Shipwrecks Act 1981*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Historic Shipwrecks Regulations 1999*

- 4 Variation of regulation 5—Fee for copy of Register
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Historic Shipwrecks (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Historic Shipwrecks Regulations 1999*

4—Variation of regulation 5—Fee for copy of Register

Regulation 5—delete "\$1.45" and substitute:

\$1.50

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 9 June 2011

No 68 of 2011

MEC11/0014CS

South Australia

Heritage Places (Fees) Variation Regulations 2011

under the *Heritage Places Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Heritage Places Regulations 2005*

- 4 Substitution of Schedule 2
Schedule 2—Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Heritage Places (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Heritage Places Regulations 2005*

4—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees

- | | | |
|---|---|----------|
| 1 | Certified copy of an entry in the Register in relation to a State Heritage Place, or an object identified by the Council under section 14(2) of the Act | \$28.50 |
| 2 | Application for certificate of exclusion in relation to land zoned "residential" under the relevant Development Plan— | |
| | (a) initial application fee | \$141.00 |
| | plus | |

	(b) if the Council determines to invite public submissions	\$1 291.00
3	Application for certificate of exclusion in relation to any other land	5% of Valuer-General's assessment of site value
4	Application for a permit under Part 5 Division 1 of the Act	\$141.00

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 9 June 2011

No 69 of 2011

MEC11/0014CS

South Australia

Pastoral Land Management and Conservation (Fees) Variation Regulations 2011

under the *Pastoral Land Management and Conservation Act 1989*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Pastoral Land Management and Conservation Regulations 2006*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Pastoral Land Management and Conservation (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Pastoral Land Management and Conservation Regulations 2006*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- 1 Dealing with an application—
 - (a) under section 28(1) of the Act for consent to transfer etc a lease or part of a lease—

(i)	for 1 lease or part of 1 lease	\$359.00
(ii)	for each additional lease or part of each additional lease	\$170.00
(b)	for a duplicate or amended consent under section 28(1) of the Act	\$25.75
2	Preparing—	
(a)	a lease	\$472.00
(b)	a surrender or resumption of a lease	\$284.00
(c)	a surrender or resumption of part of a lease	\$472.00
(d)	on the request of a lessee, a notice of alteration of boundaries under section 31 of the Act	\$239.00
(e)	an agreement between a lessee and any other person or body for the acquisition or extinguishment of easement rights by that other person or body	\$239.00
3	Correcting on the register any error in particulars supplied by or on behalf of a lessee, purchaser or other party to a transaction	\$239.00
4	Producing a lease at the Lands Titles Office on the request of a lessee as security where the lease is in possession for other purposes of the administrative unit of the Public Service that is, under the Minister, responsible for the administration of the Act	\$141.00
5	Preparing or checking a definition for a notice to be published in the Gazette under section 44 or 45 of the Act by the Board on request	\$248.00
6	Processing on request any other transaction under the Act (not being one in respect of which an application fee has been paid under these regulations—see item 1)	\$359.00

Note—

The fees in this Schedule do not include LTO fees or stamp duty that may be payable.

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 9 June 2011

No 70 of 2011
MEC11/0014CS

South Australia

Native Vegetation (Fees) Variation Regulations 2011

under the *Native Vegetation Act 1991*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Native Vegetation Regulations 2003*

- 4 Variation of regulation 8—Application for consent
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Native Vegetation (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Native Vegetation Regulations 2003*

4—Variation of regulation 8—Application for consent

Regulation 8(2)—delete "\$499" and substitute:

\$513

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 9 June 2011

No 71 of 2011

MEC11/0014CS

South Australia

Land Agents (Fees) Variation Regulations 2011

under the *Land Agents Act 1994*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Land Agents Regulations 2010*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Land Agents (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Land Agents Regulations 2010*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- 1 Application fee for registration (section 7 of Act)—
 - (a) as an agent \$244.00
 - (b) as an agent and auctioneer \$244.00
 - (c) as a sales representative \$244.00
 - (d) as a sales representative and auctioneer \$244.00
 - (e) as an auctioneer \$102.00

2	Registration fee (payable on grant of registration under Part 2 of Act)—	
	(a) for an agent who is a natural person	\$298.00
	(b) for an agent that is a body corporate	\$449.00
	(c) for a sales representative	\$191.00
	If the period between the grant of the registration and the next date for payment of a fee under section 9 of the Act is less than or more than 12 months, a pro rata adjustment is to be made to the amount of the additional fee by applying the proportion that the length of that period bears to 12 months.	
3	Application for variation or revocation of condition of registration (section 8B of Act)	\$102.00
4	Annual fee (section 9 of Act)—	
	(a) for an agent who is a natural person	\$298.00
	(b) for an agent that is a body corporate	\$449.00
	(c) for a sales representative	\$191.00
	If the period between a date for payment of a fee under section 9 of the Act and the next date for payment of the fee under that section (as nominated by the Commissioner) is less than or more than 12 months, a pro rata adjustment is to be made to the amount of the fee by applying the proportion that the length of that period bears to 12 months.	
5	Default penalty (section 9(3) of the Act)	\$149.00
6	Civil penalty for default (section 22(4) of the Act)	\$311.00
7	Fee for replacement of certificate of registration	\$22.90

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 9 June 2011

No 72 of 2011
11MCA0012CS

South Australia

Conveyancers (Fees) Variation Regulations 2011

under the *Conveyancers Act 1994*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Conveyancers Regulations 2010*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Conveyancers (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Conveyancers Regulations 2010*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- | | | |
|---|---|----------|
| 1 | Application fee for registration (section 6(1)(b) of the Act) | \$244.00 |
| 2 | Registration fee—payable before registration under Part 2 of the Act— | |
| | (a) for a natural person | \$298.00 |
| | (b) for a body corporate | \$449.00 |

If the period between the grant of the registration and the next date for payment of a fee under section 8 of the Act is less than or more than 12 months, a pro rata adjustment is to be made to the amount of the additional fee by applying the proportion that the length of that period bears to 12 months.

3 Annual fee (section 8(2)(a) of the Act)—	
(a) for a natural person	\$298.00
(b) for a body corporate	\$449.00
If the period between a date for payment of a fee under section 8 of the Act and the next date for payment of the fee under that section (as nominated by the Commissioner) is less than or more than 12 months, a pro rata adjustment is to be made to the amount of the fee by applying the proportion that the length of that period bears to 12 months.	
4 Default penalty (section 8(3) of the Act)	\$149.00
5 Civil penalty for default (section 24(4) of the Act)	\$311.00
6 Fee for replacement of certificate of registration	\$22.90

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 9 June 2011

No 73 of 2011

11MCA0012CS

South Australia

Plumbers, Gas Fitters and Electricians (Fees) Variation Regulations 2011

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

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Plumbers, Gas Fitters and Electricians Regulations 2010*

- 4 Variation of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Plumbers, Gas Fitters and Electricians (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

3—Variation provisions

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

Part 2—Variation of *Plumbers, Gas Fitters and Electricians Regulations 2010*

4—Variation of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- | | | |
|---|--|----------|
| 1 | Application fee for licence (section 8(1)(b) of the Act) | \$173.00 |
| 2 | Licence fee—payable before the grant of a licence under Part 2 of the Act— | |

	(a) for a natural person	\$308.00
	(b) for a body corporate	\$455.00
	If the period between the grant of the licence and the next date for payment of a fee under section 11 of the Act is less than or more than 12 months, a pro rata adjustment is to be made to the amount of the additional fee by applying the proportion that the length of that period bears to 12 months.	
3	Periodic fee for licence (section 11(2)(a) of the Act)—	
	(a) for a natural person	\$308.00
	(b) for a body corporate	\$455.00
	If the period between a date for payment of a fee under section 11 of the Act and the next date for payment of the fee under that section (as nominated by the Commissioner) is less than or more than 12 months, a pro rata adjustment is to be made to the amount of the fee by applying the proportion that the length of that period bears to 12 months.	
4	Default penalty (section 11(3) of the Act)	\$147.00
5	Application fee to vary or revoke a licence condition (section 7(2)(b) of the Act)	\$103.00
6	Application fee for registration (section 15(1)(b) of the Act)	\$173.00
7	Registration fee—payable before the grant of registration under Part 3 of the Act	\$215.00
	If the period between the grant of the registration and the next date for payment of a fee under section 18 of the Act is less than or more than 36 months, a pro rata adjustment is to be made to the amount of the additional fee by applying the proportion that the length of that period bears to 36 months.	
8	Periodic fee for registration (section 18(2)(a) of the Act)	\$215.00
	If the period between a date for payment of a fee under section 18 of the Act and the next date for payment of the fee under that section (as nominated by the Commissioner) is less than or more than 36 months, a pro rata adjustment is to be made to the amount of the fee by applying the proportion that the length of that period bears to 36 months.	
9	Default penalty (section 18(3) of the Act)	\$55.50
10	Application fee to vary or revoke a condition of registration (section 14(2)(b) of the Act)	\$103.00
11	Fee for replacement of licence or certificate of registration	\$22.90

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 9 June 2011

No 74 of 2011

11MCA0012CS

South Australia

Travel Agents (Fees) Variation Regulations 2011

under the *Travel Agents Act 1986*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Travel Agents Regulations 1996*

- 4 Substitution of Schedule 1
- Schedule 1—Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Travel Agents (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Travel Agents Regulations 1996*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- | | | |
|-----|--|----------|
| 1 | Application fee for licence (section 8(1)(b) of the Act) | \$236.00 |
| 2 | Licence fee—payable before the granting of a licence under Part 2 Division 1 of the Act— | |
| (a) | in the case of a natural person | \$363.00 |
| (b) | in the case of a body corporate | \$865.00 |

If the period between the grant of the licence and the next date for payment of a fee under section 12 of the Act is less than or more than 12 months, a pro rata adjustment is to be made to the amount of the additional fee by applying the proportion that the length of that period bears to 12 months.

3	Annual fee (section 12(2)(a) of the Act)—	
	(a) in the case of a natural person	\$363.00
	(b) in the case of a body corporate	\$865.00
	plus for each office from which the licensee carries on business up to a maximum of 10 offices	\$149.00
	If the period between a date for payment of a fee under section 12 of the Act and the next date for payment of the fee under that section (as nominated by the Commissioner) is less than or more than 12 months, a pro rata adjustment is to be made to the amount of the fee by applying the proportion that the length of that period bears to 12 months.	
4	Default penalty (section 12(3) of the Act)	\$149.00
5	Replacement fee for licence	\$22.90

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 9 June 2011

No 75 of 2011
11MCA0012CS

South Australia

Second-hand Vehicle Dealers (Fees) Variation Regulations 2011

under the *Second-hand Vehicle Dealers Act 1995*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Second-hand Vehicle Dealers Regulations 2010*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Second-hand Vehicle Dealers (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Second-hand Vehicle Dealers Regulations 2010*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- 1 Application fee for licence (section 8(1)(b) of the Act) \$236.00
- 2 Licence fee—payable before the granting of a licence under Part 2
Division 1 of the Act—
 - (a) for a natural person—

(i)	for carrying on the business of buying or selling second-hand vehicles consisting only of motorcycles	\$173.00
(ii)	in any other case	\$363.00
(b)	for a body corporate—	
(i)	for carrying on the business of buying or selling second-hand vehicles consisting only of motorcycles	\$253.00
(ii)	in any other case	\$544.00

If the period between the grant of the licence and the next date for payment of a fee under section 11 of the Act is less than or more than 12 months, a pro rata adjustment is to be made to the amount of the additional fee by applying the proportion that the length of that period bears to 12 months.

3 Annual fee (section 11(2)(a) of the Act)—

(a)	for a natural person—	
(i)	for carrying on the business of buying or selling second-hand vehicles consisting only of motorcycles	\$173.00
(ii)	in any other case	\$363.00
(b)	for a body corporate—	
(i)	for carrying on the business of buying or selling second-hand vehicles consisting only of motorcycles	\$253.00
(ii)	in any other case	\$544.00

If the period between a date for payment of a fee under section 11 of the Act and the next date for payment of the fee under that section (as nominated by the Commissioner) is less than or more than 12 months, a pro rata adjustment is to be made to the amount of the fee by applying the proportion that the length of that period bears to 12 months.

4	Default penalty (section 11(3) of the Act)	\$149.00
5	Application fee for separate application to register premises (section 14(2) of the Act)	\$44.75
6	Application fee for permission to carry on business as a dealer at a place other than the registered premises of the licensee (section 14(4) of the Act)	\$44.75
7	Application fee with respect to a duty to repair a vehicle (section 24(2) of the Act)	\$44.75
8	Fee for replacement of licence or certificate of registration	\$22.90

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 9 June 2011

No 76 of 2011
11MCA0012CS

South Australia

Building Work Contractors (Fees) Variation Regulations 2011

under the *Building Work Contractors Act 1995*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Building Work Contractors Regulations 1996*

- 4 Substitution of Schedule 1
Schedule 1—Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Building Work Contractors (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Building Work Contractors Regulations 1996*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- | | | |
|---|--|----------|
| 1 | Application fee for licence (section 8(1)(b) of the Act) | \$173.00 |
| 2 | Licence fee—payable before the granting of a licence under Part 2 of the Act— | |
| | (a) for a natural person for the following kinds of building work (as described in Schedule 2 Part C): | |
| | (i) any building work | \$363.00 |

	(ii)	light commercial/industrial and residential building work	\$363.00
	(iii)	residential building work	\$363.00
	(iv)	other specified building work	\$183.00
	(b)	for a body corporate for the following kinds of building work (as described in Schedule 2 Part C):	
	(i)	any building work	\$809.00
	(ii)	light commercial/industrial and residential building work	\$809.00
	(iii)	residential building work	\$809.00
	(iv)	other specified building work	\$412.00
		If the period between the grant of the licence and the next date for payment of a fee under section 11 of the Act is less than or more than 12 months, a pro rata adjustment is to be made to the amount of the additional fee by applying the proportion that the length of that period bears to 12 months.	
3		Periodic fee for licence (section 11(2)(a) of the Act)—	
	(a)	for a natural person for the following kinds of building work (as described in Schedule 2 Part C):	
	(i)	any building work	\$363.00
	(ii)	light commercial/industrial and residential building work	\$363.00
	(iii)	residential building work	\$363.00
	(iv)	other specified building work	\$183.00
	(b)	for a body corporate for the following kinds of building work (as described in Schedule 2 Part C):	
	(i)	any building work	\$809.00
	(ii)	light commercial/industrial and residential building work	\$809.00
	(iii)	residential building work	\$809.00
	(iv)	other specified building work	\$412.00
		If the period between a date for payment of a fee under section 11 of the Act and the next date for payment of the fee under that section (as nominated by the Commissioner) is less than or more than 12 months, a pro rata adjustment is to be made to the amount of the fee by applying the proportion that the length of that period bears to 12 months.	
4		Default penalty (section 11(3) of the Act)	\$147.00
5		Application fee to vary or revoke a licence condition (section 7(2)(b) of the Act)	\$134.00
6		Application fee for registration (section 15(1)(b) of the Act)	\$173.00

7	Registration fee—payable before registration under Part 3 of the Act	\$166.00
	If the period between the grant of the registration and the next date for payment of a fee under section 18 of the Act is less than or more than 12 months, a pro rata adjustment is to be made to the amount of the additional fee by applying the proportion that the length of that period bears to 12 months.	
8	Periodic fee for registration (section 18(2)(a) of the Act)	\$166.00
	If the period between a date for payment of a fee under section 18 of the Act and the next date for payment of the fee under that section (as nominated by the Commissioner) is less than or more than 12 months, a pro rata adjustment is to be made to the amount of the fee by applying the proportion that the length of that period bears to 12 months.	
9	Default penalty (section 18(3) of the Act)	\$147.00
10	Application fee to vary or revoke a condition of registration (section 13(2)(b) of the Act)	\$134.00
11	Application fee for approval as a building work supervisor in relation to a building work contractor's business (section 19(3)(b) of the Act)	\$103.00
12	Application fee for exemption (section 45(1) of the Act)	\$87.50
13	Fee for replacement of licence or certificate of registration	\$22.90

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 9 June 2011

No 77 of 2011

11MCA0012CS

South Australia

Residential Tenancies (Fees) Variation Regulations 2011

under the *Residential Tenancies Act 1995*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Residential Tenancies Regulations 2010*

- 4 Substitution of Schedule 2
Schedule 2—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Residential Tenancies (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Residential Tenancies Regulations 2010*

4—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees

Application to Tribunal

\$36

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 9 June 2011

No 78 of 2011

11MCA0012CS

South Australia

Liquor Licensing (General) (Fees) Variation Regulations 2011

under the *Liquor Licensing Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Liquor Licensing (General) Regulations 1997*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (General) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

3—Variation provisions

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

Part 2—Variation of *Liquor Licensing (General) Regulations 1997*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- | | | |
|---|---|----------|
| 1 | Application for the grant of a licence other than a limited licence | \$473.00 |
| 2 | Application for the grant of a limited licence— | |
| | (a) if the licence is sought for 1 function lasting 1 day or less | \$39.50 |

- | | | |
|-----|---|---------|
| (b) | if the licence is sought for more than 1 function held on the same day (for each function) | \$39.50 |
| (c) | if the licence is sought for 1 or more functions lasting more than 1 day (for each day of each function or part of a day) | \$39.50 |

However, no fee is payable for an application for a limited licence if the licence is granted for a function or functions that, in the opinion of the licensing authority, are to be held for charitable or other community purposes.

- | | | |
|----|--|----------|
| 3 | Application for an extended trading authorisation | \$473.00 |
| 4 | Application for removal of a licence | \$473.00 |
| 5 | Application for transfer of a licence | \$473.00 |
| 6 | Application for— | |
| | (a) approval of an alteration or proposed alteration to licensed premises | \$102.00 |
| | (b) redefinition of licensed premises as defined in the licence | \$102.00 |
| | (c) designation of part of licensed premises as a dining area or reception area | \$102.00 |
| 7 | Application for authorisation to sell liquor in an area adjacent to licensed premises | \$102.00 |
| 8 | Application for a variation of trading hours or for the imposition, variation or revocation of a condition of the licence | \$473.00 |
| 9 | Application for approval of a natural person or persons as the manager or managers of the business conducted under the licence or the assumption by a person of a position of authority in the trust or corporate entity that holds the licence— | |
| | (a) if the person is the subject of an approval of the Commissioner in force under section 37 or 38 of the <i>Gaming Machines Act 1992</i> | no fee |
| | (b) in any other case | \$102.00 |
| 10 | Application for conversion of a temporary licence into an ordinary licence | \$473.00 |
| 11 | Application for consent of the licensing authority to use part of the licensed premises or area adjacent to the licensed premises for the purpose of providing entertainment | \$473.00 |
| 12 | Additional fee on an application where an identification badge is issued | \$17.30 |
| 13 | Application for approval to act as a crowd controller for licensed premises | \$102.00 |

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 9 June 2011

No 79 of 2011

11MCA0012CS

South Australia

Expiation of Offences (Fees) Variation Regulations 2011

under the *Expiation of Offences Act 1996*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Expiation of Offences Regulations 1996*

- 4 Variation of regulation 7—Reminder notices
 - 5 Variation of regulation 7A—Expiation enforcement warning notices
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Expiation of Offences (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Expiation of Offences Regulations 1996*

4—Variation of regulation 7—Reminder notices

Regulation 7(1)(a)—delete "\$45" and substitute:

\$46

5—Variation of regulation 7A—Expiation enforcement warning notices

Regulation 7A(a)—delete "\$45" and substitute:

\$46

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 9 June 2011

No 80 of 2011

MPOL11/006CS

South Australia

Summary Offences (Dangerous Articles and Prohibited Weapons) (Fees) Variation Regulations 2011

under the *Summary Offences Act 1953*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Summary Offences (Dangerous Articles and Prohibited Weapons) Regulations 2000*

- 4 Variation of regulation 8—Application Fee
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Summary Offences (Dangerous Articles and Prohibited Weapons) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Summary Offences (Dangerous Articles and Prohibited Weapons) Regulations 2000*

4—Variation of regulation 8—Application Fee

Regulation 8(1)—delete "\$42" and substitute:

\$43

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 9 June 2011

No 81 of 2011

MPOL11/001CS

South Australia

Summary Offences (General) (Fees) Variation Regulations 2011

under the *Summary Offences Act 1953*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Summary Offences (General) Regulations 2001*

- 4 Variation of regulation 15—Fees (sections 74D and 81)
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Summary Offences (General) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Summary Offences (General) Regulations 2001*

4—Variation of regulation 15—Fees (sections 74D and 81)

Regulation 15—delete "\$10" and substitute:

\$17

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 9 June 2011

No 82 of 2011

MPOL11/001CS

South Australia

Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) (Fees) Variation Regulations 2011

under the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Regulations 2007*

- 4 Substitution of Schedule 1
Schedule 1—Prescribed fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Regulations 2007*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Prescribed fees

Fees payable to Commissioner in relation to impounding of a motor vehicle (section 9 of Act)

1	Administration fee (to be charged once only in relation to the impounding of a particular motor vehicle in relation to a particular offence)	\$75.00
2	Fee for transportation of vehicle to storage facility	\$239.00
3	Vehicle storage fee	\$20.00 per day (or part thereof) during which the vehicle is impounded or remains uncollected*

Fees payable to Commissioner in relation to clamping of a motor vehicle (section 9 of Act)

4	Administration fee (to be charged once only in relation to the clamping of a particular motor vehicle in relation to a particular offence)	\$31.75
5	Fee for attending to attach clamps to motor vehicle	\$75.00 plus a fee of 90 cents per kilometre travelled to and from the location at which the clamps are attached
6	Fee for attending to remove clamps from motor vehicle	\$75.00 plus a fee of 90 cents per kilometre travelled to and from the location at which the clamps are removed

Fees payable to Sheriff in relation to impounding or forfeiture of motor vehicle (section 12(1)(b) of Act)

7	Administration fee (to be charged once only in relation to the impounding or forfeiture of a particular motor vehicle in relation to a particular offence)	\$59.50
8	Seizure fee	\$83.00
9	Fee for transportation of vehicle to storage facility	\$239.00

- 10 Vehicle storage fee (for impounded vehicles only) \$20.00 per day (or part thereof) during which the vehicle is impounded or remains uncollected*

* If a person entitled to custody of an impounded motor vehicle has, after the end of the impounding period and during ordinary business hours, applied to the relevant authority for release of the motor vehicle and has attended to collect the vehicle in accordance with any instructions of the relevant authority, no vehicle storage fee is payable in respect of any day occurring after the date of that application.

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 9 June 2011

No 83 of 2011
MPOL11/008CS

South Australia

Land and Business (Sale and Conveyancing) (Fees) Variation Regulations 2011

under the *Land and Business (Sale and Conveyancing) Act 1994*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Land and Business (Sale and Conveyancing) Regulations 2010*

- 4 Variation of Schedule 8—Contracts for sale of land or businesses—fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Land and Business (Sale and Conveyancing) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Land and Business (Sale and Conveyancing) Regulations 2010*

4—Variation of Schedule 8—Contracts for sale of land or businesses—fees

- (1) Schedule 8, clause 2(2)(a)—delete "\$242.00" and substitute:
\$249.00
- (2) Schedule 8, clause 2(2)(b)—delete "\$121.00" and substitute:
\$125.00
- (3) Schedule 8, clause 2(3)(a)—delete "\$36.50" and substitute:
\$37.50
- (4) Schedule 8, clause 2(3)(b)—delete "\$9.25" and substitute:
\$9.50

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 9 June 2011

No 84 of 2011

11MCA0013CS

South Australia

Freedom of Information (Fees and Charges) Variation Regulations 2011

under the *Freedom of Information Act 1991*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Freedom of Information (Fees and Charges) Regulations 2003*

- 4 Substitution of Schedule 1
Schedule 1—Fees and charges
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Freedom of Information (Fees and Charges) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Freedom of Information (Fees and Charges) Regulations 2003*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees and charges

- | | | |
|---|---|---------|
| 1 | On application for access to an agency's document (section 13(c)) | \$29.50 |
|---|---|---------|

- 2 (1) For dealing with an application for access to an agency's document and in respect of the giving of access to the document (section 19(1)(b) and (c))—
- | | |
|---|-----------|
| (a) in the case of a document that contains information concerning the personal affairs of the applicant— | |
| (i) for up to the first 2 hours spent by the agency in dealing with the application and giving access | no charge |
| (ii) for each subsequent 15 minutes so spent by the agency | \$11.00 |
| (b) in any other case—for each 15 minutes so spent by the agency | \$11.00 |
- (2) In addition to the fees specified in subclause (1), the following fees are payable in respect of the giving of access to an agency's document:
- | | |
|---|--|
| (a) where access is to be given in the form of a photocopy of the document (per page) | \$0.15 |
| (b) where access is to be given in the form of a written transcript of words recorded or contained in the document (per page) | \$6.60 |
| (c) where access is to be given in the form of a copy of a photograph, x-ray, video tape, computer tape or computer disk | the actual cost incurred by the agency in producing the copy |
- Note—**
- If the applicant requires that a document be posted or delivered, the applicant must pay the actual costs incurred by the agency in posting or delivering the document.
- 3 On application for review by an agency of a determination made by the agency under Part 3 of the Act (section 29(2)(b))
- \$29.50

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 9 June 2011

No 85 of 2011

11MPS0002CS

South Australia

State Records (Fees) Variation Regulations 2011

under the *State Records Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *State Records Regulations 1998*

- 4 Substitution of Schedule 1
Schedule 1—Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *State Records (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *State Records Regulations 1998*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

1—Minimum fee	\$7.80
(for a service which is paid in advance or not paid immediately)	
2—Copies of documents	
(1) Photographs (per print)	
(a) black and white	
5" x 3.5"	\$13.20

	7" x 5"	\$14.80
	10" x 8"	\$14.80
	16" x 12"	\$17.80
	20" x 16"	\$23.80
(b)	sepia toning	
	5" x 3.5"	\$17.50
	7" x 5"	\$18.50
	10" x 8"	\$20.20
	16" x 12"	\$24.50
	20" x 16"	\$33.75
(c)	colour	
	5" x 3.5"	\$5.50
	7" x 5"	\$9.30
	10" x 8"	\$16.50
	14" x 11"	\$26.00
	20" x 16"	\$38.75
(2)	Negatives (per negative)	
(a)	black and white (image only)	
	35 mm	\$7.80
	6 cm x 7 cm (120 neg)	\$18.50
	10 cm x 13 cm	\$33.75
(b)	colour (image only)	
	35 mm	\$7.80
(c)	black and white (text only)	
	35 mm	\$6.30
(3)	Slides (per slide)	
	duplicate of slide (black and white or colour)	\$6.30
(4)	Microforms	
(a)	35 mm microfilm - 1 reel of positive microfilm (30 m) if master negative is available	\$67.00
(b)	35 mm microfilm - 1 reel of positive microfilm (30 m) if master negative is not available	\$627.00
(c)	16 mm microfilm - 1 reel of positive microfilm (30 m) if master negative is available	\$59.00
(d)	16 mm microfilm - 1 reel of positive microfilm (30 m) if master negative is not available	\$391.00
(e)	16 mm microfiche duplicate if master negative is available	\$1.65 per sheet
(f)	16 mm microfiche duplicate if master negative is not available	\$42.00 per sheet

(5) Photocopies (per page)	
(a) A4 (297 mm x 210 mm)	\$0.55
(b) A3 (420 mm x 297 mm)	\$1.45
(c) A2 (594 mm x 420 mm)	\$6.60
(d) A1 (841 mm x 594 mm)	\$8.20
(e) A0 (1189 mm x 841 mm)	\$11.60
(f) B2 (707 mm x 500 mm)	\$6.60
(g) B1 (1000 mm x 707 mm)	\$8.00

(6) Requests by correspondence	
copies of records requested by correspondence where specific and accurate archive reference numbers are supplied	\$7.80*

* Fee is in addition to cost of copies, research and postage (if any).

3—Research service

(research by archivist)

(a) per 30 minutes or part thereof (minimum fee)	\$27.75**
(b) per hour (includes 5 photocopies - additional photocopies at prescribed rates)	\$54.50**

**

- 1 Payment of quoted figure is required in advance.
- 2 No fee is incurred by persons carrying out their own research or for advice or guidance to users of, or visitors to, the reading room.

4—Postage and handling

(a) interstate and intrastate	\$1.45
(b) international	\$3.10

5—Retrieval of records

(for agency purposes only)

retrieval or refiling (includes scheduled courier)	\$10.40 per item
--	------------------

6—Consultancy

(for agency purposes only)

(a) preparation of disposal schedules	from \$76.50 per hour
(b) culling and sentencing of records	from \$65.00 per hour
(c) other advisory or processing services	from \$37.50 per hour

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 9 June 2011

No 86 of 2011

11MPS0001CS

South Australia

Land Tax (Fees) Variation Regulations 2011

under the *Land Tax Act 1936*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Land Tax Regulations 2010*

- 4 Variation of regulation 9—Certificates in respect of liability to land tax (section 23 of Act)
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Land Tax (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Land Tax Regulations 2010*

4—Variation of regulation 9—Certificates in respect of liability to land tax (section 23 of Act)

Regulation 9(1)—delete "\$27.25" and substitute:

\$28.00

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 9 June 2011

No 87 of 2011

T&F11/017CS

South Australia

Petroleum Products (Fees) Variation Regulations 2011

under the *Petroleum Products Regulation Act 1995*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Petroleum Products Regulations 2008*

- 4 Variation of Schedule 3—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Petroleum Products (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Petroleum Products Regulations 2008*

4—Variation of Schedule 3—Fees

Schedule 3—delete "\$212" and substitute:

\$218

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 9 June 2011

No 88 of 2011

T&F11/017CS

South Australia

Natural Resources Management (General) (Fees) Variation Regulations 2011

under the *Natural Resources Management Act 2004*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Natural Resources Management (General) Regulations 2005*

- 4 Substitution of Schedule 4
Schedule 4—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Natural Resources Management (General) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Natural Resources Management (General) Regulations 2005*

4—Substitution of Schedule 4

Schedule 4—delete the Schedule and substitute:

Schedule 4—Fees

- 1 Application for a permit under Chapter 7 of the Act, other than an application for a permit to drill a well or to undertake work on a well \$47.75

2	Application for a permit to drill a well or to undertake work on a well	\$74.50 plus a technical assessment fee of an amount not exceeding \$141.00 determined by the Minister after taking into account any advice from his or her department about the costs associated with assessing the application
3	Maximum fee under section 138 of the Act	\$1.50 per page
4	Application for a well driller's licence—	
	(a) for a new licence	\$222.00
	(b) for the renewal of a licence	\$114.00
5	Application for the variation of a well driller's licence	\$169.00
6	Application for a water licence	\$199.00
7	Maximum fee under section 149 of the Act	\$1.50 per page
8	Application to transfer a water licence	\$371.00 plus a technical assessment fee of \$249.00
9	Application to vary a water licence on transfer of an allocation, other than in relation to the River Murray prescribed watercourse	\$371.00 plus a technical assessment fee of \$249.00
9	In relation to the River Murray prescribed watercourse—	
	A	
	(a) application to transfer a water access entitlement	\$371.00
	(b) application to vary a water allocation	\$218.00
	(c) application to transfer a water allocation	\$218.00
	(d) application for a water resource works approval	\$371.00
	(e) application to vary a water resource works approval	\$371.00
	(f) application for a site use approval	\$371.00 plus a technical assessment fee of \$249.00
	(g) application to vary a site use approval	\$371.00 plus a technical assessment fee of \$249.00
10	Additional fee where Minister directs an assessment by an expert under the Act (and the expenses of the assessment are to be paid by the applicant in addition to this fee)	\$164.00
11	Application to vary a licence for any other reason	\$371.00 plus a technical assessment fee of \$249.00

12	Application for a permit under section 188 of the Act—	
	(a) in relation to a Category 1 or Category 2 animal	\$310.00
	(b) in relation to a Category 1 or Category 2 plant	\$86.50
	(c) in relation to a Category 3 animal or plant	\$86.50
13	Maximum fee for a copy of an annual report under the Act	\$1.50 per page
14	Maximum fee for a copy of a submission under section 42 of the Act	\$1.50 per page
15	Maximum fee for a copy of the State NRM Plan or any amendments to the State NRM Plan	\$1.50 per page
16	Maximum fee for a copy of a document under section 83 of the Act	\$1.50 per page
17	Maximum fee for a copy of an agenda or minutes under Schedule 1 of the Act	\$1.50 per page
18	Application for notation on NRM Register or for the removal of a notation	\$7.70
19	Fee for providing information required by the <i>Land and Business (Sale and Conveyancing) Act 1994</i>	\$22.20

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 9 June 2011

No 89 of 2011

MEC11/0015CS

South Australia

Natural Resources Management (Financial Provisions) (Fees) Variation Regulations 2011

under the *Natural Resources Management Act 2004*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Natural Resources Management (Financial Provisions) Regulations 2005*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Natural Resources Management (Financial Provisions) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Natural Resources Management (Financial Provisions) Regulations 2005*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

1	Rent for meter for a period of 12 months or less ending on 30 June—	
	Nominal size of meter—	
	(a) less than 50 mm	\$182
	(b) 50 to 100 mm	\$262
	(c) 150 to 175 mm	\$390
	(d) 200 to 380 mm	\$445
	(e) 407 to 610 mm	\$533
2	Fee for testing meter under section 106(4) of the Act	Estimated cost determined by the Minister
3	Fee for reading meter at request of licensee	Estimated cost determined by the Minister

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 9 June 2011

No 90 of 2011

MEC11/0015CS

South Australia

Livestock (Fees) Variation Regulations 2011

under the *Livestock Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Livestock Regulations 1998*

- 4 Substitution of Schedule 1
Schedule 1—Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Livestock (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Livestock Regulations 1998*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- | | | |
|---|--|---------|
| 1 | Application for registration or renewal of registration as a beekeeper
No fee is payable if the bees are kept for the purposes of instruction in an educational institution approved by the Chief Inspector. | \$22.20 |
| 2 | Application for registration or renewal of registration under section 17 of the Act (other than as a beekeeper)

If the term for which registration is to be granted or renewed is less than or more than 24 months, a pro rata adjustment is to be made to the amount of the fee by applying the proportion that the number of whole months in the term bears to 24 months. | \$76.00 |

No registration fee is payable if—

- (a) the application is accompanied by an application for the allocation or renewal of a property identification code for the land where the livestock are or are to be kept; and
- (b) the proposed term of registration is no longer than the proposed term for which the property identification code will be active; and
- (c) a fee is payable for the application for the allocation or renewal of the property identification code that is not less than the fee that would be payable for registration apart from this provision.

3	Application for registration or renewal of registration of an artificial breeding centre	\$310.00
4	Application for registration or renewal of registration authorising an artificial breeding procedure (The same fee applies in relation to an applicant for, or for renewal of, registration authorising more than 1 category of artificial breeding procedure).	\$62.50
5	Application for registration or renewal of registration of a diagnostic laboratory	\$388.00
6	Replacement certificate of registration	\$31.25
7	Application for allocation or renewal of property identification code—for each code	\$76.00
	If the term for which the code is to be allocated or renewed is less than or more than 24 months, a pro rata adjustment is to be made to the amount of the fee by applying the proportion that the number of whole months in the term bears to 24 months.	
8	For an extract from the register of property identification codes comprised of a property identification code, associated pig tattoo code and related details—	
	(a) for each property identification code	\$32.25
	(b) to a maximum of	\$172.00
9	Late application fee	\$38.00
10	The Chief Inspector may waive or reduce a fee if the Chief Inspector considers it appropriate in the circumstances.	

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 9 June 2011

No 91 of 2011

MAFF11/04CS

South Australia

Brands (Fees) Variation Regulations 2011

under the *Brands Act 1933*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Brands Regulations 2001*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Brands (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Brands Regulations 2001*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

1	Registration of a brand or mark	\$23.80
2	Transfer of registration	\$18.00
3	Cancellation of registration	No fee

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 9 June 2011

No 92 of 2011

MAFF11/04CS

South Australia

Primary Produce (Food Safety Schemes) (Meat Industry) (Fees) Variation Regulations 2011

under the *Primary Produce (Food Safety Schemes) Act 2004*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Primary Produce (Food Safety Schemes) (Meat Industry) Regulations 2006*

- 4 Substitution of regulation 23
 - 23 Monetary value of fee unit and administration fee
 - 5 Substitution of regulation 27
 - 27 Application fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Primary Produce (Food Safety Schemes) (Meat Industry) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 Produce (Food Safety Schemes) (Meat Industry) Regulations 2006*

4—Substitution of regulation 23

Regulation 23—delete the regulation and substitute:

23—Monetary value of fee unit and administration fee

In this Part—

- (a) the monetary value of a fee unit is \$95.50
- (b) the administration fee is \$186.00

5—Substitution of regulation 27

Regulation 27—delete the regulation and substitute:

27—Application fees

Application fees under the Act are payable as follows:

- | | |
|---|-------|
| (a) application for accreditation— | |
| (i) if 6 or fewer full time equivalent positions are to be held by persons engaged in processing or handling meat under the accreditation | \$139 |
| (ii) in any other case | \$319 |
| (b) application for variation of conditions of accreditation or variation of an approved food safety arrangement— | |
| (i) if 6 or fewer full time equivalent positions are to be held by persons engaged in processing or handling meat under the accreditation | \$139 |
| (ii) in any other case | \$319 |
| (c) application for exemption from compliance with code (regulation 12) | \$319 |
| (d) no fee is payable on an application for accreditation by the holder of a temporary accreditation under Schedule 1 Part 4 of the Act. | |

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

following compliance by the Minister with section 11(4) of the Act and with the advice and consent of the Executive Council
on 9 June 2011

No 93 of 2011

MAFF11/04CS

South Australia

Primary Produce (Food Safety Schemes) (Seafood) (Fees) Variation Regulations 2011

under the *Primary Produce (Food Safety Schemes) Act 2004*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Primary Produce (Food Safety Schemes) (Seafood) Regulations 2006*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Primary Produce (Food Safety Schemes) (Seafood) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 Produce (Food Safety Schemes) (Seafood) Regulations 2006*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

1	Application for accreditation	\$436.00
2	Application for approval of a food safety arrangement other than in conjunction with an application for accreditation	\$436.00
3	Application for variation of an approved food safety arrangement	\$436.00
4	Annual fee payable by an accredited producer who holds—	
	(a) an aquaculture licence authorising farming in a subtidal area	\$187.00 + \$126.00 per hectare of the licence area
	(b) an aquaculture licence authorising farming in an intertidal area	\$187.00 + \$264.00 per hectare of the licence area
	(c) a fishery licence authorising the taking of scallop (Family Pectinidae)	\$187.00 + \$229.00 per licence
	(d) a fishery licence subject to a condition fixing a pipi quota entitlement	\$393.00 + \$18.60 per pipi unit under the entitlement
	(e) a fishery licence subject to a condition fixing a cockle quota entitlement in respect of the Coffin Bay cockle fishing zone	\$393.00 + \$0.15 per cockle unit under the entitlement
	(f) a fishery licence subject to a condition fixing a cockle quota entitlement in respect of the Port River cockle fishing zone	\$393.00 + \$18.60 per cockle unit under the entitlement
	(g) a fishery licence subject to a condition fixing a cockle quota entitlement in respect of the West Coast cockle fishing zone	\$393.00 + \$6.60 per cockle unit under the entitlement
5	Penalty for default in payment of an annual fee or lodging of annual return	\$92.50

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

following compliance by the Minister with section 11(4) of the Act and with the advice and consent of the Executive Council

on 9 June 2011

No 94 of 2011

MAFF11/04CS

South Australia

Primary Produce (Food Safety Schemes) (Plant Products) (Fees) Variation Regulations 2011

under the *Primary Produce (Food Safety Schemes) Act 2004*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Primary Produce (Food Safety Schemes) (Plant Products) Regulations 2010*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Primary Produce (Food Safety Schemes) (Plant Products) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 Produce (Food Safety Schemes) (Plant Products) Regulations 2010*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

1	Application for accreditation*	\$309
	* <i>No fee is payable if the applicant carried on the business of seed sprouts production immediately before the commencement of these regulations and the application is made no later than 1 month after that commencement.</i>	
2	Application for approval of a food safety arrangement other than in conjunction with an application for accreditation	\$273
3	Application for variation of an approved food safety arrangement	\$273
4	Annual fee	\$273
5	Penalty for default in payment of an annual fee or lodging of annual return	\$103

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

following compliance by the Minister with section 11(4) of the Act and with the advice and consent of the Executive Council
on 9 June 2011

No 95 of 2011

MAFF11/04CS

South Australia

Plant Health (Fees) Variation Regulations 2011

under the *Plant Health Act 2009*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Plant Health Regulations 2009*

- 4 Substitution of Schedule 2
Schedule 2—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Plant Health (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Plant Health Regulations 2009*

4—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees

1 In this Schedule—

- (a) *inspection* includes a survey inspection;
- (b) *survey inspection* means an inspection by an inspector of a growing crop to determine if the crop is free from pests;

- (c) if a charge for a service or time taken to travel to or from the site of an audit or inspection is expressed as an amount per hour—
- (i) a charge is payable for services provided or travelling time for less than or more than an hour (with a minimum charge payable for 15 minutes for services provided or travelling time); and
- (ii) the amount payable is to be determined by multiplying the amount per hour by the proportion that the number of minutes for which the services are provided or the time is taken to travel rounded to the nearest 5 minutes bears to 60 minutes.

2 Application fees—

- | | | |
|------|---|--|
| (a) | on lodging an application for accreditation authorising the carrying out of an activity at only 1 specified premises (section 16 of the Act) | \$288.00 |
| (b) | on lodging an application for accreditation authorising the carrying out of an activity at more than 1 specified premises (section 16 of the Act) | \$288.00 plus
\$288.00 for each
additional
premises |
| (c) | on lodging an application for variation of accreditation (section 22 of the Act)— | |
| (i) | if the variation is to authorise the carrying out of the activity authorised under the accreditation at additional specified premises | \$288.00 for each
additional
premises |
| (ii) | for any other variation | \$56.50 |

Note—

If more than 1 application for variation of the type referred to in subparagraph (ii) is made in any year, the fee is payable only on lodging the first such application.

- (d) on lodging an application for registration as importer (section 26 of the Act)—

Note—

An accredited person applying for registration is not required to pay this fee.

- | | | |
|------|---|----------|
| (i) | if registration is restricted to the importing of diagnostic samples for testing | \$41.25 |
| (ii) | in any other case | \$113.00 |
| (e) | on lodging an application for variation of registration as importer (section 30 of the Act) | \$30.75 |

Note—

An accredited person applying for variation of registration is not required to pay this fee.

- | | | |
|-----|--|---------|
| (f) | on lodging an application for review by the Minister (section 35 of the Act) | \$30.75 |
|-----|--|---------|

- 3 Annual fees—
- | | | |
|-----|---|---|
| (a) | for a person whose accreditation authorises the carrying out of an activity at only 1 specified premises (section 21 of the Act) | \$113.00 |
| (b) | for a person whose accreditation authorises the carrying out of an activity at more than 1 specified premises (section 21 of the Act) | \$113.00 plus \$113.00 for each additional premises |
| (c) | for a registered importer (section 29 of the Act) | \$61.50 |

Note—

A registered importer who is also an accredited person is not required to pay this fee.

- 4 Penalty for default in payment of an annual fee or lodgment of an annual return—
- | | | |
|-----|---|----------|
| (a) | for an accredited person (section 21 of the Act) | \$170.00 |
| (b) | for a registered importer (section 29 of the Act) | \$92.50 |
- 5 Fee for a book of certificates to be issued by an accredited person under the Act \$22.60
- 6 Fee for issue of plant health certificate under the Act \$22.60
- 7 Fees for audits and inspections—
- | | | |
|------|--|---------------------------------|
| (a) | for an audit or inspection during ordinary business hours | \$98.50 per hour |
| (b) | for an audit or inspection after hours— | |
| (i) | on a week day | \$148.00 plus \$148.00 per hour |
| (ii) | on a weekend or public holiday— | |
| (A) | if the inspection has been prearranged with the auditor or inspector | \$198.00 plus \$198.00 per hour |
| (B) | in any other case | \$247.00 plus \$247.00 per hour |

- 8 Fees for time taken to travel to or from the site of an audit or inspection—

Notes—

- | | | |
|-----|---|------------------|
| 1 | These fees are in addition to the fees under clause 7. | |
| 2 | If, on any particular trip, more than 1 site is visited for an audit or inspection, the fees under this clause will be apportioned on an equitable basis between the persons responsible for the fees charged for the relevant audits or inspections. | |
| (a) | for travelling time to or from the site during ordinary business hours | \$98.50 per hour |

- (b) for travelling time to or from the site after hours—
- (i) on a week day—
- (A) if not more than 3 hours \$148.00
per hour, up to a
maximum of
\$396.00
- (B) if more than 3 hours \$396.00

Note—

If it takes more than 3 hours to travel to or from a site, the fee for the travelling time is set at a fixed rate.

- (ii) on a weekend or public holiday \$198.00 per hour
- 9 Fee for disposal of plants or plant related products affected by a pest Actual cost incurred

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 9 June 2011

No 96 of 2011

MAFF11/04CS

South Australia

Fisheries Management (Fees) Variation Regulations 2011

under the *Fisheries Management Act 2007*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

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

- 4 Variation of Schedule 1—Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

3—Variation provisions

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

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

4—Variation of Schedule 1—Fees

- (1) Schedule 1, Part 1, Division 5—delete Division 5 and substitute:

Division 5—Miscellaneous fees

54	On application for consent to the transfer of a fishery authority	\$371.00
55	On application to vary the registration of a boat used under a fishery licence	\$99.50
56	On application to vary the registration of a master	\$99.50
57	On application to vary a quota entitlement under a fishery licence	\$125.00
58	On application to vary a rock lobster pot entitlement under a licence in respect of the Northern Zone Rock Lobster Fishery or Southern Zone Rock Lobster Fishery	\$125.00

The fee fixed by this clause is not payable if an application to vary a rock lobster pot entitlement under a licence in respect of Northern Zone Rock Lobster Fishery or Southern Zone Rock Lobster Fishery is made at the same time as an application to vary a giant crab or rock lobster quota entitlement under the licence.

59	On application for registration of an additional boat under a fishery licence	\$99.50
60	On application for—	
	(a) notation of an interest in a fishery licence on the register of authorities	\$162.00
	(b) removal from the register of authorities of such a notation	\$162.00

(2) Schedule 5, Parts 2, 3 and 4—delete the Parts and substitute:

Part 2—Processing

Division 1—Registration application fees

Registration fees payable by an applicant for registration as a fish processor (section 64(1)(d) of Act)

61	On application for registration as a fish processor made by an eligible person	\$162.00
62	On application for registration as a fish processor made by a person other than an eligible person—	
	(a) base fee	\$931.00
	(b) additional fee—	
	(i) if the applicant proposes to process abalone (<i>Haliotis</i> spp) under the registration	\$1 206.00
	(ii) if the applicant proposes to process King Prawn (<i>Merlicertus latisulcatus</i>) under the registration	\$1 206.00
	(iii) if the applicant proposes to process Southern Rocklobster (<i>Jasus edwardsii</i>) under the registration	\$1 206.00

If registration is to be granted for a period of less than 12 months, the fee payable is a proportion of the fee set out above, being the proportion that the number of complete months in the term of registration bears to 12.

Division 2—Registration annual fees

Annual fees payable by a registered fish processor (section 66(2)(a) of Act)

63	Annual fee payable by a fish processor who is an eligible person	\$162.00
64	Annual fee payable by a fish processor who is not an eligible person—	
	(a) base fee	\$931.00
	(b) additional fee—	

- | | | |
|-------|--|------------|
| (i) | if the fish processor processes abalone (<i>Haliotis</i> spp) under the registration | \$1 206.00 |
| (ii) | if the fish processor processes King Prawn (<i>Merlicertus latisulcatus</i>) under the registration | \$1 206.00 |
| (iii) | if the fish processor processes Southern Rocklobster (<i>Jasus edwardsii</i>) under the registration | \$1 206.00 |

Division 3—Miscellaneous fees

- | | | |
|----|---|---------|
| 65 | On application by a registered fish processor to have additional premises, places, boats or vehicles specified in the certificate of registration | \$28.25 |
|----|---|---------|

Part 3—Recreational fishing

Application fees payable by an applicant for registration under the *Fisheries Management (General) Regulations 2007* of a device to be used for recreational fishing

- | | | |
|-----|--|---------|
| 66 | On application for registration of a mesh net to be used by a person for recreational fishing— | |
| (a) | if the applicant produces evidence to the satisfaction of the Minister that he or she is in receipt of an age or invalid pension or is the holder of a State Concession Card issued by the Department for Families and Communities (for each year in the term of the registration) | \$18.70 |
| (b) | in any other case (for each year in the term of the registration) | \$37.50 |

No fee is payable where the Minister registers a mesh net for a period of less than 1 year for the purpose of achieving a common expiry date for the registration of that mesh net and the registration of any other mesh net owned by the same person.

- | | | |
|-----|--|----------|
| 67 | On application for registration of a rock lobster pot to be used by a person for recreational fishing— | |
| (a) | for registration of 1 rock lobster pot | \$60.50 |
| (b) | for registration of 2 rock lobster pots | \$173.00 |
| 68 | On application for the issue of a replacement tag for a rock lobster pot registered for recreational fishing | \$25.00 |

Part 4—Miscellaneous

- | | | |
|----|---|----------|
| 69 | On application for a permit under Part 7 Division 2 of the Act | \$99.50 |
| 70 | On application for an exemption under section 115 of the Act | \$125.00 |
| 71 | On application for the issue of a duplicate authority under section 68 of the Act | \$25.00 |

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 9 June 2011

No 97 of 2011

MAFF11/04CS

South Australia

Primary Produce (Food Safety Schemes) (Citrus Industry) (Fees) Variation Regulations 2011

under the *Primary Produce (Food Safety Schemes) Act 2004*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Primary Produce (Food Safety Schemes) (Citrus Industry) Regulations 2006*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Primary Produce (Food Safety Schemes) (Citrus Industry) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 April 2012.

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 Produce (Food Safety Schemes) (Citrus Industry) Regulations 2006*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- | | | |
|---|---|-------|
| 1 | Application for approval of food safety arrangement | \$155 |
| 2 | Application for variation of approved food safety arrangement | \$155 |

Made by the Governor

following compliance by the Minister with section 11(4) of the Act and with the advice and consent of the Executive Council

on 9 June 2011

No 98 of 2011

MAFF11/04CS

South Australia

Valuation of Land (Fees) Variation Regulations 2011

under the *Valuation of Land Act 1971*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Valuation of Land Regulations 2005*

- 4 Substitution of Schedule 2
Schedule 2—Fees and allowances
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Valuation of Land (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Valuation of Land Regulations 2005*

4—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees and allowances

1—Interpretation

In this Schedule—

residential land means—

- (a) land designated on the valuation roll as being subject to residential land use; or
- (b) other vacant land (not exceeding 5 000 square metres) zoned for residential purposes under a Development Plan under the *Development Act 1993*.

2—Fees

- | | | |
|-----|---|-------------|
| (1) | For a copy of the valuation roll (section 21 of Act)—for each \$10 000 of capital value of the land to which the roll relates as at the date that the most recent general valuation came into force | 14.35 cents |
| (2) | On an application for a review of a valuation (section 25B of Act)— | |
| (a) | of land used by the applicant solely as his or her principal place of residence | \$90.50 |
| (b) | of any other land | \$224.00 |
| (3) | For a certified copy of, or extract from, any entry in a valuation roll (section 32 of Act) | \$34.00 |

3—Allowances for review of valuation under *Valuation of Land Act 1971* (section 25A(8)) or *Local Government Act 1999*

- | | | |
|-----|---|------------|
| (1) | Review not completed—if the panel member has received a copy of the application for review and submissions of the applicant and Valuer-General but the review is not completed because the review involves a question of law, the application for review is withdrawn or for some other reason approved by the Valuer-General | \$100.00 |
| (2) | Completed review—residential land | |
| (a) | ordinary review | \$300.00 |
| (b) | complex review | \$400.00 |
| (3) | Completed review—land other than residential land | |
| (a) | ordinary review | \$400.00 |
| (b) | review of some complexity | \$600.00 |
| (c) | review of medium complexity | \$800.00 |
| (d) | review of high complexity | \$1 000.00 |
| (4) | The complexity, or level of complexity, of a review will be determined having regard to the following: | |
| (a) | the nature and scale of the review (including the number of hours reasonably required to conduct the review); | |
| (b) | the need for consultation by the valuer with an engineer, planner, surveyor or other expert. | |

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 9 June 2011

No 99 of 2011

MFI/11/008

South Australia

Roads (Opening and Closing) (Fees) Variation Regulations 2011

under the *Roads (Opening and Closing) Act 1991*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Roads (Opening and Closing) (Fees) Regulations 2006*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Roads (Opening and Closing) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Roads (Opening and Closing) (Fees) Regulations 2006*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- | | | |
|---|---|----------|
| 1 | On deposit with the Surveyor-General of preliminary plan and statement under section 9 of Act | \$216.00 |
| 2 | For notification of a proposed road process by the Surveyor-General under section 10 of Act (payable, on deposit of the preliminary plan and statement, by the council commencing the road process) | \$607.00 |
| 3 | On deposit with the Surveyor-General of a survey plan under section 20 of Act— | |

	(a) examination fee—	
	(i) where the plan is an uncertified data plan	\$404.00
	(ii) where the plan is a survey plan certified by a licensed surveyor	\$812.00
	plus a further \$404.00, payable by the surveyor, if the plan is resubmitted following rejection by the Surveyor-General (However, the Surveyor-General may waive or reduce the further fee if he or she considers that appropriate in a particular case having regard to the work involved in examining the resubmitted plan.)	
	(b) administration fee (payable in addition to examination fee)	\$199.00
4	On deposit of any other document with the Surveyor-General under section 20 for which a fee is not otherwise provided in this Schedule (in addition to the fees payable in relation to the deposit of a survey plan)	\$148.00 per document
5	For notification of an order or a notice by the Surveyor-General under section 34 or section 37 of Act (payable prior to notification)	\$148.00
6	For the withdrawal of a document (other than a survey plan) submitted to the Surveyor-General	\$53.50
7	On application for a road width declaration by the Surveyor-General under section 38	\$57.50

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 9 June 2011

No 100 of 2011

MFI/11/008

South Australia

Local Government (General) (Fees) Variation Regulations 2011

under the *Local Government Act 1999*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Local Government (General) Regulations 1999*

- 4 Substitution of Schedule 2
- Schedule 2—Prescribed fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Local Government (General) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Local Government (General) Regulations 1999*

4—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Prescribed fees

1 For the purposes of section 169(9)(c) of the Act, where the valuation is—

- | | | |
|-----|---|----------|
| (a) | of land used by the objector solely as his or her principal place of residence, the prescribed fee is | \$90.50 |
| (b) | of any other land, the prescribed fee is | \$224.00 |

- 2 For the purposes of section 169(16) of the Act, the fee payable in relation to a review is the amount of the allowances payable under section 25A(8) of the *Valuation of Land Act 1971* in relation to the review
- 3 For the purposes of section 187(3)(e) of the Act the fee fixed under the Act is \$10

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 9 June 2011

No 101 of 2011

MSLGR11/001C

South Australia

Motor Vehicles (Expiation Fees) Variation Regulations 2011

under the *Motor Vehicles Act 1959*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Motor Vehicles Regulations 2010*

- 4 Substitution of Schedule 5
 - Schedule 5—Expiation fees
 - 1 Offences against *Motor Vehicles Act 1959*
 - 2 Offences against these regulations

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Motor Vehicles (Expiation Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011 immediately after the *Motor Vehicles Variation Regulations 2011* (*Gazette 29.04.2011 p1292*) come into operation.

3—Variation provisions

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

Part 2—Variation of *Motor Vehicles Regulations 2010*

4—Substitution of Schedule 5

Schedule 5—delete the Schedule and substitute:

Schedule 5—Expiation fees

1—Offences against *Motor Vehicles Act 1959*

Section	Description of offence against <i>Motor Vehicles Act 1959</i>	Fee
9(1)	<i>Driving unregistered motor vehicle on road or causing unregistered motor vehicle to stand on road</i>	\$315

Section	Description of offence against <i>Motor Vehicles Act 1959</i>	Fee
9(3)	<i>Being owner of unregistered motor vehicle driven or found standing on road</i>	\$315
16(9)	<i>Driving motor vehicle without carrying permit under section 16 of Act</i>	\$115
16(11)	<i>Contravening condition of permit under section 16 of Act</i>	\$96
43A(3)	<i>Causing or permitting unregistered heavy vehicle to be driven on road</i>	\$315
43A(7)	<i>Failing to carry temporary configuration certificate in vehicle or to produce it for inspection by police officer or authorised officer</i>	\$47
47(1)	<i>Driving, or causing to stand, motor vehicle not bearing number plates</i>	\$582
47(1a)	<i>Being registered owner or registered operator of motor vehicle driven, or caused to stand, in contravention of section 47(1) of Act</i>	\$582
47A(7)	<i>Driving motor vehicle to which is attached number plates in respect of which a declaration under section 47A(2) of Act has been made without relevant agreement under section 47A(4)</i>	\$582
47B(2)	<i>Selling or supplying number plates without approval of Minister</i>	\$582
47C(3)	<i>Failing to comply with direction of Registrar under section 47C(2) of Act to return number plates</i>	\$263
47D(1)(a)	<i>Driving, or causing to stand, motor vehicle to which is attached number plate bearing number other than number allotted to vehicle</i>	\$582
47D(1)(b)	<i>Driving, or causing to stand, motor vehicle to which is attached number plate altered, defaced, mutilated or added to</i>	\$582
47D(1)(c)	<i>Driving, or causing to stand, motor vehicle to which is attached colourable imitation of number plate</i>	\$582
47D(1)(d)	<i>Without lawful excuse, having in possession number plate or article resembling number plate</i>	\$582
47D(2)	<i>Being registered owner or registered operator of motor vehicle driven, or caused to stand, in contravention of section 47D(1) of Act</i>	\$582
48(3)	<i>Driving, or causing to stand, registered heavy vehicle not carrying registration label (or amended registration label) issued for vehicle or carrying registration label not in conformity with section 48 of Act or these regulations</i>	\$115
48(3a)	<i>Being registered owner or registered operator of heavy vehicle driven, or caused to stand, in contravention of section 48(3) of Act</i>	\$115

Section	Description of offence against <i>Motor Vehicles Act 1959</i>	Fee
53(1)(a)	<i>Driving, or causing to stand, motor vehicle on which is affixed registration label, or in which is carried permit, no longer in force or issued in respect of another vehicle</i>	\$112
53(1)(b)	<i>Driving, or causing to stand, motor vehicle on which is affixed registration label, or in which is carried permit, that has been altered, defaced, mutilated or added to</i>	\$112
53(1)(c)	<i>Driving, or causing to stand, motor vehicle on which is affixed colourable imitation of registration label or in which is carried colourable imitation of permit</i>	\$112
53(1)(d)	<i>Without lawful excuse, having in possession registration label, permit or article resembling registration label or permit</i>	\$112
53(1a)	<i>Being registered owner or registered operator of motor vehicle driven, or caused to stand, in contravention of section 53(1) of Act</i>	\$112
56(b)(ii)	<i>Failing to lodge notice of transfer of ownership of motor vehicle within 14 days after transfer</i>	\$220
66(2)	<i>If motor vehicle to which trade plates are affixed is driven other than for a prescribed purpose stated in application for issue of the plates, being driver or person to whom plates were issued</i>	\$112
71B(2)	<i>Failure by person to whom replacement number plate, trade plate or prescribed document or duplicate registration label issued to return found or recovered original plate, document or label to Registrar</i>	\$112
72A(2)	<i>Acting as qualified supervising driver while having prescribed concentration of alcohol in blood or prescribed drug in oral fluid or blood</i>	\$228
74(1)	<i>Driving motor vehicle without currently holding appropriate licence or learner's permit</i>	\$400
75A(14)	<i>Contravening condition of learner's permit</i>	\$307
75A(15)(a)	<i>Holder of learner's permit driving motor bike on road while no L plate affixed to bike in accordance with regulations</i>	\$307
75A(15)(b)	<i>Holder of learner's permit driving motor vehicle (other than motor bike) on road while L plates not affixed to vehicle in accordance with regulations—</i>	
	<i>only 1 L plate affixed to vehicle in accordance with regulations</i>	\$179
	<i>no L plates affixed to vehicle in accordance with regulations</i>	\$307
81(4)	<i>Contravening condition endorsed on licence or permit under section 81 of Act</i>	\$307
81A(13)	<i>Contravening condition of provisional licence</i>	\$307

Section	Description of offence against <i>Motor Vehicles Act 1959</i>	Fee
81A(15)(a)	<i>Holder of P1 licence driving motor bike on road while no P plate affixed to bike in accordance with regulations</i>	\$307
81A(15)(b)	<i>Holder of P1 licence driving motor vehicle (other than motor bike) on road while P plates not affixed to vehicle in accordance with regulations—</i>	
	only 1 P plate affixed to vehicle in accordance with regulations	\$179
	no P plates affixed to vehicle in accordance with regulations	\$307
81A(16)	<i>Holder of P1 or P2 licence under the age of 25 years driving a high powered vehicle</i>	\$307
81AB(5)	<i>Contravening condition of probationary licence</i>	\$307
81B(3)	<i>Failing to comply with requirement made by Registrar</i>	
	failure to attend lecture	\$98
96(1)	<i>Failing to produce licence or learner's permit on request of police officer</i>	\$165
97A(3)	<i>Failing to carry or produce licence while driving under section 97A of Act</i>	\$165
98AAA(1)	<i>Failing to carry or produce licence while driving heavy vehicle</i>	\$165
98AAB	<i>Failing to carry or produce probationary licence, provisional licence or learner's permit while driving</i>	\$165
102(1)	<i>Driving uninsured motor vehicle on road or causing uninsured motor vehicle to stand on road</i>	\$582
102(2)	<i>Being owner of uninsured motor vehicle driven or found standing on road</i>	\$582
136(1)	<i>Failing to notify Registrar of change of name or residence of natural person who is registered owner or registered operator of motor vehicle or holds licence or learner's permit</i>	\$162
136(2)	<i>Failing to notify Registrar of change of name or principal place of business of natural person who holds trade plates</i>	\$162
136(2a)	<i>Failing to notify Registrar of change of principal place of business of body corporate that is registered owner or registered operator of motor vehicle or holds trade plates</i>	\$162
136(2b)	<i>Failing to notify Registrar of change of garage address of motor vehicle</i>	\$162
136(2c)	<i>Failing to notify Registrar of change of registered operator of motor vehicle</i>	\$162
136(2d)	<i>Failing to notify Registrar of change of postal address</i>	\$162

Section	Description of offence against <i>Motor Vehicles Act 1959</i>	Fee
143(1)	<i>Causing or permitting another person to do or omit to do anything in contravention of Act or regulations</i> causing or permitting commission of expiable offence	the expiation fee prescribed for the expiable offence

2—Offences against these regulations

Regulation	Description of offence against these regulations	Fee
36(1)	<i>Driving motor vehicle on road while number plate or trade plate obscured or distorted by device or substance</i>	\$400
36(4)	<i>Driving motor vehicle on road while number plate on bike rack obscured or distorted by device or substance</i>	\$400
55E	<i>Failing to carry or produce certificate of exemption while driving a high powered vehicle</i>	\$179
74(7)	<i>Contravening or failing to comply with requirements of regulation concerning written-off vehicle notices or notification</i> alleged offence not committed in the course of a trade or business	\$266
75(1)	<i>Driving written-off vehicle to or from place other than place specified in regulation</i> alleged offence not committed in the course of a trade or business	\$266

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 9 June 2011

No 102 of 2011

MPOL11/007CS

South Australia

Road Traffic (Miscellaneous) (Expiation Fees) Variation Regulations 2011

under the *Road Traffic Act 1961*

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Schedule 9—Expiation fees

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Road Traffic (Miscellaneous) (Expiation Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Road Traffic (Miscellaneous) Regulations 1999*

4—Variation of regulation 19D—Expiation fee for certain Road Rules contraventions within 100 metres of Safe-T-Cam photographic detection device

Regulation 19D—delete "\$413" and substitute:

\$475

5—Substitution of Schedule 9

Schedule 9—delete the Schedule and substitute:

Schedule 9—Expiation fees

(Regulation 45)

Part 1—Preliminary

1—Photographic detection devices

The expiation fee for an alleged offence against section 79B(2) of the Act constituted of being the owner of a vehicle that appears from evidence obtained through the operation of a photographic detection device to have been involved in the commission of an expiable offence is the same as the expiation fee payable for that expiable offence.

2—Lesser expiation fee if motor vehicle not involved

- (1) Despite the fees fixed in the tables in this Schedule, the expiation fee is \$48 for an alleged offence (other than an offence referred to in subclause (2)) constituted of—
 - (a) driving, towing, stopping or parking a vehicle other than a motor vehicle; or
 - (b) travelling in or on a wheeled recreational device or wheeled toy.
- (2) Subclause (1) does not apply in the case of—
 - (a) an offence constituted of failing to comply with the lawful directions of a person; or
 - (b) an offence against section 164A(1) of the Act comprising a contravention of or failure to comply with section 162C(1), (2) or (2a) of the Act; or
 - (c) an offence against rule 244(2), 244B, 244C, 254(2), 256(1), 256(2) or 256(3) of the *Australian Road Rules*.

Part 2—Offences against the *Road Traffic Act 1961*

Section	Description of offence against <i>Road Traffic Act 1961</i>	Fee
40H(5)	<i>Engaging in conduct in contravention of direction of authorised officer or police officer to stop vehicle, or not move it, or not interfere with vehicle or its equipment or load—</i>	
	if direction relates to heavy vehicle	\$624
	if direction relates to vehicle other than heavy vehicle	\$232
40I(2)	<i>Engaging in conduct in contravention of direction of authorised officer or police officer to move vehicle to specified location—</i>	
	if direction relates to heavy vehicle	\$624
	if direction relates to vehicle other than heavy vehicle	\$232
40J(3)	<i>Engaging in conduct in contravention of direction of authorised officer or police officer to move vehicle or do anything else reasonably required by officer to avoid causing harm or obstruction—</i>	
	if direction relates to heavy vehicle	\$624
	if direction relates to vehicle other than heavy vehicle	\$232
40K(5)	<i>Engaging in conduct in contravention of direction of authorised officer or police officer to vacate or not occupy driver's seat, or to leave or not enter vehicle—</i>	
	if direction relates to heavy vehicle	\$624
	if direction relates to vehicle other than heavy vehicle	\$232
40V(4)(b)(i)	<i>Engaging in conduct in contravention of direction of authorised officer or police officer to give personal details or produce evidence of correctness of personal details</i>	\$624
40W(4)	<i>Engaging in conduct in contravention of direction of authorised officer or police officer to produce records, devices or other things</i>	\$624
40X(3)(b)(i)	<i>Engaging in conduct in contravention of direction of authorised officer or police officer to provide information about vehicle or load or equipment carried or to be carried by vehicle</i>	\$624
40Y(5)	<i>Engaging in conduct in contravention of direction of authorised officer or police officer to provide assistance to officer to enable effective exercise of officer's powers</i>	\$624
45A	<i>Driving at speed exceeding applicable speed limit by 45 kph or more</i>	\$650
47B(1)	<i>Driving whilst having prescribed concentration of alcohol in blood—</i>	
	contravention involving less than 0.08 grams of alcohol in 100 millilitres of blood	\$515
47BA(1)	<i>Driving with prescribed drug in oral fluid or blood</i>	\$515
91(3)	<i>Failing to comply with direction of ferry operator</i>	\$87

Section	Description of offence against <i>Road Traffic Act 1961</i>	Fee
110C(2)	<i>Selling or offering for sale for use on roads motor vehicle or trailer not bearing vehicle identification plate for that vehicle or trailer—</i>	
	offence not committed in course of trade or business	\$228
110C(3)	<i>Driving motor vehicle or trailer not bearing vehicle identification plate for that vehicle or trailer</i>	\$228
117(1)	<i>Vehicle in breach of vehicle standards or maintenance requirement driven on road—being driver of vehicle—</i>	
	non-compliance with rule 155 of the vehicle standards	\$238
	non-compliance with rule 158 of the vehicle standards	\$117
	any other contravention of section 117	\$253
118(1)	<i>Vehicle in breach of vehicle standards or maintenance requirement driven on road—being operator of vehicle—</i>	
	non-compliance with rule 155 of the vehicle standards	\$238
	non-compliance with rule 158 of the vehicle standards	\$117
	any other contravention of section 118	\$253
123(1)	<i>Vehicle not complying with mass, dimension or load restraint requirement driven on road—being driver of vehicle—</i>	
	minor risk breach involving heavy vehicle	\$337
	minor risk breach involving vehicle other than heavy vehicle	\$165
	substantial risk breach involving heavy vehicle	\$624
	substantial risk breach involving vehicle other than heavy vehicle	\$279
	severe risk breach involving vehicle other than heavy vehicle	\$395
124(1)	<i>Vehicle not complying with mass, dimension or load restraint requirement driven on road—being operator of vehicle—</i>	
	minor risk breach involving heavy vehicle—	
	• if the operator is a natural person	\$337
	• if the operator is a body corporate	\$450
	minor risk breach involving vehicle other than heavy vehicle	\$165
	substantial risk breach involving heavy vehicle—	
	• if the operator is a natural person	\$624
	• if the operator is a body corporate	\$795
	substantial risk breach involving vehicle other than heavy vehicle	\$279
	severe risk breach involving vehicle other than heavy vehicle	\$395

Section	Description of offence against <i>Road Traffic Act 1961</i>	Fee
125(2)	<i>Heavy vehicle not complying with mass, dimension or load restraint requirement driven on road—being consignor of goods in or on vehicle—</i> minor risk breach— <ul style="list-style-type: none"> • if the consignor is a natural person • if the consignor is a body corporate substantial risk breach— <ul style="list-style-type: none"> • if the consignor is a natural person • if the consignor is a body corporate 	\$337 \$450 \$624 \$795
125(4)	<i>Weight of freight container containing goods consigned for road transport by heavy vehicle exceeding maximum gross weight marked on container or container's safety approval plate—being consignor of any of the goods—</i> <ul style="list-style-type: none"> • if the consignor is a natural person • if the consignor is a body corporate 	\$624 \$795
126(2)	<i>Heavy vehicle not complying with mass, dimension or load restraint requirement driven on road—being packer of goods in or on vehicle—</i> minor risk breach— <ul style="list-style-type: none"> • if the packer is a natural person • if the packer is a body corporate substantial risk breach— <ul style="list-style-type: none"> • if the packer is a natural person • if the packer is a body corporate 	\$337 \$450 \$624 \$795
126(4)	<i>Weight of freight container containing goods consigned for road transport by heavy vehicle exceeding maximum gross weight marked on container or container's safety approval plate—being packer of any of the goods—</i> <ul style="list-style-type: none"> • if the packer is a natural person • if the packer is a body corporate 	\$624 \$795
127(2)	<i>Heavy vehicle not complying with mass, dimension or load restraint requirement driven on road—being loader of goods in or on vehicle—</i> minor risk breach— <ul style="list-style-type: none"> • if the loader is a natural person • if the loader is a body corporate substantial risk breach— <ul style="list-style-type: none"> • if the loader is a natural person • if the loader is a body corporate 	\$337 \$450 \$624 \$795

Section	Description of offence against <i>Road Traffic Act 1961</i>	Fee
128(2)	<i>Heavy vehicle not complying with mass, dimension or load restraint requirement driven on road—consignee of goods in or on vehicle engaging in conduct resulting or likely to result in inducing or rewarding breach—</i>	
	minor risk breach—	
	• if the consignee is a natural person	\$337
	• if the consignee is a body corporate	\$450
	substantial risk breach—	
	• if the consignee is a natural person	\$624
	• if the consignee is a body corporate	\$795
135(3)	<i>Responsible entity failing to provide operator or driver of heavy vehicle with complying container weight declaration relating to freight container offered for transport by vehicle—</i>	
	• if the responsible entity is a natural person	\$624
	• if the responsible entity is a body corporate	\$795
136(5)	<i>Operator of heavy vehicle failing to provide driver with complying container weight declaration relating to freight container arranged by operator to be transported by vehicle—</i>	
	• if the operator is a natural person	\$624
	• if the operator is a body corporate	\$795
137(3)	<i>Driver of heavy vehicle loaded with freight container driving vehicle without first having been provided with container weight declaration or failing to keep declaration in or about vehicle or readily accessible from vehicle during journey</i>	\$624
148(4)	<i>Engaging in conduct in contravention of direction of authorised officer or police officer to driver or operator of vehicle to rectify specified minor risk breaches of mass, dimension or load restraint requirement, or move vehicle to specified location and not proceed from there until breaches are rectified—</i>	
	if direction relates to heavy vehicle	\$624
	if direction relates to vehicle other than heavy vehicle	\$232
149(5)	<i>Engaging in conduct in contravention of direction of authorised officer or police officer to driver or operator of vehicle not to proceed until specified substantial risk breaches of mass, dimension or load restraint requirement are rectified, or to move vehicle to specified location and not proceed from there until breaches are rectified—</i>	
	if direction relates to heavy vehicle	\$624
	if direction relates to vehicle other than heavy vehicle	\$232
151(4)	<i>Engaging in conduct in contravention of condition of authorisation granted by authorised officer or police officer to driver of vehicle authorising vehicle to continue journey—</i>	
	if authorisation relates to heavy vehicle	\$624
	if authorisation relates to vehicle other than heavy vehicle	\$232

Section	Description of offence against <i>Road Traffic Act 1961</i>	Fee
164A(1)	<i>Contravening or failing to comply with provision of Act</i>	
	Contravention of or failure to comply with—	
s 33(9)	<i>Failing to comply with direction of police officer</i>	\$232
s 53B(1)	<i>Selling radar detector or jammer or storing or offering radar detector or jammer for sale</i>	\$361
s 82(1)	<i>Speeding while passing school bus</i>	
	Exceeding the speed-limit while passing a school bus—	
	by less than 15 kph	\$252
	by 15 kph or more but less than 30 kph	\$371
	by 30 kph or more	\$532
s 83(1)(a)	<i>Speeding while passing emergency vehicle</i>	
	Exceeding 40 kph while passing an emergency vehicle—	
	by less than 15 kph	\$252
	by 15 kph or more but less than 30 kph	\$371
	by 30 kph or more	\$532
s 83A(1)	<i>Standing etc or placing goods or sign on carriageway, dividing strip or traffic island for purpose of soliciting business etc</i>	\$87
s 83A(2)	<i>Buying or offering to buy goods from person standing etc on carriageway etc in contravention of section 83A(1)</i>	\$87
s 85(2)	<i>Leaving stationary vehicle in prohibited area near Parliament House etc without authority</i>	\$104
s 87	<i>Walking without due care or attention etc</i>	\$42
s 95	<i>Riding on vehicle without consent of driver</i>	\$87
s 99A	<i>Bicycle rider riding on footpath or other road-related area failing to give warning to pedestrians etc</i>	\$48
s 99B(1)	<i>Riding wheeled recreational device or wheeled toy without due care or attention etc</i>	\$48
s 99B(2)	<i>Riding wheeled recreational device or wheeled toy on footpath or other road-related area abreast of another vehicle etc</i>	\$48
s 99B(3)	<i>Riding wheeled recreational device or wheeled toy on footpath or other road-related area without giving warning to pedestrians etc</i>	\$48
s 107(1)	<i>Driving, drawing, hauling, dragging over road any implement, sledge etc</i>	\$205
s 107(2)	<i>Removing or interfering with road infrastructure, or damaging road infrastructure other than by reasonable use</i>	\$205

Section	Description of offence against <i>Road Traffic Act 1961</i>	Fee
s 108(1)	<i>Depositing certain articles or materials on road</i>	\$196
s 110	<i>Failing to keep whole of vehicle on sealed surface when driving on sealed road</i>	\$87
s 145(3)	<i>Failing to comply with direction of police officer or authorised officer to stop vehicle or produce vehicle for examination</i>	\$232
s 145(5f)	<i>Defacing, altering, obscuring or removing defective vehicle label affixed to vehicle</i>	\$165
s 161A(1)	<i>Driving vehicle to which section 161A applies without Ministerial approval</i>	\$253
s 162C(1)	<i>Riding wheeled recreational device or wheeled toy without wearing safety helmet complying with regulations and properly adjusted and securely fastened</i>	\$87
s 162C(2)	<i>Riding wheeled recreational device or wheeled toy on which is carried child under 16 years not wearing safety helmet complying with regulations and properly adjusted and securely fastened</i>	\$87
s 162C(2a)	<i>Parent or other person having custody or care of child under 16 years causing or permitting child to ride or be carried on wheeled recreational device or wheeled toy without wearing safety helmet complying with regulations and properly adjusted and securely fastened</i>	\$84
167(1)	<i>Causing or permitting another person to commit an offence against Act or regulations—</i> causing or permitting commission of expiable offence	the expiati on fee prescri bed for the expiabl e offence
174B	<i>Further offence for continued parking contravention</i>	\$43

Part 3—Offences against the *Australian Road Rules*

Rule	Description of offence against <i>Australian Road Rules</i>	Fee
20	<i>Speeding</i> Exceeding applicable speed-limit on length of road—	
	by less than 15 kph	\$252
	by 15 kph or more but less than 30 kph	\$371
	by 30 kph or more	\$532

Rule	Description of offence against Australian Road Rules	Fee
27(1)	<i>Failing to keep left when starting left turn (from other than multi-lane road)</i>	\$272
28(1)	<i>Failing to keep within left lane when starting left turn on multi-lane road</i>	\$272
28(1A)	<i>Failing to use slip lane when starting left turn on multi-lane road</i>	\$272
28(2A)	<i>Bicycle rider starting left turn on multi-lane road from incorrect position in bicycle storage area</i>	\$48
29(1)	<i>Failing to make left turn as indicated by turn line</i>	\$272
31(1)	<i>Starting right turn incorrectly (from other than multi-lane road)</i>	\$272
32(1)	<i>Failing to keep within right lane when starting right turn (on multi-lane road)</i>	\$272
32(2A)	<i>Bicycle rider starting right turn on multi-lane road from incorrect position in bicycle storage area</i>	\$48
33(1)	<i>Making right turn at intersection incorrectly</i>	\$272
34(1)	<i>Making hook turn at "hook turn only" sign incorrectly</i>	\$244
35(2)	<i>Bicycle rider making hook turn at intersection with no "hook turn only" sign etc incorrectly</i>	\$48
36	<i>Bicycle rider making hook turn contrary to "no hook turn by bicycles" sign</i>	\$48
37	<i>Starting U-turn without clear view etc</i>	\$325
38	<i>Failing to give way when making U-turn</i>	\$325
39(1)	<i>Making U-turn contrary to "no U-turn" sign at break in dividing strip</i>	\$306
39(2)	<i>Making U-turn contrary to "no U-turn" sign on length of road</i>	\$306
40	<i>Making U-turn at intersection with traffic lights and no "U-turn permitted" sign</i>	\$306
41	<i>Making U-turn at intersection without traffic lights where "no U-turn" sign</i>	\$306
42	<i>Starting U-turn at intersection from incorrect position</i>	\$325
46(1)	<i>Failing to give left change of direction signal before turning left</i>	\$266
46(4)	<i>Failing to stop giving left change of direction signal after turning left</i>	\$178
48(1)	<i>Failing to give right change of direction signal before turning right</i>	\$266
48(4)	<i>Failing to stop giving right change of direction signal after turning right</i>	\$178
51	<i>Using direction indicator lights when not permitted</i>	\$178
53(1)	<i>Failing to give stop signal before stopping or suddenly slowing</i>	\$266
53(2)	<i>Failing to give sufficient warning of stopping</i>	\$266
53(3)	<i>Failing to give stop signal while slowing</i>	\$266
56(1)	<i>Failing to stop for red traffic light</i>	\$391

Rule	Description of offence against Australian Road Rules	Fee
56(2)	<i>Failing to stop for red traffic arrow</i>	\$391
57(1)	<i>Failing to stop for yellow traffic light</i>	\$391
57(2)	<i>Failing to stop for yellow traffic arrow</i>	\$391
57(3)	<i>Failing to leave intersection showing yellow traffic light or arrow</i>	\$391
59(1)	<i>Proceeding through red traffic light</i>	\$391
60	<i>Proceeding through red traffic arrow</i>	\$391
60A(1)	<i>Proceeding through bicycle storage area before red traffic light</i>	\$306
60A(2)	<i>Proceeding through bicycle storage area before red traffic arrow</i>	\$306
61(2)	<i>Failing to stop at intersection when traffic lights or arrows change to yellow or red</i>	\$391
61(5)	<i>Failing to leave intersection when traffic lights or arrows change to yellow or red</i>	\$391
62(1)	<i>Failing to give way when turning at intersection with traffic lights</i>	\$361
63(2)	<i>Failing to give way at intersection with traffic lights not operating or only partly operating—where traffic light-stop sign</i>	\$361
63(3)	<i>Failing to give way at intersection with traffic lights not operating or only partly operating—where no traffic light-stop sign</i>	\$361
64	<i>Failing to give way at flashing yellow traffic arrow at intersection</i>	\$361
65(2)	<i>Failing to give way at marked foot crossing (except at intersection) with flashing yellow traffic light</i>	\$342
66(1)	<i>Failing to stop for twin red lights (except at level crossing)</i>	\$87
66(4)	<i>Proceeding after stopping for twin red lights (except at level crossing)</i>	\$87
67(1)	<i>Failing to stop and give way at "stop" sign or stop line at intersection without traffic lights</i>	\$361
68(1)	<i>Failing to stop and give way at "stop" sign or stop line at other place</i>	\$306
69(1)	<i>Failing to give way at "give way" sign or give way line at intersection (except roundabout)</i>	\$361
70	<i>Failing to give way at "give way" sign at bridge or length of narrow road</i>	\$361
71(1)	<i>Failing to give way at "give way" sign or give way line at other place</i>	\$306
72(1)	<i>Failing to give way at intersection (except T-intersection or roundabout)</i>	\$361
73(1)	<i>Failing to give way at T-intersection</i>	\$361
74(1)	<i>Failing to give way when entering road from road-related area or adjacent land</i>	\$325
75(1)	<i>Failing to give way when entering road-related area or adjacent land from road</i>	\$325

Rule	Description of offence against Australian Road Rules	Fee
76(1)	<i>Moving into path of tram travelling in tram lane etc</i>	\$178
76(2)	<i>Failing to move out of path of tram travelling in tram lane etc</i>	\$178
77(1)	<i>Failing to give way to bus</i>	\$178
78(1)	<i>Moving into path of police or emergency vehicle</i>	\$361
78(2)	<i>Failing to move out of path of police or emergency vehicle</i>	\$361
79(1)	<i>Failing to give way to police or emergency vehicle</i>	\$361
80(2)	<i>Failing to stop at children's crossing</i>	\$361
80(3)	<i>Failing to obey hand-held "stop" sign at children's crossing</i>	\$306
80(4)	<i>Proceeding while pedestrian on children's crossing</i>	\$361
81(2)	<i>Failing to give way at pedestrian crossing</i>	\$342
82	<i>Overtaking or passing vehicle at children's crossing or pedestrian crossing</i>	\$342
83	<i>Failing to give way to pedestrian in shared zone</i>	\$286
84(1)	<i>Failing to give way when driving through break in dividing strip</i>	\$325
85	<i>Failing to give way on painted island</i>	\$306
86(1)	<i>Failing to give way in median turning bays</i>	\$325
87(1)	<i>Failing to give way when moving from side of road</i>	\$293
87(3)	<i>Failing to give way when moving from median strip parking area</i>	\$293
88(1)	<i>Failing to turn left at intersection with "left turn only" sign</i>	\$306
88(2)	<i>Failing to turn left when in left lane at intersection with "left lane must turn left" sign</i>	\$306
89(1)	<i>Failing to turn right at intersection with "right turn only" sign</i>	\$306
89(2)	<i>Failing to turn right when in right lane at intersection with "right lane must turn right" sign</i>	\$306
90	<i>Turning at intersection with "no turn" sign</i>	\$306
91(1)	<i>Turning left at intersection or other place with "no left turn" sign</i>	\$306
91(2)	<i>Turning at intersection or other place with "no right turn" sign</i>	\$306
92(1)	<i>Failing to drive in direction indicated by traffic lane arrows</i>	\$306
93(1)	<i>Driving or overtaking on bridge or length of road where "no overtaking or passing" sign applies</i>	\$306
94	<i>Overtaking on bridge with "no overtaking on bridge" sign</i>	\$306
95(1)	<i>Driving in emergency stopping lane</i>	\$306
96(1)	<i>Stopping on area of road marked with "keep clear" marking</i>	\$306
97(1)	<i>Driving on length of road where "road access" sign applies</i>	\$306
98(1)	<i>Driving in wrong direction on length of road where "one-way" sign applies</i>	\$361

Rule	Description of offence against Australian Road Rules	Fee
99(1)	<i>Failing to drive to left of "keep left" sign</i>	\$306
99(2)	<i>Failing to drive to right of "keep right" sign</i>	\$306
100	<i>Driving past "no entry" sign</i>	\$306
101(1)	<i>Failing to stop before hand-held "stop" sign</i>	\$306
101(2)	<i>Proceeding after stopping for hand-held "stop" sign</i>	\$306
101A(1)	<i>Driving on safety ramp or arrester bed</i>	\$306
102(1)	<i>Driving past "clearance" or "low clearance" sign</i>	\$306
103(1)	<i>Driving past "bridge load limit (gross mass)" or "gross load limit" sign—vehicle exceeding gross mass indicated by sign</i>	\$306
103(2)	<i>Driving past "bridge load limit (mass per axle group)" sign—vehicle axle group carrying mass exceeding mass indicated by sign</i>	\$306
104(1)	<i>Driving past "no trucks" sign—vehicle GVM exceeding permitted mass</i>	\$306
104(2)	<i>Driving truck past "no trucks" sign—vehicle or combination exceeding permitted length</i>	\$306
104(3)	<i>Driving truck past "no trucks" sign where no mass or length indicated</i>	\$306
105	<i>Failing to enter area indicated by "trucks must enter" sign</i>	\$306
106(1)	<i>Driving bus past "no buses" sign—bus exceeding mass indicated by sign</i>	\$306
106(2)	<i>Driving bus past "no buses" sign—bus exceeding length indicated by sign</i>	\$306
106(3)	<i>Driving bus past "no buses" sign where no mass or length indicated</i>	\$306
107	<i>Failing to enter area indicated by "buses must enter" sign</i>	\$306
108(1)	<i>Failing to drive truck or bus in low gear on length of road where "trucks and buses low gear" sign applies</i>	\$306
111(1)	<i>Failing to enter roundabout from multi-lane road or road with 2 or more lines of traffic travelling in same direction correctly</i>	\$306
112(2)	<i>Failing to give required left change of direction signal before entering roundabout</i>	\$266
112(3)	<i>Failing to continue left change of direction signal while in roundabout</i>	\$266
113(2)	<i>Failing to give required right change of direction signal before entering roundabout</i>	\$266
113(3)	<i>Failing to continue right change of direction signal while in roundabout</i>	\$266
114(1)	<i>Failing to give way when entering roundabout</i>	\$361
114(2)	<i>Failing to give way to tram when driving in roundabout</i>	\$361

Rule	Description of offence against Australian Road Rules	Fee
115(1)	<i>Failing to drive in roundabout to left of central traffic island</i>	\$361
116	<i>Failing to obey traffic lane arrows when driving in or leaving roundabout</i>	\$306
117(1)	<i>Failing to give left change of direction signal when changing marked lanes or lines of traffic in roundabout</i>	\$266
117(2)	<i>Failing to give right change of direction signal when changing marked lanes or lines of traffic in roundabout</i>	\$266
118(1)	<i>Failing to give left change of direction signal when leaving roundabout</i>	\$266
118(2)	<i>Failing to stop left change of direction signal after leaving roundabout</i>	\$266
119	<i>Failing to give way by rider of bicycle or animal to vehicle leaving roundabout</i>	\$48
121	<i>Failing to stop and give way at "stop" sign at level crossing</i>	\$391
122	<i>Failing to give way at "give way" sign or give way line at level crossing</i>	\$391
123	<i>Entering level crossing when train or tram is approaching etc</i>	\$391
124	<i>Failing to leave level crossing as soon as safe to do so</i>	\$391
125(1)	<i>Unreasonably obstructing path of other driver or pedestrian</i>	\$98
126	<i>Failing to keep safe distance behind other vehicles</i>	\$282
127(1)	<i>Failing to keep required minimum distance behind long vehicle</i>	\$205
128	<i>Entering blocked intersection</i>	\$209
128A	<i>Entering blocked crossing</i>	\$209
129(1)	<i>Failing to keep to far left side of road</i>	\$257
130(2)	<i>Driving in right lane on certain multi-lane roads</i>	\$217
131(1)	<i>Failing to keep to left of oncoming vehicles</i>	\$286
132(1)	<i>Failing to keep to left of centre of road</i>	\$325
132(2)	<i>Failing to keep to left of dividing line</i>	\$325
132(2A)	<i>Making U-turn across certain dividing lines</i>	\$325
135(1)	<i>Failing to keep to left of median strip</i>	\$271
136	<i>Driving in wrong direction on one-way service road</i>	\$271
137(1)	<i>Failing to keep off dividing strip</i>	\$205
138(1)	<i>Failing to keep off painted island</i>	\$217
140	<i>Overtaking when not safe to do so</i>	\$257
141(1)	<i>Driver overtaking to left of other vehicle</i>	\$282
141(2)	<i>Bicycle rider overtaking to left of vehicle turning left</i>	\$48
142(1)	<i>Overtaking to right of vehicle turning right</i>	\$293

Rule	Description of offence against Australian Road Rules	Fee
143(1)	<i>Passing or overtaking to left of turning left vehicle displaying "do not overtake turning vehicle" sign</i>	\$176
143(1A)	<i>Passing or overtaking to left of vehicle displaying "do not overtake turning vehicle" sign</i>	\$176
143(2)	<i>Passing or overtaking to right of turning right vehicle displaying "do not overtake turning vehicle" sign</i>	\$176
144	<i>Failing to keep safe distance when overtaking</i>	\$257
145	<i>Increasing speed while being overtaken</i>	\$255
146(1)	<i>Failing to drive within single marked lane</i>	\$217
146(2)	<i>Failing to drive within single line of traffic</i>	\$217
147	<i>Moving from one marked lane to another marked lane across continuous line</i>	\$217
148(1)	<i>Failing to give way when moving from one marked lane to another marked lane</i>	\$280
148(2)	<i>Failing to give way when moving from one line of traffic to another line of traffic</i>	\$280
148A	<i>Failing to give way when diverging left or right within marked lane</i>	\$280
149	<i>Failing to give way when lines of traffic merge into single line of traffic</i>	\$280
150(1)	<i>Driving on or across continuous white edge line</i>	\$87
151(1)	<i>Riding motor bike or bicycle alongside more than 1 other rider on non multi-lane road</i>	\$87
151(2)	<i>Riding motor bike or bicycle alongside more than 1 other rider in marked lane</i>	\$87
151(4)	<i>Riding motor bike or bicycle more than 1.5 metres from another rider</i>	\$87
152(1)	<i>Driving in marked lane to which overhead lane control device applies—failing to comply with rule</i>	\$306
153(1)	<i>Driving in bicycle lane</i>	\$225
154(1)	<i>Driving in bus lane</i>	\$225
155(1)	<i>Driving in tram lane</i>	\$225
155A(1)	<i>Driving in tramway</i>	\$225
156(1)	<i>Driving in transit lane</i>	\$225
157(1)	<i>Driving in truck lane</i>	\$225
159(1)	<i>Driving in marked lane required to be used by particular kinds of vehicles</i>	\$225
160(2)	<i>Passing or overtaking to right of tram not at or near far left side of road</i>	\$282
160(3)	<i>Passing or overtaking left turning etc tram not at or near far left side of road</i>	\$282

Rule	Description of offence against Australian Road Rules	Fee
161(2)	<i>Passing or overtaking to left of tram at or near the left side of road</i>	\$282
161(3)	<i>Passing or overtaking tram turning right or giving right change of direction signal</i>	\$282
162(1)	<i>Driving past safety zone</i>	\$361
163(1)	<i>Driving past rear of stopped tram</i>	\$361
164(1)	<i>Failing to give way to pedestrians crossing road near stopped tram</i>	\$361
167	<i>Stopping where "no stopping" sign applies</i>	\$80
168(1)	<i>Stopping where "no parking" sign applies</i>	\$64
169	<i>Stopping on road with continuous yellow edge line</i>	\$80
170(1)	<i>Stopping in intersection</i>	\$80
170(2)	<i>Stopping within 20 metres of intersection with traffic lights</i>	\$80
170(3)	<i>Stopping within 10 metres of intersection without traffic lights</i>	\$80
171(1)	<i>Stopping on or near children's crossing</i>	\$80
172(1)	<i>Stopping on or near pedestrian crossing (except at intersection)</i>	\$80
173(1)	<i>Stopping on or near marked foot crossing (except at intersection)</i>	\$80
174(2)	<i>Stopping at or near bicycle crossing lights (except at intersection)</i>	\$80
175(1)	<i>Stopping on or near level crossing</i>	\$80
176(1)	<i>Stopping on clearway</i>	\$225
177(1)	<i>Stopping on freeway</i>	\$225
178	<i>Stopping in emergency stopping lane</i>	\$225
179(1)	<i>Stopping in loading zone</i>	\$56
179(2)	<i>Stopping in loading zone—exceeding time in loading zone</i>	\$56
180(1)	<i>Stopping in truck zone</i>	\$56
181(1)	<i>Stopping in works zone</i>	\$56
182(1)	<i>Stopping in taxi zone</i>	\$107
183(1)	<i>Stopping in bus zone</i>	\$107
184(1)	<i>Stopping in minibus zone</i>	\$80
185(1)	<i>Stopping in permit zone</i>	\$56
186(1)	<i>Stopping in mail zone</i>	\$56
187(1)	<i>Stopping in bus lane, transit lane or truck lane</i>	\$225
187(2)	<i>Stopping in bicycle lane</i>	\$225
187(3)	<i>Stopping in tram lane or tramway or on tram tracks</i>	\$225
188	<i>Stopping in shared zone</i>	\$56
189(1)	<i>Double parking</i>	\$80
190(1)	<i>Stopping in or near safety zone</i>	\$56
191	<i>Stopping near obstruction</i>	\$98

Rule	Description of offence against Australian Road Rules	Fee
192(1)	<i>Stopping on bridge, causeway, ramp or similar structure</i>	\$80
192(2)	<i>Stopping in tunnel or underpass</i>	\$98
193(1)	<i>Stopping on crest or curve outside built-up area</i>	\$98
194(1)	<i>Stopping near fire hydrant etc</i>	\$64
195(1)	<i>Stopping at or near bus stop</i>	\$80
196(1)	<i>Stopping at or near tram stop</i>	\$80
197(1)	<i>Stopping on path, dividing strip or nature strip</i>	\$80
197(1A)	<i>Stopping on painted island</i>	\$80
198(1)	<i>Obstructing access to and from footpath ramp etc</i>	\$64
198(2)	<i>Obstructing access to and from driveway etc</i>	\$64
199(1)	<i>Stopping near postbox</i>	\$80
200(1)	<i>Stopping heavy or long vehicle on road outside built-up area except on shoulder of road</i>	\$98
200(2)	<i>Stopping heavy or long vehicle on road in built-up area for longer than permitted time</i>	\$98
201	<i>Stopping on road with "bicycle parking" sign</i>	\$56
202	<i>Stopping on road with "motor bike parking" sign</i>	\$56
203(1)	<i>Stopping in parking area for people with disabilities</i>	\$310
203A	<i>Stopping in slip lane</i>	\$80
205(1)	<i>Parking for longer than indicated where "permissive parking" sign applies</i>	\$43
207(2)	<i>Failing to pay fee etc for parking where fees payable</i>	\$43
208(1)	<i>Failing to park on road (except in median strip parking area) in accordance with rule—parallel parking</i>	\$56
208A(1)	<i>Failing to park in road-related area (except in median strip parking area) in accordance with rule—parallel parking</i>	\$56
209(2)	<i>Failing to park in median strip parking area in accordance with rule—parallel parking</i>	\$56
210(1)	<i>Failing to park in accordance with rule—angle parking</i>	\$56
211(2)	<i>Parking where there are parking bays—failing to park vehicle wholly within parking bay</i>	\$43
211(3)	<i>Parking where there are parking bays—failing to park long or wide vehicle in minimum number of parking bays needed to park vehicle</i>	\$43
212(1)	<i>Entering or leaving median strip parking area—contrary to sign</i>	\$98
212(2)	<i>Entering or leaving median strip parking area—failing to drive forward</i>	\$98
215(1)	<i>Failing to use lights when driving at night or in hazardous weather conditions</i>	\$205

Rule	Description of offence against Australian Road Rules	Fee
216(1)	<i>Failing to use lights when towing vehicle at night or in hazardous weather conditions</i>	\$117
217(1)	<i>Using fog lights when not driving in fog or other hazardous weather conditions</i>	\$205
218(1)	<i>Using headlights on high-beam</i>	\$205
219	<i>Using lights to dazzle other road users</i>	\$205
220(1)	<i>Stopping vehicle on road at night—failing to operate lights</i>	\$205
221(1)	<i>Using hazard warning lights</i>	\$108
223	<i>Riding animal-drawn vehicle at night or in hazardous weather conditions—failing to operate lights</i>	\$48
224	<i>Using horn or similar warning device</i>	\$155
225(1)	<i>Driving vehicle with radar detector or similar device in or on vehicle or trailer</i>	\$361
225(2)	<i>Having possession of radar detector or similar device while travelling in or on vehicle or trailer</i>	\$361
226(1)	<i>Driving heavy vehicle not equipped with portable warning triangles</i>	\$87
226(2)	<i>Failing to produce warning triangles on demand</i>	\$87
227(2)	<i>Failing to use portable warning triangles—vehicle stopped on road</i>	\$87
227(3)	<i>Failing to use portable warning triangles—fallen load</i>	\$87
228	<i>Pedestrian passing "no pedestrians" sign</i>	\$42
229	<i>Pedestrian on road to which "road access" sign applies</i>	\$42
230(1)	<i>Failing to cross road in accordance with rule</i>	\$42
231(1)	<i>Failing to cross road with pedestrian lights in accordance with rule</i>	\$42
232(1)	<i>Failing to cross road at traffic lights without pedestrian lights in accordance with rule</i>	\$42
232(3)	<i>Failing to cross road at traffic lights while light turning yellow or red in accordance with rule</i>	\$42
232(4)	<i>Crossing road at traffic lights—failing to remain in safety area</i>	\$42
233(1)	<i>Crossing road to get on tram—crossing before tram stops at tram stop</i>	\$42
233(2)	<i>Crossing road from tram—failing to comply with rule</i>	\$42
234(1)	<i>Crossing road near crossing for pedestrians</i>	\$42
234(2)	<i>Pedestrian staying on road longer than necessary to cross road</i>	\$42
235(1)	<i>Crossing level crossing</i>	\$42
235(2)	<i>Crossing level crossing while warning lights flashing etc</i>	\$42
235(2A)	<i>Failing to finish crossing level crossing in accordance with rule if warning lights start flashing etc</i>	\$42

Rule	Description of offence against Australian Road Rules	Fee
235A(2)	<i>Crossing pedestrian level crossing while there is a red pedestrian light</i>	\$42
235A(3)	<i>Failing to finish crossing pedestrian level crossing in accordance with rule if red pedestrian light appears</i>	\$42
236(1)	<i>Pedestrian causing traffic hazard</i>	\$42
236(2)	<i>Pedestrian causing obstruction</i>	\$42
237(1)	<i>Getting on or into moving vehicle</i>	\$154
238(1)	<i>Pedestrian travelling along road—failing to use footpath</i>	\$42
238(2)	<i>Pedestrian travelling along road—failing to keep to side or face approaching traffic or walking abreast</i>	\$42
239(1)	<i>Pedestrian on bicycle path or separated footpath</i>	\$42
239(3)	<i>Pedestrian on bicycle path or separated footpath—failing to keep out of path of bicycle etc</i>	\$42
239A	<i>Travelling in or on wheeled recreational device or wheeled toy past "no wheeled recreational devices or toys" sign</i>	\$48
240(1)	<i>Travelling in or on wheeled recreational device or wheeled toy on certain types of roads</i>	\$48
240(2)	<i>Travelling in or on wheeled recreational device on declared roads or at night or during certain times</i>	\$48
240(3)	<i>Travelling in or on wheeled toy on declared roads or during certain times</i>	\$48
241(1)	<i>Travelling in or on wheeled recreational device or wheeled toy on road—failing to keep to left or travelling abreast</i>	\$48
242(1)	<i>Travelling in or on wheeled recreational device or wheeled toy on footpath or shared path—failing to keep left or give way</i>	\$48
243(1)	<i>Travelling on rollerblades etc on bicycle path or separated footpath</i>	\$48
243(2)	<i>Travelling on rollerblades etc on bicycle path etc—failing to keep out of path of bicycle</i>	\$48
244(1)	<i>Travelling in or on wheeled recreational device or wheeled toy that is being towed by vehicle</i>	\$48
244(2)	<i>Travelling in or on wheeled recreational device or wheeled toy while holding onto moving vehicle</i>	\$87
244(3)	<i>Travelling in or on wheeled recreational device or wheeled toy too close to rear of moving motor vehicle</i>	\$48
244B	<i>Travelling on motorised scooter—failing to wear bicycle helmet</i>	\$87
244C	<i>Travelling on motorised scooter on road or road-related area</i>	\$87
245	<i>Riding bicycle not in accordance with rule</i>	\$48
246(1)	<i>Carrying on bicycle more persons than bicycle designed to carry</i>	\$48
246(2)	<i>Passenger on bicycle—passenger failing to sit in passenger seat</i>	\$48

Rule	Description of offence against Australian Road Rules	Fee
246(3)	<i>Riding bicycle with passenger not sitting in passenger seat</i>	\$48
247(1)	<i>Failing to ride in bicycle lane on road</i>	\$48
247A(1)	<i>Bicycle rider failing to enter bicycle storage area correctly at intersection with red traffic light or arrow</i>	\$48
247B(1)	<i>Bicycle rider failing to give way when entering bicycle storage area</i>	\$48
247B(2)	<i>Bicycle rider in bicycle storage area on multi-lane road failing to give way to motor vehicles in certain lanes when traffic lights are green or yellow</i>	\$48
248(1)	<i>Riding bicycle across road on children's crossing or pedestrian crossing</i>	\$48
248(2)	<i>Riding bicycle across road on marked foot crossing</i>	\$48
249	<i>Riding bicycle on separated footpath</i>	\$48
250(1)	<i>Riding bicycle on footpath if prohibited by another law</i>	\$42
250(2)	<i>Riding bicycle on footpath or shared path—failing to keep to left or give way</i>	\$48
251	<i>Riding bicycle on bicycle path etc—failing to keep to left of oncoming bicycle riders on path</i>	\$48
252(1)	<i>Riding bicycle where "no bicycles" sign or no bicycles road marking applies</i>	\$48
253	<i>Bicycle rider causing traffic hazard</i>	\$48
254(1)	<i>Bicycle being towed—riding towed bicycle</i>	\$48
254(2)	<i>Bicycle rider holding onto moving vehicle</i>	\$87
255	<i>Riding bicycle too close to rear of motor vehicle</i>	\$48
256(1)	<i>Riding bicycle—rider failing to wear bicycle helmet</i>	\$87
256(2)	<i>Passenger on bicycle—passenger failing to wear bicycle helmet</i>	\$87
256(3)	<i>Riding bicycle with passenger not wearing bicycle helmet</i>	\$87
257(1)	<i>Riding with person on bicycle trailer</i>	\$48
258	<i>Riding bicycle not equipped with brake or warning device</i>	\$48
259	<i>Riding bicycle at night or in hazardous weather conditions without displaying lights etc</i>	\$48
260(1)	<i>Failing to stop bicycle for red bicycle crossing light</i>	\$48
260(2)	<i>Proceeding after stopping for red bicycle crossing light—proceeding before light changes etc</i>	\$48
261(1)	<i>Failing to stop bicycle for yellow bicycle crossing light</i>	\$48
262(1)	<i>Bicycle rider proceeding when bicycle crossing lights change—failing to cross in accordance with rule</i>	\$48
264(1)	<i>Failing to wear seatbelt—driver</i>	\$305

Rule	Description of offence against Australian Road Rules	Fee
265(1)	<i>Failing to wear seatbelt, and be seated, in accordance with rule—passenger 16 years old, or older</i>	\$305
265(3)	<i>Failing to ensure passengers 16 years old or older are wearing seatbelts, and are seated, in accordance with rule—</i>	
	<i>failure in relation to 1 such passenger</i>	\$305
	<i>failure in relation to more than 1 such passenger</i>	\$361
266(1)	<i>Failing to ensure passengers under 16 years old are restrained and seated in accordance with rule—</i>	
	<i>failure in relation to 1 such passenger</i>	\$305
	<i>failure in relation to more than 1 such passenger</i>	\$361
268(1)	<i>Travelling in or on part of motor vehicle not designed primarily for carriage of passengers or goods</i>	\$305
268(2)	<i>Travelling in or on part of motor vehicle designed primarily for carriage of goods unless enclosed and seatbelts fitted</i>	\$305
268(3)	<i>Travelling in or on motor vehicle with part of body outside window or door</i>	\$155
268(4)	<i>Driving motor vehicle with part of passenger's body outside window or door</i>	\$155
268(4A)	<i>Driving motor vehicle with passenger in or on part of vehicle not designed primarily for carriage of passengers or goods</i>	\$305
268(4B)	<i>Driving motor vehicle with passenger in or on part of vehicle designed primarily for carriage of goods unless enclosed and seatbelts fitted</i>	\$305
269(1)	<i>Getting off or out of moving vehicle</i>	\$154
269(3)	<i>Creating hazard by opening door of vehicle, leaving door open etc</i>	\$155
269(4)	<i>Driving bus while doors not closed</i>	\$282
270(1)	<i>Riding motor bike without wearing helmet or with passenger not wearing helmet</i>	\$236
270(2)	<i>Passenger on motor bike failing to wear helmet</i>	\$236
271(1)	<i>Riding on motor bike—rider failing to ride in correct position</i>	\$112
271(2)	<i>Riding on motor bike—passenger failing to ride in correct position</i>	\$112
271(3)	<i>Riding on motor bike—rider riding with passenger not riding correctly</i>	\$112
271(4)	<i>Riding on motor bike—riding with more than 1 passenger (excluding passenger in sidecar or on seat other than pillion seat)</i>	\$112
271(5)	<i>Riding on motor bike—riding with more than permitted number of passengers in sidecar or on seat</i>	\$112
271(5A)	<i>Riding on motor bike—riding with passenger under 8 years old not in sidecar</i>	\$112

Rule	Description of offence against Australian Road Rules	Fee
271(5B)	<i>Riding on motor bike—passenger in sidecar failing to be seated safely</i>	\$112
271(5C)	<i>Riding on motor bike—riding with passenger in sidecar not seated safely</i>	\$112
272	<i>Passenger interfering with driver's control of vehicle etc</i>	\$282
274	<i>Failing to stop for red T light—tram driver</i>	\$391
275	<i>Failing to stop for yellow T light—tram driver</i>	\$391
277	<i>Proceeding after stopping for a red or yellow T light—tram driver</i>	\$391
279(2)	<i>Proceeding when white T light or white traffic arrow no longer showing—tram driver proceeding before entering intersection</i>	\$391
279(3)	<i>Proceeding when white T light or white traffic arrow no longer showing—tram driver failing to leave intersection</i>	\$391
281	<i>Failing to stop for red B light—bus driver</i>	\$391
282	<i>Failing to stop for yellow B light—bus driver</i>	\$391
284	<i>Proceeding after stopping for red or yellow B light—bus driver</i>	\$391
286(2)	<i>Proceeding when white B light or white traffic arrow no longer showing—bus driver proceeding before entering intersection</i>	\$391
286(3)	<i>Proceeding when white B light or white traffic arrow no longer showing—bus driver failing to leave intersection</i>	\$391
288(1)	<i>Driving on path</i>	\$209
288(4)	<i>Driving on path—failing to give way</i>	\$205
289(1)	<i>Driving on nature strip</i>	\$205
289(2)	<i>Driving on nature strip—failing to give way</i>	\$205
290	<i>Driving on traffic island</i>	\$205
291	<i>Making unnecessary noise or smoke while starting or driving</i>	\$175
292	<i>Driving or towing vehicle carrying insecure or overhanging load</i>	\$299
293(2)	<i>Failing to remove from road things fallen from vehicle while driving</i>	\$196
294(1)	<i>Towing vehicle without keeping control of vehicle being towed</i>	\$117
294(2)	<i>Towing trailer without keeping control of trailer</i>	\$117
295(1)	<i>Motor vehicle towing another vehicle with towline not in accordance with rule</i>	\$117
296(1)	<i>Reversing vehicle when not safe to do so</i>	\$361
296(2)	<i>Reversing vehicle further than reasonably necessary</i>	\$217
297(1)	<i>Driving vehicle without having proper control of vehicle</i>	\$155
297(1A)	<i>Driving vehicle with person or animal in lap</i>	\$155
297(2)	<i>Driving motor vehicle without clear view of road etc</i>	\$155
297(3)	<i>Riding motor bike with animal between rider and handle bars or in other position that interferes with control of motor bike, etc</i>	\$155

Rule	Description of offence against Australian Road Rules	Fee
298	<i>Driving motor vehicle towing trailer with person in trailer</i>	\$203
299(1)	<i>Driving motor vehicle with TV or VDU in operation in vehicle</i>	\$87
300(1)	<i>Using mobile phone while driving vehicle</i>	\$282
301(1)	<i>Driver of motor vehicle leading animal</i>	\$87
301(2)	<i>Passenger in or on motor vehicle leading animal</i>	\$87
301(3)	<i>Rider of bicycle leading animal</i>	\$48
302	<i>Rider of animal on footpath or nature strip failing to give way to pedestrian</i>	\$48
303(1)	<i>Riding animal alongside more than 1 other rider on non multi-lane road</i>	\$48
303(2)	<i>Riding animal alongside another rider in marked lane</i>	\$48
303(4)	<i>Riding animal alongside another rider more than 1.5 metres from other rider</i>	\$48
304(1)	<i>Failing to obey direction of police officer or authorised person</i>	\$246

Part 4—Offences against the Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008

Regulation	Description of offence against Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008	Fee
8(4)	<i>Failing to comply with regulation 8(4)—Additional duty of employers and prime contractors</i>	
	<ul style="list-style-type: none"> • if the employer or prime contractor is a natural person 	\$604
	<ul style="list-style-type: none"> • if the employer or prime contractor is a body corporate 	\$769
8(5)	<i>Failing to comply with regulation 8(5)—Additional duty of operators</i>	
	<ul style="list-style-type: none"> • if the operator is a natural person 	\$604
	<ul style="list-style-type: none"> • if the operator is a body corporate 	\$769
9(3)	<i>Failing to comply with regulation 9(3)—Additional duty of schedulers</i>	
	<ul style="list-style-type: none"> • if the scheduler is a natural person 	\$604
	<ul style="list-style-type: none"> • if the scheduler is a body corporate 	\$769
10(3)	<i>Failing to comply with regulation 10(3)—Additional duty of consignors and consignees</i>	
	<ul style="list-style-type: none"> • if the consignor or consignee is a natural person 	\$604
	<ul style="list-style-type: none"> • if the consignor or consignee is a body corporate 	\$769

Regulation	Description of offence against <i>Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008</i>	Fee
11(3)	<i>Failing to comply with regulation 11(3)—Additional duty of loading managers</i>	
	• if the loading manager is a natural person	\$604
	• if the loading manager is a body corporate	\$769
16(3)	<i>Failing to comply with regulation 16(3)—standard hours—solo drivers</i>	
	• minor risk offence—	
	• for failing to have the minimum required rest time (the required period of rest time being not more than 1 hour)	\$271
	• in any other case	\$328
	• substantial risk offence	\$604
16(5)	<i>Failing to ensure driver does not contravene regulation 16(3)</i>	
	• minor risk offence—	
	• for failing to have the minimum required rest time (the required period of rest time being not more than 1 hour)—	
	• if the party in the chain of responsibility is a natural person	\$271
	• if the party in the chain of responsibility is a body corporate	\$328
	• in any other case—	
	• if the party in the chain of responsibility is a natural person	\$328
	• if the party in the chain of responsibility is a body corporate	\$438
	• substantial risk offence—	
	• if the party in the chain of responsibility is a natural person	\$604
	• if the party in the chain of responsibility is a body corporate	\$769
17(3)	<i>Failing to comply with regulation 17(3)—standard hours—solo drivers (buses)</i>	
	• minor risk offence—	
	• for failing to have the minimum required rest time (the required period of rest time being not more than 1 hour)	\$271
	• in any other case	\$328
	• substantial risk offence	\$604

Regulation	Description of offence against <i>Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008</i>	Fee
	<ul style="list-style-type: none"> if the party in the chain of responsibility is a natural person 	\$604
	<ul style="list-style-type: none"> if the party in the chain of responsibility is a body corporate 	\$769
21(3)	<i>Failing to comply with regulation 21(3)—solo drivers working under BFM accreditation</i>	
	<ul style="list-style-type: none"> minor risk offence— 	
	<ul style="list-style-type: none"> for failing to have the minimum required rest time (the required period of rest time being not more than 1 hour) 	\$271
	<ul style="list-style-type: none"> in any other case 	\$328
	<ul style="list-style-type: none"> substantial risk offence 	\$604
21(5)	<i>Failing to ensure driver does not contravene regulation 21(3)</i>	
	<ul style="list-style-type: none"> minor risk offence— 	
	<ul style="list-style-type: none"> for failing to have the minimum required rest time (the required period of rest time being not more than 1 hour)— 	
	<ul style="list-style-type: none"> <ul style="list-style-type: none"> if the party in the chain of responsibility is a natural person 	\$271
	<ul style="list-style-type: none"> <ul style="list-style-type: none"> if the party in the chain of responsibility is a body corporate 	\$328
	<ul style="list-style-type: none"> in any other case— 	
	<ul style="list-style-type: none"> <ul style="list-style-type: none"> if the party in the chain of responsibility is a natural person 	\$328
	<ul style="list-style-type: none"> <ul style="list-style-type: none"> if the party in the chain of responsibility is a body corporate 	\$438
	<ul style="list-style-type: none"> substantial risk offence— 	
	<ul style="list-style-type: none"> if the party in the chain of responsibility is a natural person 	\$604
	<ul style="list-style-type: none"> if the party in the chain of responsibility is a body corporate 	\$769
23(3)	<i>Failing to comply with regulation 23(3)—two-up drivers working under BFM accreditation</i>	
	<ul style="list-style-type: none"> minor risk offence— 	
	<ul style="list-style-type: none"> for failing to have the minimum required rest time (the required period of rest time being not more than 1 hour) 	\$271
	<ul style="list-style-type: none"> in any other case 	\$328
	<ul style="list-style-type: none"> substantial risk offence 	\$604

Regulation	Description of offence against <i>Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008</i>	Fee
23(5)	<i>Failing to ensure driver does not contravene regulation 23(3)—</i> <ul style="list-style-type: none"> • minor risk offence— <ul style="list-style-type: none"> • if the party in the chain of responsibility is a natural person • if the party in the chain of responsibility is a body corporate • substantial risk offence— <ul style="list-style-type: none"> • if the party in the chain of responsibility is a natural person • if the party in the chain of responsibility is a body corporate 	\$328 \$438 \$604 \$769
24(3)	<i>Failing to comply with regulation 24(3)—AFM hours—driving hours for drivers working under AFM accreditation</i> <ul style="list-style-type: none"> • minor risk offence • substantial risk offence 	\$328 \$604
24(5)	<i>Failing to ensure driver does not contravene regulation 24(3)</i> <ul style="list-style-type: none"> • minor risk offence— <ul style="list-style-type: none"> • if the party in the chain of responsibility is a natural person • if the party in the chain of responsibility is a body corporate • substantial risk offence— <ul style="list-style-type: none"> • if the party in the chain of responsibility is a natural person • if the party in the chain of responsibility is a body corporate 	\$328 \$438 \$604 \$769
25(3)	<i>Failing to comply with regulation 25(3)—AFM hours—offences related to AFM outer limits</i> <ul style="list-style-type: none"> • substantial risk offence— <ul style="list-style-type: none"> • if the party in the chain of responsibility is a natural person • if the party in the chain of responsibility is a body corporate 	\$604 \$769
25(6)	<i>Failing to ensure driver does not contravene regulation 25(3)</i> <ul style="list-style-type: none"> • substantial risk offence— <ul style="list-style-type: none"> • if the party in the chain of responsibility is a natural person • if the party in the chain of responsibility is a body corporate 	\$604 \$769
26(3)	<i>Failing to comply with regulation 26(3) when changing work/rest hours option</i>	\$604

Regulation	Description of offence against <i>Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008</i>	Fee
27(1)	<i>Failing to have required documentation</i>	\$604
27(2)	<i>Failing to ensure driver does not contravene regulation 27(1)</i>	
	• if the operator is a natural person	\$604
	• if the operator is a body corporate	\$769
27(3)	<i>Failing to return documentation</i>	\$604
28(1)	<i>Failing to have required documentation</i>	\$604
28(2)	<i>Failing to ensure driver does not contravene regulation 28(1)</i>	
	• if the operator is a natural person	\$604
	• if the operator is a body corporate	\$769
28(3)	<i>Failing to return documentation</i>	\$604
40(1)	<i>Failing to record required information in work diary (driver engaged in 100-plus kilometre work or working under BFM or AFM accreditation or work/rest hours exemption)</i>	\$604
41(1)	<i>Failing to make supplementary record</i>	\$604
42(1)	<i>Failing to notify Authority that work diary destroyed, lost or stolen</i>	\$604
42(2)	<i>Failing to apply for a new work diary</i>	\$604
42(4)	<i>Failing to take required steps following recovery or return of lost or stolen work diary</i>	\$604
42(6)	<i>Failing to notify record keeper of malfunctioning electronic work diary</i>	\$604
42(7)	<i>Failing to ensure electronic work diary is repaired etc</i>	
	• if the record keeper is a natural person	\$604
	• if the record keeper is a body corporate	\$769
43(1)	<i>Failing to ensure odometer is maintained</i>	
	• if the owner is a natural person	\$604
	• if the owner is a body corporate	\$769
43(2)	<i>Failing to notify persons of malfunctioning odometer</i>	\$604
43(3)	<i>Failing to ensure odometer examined etc</i>	
	• if the owner is a natural person	\$604
	• if the owner is a body corporate	\$769
43(4)	<i>Failing to ensure owner of regulated heavy vehicle complies with regulation 43(3)</i>	
	• if the employer or operator is a natural person	\$604
	• if the employer or operator is a body corporate	\$769
44(1)	<i>Failing to make or keep certain records (driver engaged in 100 kilometre work)</i>	
	• if the record keeper is a natural person	\$604
	• if the record keeper is a body corporate	\$769

Regulation	Description of offence against <i>Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008</i>	Fee
44(2)	<i>Failing to make or keep certain records (driver engaged in 100-plus kilometre work or working under BFM or AFM accreditation or work/rest hours exemption)</i>	
	• if the record keeper is a natural person	\$604
	• if the record keeper is a body corporate	\$769
44(3)	<i>Failing to make record as soon as practicable</i>	
	• if the record keeper is a natural person	\$604
	• if the record keeper is a body corporate	\$769
44(5)	<i>Failing to keep record at record location etc</i>	
	• if the record keeper is a natural person	\$604
	• if the record keeper is a body corporate	\$769
45(1)	<i>Failing to give information to record keeper within 21 days (driver engaged in 100 kilometre work)</i>	\$604
45(2)	<i>Failing to give information to record keeper within 21 days (driver engaged in 100-plus kilometre work or working under BFM or AFM accreditation or work/rest hours exemption)</i>	\$604
46(1)	<i>Failing to ensure driver complies with regulation 45</i>	
	• if the record keeper is a natural person	\$604
	• if the record keeper is a body corporate	\$769
46(2)	<i>Failing to give new record keeper required information</i>	\$604
46(3)	<i>Failing to ensure driver complies with regulation 46(2)</i>	
	• if the new record keeper is a natural person	\$604
	• if the record keeper is a body corporate	\$769
62(2)	<i>Failing to comply with regulation 62(2)—driver working under work/rest hours exemption</i>	
	• minor risk offence	\$328
	• substantial risk offence	\$604
62(4)	<i>Failing to ensure driver complies with regulation 62(2)</i>	
	• minor risk offence—	
	• if the party in the chain of responsibility is a natural person	\$328
	• if the party in the chain of responsibility is a body corporate	\$438
	• substantial risk offence—	
	• if the party in the chain of responsibility is a natural person	\$604
	• if the party in the chain of responsibility is a body corporate	\$769
63(1)	<i>Failing to have copy of written exemption</i>	\$604
63(2)	<i>Failing to ensure driver does not contravene regulation 63(1)</i>	

Regulation	Description of offence against <i>Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008</i>	Fee
	<ul style="list-style-type: none"> • if the new record keeper is a natural person 	\$604
	<ul style="list-style-type: none"> • if the record keeper is a body corporate 	\$769
64	<i>Failing to return copy of written exemption</i>	\$604

Part 5—Offences against the *Road Traffic (Approved Road Transport Compliance Schemes) Regulations 2008*

Regulation	Description of offence against <i>Road Traffic (Approved Road Transport Compliance Schemes) Regulations 2008</i>	Fee
17(4)	<i>Operator of regulated heavy vehicle failing to keep records in required manner</i>	
	<ul style="list-style-type: none"> • if the operator is a natural person 	\$604
	<ul style="list-style-type: none"> • if the operator is a body corporate 	\$769
17(7)	<i>Operator refusing or failing to comply with a requirement under regulation 17(5)</i>	
	<ul style="list-style-type: none"> • if the operator is a natural person 	\$604
	<ul style="list-style-type: none"> • if the operator is a body corporate 	\$769
17(8)	<i>Operator of regulated heavy vehicle failing to inform driver or scheduler of variation, suspension or revocation of BFM accreditation</i>	
	<ul style="list-style-type: none"> • if the operator is a natural person 	\$604
	<ul style="list-style-type: none"> • if the operator is a body corporate 	\$769
19(4)	<i>Operator of regulated heavy vehicle failing to keep records in required manner</i>	
	<ul style="list-style-type: none"> • if the operator is a natural person 	\$604
	<ul style="list-style-type: none"> • if the operator is a body corporate 	\$769
19(7)	<i>Operator refusing or failing to comply with a requirement under regulation 19(5)</i>	
	<ul style="list-style-type: none"> • if the operator is a natural person 	\$604
	<ul style="list-style-type: none"> • if the operator is a body corporate 	\$769
19(8)	<i>Operator of regulated heavy vehicle failing to inform driver or scheduler of variation, suspension or revocation of AFM accreditation</i>	
	<ul style="list-style-type: none"> • if the operator is a natural person 	\$604
	<ul style="list-style-type: none"> • if the operator is a body corporate 	\$769

Part 6—Offences against the Road Traffic (Heavy Vehicle Speeding Compliance) Regulations 2009

Regulation	Description of offence against Road Traffic (Heavy Vehicle Speeding Compliance) Regulations 2009	Fee
5(4)	<i>Failing to comply with regulation 5(4)—Duties of employers and prime contractors—business practices</i> <ul style="list-style-type: none"> • if the employer or prime contractor is a natural person • if the employer or prime contractor is a body corporate 	 \$604 \$769
5(5)	<i>Failing to comply with regulation 5(5)—Duties of operators—business practices</i> <ul style="list-style-type: none"> • if the operator is a natural person • if the operator is a body corporate 	 \$604 \$769
6(1)	<i>Offence against regulation 6(1)—Offence if driver found guilty etc of speeding offence</i> <ul style="list-style-type: none"> • minor risk offence— <ul style="list-style-type: none"> • if the employer, prime contractor or operator is a natural person • if the employer, prime contractor or operator is a body corporate • substantial risk offence— <ul style="list-style-type: none"> • if the employer, prime contractor or operator is a natural person • if the employer, prime contractor or operator is a body corporate 	 \$328 \$438 \$604 \$769
7(3)	<i>Failing to comply with regulation 7(3)—Duties of schedulers</i> <ul style="list-style-type: none"> • if the scheduler is a natural person • if the scheduler is a body corporate 	 \$604 \$769
9(3)	<i>Failing to comply with regulation 9(3)—Duties of consignors and consignees</i> <ul style="list-style-type: none"> • if the consignor or consignee is a natural person • if the consignor or consignee is a body corporate 	 \$604 \$769

Part 7—Offences against the Road Traffic (Miscellaneous) Regulations 1999

Regulation	Description of offence against Road Traffic (Miscellaneous) Regulations 1999	Fee
20(3)	<i>Driving or towing vehicle on certain roads while transporting dangerous substance</i>	\$253
20A(2)	<i>Towing prohibited number of vehicles</i>	\$253

Regulation	Description of offence against Road Traffic (Miscellaneous) Regulations 1999	Fee
21(1)	<i>Parking in certain public places</i>	
	parking in City of Adelaide Park Lands	\$118
	parking in other public place	\$56
22(3)	<i>Contravening notice prohibiting fishing or other specified activities from specified bridge or causeway</i>	\$87
23(1)	<i>Failing to ensure dog does not enter or remain on certain bicycle paths</i>	\$184
25(2)	<i>Driving or towing on road vehicle not complying with requirements of regulation—vehicle altered from original specifications</i>	\$84
44(1)	<i>Contravening or failing to comply with provision of regulations</i>	
	<i>Contravention of or failure to comply with—</i>	
r 19B(1)	<i>Heavy vehicles and minimum allowable travel time</i>	\$475
r 19E	<i>Evasive action in relation to Safe-T-Cam photographic detection device</i>	\$475
r 29(1)	<i>Bicycle rider towing vehicle other than bicycle trailer complying with regulation or towing more than 1 vehicle</i>	\$48
r 36(7)(b)	<i>Selling, or offering for sale, for use in motor vehicle seat belt or part of seat belt not complying with requirements of regulation or removed from vehicle in which previously used</i>	\$322
r 37(3)	<i>Selling, or offering for sale, for use in motor vehicle child restraint, harness etc, or part, not approved</i>	\$322
r 38(2)	<i>Selling, or offering for sale, for use by motor bike rider or passenger helmet not complying with standard</i>	\$322
r 38(5)	<i>Selling, or offering for sale, for use by bicycle rider or rider of wheeled recreational device or wheeled toy helmet not meeting requirement</i>	\$322

**Part 8—Offences against the *Road Traffic (Road Rules—
Ancillary and Miscellaneous Provisions)*
Regulations 1999**

Regulation	Description of offence against <i>Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions)</i> <i>Regulations 1999</i>	Fee
9A(1)	<i>Speeding while driving road train</i> Exceeding 90 kph speed-limit— by less than 15 kph by 15 kph or more but less than 30 kph by 30 kph or more	\$252 \$371 \$532
9A(2)	<i>Speeding while driving road train</i> Exceeding 40 kph speed-limit— by less than 15 kph by 15 kph or more but less than 30 kph by 30 kph or more	\$252 \$371 \$532
10A	<i>Driving or stopping in lane marked "bus only"</i>	\$219
23A	<i>Crossing to or from tram stop other than at crossing for pedestrians if within 20 metres of crossing or if tram has stopped</i>	\$42
33(1)	<i>Learner or P1 driver using mobile phone while driving vehicle</i>	\$282

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 9 June 2011

No 103 of 2011

MPOL11/007CS

South Australia

Private Parking Areas (Fees) Variation Regulations 2011

under the *Private Parking Areas Act 1986*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Private Parking Areas Regulations 2001*

- 4 Variation of regulation 8—Purpose other than parking
 - 5 Variation of regulation 9—Damage to signs etc
 - 6 Variation of regulation 11—Owner and driver guilty of offence
 - 7 Variation of regulation 12—Further offence each hour
 - 8 Variation of regulation 14—Prohibition against immobilising vehicles
 - 9 Variation of regulation 16—Expiation of offences against Act
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Private Parking Areas (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Private Parking Areas Regulations 2001*

4—Variation of regulation 8—Purpose other than parking

Regulation 8, penalty provision—delete the penalty provision and substitute:

Maximum penalty: \$750.

Expiation fee: \$44.

5—Variation of regulation 9—Damage to signs etc

Regulation 9, penalty provision—delete the penalty provision and substitute:

Maximum penalty: \$750.

Expiation fee: \$79.

6—Variation of regulation 11—Owner and driver guilty of offence

Regulation 11, penalty provision—delete the penalty provision and substitute:

Maximum penalty: \$750.

Expiation fee:

- (a) for a contravention of regulation 5(1)(a)—\$43;
- (b) for a contravention of regulation 5(1)(b)—\$53;
- (c) for a contravention of regulation 6—\$64;
- (d) for a contravention of regulation 7—\$64.

7—Variation of regulation 12—Further offence each hour

Regulation 12, penalty provision—delete the penalty provision and substitute:

Maximum penalty: \$750.

Expiation fee: \$43.

8—Variation of regulation 14—Prohibition against immobilising vehicles

- (1) Regulation 14(1), penalty provision—delete the penalty provision and substitute:

Maximum penalty: \$750.

- (2) Regulation 14(2), penalty provision—delete the penalty provision and substitute:

Maximum penalty: \$750.

9—Variation of regulation 16—Expiation of offences against Act

Regulation 16, table—delete the table and substitute:

Section	Fee
section 8(1)	\$80
section 8(2)	\$310
section 8(3)	\$56
section 8(4)	\$56
section 8(5)	\$56
section 8(6)	\$43

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 9 June 2011

No 104 of 2011

MSLGR11/002CS

South Australia

Fair Work (Representation) (Fees) Variation Regulations 2011

under the *Fair Work Act 1994*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Fair Work (Representation) Regulations 2009*

- 4 Substitution of Schedule 3
- Schedule 3—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fair Work (Representation) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Fair Work (Representation) Regulations 2009*

4—Substitution of Schedule 3

Schedule 3—delete the Schedule and substitute:

Schedule 3—Fees

- | | | |
|---|--|-------|
| 1 | On lodging an application for registration as a registered agent—for each year of registration | \$204 |
| 2 | Renewal fee (during the continuation of registration)—for each year of registration | \$204 |

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 9 June 2011

No 105 of 2011

MGA11/003CS

South Australia

Authorised Betting Operations (Fees) Variation Regulations 2011

under the *Authorised Betting Operations Act 2000*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Authorised Betting Operations Regulations 2001*

- 4 Substitution of Schedule 1
Schedule 1—Fees and default penalties
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Authorised Betting Operations (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Authorised Betting Operations Regulations 2001*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees and default penalties

1	Application for grant of bookmaker's licence	\$217.00
2	Application for renewal of bookmaker's licence	\$141.00
3	Application for grant or renewal of agent's licence	\$41.75
4	Application for variation of a condition of a licence under Part 3	\$70.50
5	Application for renewal of betting shop licence	\$141.00
6	Penalty for default in lodging annual return or payment of annual fee by authorised interstate betting operator (section 40B)	\$5 000.00

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 9 June 2011

No 106 of 2011

MGA11/003CS

South Australia

Gaming Machines (Fees) Variation Regulations 2011

under the *Gaming Machines Act 1992*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Gaming Machines Regulations 2005*

- 4 Substitution of Schedule 2
Schedule 2—Fees and charges

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Gaming Machines (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Gaming Machines Regulations 2005*

4—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees and charges

1	Application for a gaming machine licence, gaming machine dealer's licence or gaming machine service licence	\$473.00
2	Application for the gaming machine monitor licence	\$473.00
3	Application for consent to the transfer of a gaming machine licence	\$473.00
4	Application for approval of a person as a gaming machine manager—	
	(a) if the person is the subject of an approval of the Commissioner in force under section 37 or 38 of the Act	No fee

	(b) if an approval referred to in paragraph (a) is not in force but the person is the subject of an approval of the Commissioner in force under section 71 of the <i>Liquor Licensing Act 1997</i>	\$9.55
	(c) in any other case	\$110.00
5	Application for approval of a person as a gaming machine employee—	
	(a) if the person is the subject of an approval of the Commissioner in force under section 37 or 38 of the Act	No fee
	(b) if an approval referred to in paragraph (a) is not in force but the person is the subject of an approval of the Commissioner in force under section 71 of the <i>Liquor Licensing Act 1997</i>	\$9.55
	(c) in any other case	\$110.00
6	Application for approval of a person as a gaming machine technician	\$110.00
7	Application for approval of a person to assume a position of authority in body corporate—	
	(a) if the person is the subject of an approval of the Commissioner in force under section 37 or 38 of the Act	No fee
	(b) if an approval referred to in paragraph (a) is not in force but the person is the subject of an approval of the Commissioner in force under section 71 of the <i>Liquor Licensing Act 1997</i>	\$9.55
	(c) in any other case	\$110.00
8	Application for approval of a gaming machine	\$473.00
9	Application for approval of a game	\$473.00
10	Application for approval of gaming tokens	\$473.00
11	Application for approval to manufacture gaming tokens	\$473.00
12	Application for approval of an agreement or arrangement (section 68(2) of the Act)	\$473.00
13	Application by the holder of a gaming machine licence for approval to sell or dispose of any number of gaming machines or prescribed gaming machine components	\$102.00
14	Application to vary licence conditions (other than a condition relating to number of gaming machines on licensed premises)	\$102.00
15	Application to vary a licence condition relating to number of gaming machines on licensed premises	No fee
16	For the issue of an identification badge	\$17.30
17	For investigation of a natural person—for each person	\$55.00

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 9 June 2011

No 107 of 2011

MGA11/003CS

South Australia

Lottery and Gaming (Fees) Variation Regulations 2011

under the *Lottery and Gaming Act 1936*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Lottery and Gaming Regulations 2008*

- 4 Substitution of Schedule 3
Schedule 3—Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Lottery and Gaming (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

3—Variation provisions

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

Part 2—Variation of *Lottery and Gaming Regulations 2008*

4—Substitution of Schedule 3

Schedule 3—delete the Schedule and substitute:

Schedule 3—Fees

1	Application for lottery licence	\$7.10
2	Application for trade promotion lottery licence—standard fee calculated on the basis of the total value of all prizes in the lottery as follows:	
	(a) for a total value of not more than \$10 000	\$165.00
	(b) for a total value of more than \$10 000 but not more than \$50 000	\$603.00
	(c) for a total value of more than \$50 000 but not more than \$100 000	\$1 053.00

- | | | |
|-----|--|------------|
| (d) | for a total value of more than \$100 000 but not more than \$200 000 | \$1 807.00 |
| (e) | for a total value of more than \$200 000 | \$3 313.00 |

However, if the terms of the lottery provide for allocation of prizes among a number of States or Territories of the Commonwealth, the fee is to be calculated on the basis of the total value of only those prizes that are capable of being awarded to winners in this State.

- 3 If an application for a trade promotion lottery licence requests that the licence be granted 5 business days or less from the day on which the application is received by the Minister—fee calculated on the basis of the total value of all prizes in the lottery as follows:
- | | | |
|-----|--|------------|
| (a) | for a total value of not more than \$10 000 | \$330.00 |
| (b) | for a total value of more than \$10 000 but not more than \$50 000 | \$1 206.00 |
| (c) | for a total value of more than \$50 000 but not more than \$100 000 | \$2 104.00 |
| (d) | for a total value of more than \$100 000 but not more than \$200 000 | \$3 613.00 |
| (e) | for a total value of more than \$200 000 | \$6 626.00 |

However, if the terms of the lottery provide for allocation of prizes among a number of States or Territories of the Commonwealth, the fee is to be calculated on the basis of the total value of only those prizes that are capable of being awarded to winners in this State.

- | | | |
|---|---|------------|
| 4 | Application by holder of trade promotion lottery licence to Minister for variation of terms of lottery to which licence applies | \$53.50 |
| 5 | Application for grant of supplier's licence | \$1 522.00 |
| 6 | Application for renewal of supplier's licence | \$150.00 |

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 9 June 2011

No 108 of 2011
MGA11/003CS

South Australia

Dangerous Substances (Fees) Variation Regulations 2011

under the *Dangerous Substances Act 1979*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Dangerous Substances Regulations 2002*

- 4 Substitution of Schedule 2
Schedule 2—Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Dangerous Substances (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Dangerous Substances Regulations 2002*

4—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees

1 Subject to clause 2, the following fees are payable to the Director:

- (1) Annual fee for a licence or renewal of a licence to keep—
 - (a) liquefied petroleum gas (Class 2)*—For each licensed premises in which the aggregate capacity of tanks, packaging and cylinders—
 - (i) exceeds 560 litres (water capacity) but does not exceed 20 kilolitres \$163.00
 - (ii) exceeds 20 kilolitres (water capacity) but does not exceed 100 kilolitres \$460.00

	(iii)	exceeds 100 kilolitres (water capacity)	\$744.00
	*	For the purposes of calculating fees, the water capacity of a 45 kilogram liquefied petroleum gas cylinder must be taken to be 109 litres.	
	(b)	flammable liquids (Class 3)—For each licensed premises in which the aggregate capacity of tanks, packaging and cylinders—	
	(i)	exceeds 120 litres but does not exceed 1 kilolitre	\$86.00
	(ii)	exceeds 1 kilolitre but does not exceed 25 kilolitres	\$163.00
	(iii)	exceeds 25 kilolitres but does not exceed 250 kilolitres	\$401.00
	(iv)	exceeds 250 kilolitres but does not exceed 2 500 kilolitres	\$1 367.00
	(v)	exceeds 2 500 kilolitres but does not exceed 10 000 kilolitres	\$4 594.00
	(vi)	exceeds 10 000 kilolitres	\$7 558.00
	(c)	Class 6 or 8 substances—For each licensed premises, where the sum of the maximum volume in litres and mass in kilograms of Class 6 or 8 substances that may be kept in the premises pursuant to the licence—	
	(i)	does not exceed 1 000	\$86.00
	(ii)	exceeds 1 000 but does not exceed 25 000	\$163.00
	(iii)	exceeds 25 000 but does not exceed 250 000	\$401.00
	(iv)	exceeds 250 000 but does not exceed 2 500 000	\$1 367.00
	(v)	exceeds 2 500 000	\$4 594.00
	(2)	Fee for a permit, renewal of a permit or the issue of a duplicate permit	\$94.00
	(3)	Fee for the issue of a compliance plate to the holder of a permit	\$9.40
	(4)	Fee for the issue of a blank certificate of compliance to the holder of a permit	\$3.75
	(5)	In respect of an application lodged by or on behalf of a Minister of the Crown	no fee
2	(1)	If a licence is to be issued or renewed for a term of more than 1 year, the fee prescribed by clause 1 must be multiplied by the number of whole years in the term of the licence.	
	(2)	If a licence is to be issued or renewed for a term of less than 1 year, the fee is a proportion of the fee prescribed by clause 1, being the proportion that the number of whole months in the term of the licence bears to 12.	

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 9 June 2011

No 109 of 2011

MIR11/006CS

South Australia

Dangerous Substances (Dangerous Goods Transport) (Fees) Variation Regulations 2011

under the *Dangerous Substances Act 1979*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Dangerous Substances (Dangerous Goods Transport) Regulations 2008*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Dangerous Substances (Dangerous Goods Transport) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Dangerous Substances (Dangerous Goods Transport) Regulations 2008*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- 1 Application for dangerous goods driver licence or for renewal of dangerous goods driver licence—
 - (a) for a period of 1 year or less \$22.10

	(b) for a period of more than 1 year but not more than 2 years	\$44.25
	(c) for a period of more than 2 years	\$66.50
2	Application for dangerous goods vehicle licence or for renewal of dangerous goods vehicle licence—	
	(a) for a period of 1 year or less	\$133.00
	(b) for a period of more than 1 year but not more than 2 years	\$265.00
	(c) for a period of more than 2 years	\$398.00
4	Application for determination under regulations or for variation of determination	\$288.00
5	Application for approval under regulations or for variation of approval	\$288.00
6	Application for exemption under section 36 of Act	\$288.00
7	Replacement licence, label, approval or exemption if lost, defaced or stolen	\$22.10

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 9 June 2011

No 110 of 2011

MIR11/006CS

South Australia

Employment Agents Registration (Fees) Variation Regulations 2011

under the *Employment Agents Registration Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Employment Agents Registration Regulations 2010*

- 4 Substitution of Schedule 2
Schedule 2—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Employment Agents Registration (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Employment Agents Registration Regulations 2010*

4—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees

The following fees are payable:

- | | | |
|---|---|---------|
| 1 | Application for licence (section 7(1)(d) of Act) | \$12.80 |
| 2 | Application for renewal of licence (section 9(1)(c) of Act) | \$12.80 |
| 3 | Late application fee (section 9(3) of Act) | \$12.80 |

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 9 June 2011

No 111 of 2011

MIR11/006CS

South Australia

Explosives (Security Sensitive Substances) (Fees) Variation Regulations 2011

under the *Explosives Act 1936*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Explosives (Security Sensitive Substances) Regulations 2006*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Explosives (Security Sensitive Substances) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Explosives (Security Sensitive Substances) Regulations 2006*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- 1 Application for grant or renewal of licence or permit (regardless of the number of licences or permits to be granted to the applicant, or held by the applicant to be renewed, at the same time) \$54.00

-
- | | | |
|---|---|---------|
| 2 | Application for variation of licence or permit | \$54.00 |
| 3 | If a licence or permit is to be granted or renewed for a period that is less than or more than 36 months, a pro rata adjustment is to be made to the amount of the fee by applying the proportion that the length of the licence or permit period in months bears to 36 months. | |

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 9 June 2011

No 112 of 2011

MIR11/006CS

South Australia

Explosives (Fireworks) (Fees) Variation Regulations 2011

under the *Explosives Act 1936*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Explosives (Fireworks) Regulations 2001*

- 4 Substitution of Schedule 3
- Schedule 3—Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Explosives (Fireworks) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Explosives (Fireworks) Regulations 2001*

4—Substitution of Schedule 3

Schedule 3—delete the Schedule and substitute:

Schedule 3—Fees

1	Pyrotechnician's licence or renewal of pyrotechnician's licence	\$206.00
2	Pyrotechnic displays business licence or renewal of pyrotechnic displays business licence	\$137.00
3	Pyrotechnic sales business licence or renewal of pyrotechnic sales business licence	\$137.00
4	Exempt display permit	\$27.25

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 9 June 2011

No 113 of 2011

MIR11/006CS

South Australia

Explosives (Fees) Variation Regulations 2011

under the *Explosives Act 1936*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Explosives Regulations 1996*

- 4 Substitution of Schedule V
Schedule V—Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Explosives (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Explosives Regulations 1996*

4—Substitution of Schedule V

Schedule V—delete the Schedule and substitute:

Schedule V—Fees

(Section 52, regulation 15.09)

1—Classification of explosives (Part 2)

Fee for—

- | | |
|---|----------|
| (a) application for classification of explosive | \$152.00 |
| (b) amendment of classification of explosive | \$86.50 |

2—Licensing of factories (Part 3)

Licence fee for a factory to manufacture explosives	\$280.00
---	----------

3—Licence to mix and use Ammonium Nitrate mixture (Part 4)

Licence to mix and use Ammonium Nitrate mixture of Classification Code 1.1D—

- | | |
|---------------------------|----------|
| (a) for 1 place only | \$51.50 |
| (b) for more than 1 place | \$131.00 |

4—Licence to carry explosives (Part 7)

Licence fee for a carrier to carry—

- | | |
|----------------------------------|----------|
| (a) up to 60 kg of explosives | \$32.75 |
| (b) up to 265 kg of explosives | \$51.50 |
| (c) up to 1 000 kg of explosives | \$56.00 |
| (d) over 1 000 kg of explosives | \$164.00 |

5—Licence to store on premises (Part 10)

Licence fee for storing explosives on premises in which the quantity of explosives to be stored—

- | | |
|---|---------|
| (a) does not exceed 30 kg | \$51.50 |
| (b) exceeds 30 kg but does not exceed 60 kg | \$94.00 |

6—Licensing of magazines (Part 11)

(1) Licence fee for portable magazine in which the quantity of explosive to be stored—

- | | |
|--|----------|
| (a) does not exceed 60 kg | \$112.00 |
| (b) exceeds 60 kg but does not exceed 1 000 kg | \$328.00 |
| (c) exceeds 1 000 kg | \$568.00 |

(2) Licence fee for any other magazine in which the quantity of explosive to be stored—

- | | |
|------------------------------|----------|
| (a) does not exceed 1 000 kg | \$164.00 |
| (b) exceeds 1 000 kg | \$284.00 |

7—Licence to import explosives (Part 13)

Licence fee to import explosives—

- | | |
|---|---------|
| (a) of classification code 1.2G, 1.3G, 1.4G or 1.4S | \$56.00 |
| (b) of another classification code | \$94.00 |

8—Inspection or testing of explosives

Fee for—

- | | |
|--|---------|
| (a) examination of fuse | \$34.00 |
| (b) examination of detonator | \$34.00 |
| (c) physical examination of firework or firework composition | \$34.00 |
| (d) liquefaction test | \$34.00 |
| (e) exudation test | \$34.00 |
| (f) heat test | \$34.00 |

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 9 June 2011

No 114 of 2011

MIR11/006CS

South Australia

Occupational Health, Safety and Welfare (Fees) Variation Regulations 2011

under the *Occupational Health, Safety and Welfare Act 1986*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Occupational Health, Safety and Welfare Regulations 2010*

- 4 Variation of regulation 427—Prescription of fee
 - 5 Substitution of Schedule 8
- Schedule 8—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Occupational Health, Safety and Welfare (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Occupational Health, Safety and Welfare Regulations 2010*

4—Variation of regulation 427—Prescription of fee

- (1) Regulation 427—delete "2010/2011" wherever occurring and substitute in each case:
2011/2012
- (2) Regulation 427(1)—delete "\$6 812 000" and substitute:
\$7 010 000

5—Substitution of Schedule 8

Schedule 8—delete the Schedule and substitute:

Schedule 8—Fees

1	Inspection fees under Part 3 (regulation 87)—	
	(a) inspection fee payable when an inspector carries out an inspection under regulation 93	\$182.00 per hour
	(b) inspection fee payable when an inspector carries out an inspection under regulation 111	\$182.00 per hour
	(c) inspection fee payable when an inspector carries out an inspection of plant in connection with an application to register, or to renew the registration of, an item of plant (regulations 140 and 141)	\$182.00 per hour
2	Application fee for the registration of a plant design under Part 3, or for the re-registration of a plant design (regulation 139)—	
	(a) general application fee	\$104.00
	PLUS	
	(b) if the Director is to undertake the verification of the plant design under an agreement with the applicant—a fee determined by the Director	
3	Application fee for the registration of an amusement structure design under Part 4, or for the re-registration of an amusement structure design (regulation 172)	\$104.00
4	Application fee for the registration of an item of plant under Part 3 (regulation 140)	\$60.00
5	Annual fee payable by the owner of registered plant under Part 3 (regulation 143)	\$60.00
6	Application fee for the registration, or re-registration, of an amusement structure under Part 4	\$60.00
7	Application fee for an asbestos removal licence under Part 5 Division 2—	
	(a) in the case of a licence limited to the removal of asbestos-cement (fibro) products or other non-friable asbestos containing material	\$1 234.00
	(b) in any other case	\$8 105.00
8	Application fee for a blaster's licence under Part 6 Division 12 or Division 13 (for 3 years)	\$62.75
9	Renewal of a blaster's licence under Part 6 Division 12 or Division 13 (for 3 years)	\$62.75
10	Application fee for registration as an assessor under Part 7 Division 4	\$347.00
11	Annual fee for registration as an assessor under Part 7 Division 4	\$347.00
12	Application fee for a high risk work licence under Part 7 Division 4	\$67.00
13	Renewal of a high risk work licence under Part 7 Division 4	\$67.00
14	Fee payable—	
	(a) subject to paragraph (b)—for a copy of a certificate or other document under these regulations	\$65.75

(b) for a copy of a high risk work licence under Part 7 Division 4	\$36.00
15 Fee for application by high risk work licence holder for addition of new class of high risk work to licence under Part 7 Division 4	\$36.00

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

following consultation by the Minister with the SafeWork SA Advisory Committee and with the advice and consent of the Executive Council
on 9 June 2011

No 115 of 2011

MIR11/005CS & MIR11/006CS

South Australia

Development (Fees) Variation Regulations 2011

under the *Development Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Development Regulations 2008*

- 4 Variation of regulation 63B—Prescribed fee
 - 5 Variation of regulation 93A—Register of private certifiers
 - 6 Substitution of Schedule 6
 - Schedule 6—Fees
 - 7 Variation of Schedule 7—Provisions regulating distribution of fees between authorities
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Development (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Development Regulations 2008*

4—Variation of regulation 63B—Prescribed fee

Regulation 63B(1)(a)—delete "\$1 583" and substitute:

\$1 629

5—Variation of regulation 93A—Register of private certifiers

- (1) Regulation 93A(2)(b)—delete "\$124" and substitute:

\$128

- (2) Regulation 93A(6)(a)—delete "\$62.50" and substitute:

\$64.50

6—Substitution of Schedule 6

Schedule 6—delete the Schedule and substitute:

Schedule 6—Fees

1 The following fees are payable in relation to an application under Part 4 of the Act:

- | | | |
|------|--|----------|
| (1) | A Lodgement Fee (the <i>base amount</i>) | \$53.50 |
| | plus | |
| (a) | if the application is seeking the relevant authority to assess a <i>non-complying</i> development under the Development Plan, other than where the application relates to development that involves the division of land; and | \$86.00 |
| (b) | if the application is seeking the relevant authority to assess an application that relates to the division of land— | |
| (i) | if the number of allotments resulting from the division under the application is equal to or less than the number of existing allotments; or | \$43.00 |
| (ii) | if the number of allotments resulting from the division under the application is greater than the number of existing allotments; and | \$127.00 |
| (c) | if the development involves building work that is, under the provisions of the Act, subject to the requirement to obtain building rules consent and the development cost exceeds \$5 000 (including a case where the relevant assessment is undertaken by a private certifier) | \$61.00 |

(2) If the application requires the relevant authority to assess the development against the provisions of the relevant Development Plan, other than where the application relates—

- (a) to a *complying* development under these regulations or the Development Plan, other than if the development is *complying* development under Schedule 4 clause 1(2) or (3), 2A or 2B; or
- (b) to a proposed division of land into allotments which does not involve the performance of building work,

a Development Plan Assessment Fee of the following amount:

- | | |
|--|---|
| (c) if the development cost does not exceed \$10 000 | \$33.50 |
| (d) if the development cost exceeds \$10 000 but does not exceed \$100 000 | \$92.00 |
| (e) if the development cost exceeds \$100 000 | 0.125% of the development cost up to a maximum of \$200 000 |

(3) If the application relates to a proposed division of land—

- (a) other than where the application relates to a *complying* development under these regulations or the Development Plan, a Land Division Fee of the following amount:

- | | |
|--|---|
| (i) if the number of allotments resulting from the division is equal to or less than the number of existing allotments | \$62.50 |
| (ii) if the number of allotments resulting from the division is greater than the number of existing allotments | \$136.00 plus \$12.90 for each allotment up to a maximum of \$6 199 |

and

- | | | |
|------|--|----------|
| (b) | a Statement of Requirements
Fee for the purposes of
section 33(1)(c) or (d) of the
Act— | |
| (i) | if the number of
allotments resulting from
the division is equal to or
less than the existing
number of allotments | \$254.00 |
| (ii) | if the number of
allotments resulting from
the division is greater than
the number of existing
allotments | \$359.00 |
| and | | |
| (c) | a Development Assessment
Commission Consultation
Report Fee— | |
| (i) | if the number of
allotments resulting from
the division is equal to or
less than the existing
number of allotments | \$60.00 |
| (ii) | if the number of
allotments resulting from
the division is greater than
the existing number of
allotments | \$179.00 |
| and | | |
| (d) | a Certificate of Approval Fee
for the purposes of section 51
of the Act— | |
| (i) | if the number of
allotments resulting from
the division is equal to or
less than the existing
number of allotments | \$89.50 |
| (ii) | if the number of
allotments resulting from
the division is greater than
the existing number of
allotments | \$298.00 |
| (4) | If the application relates to a proposed
development that is of a kind described
as a <i>non-complying</i> development under
the relevant Development Plan— | |
| (a) | a Non-complying Development
Administration Fee (in respect
of the requirement for a
concurrence under
section 35(2) of the Act
(1 fee)) | \$109.00 |

and

- (b) a Non-complying Development Assessment Fee of the following amount (unless no assessment is to be undertaken due to an immediate refusal of the application):
- | | | |
|-------|--|---|
| (i) | if the development cost does not exceed \$10 000 | \$46.00 |
| (ii) | if the development cost exceeds \$10 000 but does not exceed \$100 000 | \$109.00 |
| (iii) | if the development cost exceeds \$100 000 | 0.125% of the development cost up to a maximum of \$200 000 |
| (iv) | if the application relates to the proposed division of land— | |
| (A) | if the number of allotments resulting from the division is equal to or less than the existing number of allotments | \$46.00 |
| (B) | if the number of allotments resulting from the division is greater than the number of existing allotments | \$109.00 plus \$12.90 for each new allotment up to a maximum of \$1 913 |
- (5) If the application must be referred to a body prescribed under Schedule 8 for the purposes of section 37 of the Act—
- | | | |
|------|--|----------|
| (a) | except to the extent that paragraph (b) applies, for each body to which the application must be referred—a Referral Fee of the following amount: | |
| (i) | unless subparagraph (ii) applies | \$191.00 |
| (ii) | if the development cost exceeds \$1 000 000 | \$319.00 |
| (b) | for a referral— | |
| (i) | that falls within the ambit of clauses 1(6), 2(3), 2(7), 2(8), 2(10) or 3(3) of Schedule 22 for the referral to the Environment Protection Authority | \$319.00 |

- | | | |
|------|--|--|
| (ii) | that falls within the ambit of item 19, 20 or 21—for a referral under those items | \$319.00 |
| (6) | If the proposed development is a Category 2 or Category 3 development for the purposes of section 38 of the Act—a Public Notification Fee | \$92.00 |
| (7) | If the proposed development is a Category 3 development for the purposes of section 38 of the Act—an Advertisement Fee | An amount determined by the relevant authority as being appropriate to cover its reasonable costs in giving public notice of the application under section 38(5)(c) of the Act |
| (8) | If the application requires a relevant authority to assess the development against the provisions of the Building Rules— | |
| (a) | in the case of a building that has a floor area | $F = 0.0023 \times CI \times A \times CF$
, or \$57.00, whichever is the greater |
| (b) | in the case of a building that does not have a floor area | $F = 0.0023 \times CI \times S \times CF$
, or \$57.00, whichever is the greater |
| | where— | |
| | <i>F</i> is the fee (in dollars) payable under this component (unless the \$57.00 minimum applies) | |
| | <i>CI</i> is the construction index determined by the Minister from time to time and set out in the Schedule of Construction Indices published in the Gazette | |
| | <i>A</i> is the prescribed floor area | |
| | <i>S</i> is the projected area of the largest side or plane of the building | |
| | <i>CF</i> is the complexity factor | |
| (9) | If the application requires a relevant authority to grant consent to a development that is at variance with the Building Rules | \$134.00 |
| (10) | If the application requires referral to the Building Rules Assessment Commission for concurrence before granting consent to a development that is at variance with the performance requirements of the Building Code | \$269.00 |
| (11) | If— | |
| (a) | a council is the relevant authority with respect to a particular development; and | |

- (b) the development requires both development plan consent and building rules consent (including in a case where a private certifier may exercise the powers of a relevant authority to give the building rules consent),
- a Development Authorisation (Staged Consents) Fee, other than where— \$53.50
- (c) the application relates to a *complying* development under these regulations or the Development Plan; or
- (d) the applicant applies to the council at the same time for both development plan consent and building rules consent.
- (12) If— \$44.75
- (a) a council is the relevant authority with respect to a particular development; and
- (b) the application is within the ambit of Schedule 1A, other than clause 2,
- (being a fee due and payable to the council).

For the purposes of this item:

- (a) ***development cost*** does not include any fit-out costs;
- (b) ***allotment*** does not include an allotment for road or open space requirements;
- (c) subject to Schedule 7, a body prescribed under Schedule 8 for the purposes of section 37 of the Act may waive the whole or part of a fee due to the body under component (5), or refund any such fee (in whole or in part);
- (d) if an application must be referred to the same body under more than 1 item in Schedule 8, only 1 fee is payable under component (5) with respect to the referral to that particular body (being, if relevant, the higher or highest fee);
- (e) if—
- (i) a State agency lodges an application for approval with the Development Assessment Commission under section 49 of the Act; or
- (ii) a prescribed person lodges an application for approval with the Development Assessment Commission under section 49A of the Act,

then—

- (iii) if—
- (A) the development cost exceeds \$100 000; or
 - (B) the development involves the division of land and the number of allotments resulting from the division is greater than the existing number of allotments,
- the following fees will be payable to the Development Assessment Commission as if it were a relevant authority (but not so as to require any payment by the Development Assessment Commission to a council under Schedule 7):
- (C) any relevant fee under components (1), (2) and (3) of this item; and
 - (D) an amount determined by the Development Assessment Commission as being appropriate to cover the reasonable costs of the public advertisement—
 - in the case of an application lodged by a State agency—under section 49(7d)(a) of the Act; or
 - in the case of an application lodged under section 49A—under section 49A(7d)(a) of the Act;
- (iv) in any other case—no fee is payable;
- (f) no fee is payable in respect of a development—
- (i) excluded from the provisions of section 49 of the Act by a regulation under section 49(3); or
 - (ii) excluded from the provisions of section 49A of the Act by a regulation under section 49A(3);
- (g) no fee is payable in respect of a development which is to be undertaken by a council, except where the primary reason for the proposed development is to raise revenue for the council;
- (h) an application seeking the variation of a development authorisation previously given under the Act (including a condition imposed in relation to a development) will be subject to the fees prescribed by this item as if it were an application for a new development, but only to the extent that a particular fee imposed in relation to the application reflects the step or steps to be undertaken by the relevant authority or another relevant body on account of the application and not so as to require the payment of a fee for a minor variation that makes no substantive change to the development authorisation that has been previously given;

- (i) if an application is for a second or subsequent consent because the applicant is seeking the assessment of a particular development in stages, the base amount under component (1) is only payable in relation to the first application (but the base amount will again be payable if the application is to be treated as a new application for a new development in the manner envisaged by paragraph (h) and taking into account the operation of section 39(7)(b) of the Act);
- (j) the Development Authorisation (Staged Consents) Fee is not payable unless or until the council receives an application for building rules consent or, if building rules consent is given by a private certifier, unless or until the private certifier notifies the council of his or her decision to grant the consent under section 93(1)(b) of the Act.

2 The following fee is payable in respect of an application for assignment of a classification to a building or a change in the classification of a building for the purposes of section 66 of the Act:

- (a) in the case of a building that has a floor area $F = 0.00184 \times CI \times A \times CF$, or \$57.00, whichever is the greater
- (b) in the case of a building that does not have a floor area $F = 0.00184 \times CI \times S \times CF$, or \$57.00, whichever is the greater

where—

F is the fee (in dollars) payable under this component (unless the \$57.00 minimum applies)

CI is the construction index determined by the Minister from time to time and set out in the Schedule of Construction Indices published in the Gazette

A is the prescribed floor area

S is the projected area of the largest side or plane of the building

CF is the complexity factor.

- 3 A fee of \$38.50 is payable in respect of an application for a certificate of occupancy.
- 4 A fee of \$83 is payable in respect of an application under regulation 76(4)(c).
- 5 (1) If the matter involves an application to a private certifier for an assessment of a development against the provisions of the Building Rules, a fee equal to 5% of the fee that would apply under component (8) of item 1 if a council were the relevant authority for that assessment, exclusive of any GST component, is payable by the applicant.
 - (2) The fee must be paid by the applicant to the private certifier at the time of application.
 - (3) The fee must be held by the private certifier pending payment to the Minister under Schedule 7.
 - (4) Except as provided above, the fee to be paid to a private certifier will be determined by agreement between the applicant and the private certifier.
- 6 The following fees are payable in respect of a referral to the Building Rules Assessment Commission under section 36(2b) of the Act:
 - (a) for Class 1 and 10 buildings—\$422;
 - (b) for Class 2 to 9 buildings—\$925.
- 7 (1) A fee of \$64.50 is payable in respect of the registration of an agreement under section 57 or 57A of the Act.
 - (2) A fee of \$12 is prescribed for the purposes of section 57(2d) or 57A(7) of the Act.
- 8 (1) A fee of \$128 is payable in respect of an application to the Minister for an approval under section 101 of the Act.
 - (2) A fee under this item must be paid in a manner determined by the Minister.
- 9 A fee of \$86 is payable in respect of an application to extend a period under regulation 48.
- 10 For the purposes of items 1(8) and 2—
 - (a) the prescribed floor area is—
 - (i) for the purpose of calculating the fee on an application for assessment against the provisions of the Building Rules that consists of the erection of a building or the demolition of a building—the aggregate of the floor areas of the building proposed to be erected or demolished;
 - (ii) for the purpose of calculating the fee on an application for assessment against the provisions of the Building Rules where the building work consists of an alteration to a building—

- (A) the aggregate of the floor areas of the rooms or compartments to be altered; or
 - (B) if the alteration consists of the fixing or erection of an attachment that does not have a floor area—the floor area of the building within a distance of 3 metres of where the attachment is to be fixed or erected;
- (iii) for the purpose of calculating the fee on application for assignment of a classification to, or a change in the classification of, a building—the aggregate of the floor areas of the building;
- (b) the floor area of a building is to be measured over any enclosing walls and is to include the area of the floor of any fully or partly covered carport, portico, verandah, balcony, porch or other similar structure attached or to be attached to the building;
- (c) if a building is without storeys, or has a storey of a height of more than 10 metres, the floor area is to be calculated as if the building contained floors at 10 metre intervals, measured vertically;
- (d) a building is to be taken not to have any floor area if it is principally of open framework or web construction or solid construction and without any fully or partly enclosed space intended for occupation or use by persons;
- (e) the *complexity factor* is—
- (i) except as below—1.0;
 - (ii) for building work for the erection or alteration of a building that exceeds 6 storeys—1.3;
 - (iii) for building work for the erection or alteration of a building that contains an atrium—1.3;
 - (iv) for building work for the erection or alteration of a building that contains an arcade exceeding 40 metres in length—1.3;
 - (v) for building work that consists solely of the demolition of a building—0.2;
 - (vi) for assignment of classification or a change in classification where no building work is proposed—0.8;

- (f) if a building is made up of parts that have different construction indices, the fee payable for the assessment of building work against the provisions of the Building Rules, the assignment of classification or a change in classification, is the aggregate of the fees calculated in accordance with this Schedule for those parts;
- (g) if an application for the assessment of building work against the provisions of the Building Rules incorporates an application for the assignment of a classification to, or a change in the classification of, the building, 1 fee is payable in respect of the applications, being whichever of the fees for those applications that is of the greater amount.

7—Variation of Schedule 7—Provisions regulating distribution of fees between authorities

- (1) Schedule 7, clause 2(a)(vii)—delete "\$17.40" and substitute:
\$17.90
- (2) Schedule 7, clause 2(b)(i)—delete "\$151" and substitute:
\$155
- (3) Schedule 7, clause 2(b)(ii)—delete "\$276" and substitute:
\$284
- (4) Schedule 7, clause 2(c)—delete "\$276" and substitute:
\$284
- (5) Schedule 7, clause 3(a)(iv)—delete "\$154" and substitute:
\$158
- (6) Schedule 7, clause 3(a)(x)—delete "\$34.50" and substitute:
\$35.50
- (7) Schedule 7, clause 3(b)(i)—delete "\$151" and substitute:
\$155
- (8) Schedule 7, clause 3(b)(ii)—delete "\$276" and substitute:
\$284
- (9) Schedule 7, clause 3(c)—delete "\$276" and substitute:
\$284

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 9 June 2011

No 116 of 2011

UPA0003/11CS

South Australia

Harbors and Navigation (Fees) Variation Regulations 2011

under the *Harbors and Navigation Act 1993*

Contents

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Schedule 1—Transitional provision

- 1 Transitional provision
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Harbors and Navigation (Fees) Variation Regulations 2011*.

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 *Harbors and Navigation Regulations 2009*

4—Substitution of Schedule 14

Schedule 14—delete the Schedule and substitute:

Schedule 14—Fees and levies

1—Interpretation

For the purposes of this Schedule—

- (a) when calculating a fee or levy expressed as an amount per metre, part of a metre is to be regarded as a metre; and
- (b) when calculating a fee expressed as an amount per hour, part of an hour is to be regarded as an hour; and
- (c) an observation vessel is to be regarded as a Class 3 vessel.

2—Fees and levies payable to CEO

A fee or levy fixed by this Schedule is payable to the CEO.

3—Calculation of facilities levy

- (1) The amount of a facilities levy set out in clause 4 is the amount payable if registration, inspection or survey of the vessel is for a 12 month period.
- (2) If a vessel is registered, inspected or surveyed for a period other than 12 months, a pro rata adjustment is to be made to the amount of the facilities levy set out in clause 4 by applying the proportion that the number of months in the period of registration, inspection or survey bears to 12 months.
- (3) If—
 - (a) a facilities levy for a vessel has been paid in respect of a period (the *initial period*); and
 - (b) a further facilities levy becomes payable for the vessel because a certificate of registration, inspection or survey is proposed to be issued for a period (the *subsequent period*) that commences before the expiry of the initial period,

the amount of the facilities levy payable on the registration, inspection or survey of the vessel for the subsequent period is to be reduced by the amount of the facilities levy already paid in respect of the whole months for which the initial period and subsequent period overlap.
- (4) If the amount of the facilities levy already paid in respect of the whole months for which the initial period and subsequent period overlap is greater than the amount payable for the subsequent period, no facilities levy is payable.

Example—

A vessel is registered as a fishing vessel on 1 January 2011 for a period of 2 years and a facilities levy of \$100 is paid. A decision is made to use the vessel as a trading vessel and so it is surveyed for a period of 1 year commencing on 1 July 2011. No facilities levy is payable on survey if the amount that would be payable apart from this subregulation is less than \$50 (being the amount of the facilities levy already paid in respect of the period 1 July 2011 to 30 June 2012). If the vessel is further surveyed for a period of 1 year commencing on 1 July 2012, the levy then payable will be that payable for the year less \$25 (being the amount of the facilities levy already paid in respect of the period 1 July 2012 to 31 December 2012).

4—Fees and levies**Fees relating to Part 7 (Harbors and ports)**

1	Application for pilotage exemption certificate	\$533.00
2	Application for renewal of pilotage exemption certificate	\$265.00
3	Issue of replacement pilotage exemption certificate	\$51.00

Fees relating to Part 8 (Crewing)

4	Application for exemption from crewing requirements	\$121.00
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Fees relating to Part 9 (Certificates of competency etc)

5	Application for certificate of competency—	
	(a) for trading vessels operating solely on the River Murray or inland waters—	
	(i) Master Class 4 River Murray and Inland Waters	\$785.00
	(ii) Master Class 5 River Murray and Inland Waters (including Houseboat)	\$650.00
	(iii) Coxswain River Murray and Inland Waters	\$493.00
	(b) for other trading vessels and fishing vessels—	
	(i) Master Class 3 or Skipper Grade 1	\$1 255.00
	(ii) Master Class 4, Mate Class 4 or Skipper Grade 2	\$1 036.00
	(iii) Master Class 5 or Skipper Grade 3	\$850.00
	(iv) Coxswain	\$493.00
	(v) Marine Engineer Class 3	\$1 035.00
	(vi) Marine Engine Driver Grade 1	\$785.00

	(vii)	Marine Engine Driver Grade 2	\$586.00
	(viii)	Marine Engine Driver Grade 3	\$359.00
6		Second or subsequent attempt at examination for certificate of competency—	
	(a)	for trading vessels operating solely on the River Murray or inland waters—	
	(i)	Master Class 4 River Murray and Inland Waters	
		• written examination	\$45.00
		• oral examination	\$291.00
	(ii)	Master Class 5 River Murray and Inland Waters (including Houseboat)	
		• written examination	\$45.00
		• oral examination	\$159.00
	(iii)	Coxswain River Murray and Inland Waters	
		• written examination	\$45.00
		• oral examination	\$134.00
	(b)	for other trading vessels and fishing vessels—	
	(i)	Master Class 3 or Skipper Grade 1	
		• written examination	\$88.00
		• oral examination	\$315.00
	(ii)	Master Class 4, Mate Class 4 or Skipper Grade 2	
		• written examination	\$68.00
		• oral examination	\$291.00
	(iii)	Master Class 5 or Skipper Grade 3	
		• written examination	\$45.00
		• oral examination	\$223.00
	(iv)	Coxswain	
		• written examination	\$45.00
		• oral examination	\$134.00
	(v)	Marine Engineer Class 3	
		• written examination	\$116.00
		• oral examination	\$291.00

	(vi) Marine Engine Driver Grade 1	
	• written examination	\$102.00
	• oral examination	\$178.00
	(vii) Marine Engine Driver Grade 2	
	• written examination	\$68.00
	• oral examination	\$116.00
	(viii) Marine Engine Driver Grade 3	
	• written examination	\$45.00
7	Written examination (whether first or subsequent attempt)—	
	(a) for Boat Operator's Licence	\$36.00
	(b) for Special Permit	\$17.00
8	Practical test for Special Permit	nil
9	Issue of Boat Operator's Licence—	
	(a) if applicant has held Special Permit	\$15.00
	(b) in any other case	\$34.00
10	Issue of Special Permit	\$15.00
11	Application for exemption from requirement to hold certificate of competency	\$121.00
12	Application for endorsement of certificate of competency	\$121.00
13	Application for recognition of qualification under law of some other place as equivalent to certificate of competency—	
	(a) if applicant not required to sit examination	\$121.00
	(b) if applicant required to sit examination	\$427.00
14	Application for re-validation of certificate of competency	\$31.00
15	Issue of replacement certificate of competency—	
	(a) Boat Operator's Licence or Special Permit	\$15.00
	(b) other	\$121.00
Fees relating to Part 10 (Hire and drive vessels)		
16	Fees in relation to inspection of hire and drive houseboat—	
	(a) for initial certificate of inspection, according to length of vessel as follows:	
	(i) not more than 5 m	\$353.00
	(ii) more than 5 m but not more than 6 m	\$414.00

(iii)	more than 6 m but not more than 7 m	\$475.00
(iv)	more than 7 m but not more than 8 m	\$539.00
(v)	more than 8 m but not more than 9 m	\$605.00
(vi)	more than 9 m but not more than 10 m	\$672.00
(vii)	more than 10 m but not more than 11 m	\$741.00
(viii)	more than 11 m but not more than 12 m	\$811.00
(ix)	more than 12 m but not more than 13 m	\$881.00
(x)	more than 13 m but not more than 14 m	\$954.00
(xi)	more than 14 m but not more than 15 m	\$1 028.00
(xii)	more than 15 m but not more than 16 m	\$1 102.00
(xiii)	more than 16 m but not more than 17 m	\$1 178.00
(xiv)	more than 17 m but not more than 18 m	\$1 254.00
(xv)	more than 18 m but not more than 19 m	\$1 330.00
(xvi)	more than 19 m but not more than 20 m	\$1 409.00
(xvii)	more than 20 m but not more than 21 m	\$1 488.00
(xviii)	more than 21 m but not more than 22 m	\$1 568.00
(xix)	more than 22 m but not more than 23 m	\$1 648.00
(xx)	more than 23 m	\$1 731.00
(b)	for subsequent certificate of inspection, according to length of vessel as follows:	
(i)	not more than 5 m	\$232.00
(ii)	more than 5 m but not more than 6 m	\$273.00
(iii)	more than 6 m but not more than 7 m	\$318.00
(iv)	more than 7 m but not more than 8 m	\$362.00
(v)	more than 8 m but not more than 9 m	\$407.00

	(vi) more than 9 m but not more than 10 m	\$453.00
	(vii) more than 10 m but not more than 11 m	\$498.00
	(viii) more than 11 m but not more than 12 m	\$545.00
	(ix) more than 12 m but not more than 13 m	\$591.00
	(x) more than 13 m but not more than 14 m	\$639.00
	(xi) more than 14 m but not more than 15 m	\$686.00
	(xii) more than 15 m but not more than 16 m	\$735.00
	(xiii) more than 16 m but not more than 17 m	\$782.00
	(xiv) more than 17 m but not more than 18 m	\$831.00
	(xv) more than 18 m but not more than 19 m	\$879.00
	(xvi) more than 19 m but not more than 20 m	\$928.00
	(xvii) more than 20 m but not more than 21 m	\$977.00
	(xviii) more than 21 m but not more than 22 m	\$1 027.00
	(xix) more than 22 m but not more than 23 m	\$1 076.00
	(xx) more than 23 m	\$1 127.00
	(c) for inspection pursuant to condition of licence under Part 8 of Act (for example, due to damage or alteration of houseboat)	\$151.00 per hour
	(d) for non-attendance by owner of houseboat or agent at inspection—	
	(i) for initial or subsequent certificate of inspection	50% of relevant inspection fee under paragraph (a) or (b)
	(ii) pursuant to condition of licence under Part 8 of Act	\$284.00
	(e) for examination of plans for construction or alteration of houseboat	\$151.00 per hour
17	Issue of replacement or additional certificate of inspection	\$62.00

- | | | |
|----|--|--|
| 18 | Application for extension of period for which initial or subsequent certificate of inspection remains in force | 1/24 of relevant inspection fee under item 16(a) or (b) for each month or part of a month of extension |
|----|--|--|

Fees relating to Part 11 (Registration (including vessels to which regulation 147 applies))

- | | | |
|----|---|--|
| 19 | Application for registration of vessel— | |
| | (a) recreational vessel comprised of personal watercraft— | |
| | <ul style="list-style-type: none"> • initial registration • subsequent registration in same name • subsequent registration in different name | <ul style="list-style-type: none"> \$289.00 \$265.00 \$280.00 |
| | (b) recreational vessel comprised of houseboat, paddle steamer, or other vessel designed for inland waters, that is operated only on River Murray and moored (when not in use or under inspection, service or repair) at permanent mooring facility on River Murray | |
| | (i) not more than 3.5 m— | |
| | <ul style="list-style-type: none"> • initial registration • subsequent registration in same name • subsequent registration in different name | <ul style="list-style-type: none"> \$20.00 \$8.00 \$23.00 |
| | (ii) more than 3.5 m but not more than 6 m— | |
| | <ul style="list-style-type: none"> • initial registration • subsequent registration in same name • subsequent registration in different name | <ul style="list-style-type: none"> \$36.00 \$24.00 \$39.00 |
| | (iii) more than 6 m but not more than 10 m— | |
| | <ul style="list-style-type: none"> • initial registration • subsequent registration in same name • subsequent registration in different name | <ul style="list-style-type: none"> \$78.00 \$67.00 \$82.00 |

(iv)	more than 10 m but not more than 15 m—	
	• initial registration	\$111.00
	• subsequent registration in same name	\$100.00
	• subsequent registration in different name	\$115.00
(v)	more than 15 m but not more than 20 m—	
	• initial registration	\$145.00
	• subsequent registration in same name	\$133.00
	• subsequent registration in different name	\$148.00
(vi)	more than 20 m—	
	• initial registration	\$167.00
	• subsequent registration in same name	\$156.00
	• subsequent registration in different name	\$171.00
(c)	any other recreational vessel according to length as follows:	
(i)	not more than 3.5 m—	
	• initial registration	\$39.00
	• subsequent registration in same name	\$15.00
	• subsequent registration in different name	\$30.00
(ii)	more than 3.5 m but not more than 6 m	
	• initial registration	\$71.00
	• subsequent registration in same name	\$48.00
	• subsequent registration in different name	\$63.00
(iii)	more than 6 m but not more than 10 m	
	• initial registration	\$156.00
	• subsequent registration in same name	\$133.00
	• subsequent registration in different name	\$148.00

	(iv)	more than 10 m but not more than 15 m	
		• initial registration	\$222.00
		• subsequent registration in same name	\$200.00
		• subsequent registration in different name	\$215.00
	(v)	more than 15 m but not more than 20 m	
		• initial registration	\$289.00
		• subsequent registration in same name	\$265.00
		• subsequent registration in different name	\$280.00
	(vi)	more than 20 m	
		• initial registration	\$333.00
		• subsequent registration in same name	\$311.00
		• subsequent registration in different name	\$326.00
	(d)	vessels required to be registered under regulation 147—	
		• initial registration	\$344.00
		• subsequent registration	\$225.00
20		Application for exemption from requirement for vessel to be registered	nil
21		Trade plates—	
	(a)	application for initial issue	\$70.00
	(b)	application for subsequent issue	\$48.00
	(c)	issue of replacement certificate or label	\$15.00
	(d)	surrender of trade plates	\$15.00
22		Application for assignment of new identification mark	\$15.00
23		Application for transfer of registration of vessel	\$15.00
24		Issue of replacement certificate of registration	\$15.00
25		Issue of replacement registration label	\$15.00
26		Application for cancellation of registration	\$15.00
27		Application for appointment as boat code agent	\$133.00

28	Application for further term of appointment as boat code agent	\$105.00
29	Application for approval as boat code examiner	\$66.00
30	Application for further term of approval as boat code examiner	\$33.00
31	Set of 20 HIN plates	\$103.00
32	Pad of 50 interim boat code certificates	\$28.00
33	Duplicate copy of boat code certificate	\$15.00

Fees relating to Part 11 (Certificates of survey)

34	Fees payable by applicant for certificate of survey or consent to structural alteration to hull or material alteration to equipment—	
	(a) for survey for initial certificate, according to length of vessel as follows:	
	(i) not more than 5 m	\$707.00
	(ii) more than 5 m but not more than 6 m	\$826.00
	(iii) more than 6 m but not more than 7 m	\$951.00
	(iv) more than 7 m but not more than 8 m	\$1 079.00
	(v) more than 8 m but not more than 9 m	\$1 210.00
	(vi) more than 9 m but not more than 10 m	\$1 345.00
	(vii) more than 10 m but not more than 11 m	\$1 482.00
	(viii) more than 11 m but not more than 12 m	\$1 621.00
	(ix) more than 12 m but not more than 13 m	\$1 764.00
	(x) more than 13 m but not more than 14 m	\$1 908.00
	(xi) more than 14 m but not more than 15 m	\$2 056.00
	(xii) more than 15 m but not more than 16 m	\$2 204.00
	(xiii) more than 16 m but not more than 17 m	\$2 354.00
	(xiv) more than 17 m but not more than 18 m	\$2 508.00

(xv)	more than 18 m but not more than 19 m	\$2 663.00
(xvi)	more than 19 m but not more than 20 m	\$2 819.00
(xvii)	more than 20 m but not more than 21 m	\$2 977.00
(xviii)	more than 21 m but not more than 22 m	\$3 136.00
(xix)	more than 22 m but not more than 23 m	\$3 297.00
(xx)	more than 23 m but not more than 24 m	\$3 459.00
(xxi)	more than 24 m but not more than 25 m	\$3 624.00
(xxii)	more than 25 m but not more than 26 m	\$3 790.00
(xxiii)	more than 26 m but not more than 27 m	\$3 957.00
(xxiv)	more than 27 m but not more than 28 m	\$4 123.00
(xxv)	more than 28 m but not more than 29 m	\$4 293.00
(xxvi)	more than 29 m but not more than 30 m	\$4 464.00
(xxvii)	more than 30 m but not more than 31 m	\$4 636.00
(xxviii)	more than 31 m but not more than 32 m	\$4 807.00
(xxix)	more than 32 m but not more than 33 m	\$4 982.00
(xxx)	more than 33 m but not more than 34 m	\$5 157.00
(xxxi)	more than 34 m but not more than 35 m	\$5 333.00
(xxxii)	more than 35 m but not more than 36 m	\$5 510.00
(xxxiii)	more than 36 m but not more than 37 m	\$5 689.00
(xxxiv)	more than 37 m but not more than 38 m	\$5 868.00
(xxxv)	more than 38 m but not more than 39 m	\$6 048.00
(xxxvi)	more than 39 m but not more than 40 m	\$6 230.00

(xxxvii) more than 40 m but not more than 41 m	\$6 412.00
(xxxviii) more than 41 m but not more than 42 m	\$6 596.00
(xxxix) more than 42 m but not more than 43 m	\$6 779.00
(xl) more than 43 m but not more than 44 m	\$6 964.00
(xli) more than 44 m but not more than 45 m	\$7 151.00
(xlii) more than 45 m but not more than 46 m	\$7 337.00
(xliii) more than 46 m but not more than 47 m	\$7 525.00
(xliv) more than 47 m but not more than 48 m	\$7 712.00
(xlv) more than 48 m but not more than 49 m	\$7 903.00
(xlvi) more than 49 m	\$8 092.00
(b) for survey for subsequent certificate—first visit for Class 1 or 2 vessel that has not been surveyed by classification society—according to length of vessel as follows:	
(i) not more than 5 m	\$345.00
(ii) more than 5 m but not more than 6 m	\$410.00
(iii) more than 6 m but not more than 7 m	\$474.00
(iv) more than 7 m but not more than 8 m	\$541.00
(v) more than 8 m but not more than 9 m	\$608.00
(vi) more than 9 m but not more than 10 m	\$676.00
(vii) more than 10 m but not more than 11 m	\$744.00
(viii) more than 11 m but not more than 12 m	\$814.00
(ix) more than 12 m but not more than 13 m	\$884.00
(x) more than 13 m but not more than 14 m	\$954.00

(xi)	more than 14 m but not more than 15 m	\$1025.00
(xii)	more than 15 m but not more than 16 m	\$1 096.00
(xiii)	more than 16 m but not more than 17 m	\$1 167.00
(xiv)	more than 17 m but not more than 18 m	\$1 239.00
(xv)	more than 18 m but not more than 19 m	\$1 313.00
(xvi)	more than 19 m but not more than 20 m	\$1 386.00
(xvii)	more than 20 m but not more than 21 m	\$1 458.00
(xviii)	more than 21 m but not more than 22 m	\$1 533.00
(xix)	more than 22 m but not more than 23 m	\$1 606.00
(xx)	more than 23 m but not more than 24 m	\$1 681.00
(xxi)	more than 24 m but not more than 25 m	\$1 757.00
(xxii)	more than 25 m but not more than 26 m	\$1 831.00
(xxiii)	more than 26 m but not more than 27 m	\$1 906.00
(xxiv)	more than 27 m but not more than 28 m	\$1 982.00
(xxv)	more than 28 m but not more than 29 m	\$2 057.00
(xxvi)	more than 29 m but not more than 30 m	\$2 133.00
(xxvii)	more than 30 m but not more than 31 m	\$2 210.00
(xxviii)	more than 31 m but not more than 32 m	\$2 286.00
(xxix)	more than 32 m but not more than 33 m	\$2 363.00
(xxx)	more than 33 m but not more than 34 m	\$2 441.00
(xxxi)	more than 34 m but not more than 35 m	\$2 516.00
(xxxii)	more than 35 m but not more than 36 m	\$2 594.00

(xxxiii) more than 36 m but not more than 37 m	\$2 672.00
(xxxiv) more than 37 m but not more than 38 m	\$2 749.00
(xxxv) more than 38 m but not more than 39 m	\$2 828.00
(xxxvi) more than 39 m but not more than 40 m	\$2 906.00
(xxxvii) more than 40 m but not more than 41 m	\$2 985.00
(xxxviii) more than 41 m but not more than 42 m	\$3 063.00
(xxxix) more than 42 m but not more than 43 m	\$3 143.00
(xl) more than 43 m but not more than 44 m	\$3 222.00
(xli) more than 44 m but not more than 45 m	\$3 300.00
(xlii) more than 45 m but not more than 46 m	\$3 380.00
(xliii) more than 46 m but not more than 47 m	\$3 459.00
(xliv) more than 47 m but not more than 48 m	\$3 540.00
(xlv) more than 48 m but not more than 49 m	\$3 619.00
(xlvi) more than 49 m	\$3 699.00
(c) for survey for subsequent certificate—first visit for Class 3 vessel that has not been surveyed by classification society—according to length of vessel as follows:	
(i) not more than 5 m	\$379.00
(ii) more than 5 m but not more than 6 m	\$450.00
(iii) more than 6 m but not more than 7 m	\$522.00
(iv) more than 7 m but not more than 8 m	\$595.00
(v) more than 8 m but not more than 9 m	\$669.00
(vi) more than 9 m but not more than 10 m	\$743.00

(vii)	more than 10 m but not more than 11 m	\$818.00
(viii)	more than 11 m but not more than 12 m	\$895.00
(ix)	more than 12 m but not more than 13 m	\$971.00
(x)	more than 13 m but not more than 14 m	\$1 050.00
(xi)	more than 14 m but not more than 15 m	\$1 128.00
(xii)	more than 15 m but not more than 16 m	\$1 205.00
(xiii)	more than 16 m but not more than 17 m	\$1 285.00
(xiv)	more than 17 m but not more than 18 m	\$1 363.00
(xv)	more than 18 m but not more than 19 m	\$1 444.00
(xvi)	more than 19 m but not more than 20 m	\$1 524.00
(xvii)	more than 20 m but not more than 21 m	\$1 605.00
(xviii)	more than 21 m but not more than 22 m	\$1 686.00
(xix)	more than 22 m but not more than 23 m	\$1 767.00
(xx)	more than 23 m but not more than 24 m	\$1 848.00
(xxi)	more than 24 m but not more than 25 m	\$1 930.00
(xxii)	more than 25 m but not more than 26 m	\$2 014.00
(xxiii)	more than 26 m but not more than 27 m	\$2 097.00
(xxiv)	more than 27 m but not more than 28 m	\$2 180.00
(xxv)	more than 28 m but not more than 29 m	\$2 263.00
(xxvi)	more than 29 m but not more than 30 m	\$2 346.00
(xxvii)	more than 30 m but not more than 31 m	\$2 429.00

(xxviii)	more than 31 m but not more than 32 m	\$2 514.00
(xxix)	more than 32 m but not more than 33 m	\$2 599.00
(xxx)	more than 33 m but not more than 34 m	\$2 684.00
(xxx1)	more than 34 m but not more than 35 m	\$2 769.00
(xxxii)	more than 35 m but not more than 36 m	\$2 854.00
(xxxiii)	more than 36 m but not more than 37 m	\$2 939.00
(xxxiv)	more than 37 m but not more than 38 m	\$3 025.00
(xxxv)	more than 38 m but not more than 39 m	\$3 112.00
(xxxvi)	more than 39 m but not more than 40 m	\$3 197.00
(xxxvii)	more than 40 m but not more than 41 m	\$3 283.00
(xxxviii)	more than 41 m but not more than 42 m	\$3 371.00
(xxxix)	more than 42 m but not more than 43 m	\$3 456.00
(xl)	more than 43 m but not more than 44 m	\$3 543.00
(xli)	more than 44 m but not more than 45 m	\$3 631.00
(xlii)	more than 45 m but not more than 46 m	\$3 718.00
(xliii)	more than 46 m but not more than 47 m	\$3 805.00
(xliv)	more than 47 m but not more than 48 m	\$3 894.00
(xlv)	more than 48 m but not more than 49 m	\$3 982.00
(xlvi)	more than 49 m	\$4 069.00
(d)	for survey for subsequent certificate—second or subsequent visit for vessel that has not been surveyed by classification society	\$151.00 per hour

	(e)	for survey for subsequent certificate if vessel has been surveyed by classification society	\$151.00 per hour
	(f)	for survey of alterations or repairs to vessel	\$151.00 per hour
	(g)	for non-attendance by owner of vessel or agent at survey—	
	(i)	for initial certificate of survey	50% of relevant survey fee under paragraph (a)
	(ii)	for subsequent certificate of survey—	
		• in the case of a first visit	50% of relevant survey fee under paragraph (b) or (c)
		• in the case of a second or subsequent visit	\$284.00
	(iii)	of alterations or repairs to vessel	\$284.00
	(h)	for examination and approval of plans for construction or alteration of vessel	\$151.00 per hour
	(i)	for attendance of surveyor at inclining experiment	\$229.00
	(j)	for examination and approval of vessel's stability information—	
	(i)	if information is based on metacentric height (GM) criteria	\$233.00
	(ii)	in any other case	\$151.00 per hour minimum fee: \$689.00
	(k)	for alteration to certificate of survey if consent given	\$62.00
35		Application for exemption from requirement for vessel to be surveyed	\$284.00
36		Application for recognition of certificate or document issued under some other law as equivalent to certificate of survey	\$284.00
37		Issue of replacement certificate of survey	\$62.00
		Fees relating to Part 11 (Loadline certificates)	
38		Fees payable by applicant for loadline certificate—	
	(a)	application fee	\$284.00
	(b)	assessment fee	\$151.00 per hour after first hour

39	Application for exemption from requirement for loadline certificate	\$284.00
40	Application for recognition of certificate or document issued under some other law as equivalent to loadline certificate	\$284.00
41	Issue of replacement loadline certificate	\$62.00

Fees relating to Part 14 (Boat havens)

42	Application for permit to moor vessel in boat haven—	
	(a) <i>North Arm Boat Haven</i>	
	(i) annual permit—	
	• fishing vessel 9 m and over in length	\$69.00 per metre
	• fishing vessel less than 9 m in length	\$93.00 per metre
	• tender vessel	\$69.00 per metre
	• the above is subject to the following maximum fees:	
	• Fishing vessel and 2 tender vessels	\$448.00
	• Fishing vessel and 3 tender vessels	\$508.00
	• Other vessels 12 m or more in length	\$174.00 per metre
	• Other vessels less than 12 m in length	\$2 077.00
	(ii) temporary permit (1 week or part of a week)	\$61.00
	(b) <i>Port MacDonnell Boat Haven</i>	
	(i) annual permit	\$93.00 per metre
	(ii) temporary permit (24 hours)	\$6.00

Facilities levies under section 90A of Act (Part 15)

43	Facilities levy for recreational vessel comprised of personal watercraft	\$27.00
44	Facilities levy for recreational vessel comprised of houseboat, paddle steamer, or other vessel designed for inland waters, that is operated only on River Murray and moored (when not in use or under inspection, service or repair) at permanent mooring facility on River Murray—	
	(a) not more than 3.1 m	nil
	(b) more than 3.1 m but not more than 3.5 m	\$14.00

(c)	more than 3.5 m but not more than 5 m	\$22.00
(d)	more than 5 m but not more than 6 m	\$27.00
(e)	more than 6 m but not more than 7 m	\$31.00
(f)	more than 7 m but not more than 8 m	\$36.00
(g)	more than 8 m but not more than 9 m	\$40.00
(h)	more than 9 m but not more than 10 m	\$44.00
(i)	more than 10 m but not more than 11 m	\$49.00
(j)	more than 11 m but not more than 12 m	\$53.00
(k)	more than 12 m but not more than 13 m	\$58.00
(l)	more than 13 m but not more than 14 m	\$63.00
(m)	more than 14 m but not more than 15 m	\$67.00
(n)	more than 15 m but not more than 16 m	\$71.00
(o)	more than 16 m but not more than 17 m	\$76.00
(p)	more than 17 m but not more than 18 m	\$80.00
(q)	more than 18 m but not more than 19 m	\$84.00
(r)	more than 19 m but not more than 20 m	\$89.00
(s)	more than 20 m in length	\$111.00
45	Facilities levy for commercial vessel operated only on the River Murray, River Murray Lakes or Coorong—	
(a)	not more than 3.1 m	nil
(b)	more than 3.1 m but not more than 3.5 m	\$14.00
(c)	more than 3.5 m but not more than 5 m	\$22.00
(d)	more than 5 m but not more than 6 m	\$27.00
(e)	more than 6 m but not more than 7 m	\$31.00
(f)	more than 7 m but not more than 8 m	\$36.00
(g)	more than 8 m but not more than 9 m	\$40.00
(h)	more than 9 m but not more than 10 m	\$44.00
(i)	more than 10 m but not more than 11 m	\$49.00

(j)	more than 11 m but not more than 12 m	\$53.00
(k)	more than 12 m but not more than 13 m	\$58.00
(l)	more than 13 m but not more than 14 m	\$63.00
(m)	more than 14 m but not more than 15 m	\$67.00
(n)	more than 15 m but not more than 16 m	\$71.00
(o)	more than 16 m but not more than 17 m	\$76.00
(p)	more than 17 m but not more than 18 m	\$80.00
(q)	more than 18 m but not more than 19 m	\$84.00
(r)	more than 19 m but not more than 20 m	\$89.00
(s)	more than 20 m in length	\$111.00
46	Facilities levy for any other vessel, according to length of vessel as follows:	
(a)	not more than 3.1 m	nil
(b)	more than 3.1 m but not more than 3.5 m	\$27.00
(c)	more than 3.5 m but not more than 5 m	\$44.00
(d)	more than 5 m but not more than 6 m	\$54.00
(e)	more than 6 m but not more than 7 m	\$62.00
(f)	more than 7 m but not more than 8 m	\$71.00
(g)	more than 8 m but not more than 9 m	\$79.00
(h)	more than 9 m but not more than 10 m	\$88.00
(i)	more than 10 m but not more than 11 m	\$98.00
(j)	more than 11 m but not more than 12 m	\$106.00
(k)	more than 12 m but not more than 13 m	\$115.00
(l)	more than 13 m but not more than 14 m	\$125.00
(m)	more than 14 m but not more than 15 m	\$133.00
(n)	more than 15 m but not more than 16 m	\$141.00
(o)	more than 16 m but not more than 17 m	\$151.00

(p)	more than 17 m but not more than 18 m	\$159.00
(q)	more than 18 m but not more than 19 m	\$168.00
(r)	more than 19 m but not more than 20 m	\$178.00
(s)	more than 20 m in length	\$221.00

Schedule 1—Transitional provision

1—Transitional provision

- (1) The fees prescribed in respect of an application for registration or a certificate of survey or inspection of a vessel by Schedule 14 of the *Harbors and Navigation Regulations 2009*, as substituted by Part 2 of these regulations, apply where the registration or certificate is to take effect on or after 1 July 2011.
- (2) All other fees prescribed in Schedule 14 of the *Harbors and Navigation Regulations 2009*, as substituted by these regulations, apply from 1 July 2011.
- (3) Despite regulation 4—
 - (a) the fees prescribed in respect of an application for registration or a certificate of survey or inspection of a vessel by Schedule 14 of the *Harbors and Navigation Regulations 2009*, as in force immediately before the commencement of these regulations, continue to apply where the registration or certificate is to take effect before 1 July 2011; and
 - (b) all other fees prescribed by Schedule 14 of the *Harbors and Navigation Regulations 2009*, as in force immediately before the commencement of these regulations, continue to apply until 1 July 2011.

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 9 June 2011

No 117 of 2011

MTR11/025

South Australia

Road Traffic (Miscellaneous) (Fees) Variation Regulations 2011

under the *Road Traffic Act 1961*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Road Traffic (Miscellaneous) Regulations 1999*

- 4 Variation of regulation 43—Fees for inspections
- 5 Variation of regulation 43A—Fees for vehicle permits etc

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Road Traffic (Miscellaneous) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Road Traffic (Miscellaneous) Regulations 1999*

4—Variation of regulation 43—Fees for inspections

- (1) Regulation 43(2), table—delete the table and substitute:

<u>Type of vehicle and inspection</u>	<u>Fee</u>
First inspection of a motor vehicle	\$303.00
First inspection of a trailer (other than a converter dolly)	\$152.00
First inspection of a converter dolly	\$76.00
Further inspection of a vehicle	\$76.00

- (2) Regulation 43(2a), table—delete the table and substitute:

<u>Type of vehicle and inspection</u>	<u>Fee</u>
1. Heavy vehicles and buses	

Type of vehicle and inspection	Fee
(1) First inspection of a motor vehicle (other than a bus)	\$227.00
(2) First inspection of a trailer	\$152.00
(3) First inspection of a bus	\$227.00
(4) Further inspection of a vehicle	\$76.00
2. Vehicles other than heavy vehicles or buses	
(1) First inspection of a vehicle for the purposes of an exemption under section 163AA of the Act or regulation 46	\$227.00
(2) First inspection of a written-off vehicle for the purposes of section 139(1)(ab)(i) or (ii) of the <i>Motor Vehicles Act 1959</i>	\$227.00
(3) First inspection of LPG-converted vehicle for the purposes of the <i>Dangerous Substances Act 1979</i>	\$227.00
(4) Any other first inspection of a vehicle	\$152.00
(5) Further inspection of a vehicle	\$76.00
(3) Regulation 43(3)—delete "\$8.50" and substitute: \$9.00	
(4) Regulation 43—after subregulation (3) insert: (3a) An additional fee of \$22.00 is payable to book an inspection (whether a first or further inspection) referred to in subregulation (2) or (2a).	
(5) Regulation 43(4)—delete "\$26.50" and substitute: \$27.00	
(6) Regulation 43—after subregulation (10) insert: (11) A fee payable under this regulation for booking an inspection— (a) must be paid to the Transport Department; and (b) must be paid when the booking is made.	

5—Variation of regulation 43A—Fees for vehicle permits etc

- (1) Regulation 43A(2)—delete "\$65.00" and substitute:
\$67.00
- (2) Regulation 43A(3)—delete "\$44.00" and substitute:
\$45.00

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 9 June 2011

No 118 of 2011

MTR/11/025

South Australia

Road Traffic (Approved Road Transport Compliance Schemes) (Fees) Variation Regulations 2011

under the *Road Traffic Act 1961*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Road Traffic (Approved Road Transport Compliance Schemes) Regulations 2008*

- 4 Substitution of Schedule 1
 - Schedule 1—Fees
 - 1 Calculation of fees
 - 2 Other fees payable
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Road Traffic (Approved Road Transport Compliance Schemes) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Road Traffic (Approved Road Transport Compliance Schemes) Regulations 2008*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

1—Calculation of fees

- (1) For the purposes of regulation 6(6), the fee payable on the grant or renewal of accreditation is the total of the administration fees payable in relation to each relevant module of accreditation as set out in the following table:

Module	Fee payable on grant or renewal of accreditation	Fee payable for each regulated heavy vehicle (other than trailers) in relation to each period of accreditation	Fee payable for each nominated trailer in relation to each period of accreditation
Mass management	\$84	\$27	\$0
Maintenance management	\$84	\$27	\$27
Fatigue management—			
(a) basic fatigue management;	\$84	—	—
(b) advanced fatigue management	\$84	—	—

- (2) In this Schedule—

regulated heavy vehicle has the same meaning as in the *Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008*.

2—Other fees payable

Application for variation, suspension or revocation of accreditation	\$0
Replacement of accreditation certificate	\$0

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 9 June 2011

No 119 of 2011

MTR/11/025

South Australia

Road Traffic (Heavy Vehicle Driver Fatigue) (Fees) Variation Regulations 2011

under the *Road Traffic Act 1961*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008*

- 4 Substitution of Schedule 8
Schedule 8—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Road Traffic (Heavy Vehicle Driver Fatigue) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008*

4—Substitution of Schedule 8

Schedule 8—delete the Schedule and substitute:

Schedule 8—Fees

	Description	Fee
1	Application for issue of written work diary	\$20
2	Application for approval of electronic work diary	\$0

	Description	Fee
3	Application for variation or revocation of approval of electronic work diary	\$0
4	Application for work/rest hours exemption	\$0
5	Application for work diary exemption	\$0
6	Application for variation or revocation of exemption	\$0
7	Application for replacement written exemption	\$0

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 9 June 2011

No 120 of 2011

MTR/11/025

South Australia

Motor Vehicles (Fees) Variation Regulations 2011

under the *Motor Vehicles Act 1959*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Motor Vehicles (Fees) Variation Regulations 2011*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Motor Vehicles Regulations 2010*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

Part 1—Fees under *Motor Vehicles Act 1959* and these regulations

1—Interpretation

In this Part—

emergency response vehicle has the same meaning as in regulation 15;

government authorised examiner means an authorised examiner who is—

- (a) a police officer; or
- (b) an employee in the Transport Department; or
- (c) a person appointed as an authorised examiner by some public authority and approved by the Registrar;

level 1 fee means an administration fee of \$7.00;

level 2 fee means an administration fee of \$17.00;

level 3 fee means an administration fee of \$22.00;

special purpose vehicle (type O) has the same meaning as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*;

special purpose vehicle (type T) has the same meaning as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*;

Transport Department premises, in relation to an examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act, includes a place specified under section 139(1)(d) of the Act at which the motor vehicle is required to be produced for the purpose of the examination;

truck (type I) has the same meaning as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*.

2—Registration (section 24 of Act)

- (1) For registration of a heavy vehicle under section 24 of the Act for a period of 12 months—the fee prescribed by, or determined in accordance with, the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*.
- (2) For registration of a motor vehicle (other than a heavy vehicle) under section 24 of the Act for a period of 12 months—
 - (a) a motor bike \$35.00
 - (b) a trailer \$62.00

- | | | |
|-------|---|-------------|
| (c) | a motor vehicle propelled other than by an internal combustion engine | \$106.00 |
| (d) | a commercial motor vehicle— | |
| (i) | if the unladen mass of the vehicle does not exceed 1 000 kg and the vehicle is propelled by an internal combustion engine— | |
| (A) | having 4 cylinders or less | \$106.00 |
| (B) | having 5 or 6 cylinders | \$217.00 |
| (C) | having 7 or more cylinders | \$314.00 |
| (ii) | if the unladen mass of the vehicle exceeds 1 000 kg but does not exceed 1 500 kg | \$234.00 |
| (iii) | if the unladen mass of the vehicle exceeds 1 500 kg | \$400.00 |
| (e) | a motor vehicle (other than a vehicle referred to in paragraphs (a) to (d)) propelled by an internal combustion engine— | |
| (i) | having 4 cylinders or less | \$106.00 |
| (ii) | having 5 or 6 cylinders | \$217.00 |
| (iii) | having 7 or more cylinders | \$314.00 |
| (3) | The registration fee payable for the registration of a motor vehicle under section 24 of the Act for a period of less than 12 months is as follows: | |
| (a) | in the case of a registration for 1, 2 or 3 quarters—a fee equal to the product of the number of quarters for which the vehicle is to be registered multiplied by 1 quarter of the fee that would be payable for registration of the vehicle for 12 months; | |
| (b) | in any other case—a fee equal to the product of the number of days for which the vehicle is to be registered multiplied by one three hundred and sixty fifth of the fee that would be payable for registration of the vehicle for 12 months. | |
| (4) | Administration fee (payable in addition to the registration fee) for— | |
| (a) | initial registration or re-registration of a motor vehicle under section 24 of the Act | level 3 fee |
| (b) | renewal of registration of a motor vehicle under section 24 of the Act | level 1 fee |
| (5) | Surcharge (payable in addition to the registration fee and administration fee) for registration or renewal of registration of a motor vehicle under section 24 of the Act for— | |
| (a) | less than 6 months—a fee equal to 5.625% of the registration fee; | |
| (b) | 6 months or more but less than 9 months—a fee equal to 3.75% of the registration fee; | |
| (c) | 9 months or more but less than 12 months—a fee equal to 1.875% of the registration fee. | |

3—Conditional registration (section 25 of Act)

- (1) For registration of a motor vehicle under section 25 of the Act—
- (a) in the case of—
- (i) a heavy vehicle that is a special purpose vehicle (type O); or
- (ii) a heavy vehicle that is a special purpose vehicle (type T) (other than an emergency response vehicle or a vehicle that is used principally for the purpose of fire fighting and is fitted with fire fighting equipment),
- a fee equal to the product of the number of quarters for which the vehicle is to be registered multiplied by 1 quarter of the amount that would be the registration fee for registration of the vehicle under section 24 of the Act for the financial year in which the registration is to take effect;
- (b) in the case of a heavy vehicle that is a road train, B-double or a vehicle of a class referred to in regulation 19(f)—a fee equal to the registration fee that would be payable for registration of the vehicle under section 24 of the Act;
- (c) in any other case—no fee.
- (2) Administration fee (payable whether or not a registration fee is payable under subclause (1)) for registration of a motor vehicle under section 25 of the Act—
- (a) initial registration or re-registration of a motor vehicle level 3 fee
- (b) renewal of registration of a motor vehicle level 1 fee
- (3) If a registration fee is payable for the registration of a motor vehicle under section 25 of the Act and the period of registration is less than 12 months, a surcharge of the amount prescribed in clause 2(5) is payable in addition to the registration fee and administration fee.

4—Transfer of registration

- (1) Administration fee for transfer of the registration of a motor vehicle level 3 fee
- (2) Additional fee for late payment of the fee prescribed in subclause (1) \$73.00

5—Cancellation of registration

- Administration fee for cancellation of the registration of a motor vehicle level 2 fee

6—Duplicate certificates of registration and registration labels

Administration fee for the issue of a duplicate certificate of registration or duplicate registration label level 2 fee

7—Permit to drive an unregistered motor vehicle

Administration fee for the issue of—

(a) a permit under section 16(1)(c)(i) of the Act level 1 fee

(b) a permit under section 16(1)(c)(ii) of the Act level 3 fee

8—Duplicate permit to drive an unregistered motor vehicle

Administration fee for the issue of a duplicate permit under section 16(12) of the Act level 2 fee

9—Temporary configuration certificate for heavy vehicle

Administration fee for the issue of a temporary configuration certificate for a heavy vehicle level 3 fee

10—Duplicate temporary configuration certificate for heavy vehicle

Administration fee for the issue of a duplicate temporary configuration certificate for a heavy vehicle level 2 fee

11—Number allotment

Administration fee for variation or amendment of the number allotted to a motor vehicle (per vehicle) level 3 fee

12—Number plates

(1) Administration fee for the issue or replacement of a single number plate, a pair of number plates or a supplementary number plate for a bike rack level 3 fee

(2) Administration fee (payable in addition to the fee prescribed in subclause (1)) for postal delivery of a number plate or plates level 2 fee

13—Issue or reissue of trade plate

(1) For the issue or reissue of a trade plate—

(a) in respect of a motor vehicle that has a gross vehicle mass exceeding 4 500 kg (other than a special purpose vehicle) (*Category A*)—an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a heavy vehicle that is a truck (type 1) with 2 axles and a gross vehicle mass exceeding 4 500 kg but not exceeding 12 000 kg;

(b) in respect of a motor vehicle that has a gross vehicle mass not exceeding 4 500 kg (other than a motor bike, trailer or special purpose vehicle) (*Category B*)—an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a motor vehicle referred to in clause 2(2)(d)(i) or 2(2)(e) that has 7 or more cylinders;

(c) in respect of a motor bike (*Category C*)—an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a motor bike;

- (d) in respect of a trailer that has a gross vehicle mass not exceeding 4 500 kg (*Category D*)—an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a trailer;
- (e) in respect of a special purpose vehicle (*Category E*)—no fee.

If an application for the issue or reissue of a trade plate relates to more than 1 category of vehicle such that more than 1 fee becomes payable, then only the highest fee must be paid.

- (2) Administration fees (payable in addition to the fee prescribed in subclause (1))—
 - (a) on application for the issue of a trade plate level 3 fee
 - (b) for allocation of a trade plate number on the issue of a trade plate (per plate) level 2 fee
- (3) Administration fee (payable in addition to the fee prescribed in subclause (1)) on application for the reissue of a trade plate level 1 fee

14—Supply of trade plate by Registrar

Administration fee for the supply of a trade plate by the Registrar level 3 fee

15—Issue of replacement trade plate

Administration fee on application for the issue of a new trade plate in lieu of a lost trade plate level 2 fee

16—Duplicate trade plate label or certificate of issue of trade plate

Administration fee for the issue of a duplicate trade plate label or duplicate certificate of issue of a trade plate level 2 fee

17—Trade plate transfer

Administration fee payable on application for the transfer of a trade plate level 3 fee

18—Trade plate surrender

Administration fee payable on surrender of a trade plate under section 70(5) of the Act level 2 fee

19—Driver's licences

- (1) For the issue or renewal of a driver's licence—
 - (a) where the applicant is a person who as a result of his or her service in a naval, military or air force of Her Majesty— \$18.50
 - (i) is totally or permanently incapacitated; or
 - (ii) has lost a leg or foot; or

- (iii) receives under the law of the Commonwealth relating to repatriation a pension at the rate for total incapacity or a pension granted by reason of impairment of his or her power of locomotion at the rate of not less than 70% of the rate for total incapacity (per year);
- (b) where the applicant is a concession card holder (per year) \$18.50
- (c) in any other case (per year) \$37.00
- (2) The licence fee for a driver's licence issued or renewed for a period other than for full years is 1 quarter of the annual licence fee for each complete 3 months of the period for which the licence is issued or renewed.
- (3) If—
- (a) a person ceases to be a concession card holder; and
- (b) the person holds a driver's licence that was issued or renewed on payment of a reduced fee,
- the person must pay an additional fee of an amount that is equal to the difference between—
- (c) the amount obtained by multiplying the number of complete 3 month periods in the unexpired period of the licence by 1 quarter of the annual fee paid for the issue or renewal of the licence; and
- (d) the amount obtained by multiplying the number of complete 3 month periods in the unexpired period of the licence by 1 quarter of the annual fee that would have been payable for the issue or renewal of the licence if the person had not been a concession card holder.
- (4) For the purposes of subclause (3), the unexpired period of the licence commences on the day on which the person ceases to be a concession card holder.
- (5) Administration fee (payable in addition to the licence fee) for the issue or renewal of a driver's licence level 2 fee
- (6) Administration fee (payable in addition to the fee prescribed in subclause (5)) where application for the issue of a driver's licence is made more than 6 months after the expiry of a previously held licence and the applicant was not, during the whole of the period of 6 months after the expiry of the previously held licence, disqualified from holding or obtaining a driver's licence level 3 fee
- (7) In this clause—
- concession card holder** means a person who—
- (a) holds—
- (i) a State Concession Card issued by the Department for Families and Communities; or
- (ii) a pensioner entitlement card issued under a law of the Commonwealth; and
- (b) is entitled, as the holder of such a card, to travel on public transport in this State at reduced fares;

reduced fee means the fee payable for the issue or renewal of a driver's licence where the applicant is a concession card holder.

20—Duplicate driver's licence

Administration fee for the issue of a duplicate driver's licence that bears a photograph of the holder level 2 fee

21—Learner's permit

- (1) For the issue or renewal of a learner's permit \$38.00
- (2) Administration fee for the issue or renewal of a learner's permit (payable in addition to the permit fee) level 2 fee

22—Duplicate learner's permit

Administration fee for the issue of a duplicate learner's permit level 2 fee

23—Duplicate certificate of high powered vehicle exemption

Administration fee for the issue of a duplicate certificate of a high powered vehicle exemption level 2 fee

24—Theoretical examination

For a theoretical examination prescribed for the purposes of section 79 of the Act—

- (a) examination fee \$16.00
- (b) administration fee (payable in addition to the examination fee) level 2 fee

25—Practical driving tests conducted by government authorised examiners

For a practical driving test conducted by a government authorised examiner—

- (a) booking fee level 2 fee
- (b) test fee—
- (i) for a test of up to, but not exceeding, 40 min duration \$44.00
- (ii) for a test exceeding 40 min duration \$100.00
- (c) administration fee (payable in addition to the test fee) level 2 fee

26—Other practical driving tests; final assessments

Booking fee, for notice to the Registrar of— \$30.00

- (a) a practical driving test; or
- (b) a final assessment in a competence based training course for drivers of motor vehicles (other than motor bikes) undertaken in accordance with the directions of the Registrar,

to be conducted by an authorised examiner other than a government authorised examiner

27—Hazard perception tests

For a hazard perception test—

- (a) test fee \$12.00
- (b) administration fee (payable in addition to the test fee) level 2 fee

28—Motor bike training courses

For a motor bike training course undertaken in accordance with the directions of the Registrar—

- | | |
|--|----------|
| (a) training course fee— | |
| (i) for basic motor bike training preparatory to obtaining a motor bike learner's permit | \$347.00 |
| (ii) for advanced motor bike training preparatory to obtaining a motor bike driver's licence | \$307.00 |
| (b) administration fee (payable in addition to the training course fee) | \$17.00 |

29—Proficiency test for motor driving instructor's licence

For a proficiency test of an applicant for a driving instructor's licence—

- | | |
|---|-------------|
| (a) for a theory test— | |
| (i) test fee | \$61.00 |
| (ii) administration fee (payable in addition to the test fee) | level 2 fee |
| (b) for a practical training course test— | |
| (i) test fee | \$5 337.00 |
| (ii) administration fee (payable in addition to the test fee) | level 2 fee |

30—Motor driving instructor's licence

For the issue of a motor driving instructor's licence (per year)	\$85.00
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31—Duplicate motor driving instructor's licence

Administration fee for the issue of a duplicate motor driving instructor's licence	level 2 fee
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32—Appointment as authorised examiner

For appointment as an authorised examiner (other than a government authorised examiner) (per year)	\$125.00
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33—Proficiency tests for authorised examiners

- | | |
|--|----------|
| (1) For a proficiency test, required by the Registrar, of an applicant for appointment as an authorised examiner in relation to the driving of motor vehicles with a gross vehicle mass not exceeding 4.5 t— | |
| (a) practical training course test (per day) | \$218.00 |
| (b) administration fee (payable in addition to test fee) | \$19.00 |
| (2) For a proficiency test, required by the Registrar, of an applicant for appointment as an authorised examiner in relation to the driving of motor vehicles with a gross vehicle mass exceeding 4.5 t— | |
| (a) practical training course test (per day) | \$367.00 |
| (b) administration fee (payable in addition to test fee) | \$19.00 |

34—Lectures as to motor vehicle accidents and their causes

For attendance at a lecture conducted under regulation 56	\$36.00
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35—Counselling sessions with DASSA

For attendance at a counselling session conducted under regulation 63—

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|---|---------|
| (a) for the initial counselling session | \$55.00 |
| (b) for the final counselling session | \$55.00 |

36—Administration fee for issue of alcohol interlock scheme licence

Administration fee for the issue of a licence subject to mandatory alcohol interlock scheme conditions or voluntary alcohol interlock scheme conditions—for each month in the period for which the licence will be subject to alcohol interlock provisions (a part of a month being treated as a whole month)	\$15.00
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37—Disabled person's parking permit

For the issue of a disabled person's parking permit—

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|--|-------------|
| (a) permit fee— | |
| (i) for 1 year or less | \$3.00 |
| (ii) for 2 years | \$5.00 |
| (iii) for 3 years | \$7.00 |
| (iv) for 4 years | \$9.00 |
| (v) for 5 years | \$13.00 |
| (b) administration fee (payable in addition to the permit fee) | level 1 fee |

38—Register searches etc

- | | |
|---|-------------|
| (1) Administration fee for searching the register and supplying information— | |
| (a) for manual search of archived information (per search) | level 3 fee |
| (b) for manual search of current information (per search) | level 3 fee |
| (c) for multiple searches where separate extracts of entries are not required | level 2 fee |
| (d) where the applicant prepares computer input data in a form acceptable to the Registrar (per search) | level 1 fee |
| (2) Administration fee for an extract of an entry in the register | level 3 fee |

39—Motor vehicle examinations

- | | |
|---|---------|
| (1) For an examination of a motor vehicle for the purposes of completion of a report under regulation 13 | \$14.00 |
| (2) A fee for an examination referred to in subclause (1) must be paid— | |
| (a) in the case of an examination to be carried out by an authorised officer—on the registration of the vehicle; or | |
| (b) in the case of an examination to be carried out by a police officer—prior to the examination. | |
| (3) For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by a person authorised by the Registrar under section 139(1) of the Act | \$32.00 |

- | | | |
|------|--|--|
| (4) | For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by a police officer | \$56.00 |
| (5) | For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by an authorised officer at Transport Department premises | \$56.00 |
| (6) | For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by an authorised officer at a site other than Transport Department premises— | |
| | (a) fee for call out (per site visit)—\$184.00; plus | |
| | (b) fee for examination (per vehicle)—\$56.00. | |
| (7) | For a comprehensive examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by an authorised officer | \$253.00 plus a booking fee of \$22.00 |
| (8) | For a further examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act following a comprehensive examination referred to in subclause (7), to be carried out by an authorised officer | \$32.00 plus a booking fee of \$22.00 |
| (9) | A fee for an examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act must be paid— | |
| | (a) in the case of a fee specified in subclause (3), (5) or (6)(b)—on the registration of the vehicle; or | |
| | (b) in the case of a fee specified in subclause (4), (6)(a), (7) or (8)—prior to the examination. | |
| (10) | If more than 1 fee becomes payable under subclauses (1) to (7) (inclusive) in respect of the examination of the same motor vehicle, only the higher or highest fee (as the case may be) must be paid. | |
| (11) | A fee for an examination referred to in this clause to be carried out by a police officer must be paid to the South Australian Police Department. | |

40—Application for review of decision of Registrar

Administration fee payable on application for a review under section 98Z of the Act level 3 fee

41—Dishonoured cheque or debit card or credit card transactions

Administration fee payable under section 138B of the Act level 3 fee

42—Fees payable by insurer for emergency treatment

For the purposes of section 110(1) of the Act—

- (a) the fee payable to a medical practitioner who renders emergency treatment is a fee equal to a level 3 fee;
- (b) the fee payable to a nurse who renders emergency treatment is a fee equal to a level 2 fee;
- (c) the amount payable to a person who conveys an injured person is an amount equal to one tenth of a level 1 fee for every kilometre that the person is conveyed.

43—Fees payable in connection with service of notices of disqualification

- | | |
|---|----------|
| (1) Administration fee payable under section 139BD of the Act | \$27.00 |
| (2) Service fee payable under section 139BD of the Act | \$100.00 |

Part 2—Fees under Commonwealth *Interstate Road Transport Act 1985*

44—Interpretation

In this Part—

level 1 fee means an administration fee of \$7.00;

level 2 fee means an administration fee of \$17.00;

level 3 fee means an administration fee of \$22.00.

45—Administration fees

- | | |
|--|-------------|
| (1) Administration fee (payable in addition to the registration charge imposed by Commonwealth law) (section 9(1)(a))— | |
| (a) for registration | level 3 fee |
| (b) for renewal of registration | level 1 fee |
| (2) Administration fee to accompany notice surrendering registration (section 12(2)) | level 2 fee |

Part 3—Transitional provision

5—Transitional provision

- (1) The fees prescribed in respect of the issue or renewal of a driver's licence or registration of a motor vehicle by Schedule 1 of the *Motor Vehicles Regulations 2010*, as substituted by these regulations, apply where the issue or renewal is to take effect on or after 1 July 2011.
- (2) All other fees prescribed in Schedule 1 of the *Motor Vehicles Regulations 2010*, as substituted by these regulations, apply from 1 July 2011.
- (3) Despite regulation 4—
 - (a) the fees prescribed in respect of the issue or renewal of a driver's licence or registration of a motor vehicle by Schedule 1 of the *Motor Vehicles Regulations 2010*, as in force immediately before the commencement of these regulations, continue to apply where the issue or renewal is to take effect before 1 July 2011; and
 - (b) all other fees prescribed by Schedule 1 of the *Motor Vehicles Regulations 2010*, as in force immediately before the commencement of these regulations, continue to apply until 1 July 2011.

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 9 June 2011

No 121 of 2011

MTR11/025; MRS11/006CS

South Australia

Passenger Transport (Fees) Variation Regulations 2011

under the *Passenger Transport Act 1994*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Passenger Transport Regulations 2009*

- 4 Substitution of Schedule 1
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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Passenger Transport (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

3—Variation provisions

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

Part 2—Variation of *Passenger Transport Regulations 2009*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- 1 Application fee for an accreditation under the Act—
 - (a) in respect of an accreditation under Part 4 Division 1—
 - (i) unless (ii) or (iii) applies

\$379

	(ii)	in the case of a Small Passenger Vehicle (Traditional) Accreditation, a Small Passenger Vehicle (Special Purpose) Accreditation, a Small Passenger Vehicle (Non-Metropolitan) Accreditation or a Country Taxi Accreditation	\$379 plus \$76 for each vehicle that will initially be used for the purposes of a service operated under the accreditation
	(iii)	in the case of a Small Passenger Vehicle (Metropolitan) Accreditation	\$379 plus \$1 709 for each vehicle that will initially be used for the purposes of a service operated under the accreditation
	(b)	in respect of an accreditation under Part 4 Division 2	\$155
	(c)	in respect of an accreditation under Part 4 Division 3	\$846
2		Periodical fee payable under section 33(1)(b) of the Act—for each prescribed period (see regulations 10(1) and 16(1))—	
	(a)	in respect of an accreditation under Part 4 Division 1—	
	(i)	unless (ii) or (iii) applies	\$379
	(ii)	in the case of a Small Passenger Vehicle (Traditional) Accreditation, a Small Passenger Vehicle (Special Purpose) Accreditation, a Small Passenger Vehicle (Non-Metropolitan) Accreditation or a Country Taxi Accreditation	\$379 plus \$76 for each vehicle used (or available for use) for the purposes of a service operated under the accreditation (as at the end of the relevant period)
	(iii)	in the case of a Small Passenger Vehicle (Metropolitan) Accreditation	\$379 plus \$1 709 for each vehicle used (or available for use) for the purposes of a service operated under the accreditation (as at the end of the relevant period)
	(b)	in respect of an accreditation under Part 4 Division 3	\$846
3		Penalty for a default under section 33(2) of the Act	\$51
4		Renewal fee under section 34 of the Act—	
	(a)	in respect of an accreditation under Part 4 Division 1—	
	(i)	unless (ii) or (iii) applies	\$379
	(ii)	in the case of a Small Passenger Vehicle (Traditional) Accreditation, a Small Passenger Vehicle (Special Purpose) Accreditation, a Small Passenger Vehicle (Non-Metropolitan) Accreditation or a Country Taxi Accreditation	\$379 plus \$76 for each vehicle used (or available for use) for the purposes of a service operated under the accreditation at the time of renewal

	(iii) in the case of a Small Passenger Vehicle (Metropolitan) Accreditation	\$379 plus \$1 709 for each vehicle used (or available for use) for the purposes of a service operated under the accreditation at the time of renewal
	(b) in respect of an accreditation under Part 4 Division 2	\$155
	(c) in respect of an accreditation under Part 4 Division 3	\$846
5	Application to vary an accreditation under Part 4 Division 2	\$155
6	Notification to the Minister of—	
	(a) the introduction of a vehicle to a service—	
	(i) unless (ii) or (iii) applies	\$18
	(ii) in the case of a vehicle used for the purposes of a service operated under a Small Passenger Vehicle (Traditional) Accreditation, a Small Passenger Vehicle (Special Purpose) Accreditation, a Small Passenger Vehicle (Non-Metropolitan) Accreditation or a Country Taxi Accreditation	\$76 per vehicle
	(iii) in the case of a vehicle used for the purposes of a service operated under a Small Passenger Vehicle (Metropolitan) Accreditation	\$1 709 per vehicle
	However, if a vehicle is introduced to a service operated under an accreditation referred to in subparagraph (ii) or (iii) during a prescribed period for that accreditation under regulation 10(1) the fee payable under subparagraph (ii) or (iii) may be adjusted on a pro rata basis by applying the proportion that the number of months that are left to run to the end of that prescribed period bears to 12 months (on the basis that parts of a month count as a full month)	
	(b) the withdrawal of a vehicle from a service	\$18
7	Application fee for a licence under Part 6 of the Act—	
	(a) in respect of a special vehicle licence	\$125
	(b) in respect of any other kind of licence	\$285
8	Renewal fee under Part 6 of the Act—	
	(a) in respect of a special vehicle licence	\$125
	(b) in respect of any other kind of licence	\$285
9	Application fee for the consent of the Minister under section 49 of the Act	\$83

10	Application fee for consent to the substitution of another vehicle for a licensed taxi	\$35
11	Fee for issue of a duplicate of an accreditation or licence that has been lost etc	\$51
12	Prescribed fee under section 54 of the Act—	
	(a) for a first inspection	\$85
	(b) for a subsequent inspection (if necessary)	\$62
13	Tender fee for the purposes of Schedule 2	\$33

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 9 June 2011

No 122 of 2011

MTR/11/025

South Australia

Fees Regulation (Proof of Age Card) Variation Regulations 2011

under the *Fees Regulation Act 1927*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Fees Regulation (Proof of Age Card) Regulations 2008*

- 4 Variation of regulation 3—Fee payable for Proof of Age Card
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fees Regulation (Proof of Age Card) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation in accordance with section 5 of the *Fees Regulation Act 1927*.

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 *Fees Regulation (Proof of Age Card) Regulations 2008*

4—Variation of regulation 3—Fee payable for Proof of Age Card

Regulation 3—delete "\$21" and substitute:

\$22

Made by the Governor

with the advice and consent of the Executive Council
on 9 June 2011

No 123 of 2011

MTR11/025

South Australia

Business Names (Fees) Variation Regulations 2011

under the *Business Names Act 1996*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Amendment of *Business Names Regulations 2010*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Business Names (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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—Amendment of *Business Names Regulations 2010*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- 1 Section 8(1) of the Act—
 - (a) application fee for registration of a business name \$159.00
 - (b) application fee for renewal of registration of a business name \$128.00
 - (c) late application fee (in addition to the fee payable under paragraph (b)) \$35.25
- 2 Fee for replacement of a certificate of registration \$22.90
- 3 Section 8(4) of the Act—application for consent of the Minister \$275.00

4	Section 11(4) of the Act—	
(a)	inspection of a document lodged with the Commission under this Act or the repealed Act	\$22.90
(b)	obtaining a copy of part of the register, a document lodged with the Commission under the Act or the repealed Act or a list of business names registered under the Act as referred to in section 11(4)—	
(i)	for the first sheet	\$22.90
(ii)	for each additional sheet	\$1.30
(c)	obtaining a certified copy of part of the register or of a document lodged with the Commission under the Act or the repealed Act—	
(i)	for the first sheet	\$22.90
(ii)	for each additional sheet	\$1.30
5	Section 12(1) of the Act—	
(a)	notification of a change of proprietor of a business name	\$33.25
(b)	late lodgment of a notice (other than a notice of cessation of business under a business name)	\$35.25
6	For any act that the Commission is required or authorised to do on the request of a person and for which a fee is not otherwise prescribed	\$22.90

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 9 June 2011

No 124 of 2011

AGO0168/11CS

South Australia

Associations Incorporation (Fees) Variation Regulations 2011

under the *Associations Incorporation Act 1985*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Associations Incorporation Regulations 2008*

- 4 Substitution of Schedule 2
Schedule 2—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Associations Incorporation (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Associations Incorporation Regulations 2008*

4—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees

- 1 For inspection under section 6(2) of the Act of documents lodged by or in relation to an association \$22.90

2	For the supply of an uncertified copy of, or extract from, a document held by the Commission in relation to an association (in addition to the fee payable under clause 1)—	
	(a) in the case of rules of an association or a periodic return of a prescribed association	\$17.90
	(b) in any other case	\$5.00
3	For the supply of a certified copy of, or extract from, a document held by the Commission in relation to an association (in addition to the fee payable under clause 1)—	
	(a) in the case of rules of an association or a periodic return of a prescribed association	\$35.75
	(b) in any other case	\$22.90
4	On lodging an application to the Commission (not being an application for which a fee is specified elsewhere in the Schedule) to exercise any of the powers conferred on the Commission by the Act, or by those provisions of the <i>Corporations Act 2001</i> of the Commonwealth applied by the Act to an association	\$56.00
5	On lodging an application to the Minister to exercise any powers conferred on the Minister by the Act	\$56.00
6	On lodging an application for incorporation under section 19 of the Act	\$166.00
7	On lodging an application for amalgamation under section 22 of the Act	\$166.00
8	On lodging an application to register an alteration to rules under section 24 of the Act (including an application to alter the name of an association)	\$56.00
9	For the approval of the Commission of an auditor under section 35(2)(b) of the Act	\$78.50
10	On lodging a periodic return under section 36 of the Act	\$78.50
11	On submitting to the Commission for examination a draft explanatory statement prior to its registration under the provisions of the <i>Corporations Act 2001</i> of the Commonwealth applied under section 40A of the Act	\$166.00
12	On lodging an application for the approval of the Commission for extension of period under section 41C(4)(a) of the Act	\$58.50
13	For consent of the Commission under section 43(1a) of the Act to distribute surplus assets of an association on winding up among members of the association	\$78.50
14	On lodging an application to deregister an association under section 43A(1) of the Act	\$116.00
15	On making a request of the Commission under section 43A(5) of the Act (in addition to the fee payable under clause 14)	\$78.50
16	On lodging an application to the Commission to exercise the powers conferred by section 44A or 46 of the Act	\$78.50

17	For an act done by the Commission—	
	(a) representing a defunct association or its liquidator under section 44A of the Act	\$78.50
	(b) under section 46 of the Act	\$78.50
18	On lodging an application to the Commission to exercise the power conferred by section 53 of the Act	\$78.50
19	On lodging an application to reserve a name under section 53A(1) of the Act	\$116.00
20	On the late lodgment of a document (in addition to any lodgment fee provided by any other clause for the lodging of that document)—	
	(a) if lodged within 1 month after the prescribed time	\$30.75
	(b) if lodged more than 1 month but within 3 months after the prescribed time	\$63.50
	(c) if lodged more than 3 months after the prescribed time	\$134.00
21	For the production by the Commission, pursuant to a subpoena, of a document held by it in relation to an association—	
	(a) for the first 2 pages or part of 2 pages	\$22.90
	(b) for each additional 2 pages or part of 2 pages	\$1.30
22	For any act that the Commission is required or authorised to do on the request of a person and for which a fee is not prescribed by any other clause	\$31.25

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 9 June 2011

No 125 of 2011

AGO0168/11CS

South Australia

Co-operatives (Fees) Variation Regulations 2011

under the *Co-operatives Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Co-operatives Regulations 1997*

- 4 Substitution of Schedule 5
Schedule 5—Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Co-operatives (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Co-operatives Regulations 1997*

4—Substitution of Schedule 5

Schedule 5—delete the Schedule and substitute:

Schedule 5—Fees

1	Application to Commission for approval of proposed disclosure statement—section 17 of Act	\$316.00
2	Application to Commission for approval of proposed rules—section 18 of Act	\$159.00
3	Application to Commission for registration of proposed co-operative—section 19 of Act	\$159.00
4	Application to Commission for registration—existing body corporate—section 24 of Act	\$159.00

5	Issue of duplicate certificate—section 35 of Act	\$39.75
6	Application for Commission's certificate—section 61(2) of Act	\$39.75
7	Application to Commission for approval of alteration to rules— section 107 of Act—	
	(a) for each rule	\$12.50
	(b) maximum fee	\$125.00
8	Registration of rule alteration—section 110(2) of Act	\$39.75
9	Issue of certificate of registration of rule alteration—section 110(4) of Act	\$39.75
10	Application to the Commission for determination of a member's eligibility to vote—section 122(3) of Act	\$159.00
11	Application to Commission for exemption—section 142 of Act	\$316.00
12	Application to Commission for exemption—section 144B of Act	\$316.00
13	Application to Commission for approval of proposed disclosure statement—section 159 of Act	\$316.00
14	Application to Commission for review—section 181 of Act	\$316.00
15	Lodgment of special resolution—section 192 of Act	\$39.75
16	Application to Commission for approval of proposed disclosure statement—section 195 of Act	\$316.00
17	Application to Commission for exemption—section 234 of Act	\$316.00
18	Approval of office where register to be kept—section 240(1)(d) of Act	\$39.75
19	Lodgment of annual report—section 244 of Act	\$78.50
20	Application to Commission for approval of abbreviation or elaboration of name—section 248(e) of Act	\$39.75
21	Application to Commission for approval of name change— section 250(1) of Act	\$39.75
22	Submission to Commission of disclosure statement (section 253 of Act—regulation 19)	\$316.00
23	Filing a disclosure document under section 727 of Corporations Act as applied by section 258 of Act	\$2 238.00
24	Application to Commission for exemption—section 258(4) of Act	\$316.00
25	Application to Commission for approval of proposed disclosure statement—section 259 of Act	\$316.00
26	Application to Commission for approval of proposed disclosure statement—section 262 of Act	\$316.00
27	Application to Commission for exemption—section 270 of Act	\$316.00
28	Application to Commission for approval of maximum share interest—section 275(5) of Act	\$316.00
29	Inspection of register of notifiable interests—maximum fee that co-operative may require—section 280(3)(b) of Act	\$39.75
30	Application to Commission for exemption—section 284 of Act	\$316.00

31	Application to Commission for approval of share offer—section 286 of Act	\$316.00
32	Application to Commission for extension of period of offer—section 288(5) of Act	\$78.50
33	Application to Commission for exemption—section 292 of Act	\$316.00
34	Application for Commission's consent—section 295(2) of Act	\$78.50
35	Application to Commission for approval of proposed disclosure statement—section 296(2) of Act	\$316.00
36	Application to Commission for exemption—section 296(4) of Act	\$316.00
37	Application to Commission for approval of merger or transfer of engagements—section 316 of Act	\$316.00
38	Application to Commission for exemption—section 302(3) of Act	\$316.00
39	Filing an application for the Commission to exercise powers conferred by section 601AE or section 601AF of Corporations Act as applied by section 311 of Act	\$309.00
40	Application to Commission for exemption—section 312(2) of Act	\$316.00
41	Application for Commission's permission—section 336(1) of Act	\$78.50
42	Application to Commission for direction—section 338(1)(f) of Act	\$316.00
43	Application to Commission for approval of explanatory statement—section 345(1) of Act	\$788.00
44	Application to Commission for registration—section 364 of Act	\$159.00
45	Application to Commission for registration—section 365 of Act	\$788.00
46	Application to Commission for certificate of compliance—section 373 of Act	\$945.00
47	Application for South Australian Registrar's consent—section 376	\$78.50
48	Application to South Australian Registrar for approval of proposed disclosure statement—section 377(2) of Act	\$316.00
49	Application to South Australian Registrar for exemption—section 377(4) of Act	\$316.00
50	Application to South Australian Registrar for approval of merger or transfer of engagements—section 378 of Act	\$316.00
51	Application to Commission for special meeting—section 415(1)(a) of Act	\$316.00
52	Application to Commission for inquiry—section 415(1)(b)	\$788.00
53	Application to Commission for extension or abridgment of time—section 421	\$78.50
54	Inspection of a register or document—section 427(1)(a) and (b) of Act	\$22.90
55	Copy of, or copy of an extract from, an entry in a register, a certificate of incorporation, an acknowledgment of registration or a document held or registered by the Commission—section 427(1)(c) of Act (in addition to the fee payable under clause 54)—	
	(a) for a certified copy—	
	(i) for 1 page	\$22.90
	(ii) for each additional page or part of a page	\$1.30

	(b) for an uncertified copy—	
	(i) for 1 page	\$5.00
	(ii) for each additional page or part of a page	\$1.30
56	Application to Commission for permission to give notice by newspaper—section 451(2)(c)(iii) of Act	\$78.50
57	Lodgment of notice of charge—Schedule 3, clause 13(1) of Act	\$109.00
58	Lodgment of notice of acquisition of property subject to charge—Schedule 3, clause 17(1) of Act	\$109.00
59	Application to Commission for extension of time—Schedule 3, clause 20(3)(c) of Act	\$ 78.50
60	Lodgment of notice of assignment of charge—Schedule 3, clause 36(1) of Act	\$56.00
61	Lodgment of notice of variation of charge—Schedule 3, clause 36(2) of Act	\$56.00
62	Lodgment of memorandum of discharge—Schedule 3, clause 37(2) of Act	\$56.00
63	Request for certificate—Schedule 3, clause 42 of Act	\$39.75
64	Application to Commission for exemption—Schedule 3, clause 44 of Act	\$316.00
65	Application to Commission for direction—Schedule 4, clause 3(1)(f) of Act	\$316.00
66	Inspection of managing controller's report—Schedule 4, clause 12(3)(b) of Act	\$22.90
67	Late lodgment of a document (in addition to any lodgment fee provided by any other item for the lodging of that document)—	
	(a) if lodged within 1 month after the prescribed time	\$46.25
	(b) if lodged more than 1 month but within 3 months after the prescribed time	\$142.00
	(c) if lodged more than 3 months after the prescribed time	\$238.00

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 9 June 2011

No 126 of 2011

AGO0168/11CS

South Australia

Security and Investigation Agents (Fees) Variation Regulations 2011

under the *Security and Investigation Agents Act 1995*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Security and Investigation Agents Regulations 1996*

- 4 Variation of regulation 21—Requirement to submit audit statement or declaration if no trust account kept
 - 5 Substitution of Schedule 2
- Schedule 2—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Security and Investigation Agents (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Security and Investigation Agents Regulations 1996*

4—Variation of regulation 21—Requirement to submit audit statement or declaration if no trust account kept

Regulation 21(4)—delete "\$302" and substitute:

\$311

5—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees

1	Application fee for licence (section 8(1)(b) of the Act)—	
	(a) for a natural person	\$401.00
	(b) for a body corporate	\$651.00
2	Licence fee—payable before the granting of a licence under Part 2 of the Act—	
	(a) for a natural person—	
	(i) if licence subject to employee condition or employee (supervision condition)	\$260.00
	(ii) in any other case	\$546.00
	(b) for a body corporate	\$713.00
	If the period between the grant of the licence and the next date for payment of a fee under section 12 of the Act is less than or more than 12 months, a pro rata adjustment is to be made to the amount of the additional fee by applying the proportion that the length of that period bears to 12 months.	
3	Annual fee (section 12(2)(a) of the Act)—	
	(a) for a natural person—	
	(i) if licence subject to employee condition or employee (supervision condition)	\$260.00
	(ii) in any other case	\$546.00
	(b) for a body corporate	\$713.00
	If the period between a date for payment of a fee under section 12 of the Act and the next date for payment of the fee under that section (as nominated by the Commissioner) is less than or more than 12 months, a pro rata adjustment is to be made to the amount of the fee by applying the proportion that the length of that period bears to 12 months.	
4	Default penalty fee (section 12(3) of the Act)	\$149.00
5	Application fee for alteration to conditions of licence (section 10 of the Act)	\$244.00
6	Fee for replacement of licence	\$22.90

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 9 June 2011

No 127 of 2011
AGO0168/11CS

South Australia

Births, Deaths and Marriages Registration (Fees) Variation Regulations 2011

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

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Births, Deaths and Marriages Registration Regulations 1996*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Births, Deaths and Marriages Registration (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Births, Deaths and Marriages Registration Regulations 1996*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- | | | |
|---|---|----------|
| 1 | Application to register change of adult's or child's name
(section 24 or 25 of Act) | \$157.00 |
| 2 | Application to register change of name under another law or
by order of a court (section 27(2) of Act) | \$42.00 |

3	Application for correction of entry in Register (section 42 of Act)	\$42.00
4	Application for search of entries made in Register about a particular registrable event within a 10 year period or part of a 10 year period (sections 44 and 46 of Act)—	
	(a) inclusive of issue of standard certificate on completion of search	\$42.00
	(b) inclusive of issue of commemorative certificate package on completion of search	\$59.00
5	Additional fee for giving priority to an application under clause 4(a)	\$32.00
6	Application for authorisation for disposal of human remains (section 50A of Act)	\$84.00

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 9 June 2011

No 128 of 2011

AGO0168/11CS

South Australia

Cremation (Fees) Variation Regulations 2011

under the *Cremation Act 2000*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Cremation Regulations 2001*

- 4 Substitution of Schedule 2
Schedule 2—Application fees for cremation permits
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Cremation (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Cremation Regulations 2001*

4—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Application fees for cremation permits

Application for cremation permit—

- | | | |
|-----|---|---------|
| (a) | if the application is accompanied by documents as required by section 6(2) of the Act or as referred to in section 6(3)(a) of the Act | \$42.00 |
| (b) | in any other case | \$84.00 |

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 9 June 2011

No 129 of 2011

AGO0168/11CS

South Australia

Partnership (Fees) Variation Regulations 2011

under the *Partnership Act 1891*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Partnership Regulations 2006*

- 4 Substitution of Schedule 1
Schedule 1—Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Partnership (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Partnership Regulations 2006*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- | | | |
|---|--|----------|
| 1 | Application for registration of limited partnership (sections 52(1) and (3) of Act)— | |
| | (a) if the application is to operate also as an application for registration of the firm-name under the <i>Business Names Act 1996</i> | \$317.00 |
| | (b) in any other case | \$159.00 |

2	Application for registration of incorporated limited partnership (sections 52(1) and (3) of Act)—	
	(a) if the application is to operate also as an application for registration of the firm-name under the <i>Business Names Act 1996</i>	\$511.00
	(b) in any other case	\$359.00
3	Inspection of Register (section 54(3) of Act)	\$22.90
4	Copy (whether certified or not) of information in the Register (section 54(3) of Act)—	
	(a) for first page	\$22.90
	(b) for each additional page	\$1.30
5	Notification of change in registered particulars (section 55(1) of Act)	\$32.25
6	Late notification of change in registered particulars (section 55 of Act)—	
	(a) if lodged not more than 1 month late	\$31.25
	(b) if lodged more than 1 month late but not more than 3 months late	\$63.50
	(c) if lodged more than 3 months late	\$134.00
7	Issue, on application, of certificate as to formation and registered particulars of limited partnership or incorporated limited partnership (section 56(2) of Act)—	
	(a) for first page	\$24.90
	(b) for each additional page	\$1.30
8	Lodging copy of document evidencing incorporated limited partnership's status under <i>Venture Capital Act 2002</i> (Commonwealth) or <i>Income Tax Assessment Act 1936</i> (Commonwealth) (section 71E(1) or (2) of Act)	\$32.25
9	Notification by incorporated limited partnership of revocation or cessation (section 71E(3) or (4) of Act)	\$17.80
10	Application for extension or exemption (section 81 of Act)	\$76.00

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 9 June 2011

No 130 of 2011
AGO00168/11CS

South Australia

Sexual Reassignment (Fees) Variation Regulations 2011

under the *Sexual Reassignment Act 1988*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Sexual Reassignment Regulations 2000*

- 4 Variation of regulation 6—Applications for recognition certificates
 - 5 Variation of regulation 7—Registration of certificates
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Sexual Reassignment (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Sexual Reassignment Regulations 2000*

4—Variation of regulation 6—Applications for recognition certificates

Regulation 6(1)(b)(iv)—delete "\$73.50" and substitute:

\$75.50

5—Variation of regulation 7—Registration of certificates

Regulation 7—delete "\$43.50" and substitute:

\$45.00

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 9 June 2011

No 131 of 2011

AGO0168/11CS

South Australia

Bills of Sale (Fees) Variation Regulations 2011

under the *Bills of Sale Act 1886*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Bills of Sale Regulations 2009*

- 4 Substitution of Schedule 1
- Schedule 1—Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Bills of Sale (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Bills of Sale Regulations 2009*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- | | | |
|---|---|---------|
| 1 | For registering or filing— | |
| | (a) a document under section 11A of the Act | \$64.50 |
| | (b) a bill of sale | \$64.50 |
| | (c) the discharge, extension, transfer or renewal of a bill of sale | \$64.50 |
| | (d) any other document | \$64.50 |
| 2 | For withdrawing a bill of sale from registration or filing | \$53.50 |

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 9 June 2011

No 132 of 2011

AGO0171/11CS

South Australia

Strata Titles (Fees) Variation Regulations 2011

under the *Strata Titles Act 1988*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Strata Titles (Fees) Regulations 2001*

- 4 Substitution of Schedule 1
Schedule 1—Fees payable to Registrar-General

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Strata Titles (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Strata Titles (Fees) Regulations 2001*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees payable to Registrar-General

- 1 For lodgement of an application for—
 - (a) amendment of a strata plan \$140
 - (b) amalgamation of 2 or more strata plans \$140
- 2 For the examination of—
 - (a) an amendment to a strata plan \$404
 - (b) an amalgamation of 2 or more strata plans \$404

3	For the deposit of a strata plan	\$125
4	For the issue of a certificate of title—	
	(a) for each unit added to a strata plan or amended by a strata plan	\$73
	(b) for each unit comprised in an amalgamated plan	\$73
5	For the amendment of a schedule of unit entitlements	\$140
6	Application for cancellation of a strata plan—	
	(a) for examination of application (including fees for entering necessary memorials in the Register Book)	\$379
	(b) for each certificate of title issued	\$73
7	On lodging a certified copy of a special resolution of a strata corporation amending the articles of the corporation	\$140
8	On lodging any other document with the Registrar-General under the Act	\$140
9	On giving written notice—	
	(a) of the appointment of an administrator of a strata corporation	\$140
	(b) of the removal or replacement of an administrator of a strata corporation	\$140

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 9 June 2011

No 133 of 2011

AGO0171/11CS

South Australia

Community Titles (Fees) Variation Regulations 2011

under the *Community Titles Act 1996*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Community Titles Regulations 1996*

- 4 Substitution of Schedule 2
Schedule 2—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Community Titles (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Community Titles Regulations 1996*

4—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees

- 1 Examination of plan to be lodged with application under Act before application is lodged (section 144 of Act)—
 - (a) for application for division of land by plan of community division (section 14 of Act)—
 - (i) if there are 5 lots or less \$404.00
 - (ii) if there are more than 5 lots \$812.00

	(b) for any other application	\$404.00
2	Application for division of land by plan of community division (section 14 of Act)—	
	(a) for examination of application	\$341.00
	(b) for examination of plan of community division not subject to prior approval under section 144—	
	(i) if there are 5 lots or less	\$404.00
	(ii) if there are more than 5 lots	\$812.00
	(c) for deposit of plan of community division	\$125.00
	(d) for each lot requiring issue of certificate of title	\$73.00
	(e) for filing of scheme description	\$140.00
	(f) for filing of by-laws	\$140.00
	(g) for filing of development contract	\$140.00
3	Application to amend schedule of lot entitlements (section 21 of Act)	\$140.00
4	Filing of copy of certified scheme description as amended (section 31 of Act)	\$140.00
5	Filing of certified copy of by-laws as varied (section 39 of Act)	\$140.00
6	Maximum fee for purchase from corporation of copy of by-laws (section 44 of Act)	\$41.50
7	Fee for purchase from Registrar-General of copy of by-laws filed with plan of community division (section 44 of Act)	\$8.30
8	Filing of certified copy of development contract as varied or agreement to terminate development contract (section 50 of Act)	\$140.00
9	Maximum fee for purchase from corporation of copy of development contract (section 51 of Act)	\$41.50
10	Fee for purchase from Registrar-General of copy of development contract filed with plan of community division (section 51 of Act)	\$8.30
11	Application for amendment of deposited community plan (section 52 of Act)—	
	(a) for examination of application	\$260.00
	(b) for examination of plan to be substituted or sheets of plan to be substituted or added if plan not subject to prior approval under section 144	\$404.00
	(c) for each lot requiring issue of certificate of title	\$73.00
	(d) for filing of amended scheme description	\$140.00
12	Application for division of development lot in pursuance of development contract and consequential amendment of community plan (section 58 of Act)—	
	(a) for examination of application	\$260.00

	(b) for examination of plan to be substituted or sheets of plan to be substituted or added if plan not subject to prior approval under section 144	\$404.00
	(c) for each lot requiring issue of certificate of title	\$73.00
13	Application for amalgamation of deposited community plans (section 60 of Act)—	
	(a) for examination of application	\$260.00
	(b) for examination of plan of community division not subject to prior approval under section 144	\$404.00
	(c) for deposit of plan of community division	\$125.00
	(d) for each lot requiring issue of certificate of title	\$73.00
	(e) for filing of scheme description	\$140.00
	(f) for filing of by-laws	\$140.00
14	Application for cancellation of deposited community plan (sections 64 and 65 of Act)—	
	(a) for examination of application	\$260.00
	(b) if application is for cancellation of primary plan—	
	(i) for examination of plan that delineates outer boundaries of primary parcel	\$404.00
	(ii) for filing of plan	\$125.00
	(c) for each certificate of title to be issued	\$73.00
15	Application to note Court order for cancellation of community plan (sections 64 and 67 of Act)—	
	(a) for noting the order	\$260.00
	(b) if application is for cancellation of primary plan—	
	(i) for examination of plan that delineates outer boundaries of primary parcel	\$404.00
	(ii) for filing of plan	\$125.00
	(c) for each certificate of title to be issued	\$73.00
16	Filing of notice of appointment, removal or replacement of administrator (section 100 of Act)	\$140.00
17	Filing of resolution to elect to use Act (Schedule clause 2)	\$140.00
18	Submission of outer boundary plan (regulation 8)	
	(a) for examination of plan	\$812.00
	(b) for filing of plan	\$125.00
19	Fee for re-examination of plan when amended after approval for deposit is given	\$125.00
20	Lodgement of any other document required by Act	\$140.00

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 9 June 2011

No 134 of 2011

AGO0171/11CS

South Australia

Real Property (Fees) Variation Regulations 2011

under the *Real Property Act 1886*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Real Property Regulations 2009*

- 4 Substitution of Schedule 1
Schedule 1—Fees payable to Registrar-General
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Real Property (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Real Property Regulations 2009*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees payable to Registrar-General

- | | | |
|---|---|----------|
| 1 | For the registration or entry of each instrument (irrespective of the number of folios to be endorsed)—other than any registration or entry specifically provided for | \$140.00 |
|---|---|----------|

2	For registering a transfer—	
	(a) where the consideration, or the value as assessed under the <i>Stamp Duties Act 1923</i> —	
	(i) does not exceed \$5 000	\$140.00
	(ii) does not exceed \$20 000	\$154.00
	(iii) does not exceed \$40 000	\$170.00
	(iv) exceeds \$40 000	\$237.00
	plus \$69 for every \$10 000 (or part of \$10 000) above \$50 000	
	(b) where the Commissioner of State Taxation has adjudged the transfer to be exempt from stamp duty or where no <i>ad valorem</i> stamp duty is payable (except for those transfers assessed pursuant to section 71C of the <i>Stamp Duties Act 1923</i>)	\$140.00
	(c) that has been assessed pursuant to sections 71CA, 71CB, 71CBA or 71CC of the <i>Stamp Duties Act 1923</i>	\$140.00
3	On lodgment of a caveat under sections 39, 80F or 223D of the Act	\$140.00
4	For the deposit, or noting the revocation, of a duplicate or attested copy of a power of attorney	\$140.00
5	For an application for the issue of a substituted lessee's copy of a Crown lease or duplicate certificate of title (exclusive of the cost of advertising in the Gazette)	\$140.00
6	For the registration of an application to note a change of address	no fee
7	For entry of a foreclosure order (exclusive of the cost of advertising in the Gazette)	\$230.00
8	For a certified copy of—	
	(a) an original certificate of title under section 51A of the Act	\$22.20
	(b) a statement under section 51D of the Act	\$22.20
9	Unless otherwise specified—	
	(a) (except where paragraph (b) applies) for the issue of a new certificate of title or a substituted lessee's copy of a Crown lease or duplicate certificate of title	\$73.00
	(b) for the issue of a new certificate of title on the amalgamation of allotments wholly within the Mount Lofty Catchment Area	no fee

10	For the issue of a certificate of title—	
	(a) (limited or ordinary) on the land first being brought under the Act	no fee
	(b) to a corporation or district council for a road, street or reserve	no fee
	(c) to effect correction or amendment of title or for the convenience of the Lands Titles Registration Office in effecting registration or redesignation	no fee
	(d) under Part 5 Division 2 of the Act (but only if the volume and folio numbers remain the same and the title is not issued to replace 1 that has been lost or destroyed)	no fee
11	For a new certificate of title issued as a result of the existing title being full of endorsements	no fee
12	For an application for the division of land—	
	(a) where deposit of the plan of division will not vest an estate or interest in land (except a street, road, thoroughfare, reserve or other similar open space that vests in a council or other authority or reverts to the Crown or an easement that will vest in an authority or entity in accordance with section 223LG of the <i>Real Property Act 1886</i>) in any person	\$140.00
	(b) in all other cases	\$341.00

Note—

Fees for the examination of the plan of division, deposit or acceptance for filing of the plan and for the issue of new certificates of title are payable under this Schedule in addition to this amount.

13	For an application for the amalgamation of allotments—	
	(a) for the amalgamation of allotments that are wholly within the Mount Lofty Catchment Area	no fee
	(b) for any other amalgamation of allotments	\$140.00

Note—

Fees for the examination of the plan of amalgamation, deposit or acceptance for filing of the plan and for the issue of new certificates of title are payable under this Schedule in addition to this amount.

14	For the deposit or acceptance for filing by the Registrar-General—	
	(a) of a plan of amalgamation of allotments wholly within the Mount Lofty Catchment Area	no fee
	(b) of any other plan	\$125.00

15	Unless otherwise specified, for the examination—	
	(a) of a plan of survey certified correct by a licensed surveyor and lodged with or submitted to the Registrar-General (for freehold or Crown land)—plus a further \$404, payable by the surveyor, if the plan is relodged or resubmitted following rejection by the Registrar-General (However, the Registrar-General may waive or reduce the further fee if he or she considers that appropriate in a particular case having regard to the work involved in examining the relodged or resubmitted plan.)	\$812.00
	(b) of an uncertified data plan (except a plan of a kind referred to in paragraph (c)) lodged with or submitted to the Registrar-General (for freehold or Crown land)	\$404.00
	(c) of an uncertified data plan lodged with or submitted to the Registrar-General for the amalgamation of allotments wholly within the Mount Lofty Catchment Area	no fee
	(d) of a plan lodged with or submitted to the Registrar-General for the purposes of a lease of part of an allotment	\$163.00
16	For the examination—	
	(a) of a plan of survey certified correct by a licensed surveyor and lodged with the Registrar-General for information purposes only	no fee
	(b) of an uncertified data plan lodged with the Registrar-General for information purposes only	no fee
	(c) of a plan of survey certified by a licensed surveyor and lodged with the Registrar-General by the Surveyor-General	no fee
	(d) of plans submitted under the <i>Roads (Opening and Closing) Act 1991</i>	no fee
17	Unless otherwise specified, for the deposit or acceptance for filing of any plan (for freehold or Crown land)	\$125.00
18	For the deposit or acceptance for filing of a plan prepared by the Registrar-General or under the Registrar-General's authorisation	no fee
19	For the withdrawal of any instrument, application or plan submitted for registration, deposit or acceptance for filing	\$53.50
20	For the withdrawal of any plan of survey certified correct by a licensed surveyor and lodged with or submitted to the Registrar-General for examination	\$109.00
21	For an application under section 146 of the Act (exclusive of the cost of registration of the instrument of discharge)	\$179.00
22	For an application to the Registrar-General to issue a summons under section 220(c) of the Act	\$179.00

23	For searching the Register Book—	
	(a) comprising a search statement from the Registrar-General's unregistered document system, a copy of the original certificate of title and a check search	\$19.20
	(b) comprising a search of the electronic records of the original certificate of title, the Registrar-General's unregistered document system and a check search (including the transmission fee)	\$19.20
24	For a copy—	
	(a) of a registered instrument	\$8.30
	(b) of a plan deposited or accepted for filing by the Registrar-General	\$8.30
	(c) of a cancelled original certificate of title	\$8.30
	(d) of any instrument, entry, document or record not otherwise specifically provided for	\$8.30
25	For requesting any of the following under the Automated Registration Indexing and Enquiry System (<i>ARIES</i>):	
	(a) a check search of a specified certificate of title	no fee
	(b) the details of a specified document	\$6.90
	(c) a search of the numbers assigned to documents associated with a specified instrument	\$6.90
	(d) the location of a specified document or plan	no fee
	(e) the details of a specified plan	\$6.90
	(f) a list of the numbers assigned to plans lodged in respect of a specified Section of land in a Hundred	\$6.90
	(g) the details of the delivery of a specified item	no fee
	(h) the details of the delivery of documents relating to—	
	(i) a specified agent code	no fee
	(ii) a specified delivery slip	no fee
	(i) the details of a specified agent code	no fee
	(j) in respect of a specified document—a search of—	
	(i) the series in which the document was lodged; and	no fee
	(ii) any other series into which the document may, subsequently, have been moved, prior to registration of the document	no fee
	(k) a search of the location of, and the numbers assigned to, documents lodged in a specified series	no fee
	(l) a record of all documents lodged or registered under a specified name	\$6.90
26	For requesting a search under the Torrens Automated Title System (<i>TATS</i>)	\$15.00

27	For the return of a cancelled duplicate certificate of title	\$28.75
28	For advertising in the Gazette—	
	(a) an application for a foreclosure	no fee
	(b) an application under Part 4 of the Act	no fee
	(c) an application under Part 7A of the Act	no fee
29	For reporting to a local government authority—	
	(a) a change of ownership of land (for each change of ownership reported)	\$1.85
	(b) a converted certificate of title (for each converted certificate of title reported)	\$1.85
	(c) on the subdivision of land—details of—	\$1.85
	(i) cancelled certificates of title; and	
	(ii) newly created parcels of land and new certificates of title issued in respect of those parcels; and	
	(iii) the valuation assessment for each new certificate of title issued,	
	(for each valuation assessment reported)	
30	For reporting to the South Australian Water Corporation—	
	(a) a change of ownership of land (for each change of ownership reported)	\$1.85
	(b) on the subdivision of land—details of—	\$1.85
	(i) cancelled certificates of title; and	
	(ii) newly created parcels and new certificates of title issued in respect of those parcels,	
	(for each new certificate of title reported)	
31	For providing miscellaneous reports of changes of ownership of land to government agencies (other than the South Australian Water Corporation)	no fee
32	For providing reports of Heritage Agreements to the administrative unit of the Public Service that is, under a Minister, responsible for the administration of the <i>Heritage Places Act 1993</i>	no fee
33	For reporting to ETSA Utilities a change of ownership of land (plus an additional fee of \$4.00 for each change of ownership reported)	\$28.75
34	For a copy of any of the following documents under the <i>Bills of Sale Act 1886</i> :	
	(a) a document filed under section 11A of the <i>Bills of Sale Act 1886</i>	\$8.30
	(b) a registered bill of sale or a discharge, extension or renewal of a bill of sale	\$8.30
	(c) any other document	\$8.30

35	For a copy of a plan under the <i>Strata Titles Act 1988</i> (including provision of the unit entitlement sheet)	\$8.30
36	For a copy of a plan under the <i>Community Titles Act 1996</i> (including provision of the lot entitlement sheet)	\$8.30

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 9 June 2011

No 135 of 2011

AGO0171/11CS

South Australia

Registration of Deeds (Fees) Variation Regulations 2011

under the *Registration of Deeds Act 1935*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Registration of Deeds (Fees) Regulations 2004*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Registration of Deeds (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Registration of Deeds (Fees) Regulations 2004*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

1 For registering—

- (a) an instrument of conveyance, a legal or equitable mortgage or any other instrument \$125.00
- (b) an instrument of conveyance, mortgage or other instrument that has been dated 30 years or more prior to production for registration No fee

2	For depositing a deed, agreement, writing, assurance, map or plan	\$18.50
3	For enrolling an instrument	\$18.50
4	For a copy of an instrument that has been registered, deposited or enrolled	\$8.30

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 9 June 2011

No 136 of 2011

AGO0171/11CS

South Australia

Worker's Liens (Fees) Variation Regulations 2011

under the *Worker's Liens Act 1893*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Worker's Liens Regulations 1999*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Worker's Liens (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Worker's Liens Regulations 1999*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- | | | |
|---|---|----------|
| 1 | For lodging a notice of lien (section 10(3)) | \$140.00 |
| 2 | For entering a memorandum of cessation of lien (section 16) | \$140.00 |
| 3 | If a notice of lien or an application to enter a memorandum of cessation of lien is withdrawn before the appropriate memorandum is entered, the fee payable is reduced to | \$53.50 |

Note—

A fee is payable for entering a memorandum of withdrawal of lien under the *Real Property Act 1886*.

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 9 June 2011

No 137 of 2011

AGO0171/11CS

South Australia

Public Trustee (Fees) Variation Regulations 2011

under the *Public Trustee Act 1995*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Public Trustee Regulations 2010*

- 4 Variation of Schedule 2—Commission and fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Public Trustee (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Public Trustee Regulations 2010*

4—Variation of Schedule 2—Commission and fees

Schedule 2, Part 2, clause 12—delete clause 12 and substitute:

12	The fees set out in the table are maximum fees.	
1	For the preparation of—	
(a)	a contract for the sale of estate property	\$187.27
(b)	a tenancy agreement	\$187.27
(c)	a deed	\$187.27
2	For the preparation of a document for the purposes of the <i>Real Property Act 1886</i> (other than a document referred to in item 1)	\$169.09

3	For the production of a certificate of title	\$143.64
4	For the preparation of a certificate of interest or any other certificate	\$57.27
5	Annual administration and audit fee for each trust estate or fund administered by the Public Trustee	\$125.45
6	For undertaking work in relation to taxation (per hour, or part of an hour)	\$127.27
7	For the preparation of an affidavit required to satisfy the requirements of the Registrar of Probates (other than an executor's or administrator's oath)	\$196.36
8	For securing, prior to the sale of real or leasehold estate, such information as is necessary to comply with all legal requirements	\$196.36
Note—		
The fee referred to in item 8 will not be charged where an agent or auctioneer employed by the Public Trustee in connection with the sale charges agent's commission.		
9	For replacing lost documents (per document)	\$288.18
10	For—	
	(a) a detailed inspection and report on a building (per hour, or part of an hour)	\$127.27
	(b) an inspection of any other property (per hour, or part of an hour)	\$127.27
11	For services in connection with processing an application for a loan that is to be secured by a mortgage over property—	
	(a) application fee	\$500.00
	(b) fee for valuation of property	\$1 000.00

Notes—

- 1 With respect to a service, or action taken, by the Public Trustee and not otherwise dealt with in these regulations, a fee may be charged as agreed with the person appointing the Public Trustee or requesting the Public Trustee to perform the service or take the action.
- 2 In all cases, the Public Trustee's fees are payable in addition to commission and expenses paid to auctioneers or agents, legal costs and cash disbursed for postage, advertising, surveys, valuation, travelling expenses and other disbursements properly incurred in the administration, management or control of the estate, trust, fund or property to which the charge relates.

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 9 June 2011

No 138 of 2011

AGO0169/11CS

South Australia

Fees Regulation (Public Trustee Administration Fees) Variation Regulations 2011

under the *Fees Regulation Act 1927*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Fees Regulation (Public Trustee Administration Fees) Regulations 2002*

- 4 Variation of regulation 3—Fee under Administration and Probate Act
 - 5 Variation of regulation 4—Fee under Guardianship and Administration Act
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fees Regulation (Public Trustee Administration Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation in accordance with section 5 of the *Fees Regulation Act 1927*.

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 *Fees Regulation (Public Trustee Administration Fees) Regulations 2002*

4—Variation of regulation 3—Fee under Administration and Probate Act

Regulation 3(1)—delete "\$121" and substitute:

\$125

5—Variation of regulation 4—Fee under Guardianship and Administration Act

Regulation 4(1)—delete "\$121" and substitute:

\$125

Made by the Governor

with the advice and consent of the Executive Council
on 9 June 2011

No 139 of 2011

AGO0169/11CS

South Australia

Controlled Substances (Poisons) Regulations 2011

under the *Controlled Substances Act 1984*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Application of regulations

Part 2—Controlled substances

- 5 Declaration of poisons (section 12(1) of Act)
- 6 Declaration of prescription drugs (section 12(2) of Act)
- 7 Declaration of drugs of dependence (section 12(3) of Act)
- 8 Declaration of volatile solvents (section 12(7) of Act)

Part 3—Application of Part 4 of Act (general offences)

- 9 Manufacture, production and packing (section 13 of Act)
- 10 Exemption from section 13 of Act
- 11 Sale by wholesale (section 14 of Act)
- 12 Sale or supply to end user (section 15 of Act)
- 13 Directions to be given for safe and proper use of S3 poisons sold by retail etc
- 14 Special provisions relating to sale or supply of pseudoephedrine
- 15 Sale of certain poisons (section 16 of Act)
- 16 Declaration of precursors (sections 17A, 17B and 17C of Act)
- 17 End user statement for precursors (sections 17B and 17C of Act)
- 18 Regulation of prescription drugs—administration of certain S4 drugs by dental practitioners, podiatrists and optometrists (section 18(1d)(a)(iii) of Act)
- 19 Regulation of prescription drugs—prescription of certain S4 drugs by medical practitioners (section 18(2) of Act)
- 20 Restrictions on prescription of medicines by midwives
- 21 Exemptions from section 18 of Act
- 22 Exemptions from section 18A of Act
- 23 Sale or supply of volatile solvents (section 19 of Act)
- 24 Automatic vending machines (section 20 of Act)
- 25 Possession of poisons (section 22 of Act)
- 26 Packaging and labelling of poisons (section 24 of Act)
- 27 Storage of poisons (section 25 of Act)
- 28 Consignment of poisons for transport
- 29 Transport of poisons (section 26 of Act)
- 30 Prohibition on use of certain poisons for certain purposes (section 27 of Act)
- 31 Prohibition on use of certain poisons
- 32 Restrictions on advertising (section 28 of Act)

Part 4—Prescriptions and dispensing

- 33 How prescription to be given
- 34 Written prescriptions

35 Dispensing prescriptions

Part 5—Special provisions relating to drugs of dependence

- 36 Interpretation
37 Special restrictions on prescription or supply of drugs of dependence by registered health practitioners and veterinary surgeons
38 Restriction on prescribing or supplying S2, S3 or S4 poisons containing a drug of dependence
39 Records to be kept by manufacturers of drugs of dependence
40 Records to be kept by suppliers of drugs of dependence
41 Records to be kept by suppliers of drugs of dependence who receive such drugs
42 Supply or administration of drugs of dependence by registered health practitioner
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Schedule 1—Forms

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Part 1—Revocation of regulations

- 1 Revocation of regulations

Part 2—Transitional provisions

- 2 Approvals of child-resistant packaging or containers for S2, S5 or S6 poisons
3 Authorisations to prescribe certain S4 drugs
4 Exemptions from requirement to hold licence under section 22 of Act
5 Exemptions from section 24(b) or 24(c) of Act

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Controlled Substances (Poisons) Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

3—Interpretation

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

Act means the *Controlled Substances Act 1984*;

address means street address;

APVMA means the Australian Pesticides and Veterinary Medicines Authority of the Commonwealth;

CE has the same meaning as in the *Health Care Act 2008*;

council has the same meaning as in the *Local Government Act 1999*;

dental hygienist means a person registered under the *Health Practitioner Regulation National Law*—

- (a) to practise in the dental profession (other than as a student); and
- (b) in the dental hygienists division of that profession;

dental therapist means a person registered under the *Health Practitioner Regulation National Law*—

- (a) to practise in the dental profession (other than as a student); and
- (b) in the dental therapists division of that profession;

diesel fuel means a petroleum or shale product used or capable of being used in propelling a diesel engine motor vehicle;

dispense means to supply a drug in accordance with a prescription for that drug;

domestic partner means a person who is a domestic partner within the meaning of the *Family Relationships Act 1975*, whether declared as such under that Act or not;

drug means a poison designed for human or animal therapeutic use;

enrolled nurse means a person registered under the *Health Practitioner Regulation National Law*—

- (a) to practise in the nursing and midwifery profession as a nurse (other than as a student); and
- (b) in the enrolled nurses division of that profession;

health service facility means a hospital, nursing home or other facility at which a health service is provided for the public or any section of the public for the purpose of curing, alleviating, diagnosing or preventing the spread of any mental or physical illness, disease, injury, abnormality or disability;

liquefied petroleum gas means a hydrocarbon fluid composed predominantly of any of the following hydrocarbons or mixtures of all or any of them:

- (a) propane (C₃H₈);
- (b) propylene (C₃H₆);
- (c) butane (C₄H₁₀);
- (d) butylene (C₄H₈);

Metropolitan Adelaide has the same meaning as in the *Development Act 1993*;

motor spirit means petrol or another petroleum or shale product used or capable of being used in propelling a motor vehicle (other than diesel fuel or liquefied petroleum gas);

optometrist means a person registered under the *Health Practitioner Regulation National Law* to practise in the optometry profession (other than as a student);

oral health therapist means a person registered under the *Health Practitioner Regulation National Law*—

- (a) to practise in the dental profession (other than as a student); and
- (b) in the oral health therapists division of that profession;

petroleum product means a volatile solvent comprised of—

- (a) motor spirit; or
- (b) diesel fuel; or
- (c) liquefied petroleum gas;

podiatrist means a person registered under the *Health Practitioner Regulation National Law* to practise in the podiatry profession (other than as a student);

poison—see regulation 5;

prescriber means a person who lawfully gives a prescription for a drug;

record means—

- (a) a documentary record; or
- (b) a record made by an electronic, electromagnetic, photographic or optical process; or
- (c) any other kind of record;

registered nurse means a person registered under the *Health Practitioner Regulation National Law*—

- (a) to practise in the nursing and midwifery profession as a nurse (other than as a student); and
- (b) in the registered nurses division of that profession;

scheduled medicine means a medicine that contains a substance included in a schedule of the Uniform Poisons Standard;

S4 drug means—

- (a) an S4 poison; or
- (b) a substance designed for human or animal therapeutic use that has been approved by—
 - (i) the TGA for inclusion in the Australian Register of Therapeutic Goods; or
 - (ii) APVMA for inclusion in the Public Chemical Registration Information System (PUBCRIS),

but has not yet been—

- (c) listed in some other schedule of the Uniform Poisons Standard; or
- (d) exempted from listing in the Uniform Poisons Standard;

section 22 poison means a poison to which section 22 of the Act applies by virtue of regulation 25;

spouse—a person is the spouse of another if they are legally married;

TGA means the Therapeutic Goods Administration of the Commonwealth;

Uniform Poisons Standard means the current Poisons Standard as defined in the Commonwealth Act and as modified by deleting Part 3 and Appendices B, D and J.

- (2) In these regulations, a reference to an **S1 poison** is a reference to a poison listed in Schedule 1 of the Uniform Poisons Standard, a reference to an **S2 poison** is a reference to a poison listed in Schedule 2 of the Uniform Poisons Standard, and so on.

4—Application of regulations

These regulations do not apply in relation to—

- (a) a poison when contained in a product that is listed in Appendix A of the Uniform Poisons Standard; or
- (b) a poison listed in Appendix G of the Uniform Poisons Standard when contained in a preparation in a concentration not exceeding the concentration specified in Appendix G for that poison; or
- (c) a poison that is listed in any of the Schedules 1 to 6 (but is not listed in Schedule 7 or 8) of the Uniform Poisons Standard when contained in a preparation in a concentration not exceeding 10 milligrams per litre or 10 milligrams per kilogram.

Part 2—Controlled substances

5—Declaration of poisons (section 12(1) of Act)

- (1) Pursuant to section 12(1) of the Act, the following substances (whether in a pure form, or contained in a preparation or admixture) are declared to be poisons:
- (a) the primary substances listed in Schedules 1 to 8 and Appendix C of the Uniform Poisons Standard;
 - (b) section 17A, 17B and 17C precursors;
 - (c) the following related substances, but subject to any express exclusion contained in the Uniform Poisons Standard:
 - (i) the artificial form of a primary substance;
 - (ii) if a primary substance is a plant (other than a plant included in Schedule 8 of the Uniform Poisons Standard)—that plant, or any part of that plant, when packed or prepared for therapeutic use;
 - (iii) every salt, active principle or derivative (including an ester or ether) of a primary substance and every salt of such an active principle or derivative;
 - (iv) every alkaloid of a primary substance and every salt of such an alkaloid;
 - (v) every stereoisomer of a primary substance and every salt of such a stereoisomer.
- (2) A related substance will be taken to be included in the Schedule, or Schedules, of the Uniform Poisons Standard in which the primary substance to which it is related is included.
- (3) A reference in these regulations to a poison will be taken to include a reference to the primary substance and its related substances (in each case whether in a pure form, or contained in a preparation or admixture).

6—Declaration of prescription drugs (section 12(2) of Act)

Pursuant to section 12(2) of the Act, S4 poisons and S8 poisons are declared to be prescription drugs.

7—Declaration of drugs of dependence (section 12(3) of Act)

Pursuant to section 12(3) of the Act, S8 poisons are declared to be drugs of dependence.

8—Declaration of volatile solvents (section 12(7) of Act)

Pursuant to section 12(7) of the Act, the following are declared to be volatile solvents:

(a) the following substances (whether in their natural or artificial form):

Acetone (dimethyl ketone, propanone)
Amyl nitrite (isopentyl nitrite)
Bromochlorodifluoromethane (BCF)
Butane
Butanone (methyl ethyl ketone)
Butyl nitrite
Carbon tetrachloride
Chlorofluorocarbons and fluorocarbons except where separately specified
Chloroform
Dichloromethane (methylene chloride)
Diethyl ether (ethoxyethane)
Dimethyl ether (methoxymethane)
Enflurane
Ethyl acetate
Ethyl chloride (chloroethane)
Halothane
Heptane
Hexane
Isoamyl nitrite
Isobutane (2-methylpropane)
Isobutyl nitrite (2-methylpropyl nitrite)
Isoflurane
Methoxyflurane
Methyl acetate
Methyl isobutyl ketone (4-methylpentan-2-one)
Methyl tert-butyl ether
Nitrous oxide
Octane
Octyl nitrite
Pentane
Petrol

Propane
Sevoflurane
Tetrachloroethylene (perchloroethylene, tetrachloroethene)
Toluene (methylbenzene)
1,1,1-trichloroethane (methylchloroform)
Trichloroethylene (trichloroethene)
Xylene (xylo);

- (b) structural isomers of a substance specified in paragraph (a);
- (c) preparations or admixtures containing any proportion of a substance specified in paragraph (a);
- (d) preparations or admixtures containing any proportion of structural isomers of a substance specified in paragraph (a).

Part 3—Application of Part 4 of Act (general offences)

9—Manufacture, production and packing (section 13 of Act)

Section 13 of the Act applies to all S1 poisons, S2 poisons, S3 poisons and S7 poisons.

10—Exemption from section 13 of Act

The holder of a licence under the Commonwealth Act to manufacture goods is exempt from the requirement to hold a licence under section 13 of the Act in respect of the manufacture of those goods.

11—Sale by wholesale (section 14 of Act)

Section 14 of the Act applies to all S1 poisons, S2 poisons, S3 poisons and S7 poisons.

12—Sale or supply to end user (section 15 of Act)

Section 15 of the Act applies to all S1 poisons, S2 poisons, S3 poisons and S7 poisons.

13—Directions to be given for safe and proper use of S3 poisons sold by retail etc

- (1) Subject to subregulation (2), a person who sells by retail or supplies an S3 poison must personally (not through an assistant) give oral directions, supplemented wherever practicable with written directions, for the safe and proper use of the poison to the person purchasing or being supplied with the poison.

Maximum penalty: \$3 000.

- (2) An interpreter may be used to assist in the giving of oral directions if the person purchasing or being supplied with the poison is not sufficiently familiar with the English language.

14—Special provisions relating to sale or supply of pseudoephedrine

- (1) A person must not sell or supply pseudoephedrine unless a prescribed identification document or a birth certificate is produced by the person to whom the pseudoephedrine is to be sold or supplied.

Maximum penalty: \$3 000.

- (2) A person who sells or supplies pseudoephedrine must make and keep a record of the following information:
- (a) the name and address of the person to whom the pseudoephedrine is being sold or supplied;
 - (b) the form of prescribed identification document produced by the person to whom the pseudoephedrine is being sold or supplied;
 - (c) the unique identification number (if any) on the prescribed identification document produced;
 - (d) the date of the sale or supply;
 - (e) the directions given for the safe and proper use of the pseudoephedrine;
 - (f) the trade name or the approved name of the pseudoephedrine being sold or supplied, or, if it does not have either a trade name or approved name, its ingredients and the form, strength and quantity sold or supplied;
 - (g) a unique identifier enabling those records to be linked with the pseudoephedrine sold or supplied.

Maximum penalty: \$3 000.

- (3) Subregulations (1) and (2) do not apply in relation to—
- (a) the sale of pseudoephedrine by wholesale; or
 - (b) the sale or supply of pseudoephedrine in the course of professional practice by—
 - (i) a registered health practitioner other than a pharmacist; or
 - (ii) a veterinary surgeon.
- (4) A person who makes a record under subregulation (2) must keep it in an electronic form that is accessible via the internet by the CE and the Commissioner of Police.

Maximum penalty: \$3 000.

- (5) In this regulation—

Australian student identification card means a card issued by an Australian educational institution to identify a person studying at the institution;

birth certificate of a person means a certified copy of, or extract from, a register of births kept under an Australian law, or under the law of the country in which the person was born;

driver's licence means—

- (a) a driver's licence issued under the *Motor Vehicles Act 1959*; or
- (b) an interstate licence, interstate learner's permit or foreign licence within the meaning of that Act;

prescribed identification document means a current—

- (a) driver's licence; or
- (b) firearms licence; or
- (c) passport (other than an Australian passport); or
- (d) proof of age card; or
- (e) Australian student identification card,

that bears a photograph of the holder;

proof of age card means a proof of age card issued by the Registrar of Motor Vehicles or by a corresponding public authority of another State or a Territory of the Commonwealth.

15—Sale of certain poisons (section 16 of Act)

- (1) Section 16 of the Act applies to all S7 poisons.
- (2) For the purposes of section 16(4)(c) of the Act, the additional matters that a person who sells S7 poisons must keep a record of are—
 - (a) the dates of the purchases; and
 - (b) the addresses and usual occupations of the purchasers; and
 - (c) the trade names or approved names of the poisons purchased; and
 - (d) the forms, strengths and quantities of the poisons purchased.

16—Declaration of precursors (sections 17A, 17B and 17C of Act)

- (1) Section 17A of the Act applies to the following poisons:

1-Chlorophenyl-2-aminopropane
 3,4-Methylenedioxyphenylpropan-2-one (PMK)
 1-Phenyl-2-bromopropane
 1-Phenyl-1-chloro-2-methylaminopropane
 1-Phenyl-2-chloropropane
 1-Phenyl-2-iodopropane
 1-Phenyl-2-nitropropene

- (2) Section 17B of the Act applies to the following poisons:

Chemical name	Alternative name	CAS number
Acetic anhydride		108-24-7
4-Allylpyrocatechol	2-Hydroxychavicol	1126-61-0
alpha Phenylacetonitrile	alpha Acetyl Phenylacetonitrile	4468-48-8
4-Amino-butanoic acid	Piperidinic acid	56-12-2
Anethole	trans-Anethole	4180-23-8
		104-46-1
Bromobenzene	Phenylbromide	108-86-1
Bromosafrole		38589-39-8
Boron tribromide		10294-33-4
1,4-Butanediol	Tetramethylene Glycol	110-63-4
1-Chlorophenyl-2-aminopropane		
Ephedrine (including salts)	L-Ephedrine	50-98-6
Ethyl phenylacetate	Benzene acetic acid, ethyl ester	101-97-3
Gamma butyrolactone		96-48-0
Gamma hydroxybutanoic acid (including salts)	Gamma hydroxybutyric acid	
Hydriodic acid	Hydrogen iodide	10034-85-2

Chemical name	Alternative name	CAS number
4-Hydroxybutanal	4-Hydroxybutyraldehyde	5371-52-8
2-Hydroxytetrahydrofuran	Tetrahydro-2-furanol	1346-46-9
4-Hydroxybutanoic acid lactone	Gamma-valerolactone	9648-0
4-Hydroxybutanoic acid nitrile	4-Hydroxybutyronitrile	628-22-8
4-Hydroxypentanoic acid	Gamma Valerolactone	108-29-2
Hypophosphite salts		
Hypophosphorous acid	Phosphinic acid	6303-21-5
Lithium aluminium hydride	LAH	16853-85-3
Methcathinone	Ephedrone	
3,4-Methylenedioxy-phenylacetic acid	1,3-Benzodioxolo-5-acetic acid	2861-28-1
3,4-Methylenedioxyphenylpropan-2-one		4676-39-5
N-Methylephedrine		552-79-4
Methyl phenylacetate	Benzeneacetic acid, methyl ester	101-41-7
N-Methylpseudoephedrine		51018-28-1
Norpseudoephedrine		53643-20-2
2-Pyrrolidone	Gamma-butyrolactam	616-45-5
Phenylacetamide		103-81-1
Phenylacetic acid (including salts)		103-82-2
Phenylacetonitrile	Benzyl cyanide/Benzeneacetonitrile/ Benzyl nitrile	140-29-4
Phenylacetyl chloride		103-80-0
1-Phenyl-2-bromopropane	(+)-2-Bromo-1-phenylpropane	2114-39-8
1-Phenyl-2-chloropropane		
1-Phenyl-2-iodopropane	(2-Iodopropyl)benzene	29527-87-5
1-Phenyl-2-nitropropene		
Phenylpropanolamine	Norephedrine	37577-28-9
1-Phenyl-2-propanone	Benzyl methyl ketone, Phenylacetone	103-79-7
1-Phenyl-2-propanone oxime		
1-Phenyl-2-propanol		14898-87-4
2-Phenyl-propanal	Hydratropic aldehyde	93-53-8
Phosphorus		7723-14-0
Phosphorous acid	Phosphonic Acid	10294-56-1
1-Phenyl-1-propanone	Phenylethylketone, Propiophenone	99-55-0
Piperonal	3,4-Methylenedioxy-benzaldehyde, Heliotropine	120-57-0
Pseudoephedrine (including salts)		
Pyridine		110-86-1

Chemical name	Alternative name	CAS number
Safrole	5-(2-Propenyl)-1,3-Benzodioxide	94-59-7
Sassafras oil		8006-80-2
Sodium bis(2-methoxyethoxy) aluminium hydride	Sodium dihydrido-bis(2-methoxyethoxy) aluminate	22722-98-1
Sodium cyanoborohydride	Sodium borocyanohydride	25895-60-7

(3) Section 17C of the Act applies to the following poisons:

N-Acetylanthranilic acid
 Allylbenzene
 Anthranilic acid
 Benzaldehyde
 Benzyl chloride
 Ethanamine
 N-Ethylephedrine
 N-Ethylpseudoephedrine
 Formamide
 Isosafrole
 Methylamine
 Nitroethane
 Piperidine
 Propionic anhydride

17—End user statement for precursors (sections 17B and 17C of Act)

For the purposes of sections 17B(1)(c) and 17C(1)(a) of the Act, the form of end user statement in Schedule 1 is prescribed.

18—Regulation of prescription drugs—administration of certain S4 drugs by dental practitioners, podiatrists and optometrists (section 18(1d)(a)(iii) of Act)

(1) For the purposes of section 18(1d)(a)(iii) of the Act, a dental hygienist, dental therapist, oral health therapist or podiatrist is authorised to administer any of the following S4 drugs:

Benzocaine
 Bupivacaine
 Levobupivacaine
 Lignocaine
 Mepivacaine
 Prilocaine
 Ropivacaine

- (2) For the purposes of section 18(1d)(a)(iii) of the Act, an optometrist is authorised to administer any of the following S4 drugs:

Eye drops containing 0.5% or less of amethocaine
 Eye drops containing 1.0% or less of atropine sulphate
 Eye drops containing 1.0% or less of cyclopentolate hydrochloride
 Eye drops containing 2.0% or less of homatropine hydrobromide
 Eye drops containing 0.5% or less of lignocaine
 Eye drops containing 0.5% or less of oxybuprocaine
 Eye drops containing 2.0% or less of pilocarpine nitrate
 Eye drops containing 0.5% or less of proxymetacaine
 Eye drops containing 1.0% or less of tropicamide

19—Regulation of prescription drugs—prescription of certain S4 drugs by medical practitioners (section 18(2) of Act)

- (1) For the purposes of section 18(2) of the Act—
- (a) each of the S4 drugs listed in column 1 of the table below, when used for the purpose set out in column 2, is a prescribed prescription drug; and
- (b) the qualifications and requirements specified in that table alongside a drug or list of drugs in column 3 are prescribed qualifications and requirements.

Prescription Drug	Use	Qualifications and requirements
1 Clomiphene	Human use	Medical practitioner who—
Cyclofenil		(a) is registered in the specialty of endocrinology or obstetrics and gynaecology; or
Follitropin alpha (recombinant human follicle stimulating hormone)		(b) provides services to a fertility unit, an endocrinology unit or obstetrics and gynaecology unit of a teaching hospital in South Australia.
Follitropin beta (recombinant human follicle stimulating hormone)		
Luteinising hormone		
Urofollitrophin (follicle stimulating hormone)		
2 Acitretin	Human use	Medical practitioner who—
Bexarotene		(a) is registered in the specialty of dermatology, oncology or haematology; or
Etretinate		(b) is a medical registrar working under the supervision of a medical practitioner referred to in paragraph (a); or
		(c) is registered in some other specialty and is authorised by the Minister to prescribe such drugs.

Prescription Drug	Use	Qualifications and requirements
3 Isotretinoin	Human internal use	Medical practitioner who— <ul style="list-style-type: none"> <li data-bbox="959 338 1337 427">(a) is registered in the specialty of dermatology, oncology or haematology; or <li data-bbox="959 450 1337 595">(b) is a medical registrar working under the supervision of a medical practitioner referred to in paragraph (a); or <li data-bbox="959 618 1337 741">(c) is registered in some other speciality and is authorised by the Minister to prescribe such drugs.
4 Tretinoin	Human internal use	Medical practitioner who— <ul style="list-style-type: none"> <li data-bbox="959 808 1337 898">(a) is registered in the specialty of oncology or haematology; or <li data-bbox="959 920 1337 1066">(b) is a medical registrar working under the supervision of a medical practitioner referred to in paragraph (a); or <li data-bbox="959 1088 1337 1211">(c) is registered in some other speciality and is authorised by the Minister to prescribe such drugs.
5 Lenalidomide Thalidomide	Human use	A medical practitioner who— <ul style="list-style-type: none"> <li data-bbox="959 1279 1337 1368">(a) is registered in the specialty of oncology or haematology; or <li data-bbox="959 1391 1337 1536">(b) is a medical registrar working under the supervision of a medical practitioner referred to in paragraph (a); or <li data-bbox="959 1559 1337 1615">(c) is authorised by the Minister to prescribe such drugs.
6 Ambrisentan Bosentan Sitaxentan	Human use	A medical practitioner who— <ul style="list-style-type: none"> <li data-bbox="959 1682 1337 1749">(a) is registered as a specialist; or <li data-bbox="959 1771 1337 1917">(b) is a medical registrar who is working under the supervision of a medical practitioner referred to in paragraph (a); or <li data-bbox="959 1939 1337 1986">(c) is authorised by the Minister to prescribe such drugs.

- (2) A medical practitioner who prescribes an S4 drug listed in the table in subregulation (1) (other than in item 1) must—
- (a) inform the patient of the name of the drug and that the drug may cause birth defects; and
 - (b) provide the patient with written information about the drug and its potential side effects; and
 - (c) inform the patient of the dangers should the patient unlawfully supply the drug to another person; and
 - (d) if the patient is a female of child-bearing age—
 - (i) ensure that the possibility of pregnancy has been excluded prior to commencement of treatment; and
 - (ii) inform her that she must not become pregnant during treatment or within the prescribed period after completion of treatment; and
 - (e) obtain written consent for the treatment from the patient.

Maximum penalty: \$5 000.

- (3) In this regulation—

prescribed period means—

- (a) in the case of treatment with a drug listed in item 2 of the table in subregulation (1) (other than bexarotene)—24 months;
- (b) in the case of treatment with bexarotene or a drug listed in item 3, 4 or 5 of that table—1 month;
- (c) in the case of treatment with a drug listed in item 6 of that table—3 months.

20—Restrictions on prescription of medicines by midwives

- (1) A midwife whose registration is endorsed under section 94 of the *Health Practitioner Regulation National Law* as being qualified to prescribe a scheduled medicine or class of scheduled medicines must not prescribe an S4 drug other than—
- (a) any of the following as an oral preparation:
 - Amoxicillin
 - Amoxicillin with clavulanic acid
 - Cephalexin
 - Clindamycin
 - Dicloxacillin
 - Flucloxacillin
 - Ibuprofen
 - Levonorgestrel 30 microgram
 - Nitrofurantoin
 - Ranitidine; or
 - (b) benzylpenicillin or lincomycin as an injection; or
 - (c) metoclopramide as an injection or oral preparation; or

- (d) diclofenac as a suppository; or
- (e) chloramphenicol as an eye drop or ointment; or
- (f) framycetin as an eye drop.

Maximum penalty: \$5 000.

- (2) A midwife whose registration is endorsed under section 94 of the *Health Practitioner Regulation National Law* as being qualified to prescribe a scheduled medicine or class of scheduled medicines must not prescribe an S8 poison other than morphine as an injection.

Maximum penalty: \$5 000.

21—Exemptions from section 18 of Act

- (1) A council or health service facility is exempt from section 18(1c)(d) of the Act in respect of the supply of an S4 drug pursuant to a community immunisation program run by the council or health service facility.
- (2) A pharmacist who supplies an S4 drug without dispensing a prescription is exempt from section 18(1c)(a) of the Act in relation to that supply if—
- (a) the drug is supplied to a council or a health service facility for use in a community immunisation program and the pharmacist has received a written order for the drug from the council or health service facility; or
 - (b) the drug is for use by a person who holds a licence to supply or administer an S4 drug and the pharmacist has received a written order for the drug from the licensee; or
 - (c) the drug is supplied for the mass treatment of certain animals to the owner of the animals and—
 - (i) the pharmacist has received a written order for the drug from a veterinary surgeon; or
 - (ii) —
 - (A) the drug is an antibiotic; and
 - (B) the pharmacist has received a written order for the drug from an inspector appointed under the *Livestock Act 1997*; and
 - (C) the written order is on a form approved by the Chief Inspector of Stock under that Act and has been countersigned by the Chief Inspector; or
 - (d) the drug is supplied to a registered health practitioner or veterinary surgeon authorised to supply or administer S4 drugs and the pharmacist has received a written order for the drug from that practitioner or veterinary surgeon; or
 - (e) the drug is authorised or required by the law of any place to be carried on board a ship and the pharmacist has received a written order for the drug from the master or medical officer of the ship; or
 - (f) the drug is not one listed in the table in regulation 19(1) for the purposes of section 18(2) of the Act and the pharmacist—
 - (i) is satisfied that—
 - (A) the person for whom it is to be supplied is being medically treated with the drug; and

- (B) the continued supply of that drug is essential to the health of that person; and
- (C) there is good reason for the person's inability to produce a prescription for the drug; and
- (ii) supplies—
 - (A) in the case of a drug that is a cream, ointment or liquid or one that is packaged in such a manner as to promote the safe and proper use of the drug—the smallest standard package or container made by the manufacturer; or
 - (B) in any other case—no more than 3 days dosage of the drug; and
- (iii) on the day on which the drug is supplied, records—
 - (A) his or her name as the supplier of the drug; and
 - (B) the date; and
 - (C) the trade name or the approved name of the drug, or, if it does not have either a trade name or approved name, its ingredients; and
 - (D) the name and address of the person for whom the drug is supplied; and
 - (E) the form, strength and quantity of the drug; and
 - (F) the directions given for the safe and proper use of the drug, including (where appropriate) the route of administration of the drug.
- (3) The holder of a licence under the Commonwealth Act to manufacture goods is exempt from section 18(1e) of the Act in respect of the manufacture of those goods.

22—Exemptions from section 18A of Act

- (1) A registered health practitioner authorised to prescribe or supply a drug of dependence is exempt from section 18A(1) of the Act in respect of the prescription or supply of such a drug for use by a person in respect of whom a section 18A authority exists if—
 - (a) in the case of a person who is receiving treatment in a hospital or correctional institution—
 - (i) the registered health practitioner notifies the holder of the section 18A authority that the practitioner has prescribed or supplied the drug or is intending to prescribe or supply the drug in respect of that person; and
 - (ii) the drug is only administered to the person while in the hospital or correctional institution; and
 - (iii) if the drug is solely for the treatment of drug dependence—the dose administered does not exceed the dose authorised; or
 - (b) in the case of a person who is being discharged from a hospital following treatment in the hospital—
 - (i) the registered health practitioner notifies the holder of the section 18A authority that the practitioner has prescribed or supplied the drug or is intending to prescribe or supply the drug in respect of that person; and

- (ii) if the drug is solely for the treatment of drug dependence—the dose prescribed does not exceed the dose authorised; or
- (c) in the case of a person not referred to in paragraph (a) or (b)—
 - (i) the registered health practitioner prescribing or supplying the drug—
 - (A) notifies the holder of the section 18A authority that the practitioner has prescribed or supplied the drug or is intending to prescribe or supply the drug in respect of that person; or
 - (B) is a medical practitioner (including a locum for the time being substituting for such a practitioner) in the same practice as the holder of the section 18A authority; and
 - (ii) the registered health practitioner prescribing or supplying the drug does so with the approval of the holder of the section 18A authority; and
 - (iii) the registered health practitioner prescribing or supplying the drug complies with the section 18A authority relating to the person for whom the drug is prescribed or to whom the drug is supplied.
- (2) A registered health practitioner authorised to prescribe or supply a drug of dependence is exempt from section 18A(1) of the Act in relation to the prescription or supply of such a drug for a person in respect of whom a section 18A authority does not exist if—
 - (a) the drug (not being dextromoramide or pethidine) is for use by a person aged 70 years or more; or

- (b) the drug (not being dextromoramide or pethidine) is for use by a person whose life expectancy is reasonably believed by the registered health practitioner principally responsible for treatment of the person, to be less than 12 months and—
 - (i) the registered health practitioner has informed the Minister of the person's name and address, date of birth and the nature of the condition for which the drug is prescribed; and
 - (ii) the prescription for the drug is endorsed either "Notified Palliative Care Patient" or "NPCP"; or
 - (c) the drug is for use by a person who is receiving treatment in a hospital or correctional institution and the duration of treatment of the person with the drug while the person is in the hospital or correctional institution does not exceed 14 days; or
 - (d) the drug is for use by a person who is being discharged from a hospital following treatment in the hospital and the duration of treatment of the person with the drug after discharge does not exceed 14 days.
- (3) In this regulation—

correctional institution has the same meaning as in the *Correctional Services Act 1982*; *section 18A authority* means an authority granted by the Minister to a registered health practitioner under section 18A of the Act to prescribe or supply a drug of dependence.

23—Sale or supply of volatile solvents (section 19 of Act)

- (1) Section 19(3) of the Act applies to volatile solvents that are petroleum products and the age prescribed for petroleum products is 16 years.
- (2) A person who sells or supplies a volatile solvent for use as an inhalant in medical or dental treatment is exempt from section 19 of the Act in respect of that sale or supply.

24—Automatic vending machines (section 20 of Act)

- (1) Section 20(1) of the Act does not apply to—
 - (a) an S5 poison that is sold or supplied by means of an automatic vending machine located at a car washing facility provided that the first aid instructions, warning statements and safety directions for the poison specified in the Uniform Poisons Standard are displayed at the facility; or
 - (b) the following products sold or supplied by means of an automatic vending machine:
 - (i) condoms with or without spermicides or viricides;
 - (ii) lubricants with or without spermicides or viricides; or
 - (c) injecting equipment sold or supplied by way of an automatic vending machine at a location and site approved by the Minister; or
 - (d) an unscheduled medicine sold or supplied by way of an automatic vending machine provided that—
 - (i) the medicine is sold or supplied in the original unopened pack supplied by the manufacturer; and

- (ii) the medicine is sold or supplied in a pack that contains not more than 2 adult doses of the medicine; and
- (iii) the automatic vending machine is presented and located in such a way that makes unsupervised access by children unlikely.

(2) In this regulation—

injecting equipment means—

- (a) alcohol swabs, needles, syringe filters, syringes, tourniquets, water for injection or winged infusion sets; or
- (b) a kit containing 1 or more of the items specified in paragraph (a);

unscheduled medicine means a medicine that is included in the Australian Register of Therapeutic Goods and is not a scheduled medicine.

25—Possession of poisons (section 22 of Act)

(1) Section 22 of the Act applies to the following poisons:

Acrolein
Arsenic as an S7 poison
Chloropicrin
Cyanides as S7 poisons
Cyanogen
DDT
Fluoroacetamide
Fluoroacetic acid
Hydrocyanic acid as an S7 poison
Methyl bromide
Mirex
Sodium fluoroacetate
Strychnine as an S7 poison
Thallium

(2) A person is exempt from section 22 of the Act in respect of possession of chloropicrin if—

- (a) in the case of pure chloropicrin, the quantity in the person's possession does not exceed 7 litres; or
- (b) in the case of chloropicrin in a compound preparation, the concentration of chloropicrin does not exceed 5%.

(3) A person is exempt from section 22 of the Act in respect of the possession of sodium fluoroacetate if—

- (a) the sodium fluoroacetate is a constituent of baits designed for destroying vertebrate animals; and
- (b) the concentration of sodium fluoroacetate in each bait does not exceed 0.04%; and

- (c) the total amount of sodium fluoroacetate present in the particular quantity of baits for destroying vertebrate animals does not exceed 10 grams; and
 - (d) the person—
 - (i) has the written approval of the Minister to acquire and possess those baits; and
 - (ii) acquires the baits from a supplier approved by the Minister.
- (4) A person is exempt from section 22 of the Act in respect of the possession of strychnine if—
- (a) the person is the owner or occupier, or an agent or employee of an owner or occupier, of land that is situated outside a township and outside Metropolitan Adelaide; and
 - (b) the strychnine is a constituent of baits designed for destroying mice; and
 - (c) the quantity of baits in the person's possession does not exceed 5 kilograms; and
 - (d) the amount of strychnine present in any quantity of the baits does not exceed 0.5%.
- (5) A person lawfully in possession of baits containing strychnine under this regulation must not use those baits except for the purpose of destroying mice in or around storage areas on land situated outside a township and outside Metropolitan Adelaide.
- Maximum penalty: \$3 000.
- (6) The Minister may exempt a person who is licensed under the *Controlled Substances (Pesticides) Regulations 2003* from the requirement to hold a licence under section 22 of the Act in respect of the use of a pesticide that is a section 22 poison.
- (7) The Minister may, in relation to an approval or exemption under this regulation—
- (a) impose such conditions as he or she thinks fit; and
 - (b) for such reasons as he or she thinks fit, vary or revoke the approval or exemption.
- (8) A person must not contravene or fail to comply with a condition of an approval or exemption under this regulation.
- Maximum penalty: \$3 000.

26—Packaging and labelling of poisons (section 24 of Act)

- (1) For the purposes of section 24(b) of the Act, the package or container—
- (a) must comply with the requirements set out in the Uniform Poisons Standard; and
 - (b) must—
 - (i) be impervious to, and incapable of chemical reaction with, the poison when the package or container is under conditions of temperature and pressure that are likely to be encountered in normal use; and
 - (ii) have sufficient strength and impermeability to prevent leakage of the poison during handling, transport and storage of the package or container under normal handling conditions; and
 - (iii) in the case of a package or container intended to be opened more than once—be able to be securely and readily closed and reclosed; and
 - (iv) in the case of a prescribed medicine—comply with the packaging requirements of Therapeutic Goods Order No 80.

- (2) For the purposes of section 24(c) of the Act, a package or container in which a poison for human or animal therapeutic use is sold by retail on prescription, or is supplied on prescription—
 - (a) must have affixed to it a label that complies with Appendix L Part 1 of the Uniform Poisons Standard; and
 - (b) must, in the case of a poison that is listed in column 1 of Appendix L Part 2 of the Uniform Poisons Standard have affixed to it a label that contains the warning statements prescribed for that poison by Appendix F Part 1 of that Standard; and
 - (c) must, in the case of a preparation for internal use by humans that contains a poison listed in Appendix K of the Uniform Poisons Standard, have affixed to it a label that contains the sedation warning statement 39, 40 or 90 as specified in Appendix F Part 1 of that Standard.
- (3) For the purposes of section 24(c) of the Act, a package or container in which a prescribed S3 poison is sold by retail, or is supplied—
 - (a) must have affixed to it a label that—
 - (i) complies with Appendix L Part 1 of the Uniform Poisons Standard; and
 - (ii) in the case of pseudoephedrine—contains a unique identifier enabling that poison to be linked with the records required to be kept under regulation 14; and
 - (b) must, in the case of a preparation for internal use by humans that contains a poison listed in Appendix K of the Uniform Poisons Standard, have affixed to it a label that contains the sedation warning statement 39, 40 or 90 as specified in Appendix F Part 1 of that Standard.
- (4) For the purposes of section 24(c) of the Act, a package or container in which a poison designed for human or animal therapeutic use (other than a prescribed S3 poison) is sold by retail or is supplied—
 - (a) must have affixed to it the label appearing on the package or container for the poison as supplied by the manufacturer (being a label that complies with the Uniform Poisons Standard); or
 - (b) must have affixed to it—
 - (i) a label that complies with Appendix L Part 1 of the Uniform Poisons Standard; and
 - (ii) in the case of a preparation for internal use by humans that contains a poison listed in Appendix K of that Standard—a label that contains the sedation warning statement 39, 40 or 90 as specified in Appendix F Part 1 of that Standard.
- (5) For the purposes of section 24(c) of the Act, a package or container in which a poison (other than a poison designed for human or animal therapeutic use or a prescribed S3 poison) is sold by retail or is supplied (other than on prescription) must have affixed to it a label that complies with the Uniform Poisons Standard.

- (6) A registered health practitioner who is authorised to prescribe or supply a prescribed medicine is exempt from the requirement to comply with the packaging requirements of Therapeutic Goods Order No 80 in relation to the supply of that prescribed medicine to a particular person if the registered health practitioner believes that the person would suffer undue hardship through difficulty in opening a container that complies with the requirements of that Order.
- (7) The Minister may grant an exemption from the requirements of section 24(b) or (c) of the Act to a seller or supplier in respect of a particular product if the Minister is satisfied that the product is otherwise adequately packaged or labelled.
- (8) In this regulation—

prescribed medicine means—

- (a) a medicine that—
- (i) is a substance listed in Schedule 1 to Therapeutic Goods Order No 80 or a salt, ester or other derivative of such a substance; and
 - (ii) is contained in medicines to which that Order applies; or
- (b) a medicine that—
- (i) is a substance listed in Schedule 1 to Therapeutic Goods Order No 80 or a salt, ester or other derivative of such a substance; and
 - (ii) is intended solely for use in animals;

prescribed S3 poison means any of the following S3 poisons:

- (a) dihydrocodeine in cough preparations;
- (b) doxylamine in preparations also containing codeine;
- (c) promethazine in preparations also containing codeine;
- (d) pseudoephedrine;

Therapeutic Goods Order No 80 means Therapeutic Goods Order No 80 entitled *Child-Resistant Packaging Requirements for Medicines* made under the Commonwealth Act on 27 August 2008, as in force from time to time.

27—Storage of poisons (section 25 of Act)

For the purposes of section 25 of the Act, the following requirements apply:

- (a) a person must not store a poison in a container that—
- (i) is normally used for containing food or beverages; or
 - (ii) is similar to a container that is normally used for containing food or beverages;
- (b) a person must not store an S2 poison, S5 poison or S6 poison (other than an S6 poison that is a hair colouring preparation) in premises where such a poison is sold by retail unless—
- (i) it is stored in a part of the premises to which the public is not permitted access; or

- (ii) if it is stored in a part of the premises to which the public is permitted access, it—
 - (A) is stored not less than 1.2 metres above floor level; or
 - (B) is enclosed in a child-resistant package or container approved by the Minister; or
 - (C) is enclosed in a blister pack; or
 - (D) is stored in a container that has a capacity of not less than 5 litres; or
 - (E) is stored in a container that has a gross weight of not less than 5 kilograms;
- (c) a person must not store an S3 poison, S4 poison or S7 poison in premises where such a poison is sold by retail unless it is stored in a part of the premises to which the public is not permitted access;
- (d) a person must not store a drug of dependence except in accordance with the requirements of the *Code of Practice for the Storage and Transport of Drugs of Dependence*, published by the Department, as in force from time to time.

28—Consignment of poisons for transport

A person must not—

- (a) consign a poison for transport unless it is packed in such a way as to avoid leakage arising from the ordinary risks of handling and transport; or
- (b) consign for transport a drug of dependence except in accordance with the requirements of the *Code of Practice for the Storage and Transport of Drugs of Dependence*, published by the Department, as in force from time to time.

Maximum penalty: \$5 000.

29—Transport of poisons (section 26 of Act)

For the purposes of section 26 of the Act, a person must not—

- (a) transport a poison in a vehicle in which any food, or component of food, for human or animal consumption is being transported unless the poison is carried in a part of the vehicle effectively separated from that part of the vehicle containing the food; or
- (b) transport a drug of dependence except in accordance with the requirements of the *Code of Practice for the Storage and Transport of Drugs of Dependence*, published by the Department, as in force from time to time.

30—Prohibition on use of certain poisons for certain purposes (section 27 of Act)

- (1) For the purposes of section 27 of the Act, a person must not sell, supply, purchase or use an S7 poison for a domestic purpose or domestic gardening purpose.
- (2) For the purposes of section 27 of the Act, a person must not sell, supply, prescribe or use a poison listed in Appendix C of the Uniform Poisons Standard for the purpose or purposes indicated in relation to that poison in that Appendix (other than amygdalin for human therapeutic use).

31—Prohibition on use of certain poisons

- (1) A person must not sell, supply, prescribe or use amygdalin for human therapeutic use unless—
- (a) special access to amygdalin has been authorised in accordance with the requirements of sections 18 and 31A of the Commonwealth Act and regulation 12A of the *Therapeutic Goods Regulations 1990* made under that Act; and
 - (b) permission for the importation of amygdalin (subject to special access authorisation) has been granted under regulation 5H and Schedule 8 item 12AA of the *Customs (Prohibited Imports) Regulations 1956* of the Commonwealth.

Maximum penalty: \$5 000.

- (2) A person must not—
- (a) prescribe, sell, supply or purchase a poison produced for the treatment of animals if the person knows, or if there are reasonable grounds for suspecting, that the poison is intended for human use; or
 - (b) administer to any person (including himself or herself) a poison produced for the treatment of animals; or
 - (c) use choramphenicol for the treatment of stock bred, raised or used for the purpose of providing a product for human consumption.

Maximum penalty: \$5 000.

- (3) In this regulation—

stock means—

- (a) a bird or other animal; or
- (b) a bee of the genus *Apis* or *Megachile*.

32—Restrictions on advertising (section 28 of Act)

- (1) Section 28 of the Act applies to—
- (a) all poisons listed in Appendix C of the Uniform Poisons Standard; and
 - (b) all S3 poisons other than those listed in Appendix H of the Uniform Poisons Standard; and
 - (c) all S4 poisons and S8 poisons; and
 - (d) all controlled drugs other than drugs of dependence.
- (2) A person is exempt from section 28 of the Act if—
- (a) the person only publishes an advertisement of a poison in a journal that is circulated predominantly among registered health practitioners, medical administrators, scientists working in medical laboratories or persons who are licensed to sell the poison by wholesale; or
 - (b) the person only publishes an advertisement of a poison that consists of a price list that complies with the Price Information Code of Practice published by the TGA as in force from time to time.

- (3) In this regulation—

journal means a newsletter, magazine or other periodical, whether published for sale or for distribution without charge.

Part 4—Prescriptions and dispensing

33—How prescription to be given

- (1) Subject to this regulation, a prescriber must give a prescription for a drug in writing, and must give it to the person for whom the drug is to be supplied, or to a person acting on behalf of that person.
Maximum penalty: \$5 000.
- (2) A prescriber may, if of the opinion that good reason exists for doing so, give a prescription for a drug to a pharmacist by telephone, fax or some other form of electronic transmission.
- (3) If, in accordance with subregulation (2), a prescription is given by telephone or by some form of electronic transmission (other than fax), the prescriber—
 - (a) must give the pharmacist the following information:
 - (i) his or her name, full address and telephone number;
 - (ii) the full name and address of the person to whom the drug is to be supplied;
 - (iii) the name, dose form and (if relevant) the route of administration of the drug to be dispensed;
 - (iv) if applicable—the strength of the drug to be dispensed;
 - (v) the dose of the drug to be administered to the person for whom the drug is prescribed or to the animal in relation to which the drug is prescribed;
 - (vi) the total amount of the drug to be dispensed;
 - (vii) the frequency at which the drug is to be administered;
 - (viii) if the prescription is for a drug of dependence for human use—the date of birth of the person for whom the prescription is intended; and
 - (b) must, immediately after giving the prescription by that method, complete a written prescription that—
 - (i) clearly states that it is given in confirmation of the prescription given by telephone or by electronic transmission (as the case may be) on the particular date on which it was so given; and
 - (ii) otherwise complies with these regulations; and
 - (c) must—
 - (i) if the prescription is for a drug of dependence, forward the written prescription to the pharmacist within 24 hours of giving the prescription by telephone or by electronic transmission; or
 - (ii) in any other case, forward the written prescription to the pharmacist as soon as practicable after giving the prescription by that method.

Maximum penalty: \$3 000.

- (4) If, in accordance with subregulation (2), a prescription is given to a pharmacist by fax the prescriber must—
 - (a) in the case of a prescription for a drug of dependence—forward the original prescription to the pharmacist within 24 hours of giving the prescription by fax; or
 - (b) in any other case—forward the original prescription to the pharmacist as soon as practicable after giving the prescription by that method,

unless the prescriber has endorsed the prescription given by fax with the name and address of a single pharmacy at which the prescription may be dispensed.

Maximum penalty: \$3 000.

- (5) The Minister may exempt a prescriber or class of prescribers from the operation of this regulation, or specified provisions of this regulation, if satisfied that the prescriber or class of prescribers has adequate arrangements for the electronic transmission of prescriptions.
- (6) An exemption under subregulation (5)—
 - (a) may be subject to such conditions as the Minister thinks fit; and
 - (b) may be varied or revoked by the Minister at any time by notice in writing.

34—Written prescriptions

- (1) A prescriber who writes a prescription for the supply of a drug must—
 - (a) date the prescription with the date on which the prescription is written and sign the prescription; and
 - (b) include on the prescription—
 - (i) his or her professional name, address and telephone number; and
 - (ii) the full name and address of the person for whom the prescription is intended or, if the prescription is intended for an animal, the species of animal for which it is intended, the name and address of the owner of the animal and the name (if any) of the animal; and
 - (iii) the words—
 - (A) "For dental treatment only" if the prescriber is a dentist; or
 - (B) "For podiatric treatment only" if the prescriber is a podiatrist; or
 - (C) "For animal treatment only" if the prescriber is a veterinary surgeon; and
 - (c) specify on the prescription—
 - (i) the name, dose form and (if relevant) the route of administration of the drug being prescribed; and
 - (ii) if applicable—the strength of the drug; and
 - (iii) the dose of the drug to be administered to the person for whom, or the animal for which, it is prescribed; and
 - (iv) the frequency at which the drug is to be administered; and
 - (v) the total amount of the drug to be supplied each time the prescription is dispensed; and
 - (vi) the total number of times the drug may be dispensed; and
 - (d) if the prescription is for a drug of dependence for human use, comply with the following additional requirements:
 - (i) include on the prescription the date of birth of the person for whom the prescription is intended;
 - (ii) express the total amount of the drug to be specified under subparagraph (c)(v) in both words and numerals;

- (iii) keep a record of the details required to be included and specified under this regulation.

Maximum penalty: \$3 000.

- (2) If a prescriber writes a prescription for an above average strength or potentially dangerous dose of a drug, he or she must—
 - (a) underline the statement of the dose of the drug on the prescription; and
 - (b) sign his or her initials alongside the underlined portion of the prescription referred to in paragraph (a).

Maximum penalty: \$3 000.

- (3) For the purposes of this regulation, a prescriber who, in accordance with the terms of an exemption under regulation 33(5) is permitted to transmit prescriptions electronically, will be taken to have signed a prescription as required by subregulation (1), or signed a portion of a prescription as required by subregulation (2), if the prescriber attaches an electronic signature to the prescription in accordance with any conditions of the exemption.

35—Dispensing prescriptions

- (1) A pharmacist or medical practitioner who dispenses a drug—
 - (a) must endorse on the prescription for the drug or, in the case of a prescription given by fax that is endorsed with the name and address of a single pharmacy at which the prescription may be dispensed, on the faxed copy of the prescription—
 - (i) his or her name, business name and business address; and
 - (ii) the date on which the drug is dispensed; and
 - (iii) the unique identifier applicable to the drug; and
 - (b) must, on the day on which the drug is dispensed, record—
 - (i) the unique identifier applicable to the drug dispensed on the prescription; and
 - (ii) his or her name as the dispenser; and
 - (iii) the date; and
 - (iv) the trade name or the approved name of the drug, or, if it does not have either a trade or approved name, its ingredients; and
 - (v) —
 - (A) the full name and address of the person for whose use the drug is dispensed; or
 - (B) if the drug is intended for an animal—the species of animal for which it is intended, the name and address of the owner of the animal and the name (if any) of the animal; and
 - (vi) the form, strength and quantity of the dispensed drug; and
 - (vii) the directions given for the safe and proper use of the dispensed drug; and
 - (viii) the name, address and business telephone number of the person who prescribed the drug; and

- (ix) the number of times the prescription may be dispensed and (if the prescription so specifies) the intervals at which the drug may be dispensed; and
- (c) if the prescription is for an S4 poison and does not specify the number of times the drug is to be dispensed, must—
 - (i) dispense it once only pursuant to that prescription; and
 - (ii) endorse the word "CANCELLED" on the prescription or, in the case of a prescription given by fax that is endorsed with the name and address of a single pharmacy at which the prescription may be dispensed, on the faxed copy of the prescription; and
 - (iii) unless the prescription is for any reason forwarded to the Department or the Minister—retain the original or duplicate prescription or, in the case of a prescription given by fax that is endorsed with the name and address of a single pharmacy at which the prescription may be dispensed, the faxed copy of the prescription (as the case may be) for at least 1 year and have it readily available for inspection during that period; and
- (d) if the prescription specifies the number of times and the intervals at which the drug may be dispensed—must not dispense the drug more times than the number specified or at intervals less than those specified; and
- (e) if the prescription specifies the number of times but not the intervals at which the drug may be dispensed—must not dispense the drug more frequently than he or she considers appropriate; and
- (f) in the case of a prescription for a drug of dependence, must, each time the drug is dispensed, except if the drug is fully dispensed, forward a copy of the prescription to the CE no later than the 7th day of the month following the month in which the drug was so dispensed or such later date as the CE may, on application by the pharmacist or medical practitioner, authorise; and
- (g) if a drug is fully dispensed, must—
 - (i) on the day on which the prescription is fully dispensed, endorse the word "CANCELLED" on the prescription or, in the case of a prescription given by fax that is endorsed with the name and address of a single pharmacy at which the prescription may be dispensed, on the faxed copy of the prescription; and
 - (ii) —
 - (A) in the case of a prescription for a drug of dependence—forward to the CE the prescription or, in the case of a prescription given by fax that is endorsed with the name and address of a single pharmacy at which the prescription may be dispensed, the faxed copy of the prescription, not later than the 7th day of the month following the month in which the drug was so dispensed (or such later date as the CE may, on the application by the pharmacist or medical practitioner, authorise); or

- (B) in any other case—retain the original or duplicate prescription or in the case of a prescription given by fax that is endorsed with the name and address of a single pharmacy at which the prescription may be dispensed, the faxed copy of the prescription for at least 2 years and have it readily available for inspection during that period.

Maximum penalty: \$5 000.

- (2) A pharmacist in charge of a pharmacy at which no drugs of dependence are dispensed for a period of 30 consecutive days must, no later than the 7th day of the month following the month during which the 30th day of that period falls, notify the CE of that fact in writing.

Maximum penalty: \$5 000.

- (3) If a prescription has been issued in duplicate and the original is retained by the pharmacist or medical practitioner, it is sufficient compliance with this regulation if the required information is marked on the duplicate prescription.

- (4) Despite subregulation (1)(d), if a pharmacist or medical practitioner is satisfied that a person—

- (a) has lost a previously dispensed supply of a drug; or
- (b) will, through absence from the State or otherwise, find it unduly difficult to have future supplies of a drug dispensed as needed,

he or she may (but is not obliged to) dispense a prescription for the person at an interval earlier than that specified on the prescription.

- (5) If, pursuant to subregulation (4), a pharmacist or medical practitioner dispenses a drug of dependence at an earlier interval than that specified on the prescription, the pharmacist or practitioner must notify the prescriber of that fact in writing.

Maximum penalty: \$5 000.

- (6) If a prescription given by fax is endorsed with the name and address of a single pharmacy at which the drug may be dispensed, a pharmacist must not dispense the drug unless he or she is on duty at that pharmacy.

Maximum penalty: \$5 000.

- (7) A pharmacist or medical practitioner must not dispense a drug—

- (a) if the prescription for the drug—
 - (i) is presented or otherwise sought to be dispensed—
 - (A) in the case of a drug of dependence—more than 6 months after the date on which it was written; or
 - (B) in any other case—more than 12 months after the date on which it was written; or
 - (ii) has been cancelled; or
 - (iii) is partly or wholly illegible; or
 - (iv) does not comply with the Act or these regulations; or
- (b) if there are reasonable grounds for suspecting that the prescription has been altered, forged or obtained by false pretences; or
- (c) unless—

- (i) in the case of a drug that is to be dispensed for the first or only time—
 - (A) an original prescription for the drug is presented; or
 - (B) the prescription for the drug is given by fax and is endorsed with the name and address of a single pharmacy at which the drug may be dispensed; or
- (ii) in the case of a drug that is to be dispensed for the second or subsequent time—
 - (A) the original prescription for the drug and a written record (whether made on the prescription or on a separately attached repeat authorisation) of the number of times the drug has been dispensed are presented; or
 - (B) a duplicate or copy of the prescription for the drug and a written record (made both on the duplicate or copy (as the case may be) and on a separately attached repeat authorisation) of the number of times the drug has been dispensed are presented; or
- (d) if the prescription has been transmitted electronically—unless the drug is able to be dispensed by the pharmacist or medical practitioner in accordance with the terms of an exemption under subregulation (9).

Maximum penalty: \$5 000.

- (8) A pharmacist or medical practitioner must not, in respect of a drug of dependence—
- (a) dispense more than 2 days supply of the drug unless at least 1 of the following applies:
 - (i) the person for whose use the drug is prescribed is known to the pharmacist or practitioner;
 - (ii) the pharmacist or practitioner recognises the signature on the prescription as that of the prescriber who purportedly gave the prescription;
 - (iii) the pharmacist or practitioner has verified with the prescriber who purportedly gave the prescription that the prescription was in fact given by that prescriber; or
 - (b) hand over the dispensed drug until—
 - (i) the person for whose use the drug is dispensed—
 - (A) has signed and dated the prescription or, if the prescription was given by fax, the faxed copy of the prescription; and
 - (B) has, unless the person is known to the pharmacist or practitioner, produced satisfactory evidence of his or her identity; or
 - (ii) the person for whose use the drug is dispensed—
 - (A) has signed a computer-generated printed copy of the prescription that includes all the information required to be provided on a written prescription; and
 - (B) has, unless known to the pharmacist or practitioner, produced satisfactory evidence of his or her identity; or
 - (iii) an agent acting on behalf of the person for whose use the drug is intended—

- (A) has signed and dated the prescription or, if the prescription was given by fax, the faxed copy of the prescription; and
 - (B) has, unless the agent is known to the pharmacist or practitioner, produced satisfactory evidence of his or her identity; or
- (iv) an agent acting on behalf of the person for whose use the drug is intended—
- (A) has signed a computer-generated printed copy of the prescription that includes all the information required to be provided on a written prescription; and
 - (B) has, unless known to the pharmacist or practitioner, produced satisfactory evidence of his or her identity.

Maximum penalty: \$5 000.

- (9) The Minister may exempt a pharmacist or medical practitioner, or a class of pharmacists or medical practitioners from this regulation, or specified provisions of this regulation, if satisfied that the pharmacist or medical practitioner, or class of pharmacists or medical practitioners, has adequate arrangements for dispensing drugs on prescriptions that have been transmitted electronically.
- (10) An exemption under subregulation (9)—
- (a) may be subject to such conditions as the Minister thinks fit; and
 - (b) may be varied or revoked by the Minister at any time by notice in writing.
- (11) For the purposes of this regulation, a prescription for a drug is *fully dispensed* if—
- (a) in the case of a prescription authorising dispensing of the drug once only—the drug has been dispensed on 1 occasion; or
 - (b) in the case of a prescription authorising dispensing of the drug more than once—the drug has been dispensed for the last time.

Part 5—Special provisions relating to drugs of dependence

36—Interpretation

- (1) In this Part, unless the contrary intention appears—

health service pharmacy means a pharmacy that is part of a health service facility;

order means an order other than a prescription;

supplier means—

- (a) a pharmacist; or
- (b) a person licensed under the Act to manufacture, sell by wholesale or supply drugs of dependence;

ward of a health service facility means a ward, clinic, unit, operating theatre or any other section of a health service facility in which persons receive medical or dental treatment.

- (2) For the purposes of this Part—
- (a) a reference to the administration of a drug is, if the drug is administered continuously over an extended period (for example, by means of an intravenous drip or pump) a reference to the commencement of administration by that means; and
 - (b) the registered health practitioner *principally responsible* for the treatment of a person is the practitioner having, for the time being, the greatest input in the determination of the course of treatment of the person.

37—Special restrictions on prescription or supply of drugs of dependence by registered health practitioners and veterinary surgeons

- (1) A person must not prescribe or supply a drug of dependence for use by his or her spouse, domestic partner, parent, grandparent, child, grandchild, brother or sister unless—
- (a) the prescription or supply is authorised by the Minister; or
 - (b) the prescription or supply is in circumstances of a verifiable emergency.

Maximum penalty: \$5 000.

- (2) A registered health practitioner must not—
- (a) prescribe or supply a drug of dependence for use by a person without having first examined the person; or

(b) prescribe or supply a drug of dependence for use by himself or herself, unless the prescription or supply is in circumstances of a verifiable emergency.

Maximum penalty: \$5 000.

- (3) Subregulations (1) and (2)(a) do not apply to the supply of a drug of dependence by a pharmacist if the pharmacist is dispensing a prescription for the drug.

- (4) A veterinary surgeon must not prescribe or supply a drug of dependence for an animal without having first examined the animal unless the prescription or supply is in circumstances of a verifiable emergency.

Maximum penalty: \$5 000.

38—Restriction on prescribing or supplying S2, S3 or S4 poisons containing a drug of dependence

A prescriber must not prescribe or supply for use by a person who the prescriber knows or has reasonable cause to believe is dependent on drugs—

- (a) an S2 poison or S3 poison; or
- (b) an S4 poison that contains a drug of dependence,

for the purposes of maintaining or treating the person's dependence unless the prescriber prescribes or supplies the drug in accordance with an authority granted by the Minister.

Maximum penalty: \$5 000.

39—Records to be kept by manufacturers of drugs of dependence

A person who manufactures a drug of dependence must, immediately after the drug is manufactured, record the following details:

- (a) the date of manufacture;

- (b) the trade name or the approved name of the drug or, if it does not have either a trade or approved name, its ingredients;
- (c) the amount and, if applicable, the strength of the drug manufactured;
- (d) the total amount of the drug now on the premises on which the drug was manufactured.

Maximum penalty: \$5 000.

40—Records to be kept by suppliers of drugs of dependence

- (1) A supplier who supplies a drug of dependence must comply with the following provisions:
 - (a) the supplier must, immediately after supplying the drug, record the following details and sign the record:
 - (i) his or her name and business address;
 - (ii) the name and address of the person to whom the drug was supplied;
 - (iii) the date on which the drug was supplied;
 - (iv) the trade or approved name of the drug or, if the drug does not have either a trade or approved name, the ingredients in the drug;
 - (v) the amount and, if applicable, the strength of the drug;
 - (vi) if the drug was supplied on order—the invoice number (if any) for the supply of the drug;
 - (vii) the total amount of the drug now in stock on the premises from which the drug was supplied;
 - (b) the supplier, if the drug is supplied in accordance with an order—
 - (i) as soon as practicable after supplying the drug, cancel the order by writing "CANCELLED" on the order or, if the order was given by fax endorsed with the name and address of a single pharmacy that may supply the drug, on the faxed copy of the order; and
 - (ii) unless exempted under subregulation (2), forward the cancelled order or a copy of the cancelled faxed order (as the case may require) to the CE, no later than the 7th day of the month following the month in which the drug was supplied or such later date as the CE may, on application by the supplier, authorise.

Maximum penalty: \$5 000.

- (2) The requirement to forward an order or notice to the CE under subregulation (1)(b) does not apply to—
 - (a) persons licensed under the Act to manufacture drugs of dependence or sell drugs of dependence by wholesale; or
 - (b) pharmacies (including health service pharmacies) in respect of the supply of drugs of dependence to a health service facility.
- (3) A person who makes a record under subregulation (1) must ensure that the record is kept at all times on the premises from which the drug was supplied.

Maximum penalty: \$5 000.

- (4) A supplier must not supply a drug of dependence in accordance with an order—
- (a) unless the supplier has reasonable cause to believe that the person who ordered the drug is lawfully authorised to do so; and
 - (b) unless the person receiving the drug—
 - (i) provides the supplier with a signed and dated receipt for the drug; and
 - (ii) is known to the supplier or produces satisfactory evidence of his or her identity.

Maximum penalty: \$5 000.

- (5) If a drug of dependence is authorised or required by the law of any place to be carried aboard a ship, a person must not supply that drug for carriage aboard a ship unless he or she has received a written order for the drug from the master or medical officer of the ship.

Maximum penalty: \$5 000.

41—Records to be kept by suppliers of drugs of dependence who receive such drugs

- (1) If a supplier of drugs of dependence receives such a drug, or a person receives a drug of dependence from a supplier on order, the person receiving the drug must—
- (a) give to the person who provided the drug a signed and dated receipt for the drug; and
 - (b) record the following details and sign the record:
 - (i) the name and address of the person who provided the drug;
 - (ii) the name and address of the person who took delivery of the drug;
 - (iii) the date on which the drug was received;
 - (iv) the trade or approved name of the drug or, if the drug does not have either a trade or approved name, the ingredients in the drug;
 - (v) the amount and, if applicable, the strength of the drug;
 - (vi) if the drug was provided on order—the invoice number (if any) for the supply of the drug;
 - (vii) the total amount of the drug now in stock on the premises at which the drug was received.

Maximum penalty: \$5 000.

- (2) A person who makes a record under this regulation must ensure that the record is kept at all times on the premises at which the drug was received.

Maximum penalty: \$5 000.

42—Supply or administration of drugs of dependence by registered health practitioner

- (1) A registered health practitioner who supplies a drug of dependence (other than by dispensing a prescription) for use by a person, or who administers a drug of dependence to a person, must, immediately after the drug is so supplied or administered, record the following details and sign the record:
- (a) his or her name;

- (b) the full name and address (or, in the case of a patient in a ward of a health service facility, the location of the ward) of the person to whom the drug is supplied or administered;
- (c) in the case of the supply of the drug to a person acting on behalf of the person for whose use the drug is intended, the full name and address of the person for whose use the drug is intended;
- (d) the trade name or approved name of the drug or, if it does not have either a trade or approved name, its ingredients;
- (e) the amount and, if applicable, the strength of the drug supplied or administered;
- (f) the date;
- (g) the time at which the drug was supplied or administered;
- (h) the amount of the drug (if any) now in stock on the premises at which the drug is administered or otherwise in the possession of the practitioner.

Maximum penalty: \$5 000.

- (2) Subregulation (1) does not apply to a pharmacist.
- (3) If an error is discovered in a record made for the purposes of subregulation (1), the person authorised to make the record must correct it in the following way:
 - (a) it must not be deleted, whited out with correction fluid or erased;
 - (b) it must be ruled out or otherwise marked so as to still be clearly legible after it has been so ruled out or marked;
 - (c) a footnote or margin note reference must be made alongside the error;
 - (d) the footnote or margin note must—
 - (i) be made on the same page as the page on which the error occurs;
 - (ii) contain the correct information and the date of the correction;
 - (iii) be endorsed with the name and signature of the person making the correction.

Maximum penalty: \$5 000.

43—Supply or administration of drugs of dependence by veterinary surgeon

A veterinary surgeon who supplies (other than by dispensing a prescription) a drug of dependence for an animal or administers such a drug to an animal must, on the day on which the drug is so supplied or administered, record the following details and sign the record:

- (a) his or her name;
- (b) the species of animal for which the drug is supplied or administered, the name and address of the owner of the animal and the name (if any) of the animal;
- (c) the trade name or approved name of the drug or, if it does not have either a trade or approved name, its ingredients;
- (d) the amount and, if applicable, the strength of the drug administered or supplied;
- (e) the date;
- (f) the time at which the drug was supplied or administered;

- (g) the amount of the drug (if any) now remaining in stock on the premises at which the drug is supplied, administered or otherwise in the possession of the veterinary surgeon.

Maximum penalty: \$5 000.

44—Additional requirements for administration of drugs of dependence in health service facility

- (1) The administration of a drug of dependence to a person in a health service facility must be carried out in accordance with the following additional provisions:
 - (a) the registered health practitioner principally responsible for the treatment of the person while in the health service facility, or a registered nurse or a midwife acting in accordance with a standing order prepared or endorsed by the health service facility and approved by the Minister must—
 - (i) ensure that the prescribed instructions in respect of the drug are entered in the person's medication record; and
 - (ii) endorse the relevant entries with his or her name and signature;
 - (b) the drug must be administered to the person by a registered health practitioner in accordance with all instructions in the person's medication record;
 - (c) the drug must not be administered to the person unless the administration is witnessed by a registered health practitioner, or, if a registered health practitioner is not reasonably available, by some other responsible person;
 - (d) the registered health practitioner who administers the drug must, immediately after doing so, ensure that the name and signature of the person who witnessed the administration of the drug is recorded;
 - (e) if a registered health practitioner gives prescribed instructions by telephone as to the administration of a drug of dependence to a person in a health service facility—
 - (i) the practitioner must give the instructions to—
 - (A) a registered health practitioner who is authorised to administer drugs of dependence; and
 - (B) another responsible person employed at the health service facility; and
 - (ii) the practitioner to whom the instructions are given must, immediately after receiving the instructions by that method, ensure that the following information is recorded in the person's medication record and sign the record:
 - (A) his or her full name;
 - (B) the prescribed instructions in respect of the drug;
 - (C) the words "by telephone";
 - (D) the date on which the telephone instructions were given;
 - (E) the name of the registered health practitioner who gave the telephone instructions;
 - (F) the name and signature of the other person to whom the instructions were given in accordance with subparagraph (i); and

- (iii) the practitioner who gave the instructions must, within 48 hours of giving the instructions by that method, endorse the relevant entries in the medication record with his or her signature and the date.

Maximum penalty: \$5 000.

- (2) The designated nurse or designated midwife for a ward of a health service facility for a particular shift must ensure that the following additional record-keeping requirements are met in respect of drugs of dependence in the ward:
 - (a) all relevant records required to be kept under these regulations in respect of those drugs must be kept in the ward;
 - (b) all drugs of dependence must be counted at the end of the shift and—
 - (i) if the balance in respect of a particular drug is found to be correct, the word "correct", the time and date and the nurse's or midwife's name and signature must be recorded alongside the entry for the drug; and
 - (ii) if the balance in respect of a particular drug is found to be incorrect—
 - (A) the word "incorrect", a brief explanation of the discrepancy, if known, the time and date and the nurse's or midwife's name and signature must be recorded alongside the entry for the drug; and
 - (B) the Director of Nursing or manager of the health service facility, and the health service facility pharmacist, if any, must be notified, as soon as practicable, that an incorrect amount of drugs is stored in the ward;
 - (c) the drugs count and records made under paragraph (b)—
 - (i) must be witnessed by the designated nurse or designated midwife for the ward for the next shift and endorsed with his or her name and signature; or
 - (ii) must, if the next shift does not commence immediately after the previous shift—
 - (A) be witnessed by a nurse or midwife working on the same shift as the nurse or midwife who made the entry and be endorsed with the name and signature of the witnessing nurse or midwife; and
 - (B) be checked by the designated nurse or designated midwife for the ward for the next shift at the commencement of that shift and be endorsed with his or her name and signature.

Maximum penalty: \$5 000.

- (3) The Director of Nursing or, if there is no Director of Nursing, the manager of a health service facility must ensure that for each shift for each ward of the health service facility a nurse or midwife is designated as having responsibility for record keeping under subregulation (2).

Maximum penalty: \$5 000.

- (4) The nurse or midwife designated under subregulation (3) must be a nurse or midwife present on the ward during the shift and may only be an enrolled nurse if no registered nurse or midwife will be present.

- (5) The manager of a health service facility must take all reasonable steps to ensure that—
- (a) all drugs of dependence delivered to the health service facility or a ward of the health service facility are received by a registered health practitioner employed at the health service facility or, if such a practitioner is not reasonably available, by some other responsible person; and
 - (b) an accurate and up-to-date balance of stocks of all drugs of dependence in each ward of the health service facility is maintained at all times; and
 - (c) the requirements of this regulation are complied with.

Maximum penalty: \$5 000.

- (6) In this regulation—

designated midwife for a ward of a health service facility for a shift means a midwife designated under subregulation (3) as having responsibility for record keeping under subregulation (2) for the ward for the shift;

designated nurse for a ward of a health service facility for a shift means a nurse designated under subregulation (3) as having responsibility for record keeping under subregulation (2) for the ward for the shift;

health service pharmacist means the pharmacist in charge of a health service pharmacy;

prescribed instructions, in respect of a drug, means the form and strength of the drug and the route, frequency and duration of administration of the drug.

45—Destruction of drugs of dependence

- (1) Subject to this regulation or any order of a court, a person must not destroy a drug of dependence unless—
- (a) the destruction is witnessed by another person, being an authorised officer, police officer, registered health practitioner or veterinary surgeon; and
 - (b) the person destroying the drug ensures that the following information is recorded in respect of the drug immediately after its destruction:
 - (i) the full names and the signatures of the person and the witness to the destruction;
 - (ii) the trade name or approved name of the drug or, if it did not have either a trade or approved name, its ingredients;
 - (iii) the amount and, if applicable, the strength of the drug;
 - (iv) the date and time of the destruction;
 - (v) the amount of the drug (if any) now remaining in stock on the premises at which the destroyed drug was stored.

Maximum penalty: \$5 000.

- (2) This regulation does not apply to the destruction of a drug of dependence by—
- (a) a person for whose use the drug was lawfully prescribed or supplied; or
 - (b) a police officer or an authorised officer.

Part 6—Other offences

46—Prohibition on giving samples of S8 poisons

A person must not give another person a sample of an S8 poison.

Maximum penalty: \$5 000.

47—Offences relating to sale or supply of poisons

- (1) A person must not sell or supply a poison in any residential premises, or from door to door, or in a public place.

Maximum penalty: \$5 000.

- (2) A person must not sell or supply a poison in a container that—

- (a) is normally used for containing food or beverages; or
- (b) is similar to a container that is normally used for containing food or beverages.

Maximum penalty: \$5 000.

- (3) A person must not sell camphor or naphthalene in block, ball, disc or pellet form for domestic use unless the blocks, balls, discs or pellets are enclosed in a device that restricts removal or ingestion of its contents.

Maximum penalty: \$5 000.

- (4) A person must not sell any liquid preparation or admixture containing paraquat unless it is coloured blue or green and contains a stenching agent in sufficient quantity to produce an offensive odour.

Maximum penalty: \$5 000.

- (5) In this regulation—

public place includes—

- (a) a place to which free access is permitted to the public, with the express or tacit consent of the owner or occupier of that place; and
- (b) a place to which the public are admitted on payment of money, the test of admittance being the payment of money only; and
- (c) a road, street, footway, court, alley or thoroughfare that the public are allowed to use, notwithstanding that the road, street, footway, court, alley or thoroughfare is on private property.

48—Offence to dispose of poison

A person must not dispose of or use, or cause to be disposed of or used, a poison in any place or manner that constitutes, or is likely to constitute, a risk to public health or safety.

Maximum penalty: \$5 000.

49—Keeping of records etc

- (1) Subject to these regulations, a person who is required by these regulations to keep certain records must—

- (a) in respect of any entry in the records, retain the records at the registered address of the business in this State for a period of 2 years from the day on which the entry was made; and
- (b) have the records readily available for inspection at all reasonable times; and

- (c) during that period, take all reasonable steps to ensure that the records are protected against deterioration, loss, theft and unauthorised access, modification or use.

Maximum penalty: \$3 000.

- (2) If the information contained in the records is available only after the record is subjected to an electronic or other process, it is sufficient for the purposes of subregulation (1)(b) for the person to produce for inspection a reproduction or computerised record of any entry in the records.
- (3) If details are to be recorded under these regulations in respect of drugs of dependence, they must, unless otherwise specified, be recorded in a drugs of dependence register in a form approved by the Minister.
- (4) A receipt required to be provided to a person under these regulations must be kept by that person in the manner set out in this regulation as if it were a record.

50—Vicarious liability

For the purposes of these regulations, an act or omission of an employee or agent will be taken to be the act or omission of the employer or principal unless it is proved that the act or omission did not occur in the course of the employment or agency.

Part 7—Miscellaneous

51—Personal identification code equivalent to signature

- (1) If a provision of these regulations requires a person to sign a record or receipt that is in electronic form, evidence on the record or receipt that the person has entered his or her personal identification code will be taken to be sufficient compliance by that person with the requirement.
- (2) In this regulation—
personal identification code means a code that—
 - (a) is allotted to a person by his or her employer for use by that person in connection with official duties; and
 - (b) is known only by that person and such other persons as may be authorised by the employer for management purposes.

52—Permits (section 56(1) of Act)

An application for a permit under section 56(1) of the Act must be made in writing to the Minister and signed by the applicant.

53—Prescribed professional associations (section 58(1a) of Act)

For the purposes of section 58(1a) of the Act, the following professional associations are prescribed:

- (a) in the case of publishing information to medical practitioners—
 - (i) the Adelaide Northern Division of General Practice;
 - (ii) the Australian Medical Association;
 - (iii) the Murray Mallee Division of General Practice;
 - (iv) the Western Division of Mental Health;
 - (v) the Royal Australian College of General Practitioners;

- (b) in the case of publishing information to pharmacists—
 - (i) the Friendly Society Medical Association;
 - (ii) the Pharmaceutical Society of Australia (SA Branch);
 - (iii) the Pharmacy Guild of Australia (SA Branch).

54—Corresponding laws (section 61(4) of Act)

For the purposes of the definition of *corresponding law* in section 61(4) of the Act, the following laws are prescribed:

- (a) the *Drugs of Dependence Act 1989* of the Australian Capital Territory;
- (b) the *Drugs Misuse and Trafficking Act 1985* of New South Wales;
- (c) the *Misuse of Drugs Act* of the Northern Territory;
- (d) the *Drugs Misuse Act 1986* of Queensland;
- (e) the *Poisons Act 1971* of Tasmania;
- (f) the *Drugs, Poisons and Controlled Substances Act 1981* of Victoria;
- (g) the *Misuse of Drugs Act 1981* of Western Australia.

55—Place at which codes, standards and other documents must be kept for public inspection etc (section 63(5a)(a) of Act)

For the purposes of section 63(5a)(a) of the Act, the office of the Department at 11-13 Hindmarsh Square, Adelaide is prescribed.

Schedule 1—Forms

End user statement

The chemical product I wish to purchase is classified as a possible illicit drug precursor or auxiliary reagent. I understand that to be supplied this product a signed end user declaration must be provided together with an order.

Catalogue No	Product Name	Quantity	Pack Size	Order No

Intended use: Analytical Research and Design Manufacturing
 Resale Other

Please specify full details of assay, project, product customer etc

Purchaser details and declaration

I, *[insert full name]* being *[insert position]* on behalf of *[insert name of company or institution and ACN]*

Address:

Account No:

declare that the above chemical product will not be used for the manufacture of illicit drugs.

Signature:

Date:

Details of collecting agent's identification

Current Passport No:

Country of Issue:

Current Photograph Licence No:

Expiry date:

Photo Identification Card Type:

End user distributor/supplier details and declaration

I, *[insert full name]* being *[insert position]* on behalf of *[insert name of company or institution and ACN]*

Address:

Account No:

declare that the above chemical product will not be used for the manufacture of illicit drugs.

Signature:

Date:

Note—

- 1 Please attach a photocopy of current driver's licence bearing a photograph.
- 2 The form must be completed with all details.

Schedule 2—Revocation and transitional provisions

Part 1—Revocation of regulations

1—Revocation of regulations

The following regulations are revoked:

Controlled Substances (Poisons) Regulations 1996

Controlled Substances (Volatile Solvents) Regulations 1996

Part 2—Transitional provisions

2—Approvals of child-resistant packaging or containers for S2, S5 or S6 poisons

An approval under regulation 20(c)(ii)(B) of the *Controlled Substances (Poisons) Regulations 1996* in force immediately before the commencement of these regulations will, on that commencement, be taken to be an approval under regulation 27(b)(ii)(B) of these regulations.

3—Authorisations to prescribe certain S4 drugs

An authorisation under Schedule K of the *Controlled Substances (Poisons) Regulations 1996* in force immediately before the commencement of these regulations will, on that commencement, be taken to be an authorisation under regulation 19(1) of these regulations.

4—Exemptions from requirement to hold licence under section 22 of Act

An exemption under regulation 17 of the *Controlled Substances (Poisons) Regulations 1996* in force immediately before the commencement of these regulations will, on that commencement, be taken to be an exemption under regulation 25(6) of these regulations.

5—Exemptions from section 24(b) or 24(c) of Act

- (1) An exemption under regulation 18(2) of the *Controlled Substances (Poisons) Regulations 1996* in force immediately before the commencement of these regulations will, on that commencement, be taken to be an exemption under regulation 26(7) of these regulations.
- (2) An exemption under regulation 19(3) of the *Controlled Substances (Poisons) Regulations 1996* in force immediately before the commencement of these regulations will, on that commencement, be taken to be an exemption under regulation 26(7) of these regulations.

Note—

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

Made by the Governor

after consultation with the Controlled Substances Advisory Council and with the advice and consent of the Executive Council
on 9 June 2011

No 140 of 2011

HEAC-2011-00001

South Australia

Controlled Substances (General) Variation Regulations 2011

under the *Controlled Substances Act 1984*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Controlled Substances (General) Regulations 2000*

- 4 Variation of regulation 1—Short title
 - 5 Revocation of regulation 6A
 - 6 Revocation of regulations 13 to 16
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Controlled Substances (General) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Controlled Substances (General) Regulations 2000*

4—Variation of regulation 1—Short title

Regulation 1—delete "(General)" and substitute:
(*Controlled Drugs, Precursors and Plants*)

5—Revocation of regulation 6A

Regulation 6A—delete the regulation

6—Revocation of regulations 13 to 16

Regulations 13 to 16 (inclusive)—delete regulations 13 to 16

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

after consultation with the Controlled Substances Advisory Council and with the advice and consent of the Executive Council

on 9 June 2011

No 141 of 2011

HEAC-2010-00078

South Australia

Sheriff's (Fees) Variation Regulations 2011

under the *Sheriff's Act 1978*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Sheriff's Regulations 2005*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Sheriff's (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Sheriff's Regulations 2005*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

1	For receiving and entering a summons, notice, order or other document for service (other than in relation to proceedings in the Magistrates Court)—per copy	\$34.50
2	For receiving and entering a warrant (including a summons when issued as a joint process) or other process of execution	\$51.00
3	For serving a summons, claim, notice, order or other document where a written report must be submitted for the preparation of an affidavit of service—per copy	\$38.00
4	For serving a summons, claim, notice, order or other document where a written report does not have to be submitted for the preparation of an affidavit of service—per copy	\$32.75

5	For conducting inquiries as necessary before executing a warrant or other process of execution	\$38.00
6	For executing a warrant (including serving a summons when issued as a joint process) or other process of execution or making an arrest	\$71.50
7	Additional fee if, under a warrant, personal property is seized and processed for sale	\$71.50 plus \$40.75 for each hour or part of an hour after the first 3 hours
8	Allowance for travelling expenses incurred in the service of a document or execution of a process	\$1.10 per kilometre or part of a kilometre, after 50 kilometres
	Note— Only 1 fee is payable where 2 or more processes are served or executed at the same time on the same person or on different persons at the same address.	
9	Poundage—	
	(a) on a warrant of sale or other process of execution (other than on a warrant of possession enforced against real property), calculated on the amount realised on sale or, if not sold, on the value of the property seized or the amount of the judgement debt, whichever is the lesser	\$0.10 per dollar for the first \$2 000 and \$0.05 per dollar over \$2 000
	(b) on a warrant of possession enforced against real property, calculated on the annual value (within the meaning of the <i>Valuation of Land Act 1971</i>) of the real property seized	\$0.10 per dollar for the first \$2 000 and \$0.05 per dollar over \$2 000
10	For sheriff's attendance to execute an enforcement process	\$40.75 per hour or part hour, after the first hour
11	For opening the office (or the office remaining open) after hours for an urgent execution of process	\$273.00 per hour or part hour

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 9 June 2011

No 142 of 2011

AGO0170/11CS

South Australia

Environment, Resources and Development Court (Fees) Variation Regulations 2011

under the *Environment, Resources and Development Court Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Environment, Resources and Development Court Regulations 2005*

- 4 Substitution of Schedules 1 and 2
 - Schedule 1—Fees in general jurisdiction
 - Schedule 2—Fees in proceedings involving native title
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Environment, Resources and Development Court (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Environment, Resources and Development Court Regulations 2005*

4—Substitution of Schedules 1 and 2

Schedules 1 and 2—delete the Schedules and substitute:

Schedule 1—Fees in general jurisdiction

- | | | |
|---|---|----------|
| 1 | On filing or lodging any application or initiating any appeal or other proceedings, other than— <ul style="list-style-type: none">(a) an interlocutory application under the rules of the Court; or | \$108.00 |
|---|---|----------|

	(b) an application that relates to a building dispute to which section 86(5) of the <i>Development Act 1993</i> applies; or	
	(c) an application to the Court for a consent judgment	
2	On an application by a party to proceedings for the issue of a summons	\$41.75
3	Court fee payable by an applicant where the application relates to a building dispute to which section 86(5) of the <i>Development Act 1993</i> applies	\$328.00
4	Court fee payable by the applicant or appellant if a matter proceeds to a hearing	\$218.00
5	For each request to inspect any material under section 47(1) of the Act	\$17.40
6	For a copy of a transcript of evidence—per page	\$6.80
7	Except where clause 8 applies, for a copy of any documentary material admitted into evidence—per page	\$6.80
8	For a copy of any photograph, map, plan or other document which is greater than A4 in size	\$6.80 per page, or the actual cost of copying (whichever is greater)
9	For a copy of any decision or order given or made by the Court—per page	\$6.80
	Note—	
	A party to proceedings is entitled to 1 copy of any decision or order given or made by the Court without charge.	
10	For a copy of any other document for which a fee has not been fixed under any other clause—per page	\$4.20
11	For opening Registry (or Registry remaining open) after hours for urgent execution of process—for each hour or part of an hour	\$108.00

Schedule 2—Fees in proceedings involving native title

1—Applications or notices commencing proceedings

On filing or lodging an application or initiating an appeal commencing proceedings involving a native title question other than a request for mediation	\$602.00
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Examples—

- (a) an application for registration of a claim to native title in land
- (b) an application for a native title declaration
- (c) an application for variation or revocation of a native title declaration
- (d) an application for a summary determination authorising mining operations on native title land (including under the expedited procedure)
- (e) an appeal against a decision of the Minister to prohibit registration of a native title mining agreement
- (f) an application for a determination of the Court made under an Act authorising a person to enter native title land and carry out operations on the land or to acquire native title land
- (g) an application for review of compensation provisions of determination following native title declaration.

2—Other applications

On filing or lodging any other application in proceedings involving a native title question	\$41.75
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3—Inspection and copies of evidentiary material

- | | |
|--|---|
| (a) for each request to inspect material under section 47(1) of the Act | \$17.40 |
| (b) for a copy of a transcript of evidence, documentary material admitted into evidence, or a decision or order of the Court supplied under section 47(3) of the Act | |
| (i) per A4 page (or smaller) | \$6.80 |
| (ii) per page that is greater in size than A4 | \$6.80 or the actual cost of copying (whichever is greater) |
| (c) for a copy of any other document for which a fee has not been charged under paragraph (b)—per page | \$4.20 |

Note—

A party to proceedings is entitled to 1 copy of any decision or order given or made by the Court without charge.

4—Opening Registry after hours

For opening a Registry, or a Registry remaining open, after hours for urgent execution of process—for each hour or part of an hour	\$108.00
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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 9 June 2011

No 143 of 2011

AGO0170/11CS

South Australia

District Court (Fees) Variation Regulations 2011

under the *District Court Act 1991*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *District Court (Fees) Regulations 2004*

- 4 Variation of regulation 3—Interpretation
 - 5 Substitution of Schedules 1 to 3
 - Schedule 1—Fees in civil division
 - Schedule 2—Fees in criminal division
 - Schedule 3—Fees in criminal injuries division
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *District Court (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *District Court (Fees) Regulations 2004*

4—Variation of regulation 3—Interpretation

Regulation 3—after the definition of *Act* insert:

corporation has the same meaning as in the *Corporations Act 2001* of the Commonwealth;

National Credit Code means the *National Credit Code* in Schedule 1 of the *National Consumer Credit Protection Act 2009* of the Commonwealth;

not-for-profit organisation means a corporation that is not for the purpose of trading or securing a pecuniary profit for its members from its transactions;

prescribed corporation means a corporation other than—

- (a) a small business; or
- (b) a not-for-profit organisation;

small business means a corporation that—

- (a) has less than 20 full-time equivalent employees; and
- (b) is not a subsidiary of a corporation that has 20 or more full-time employees;

subsidiary has the same meaning as in the *Corporations Act 2001* of the Commonwealth.

5—Substitution of Schedules 1 to 3

Schedules 1 to 3 (inclusive)—delete the Schedules and substitute:

Schedule 1—Fees in civil division

1	Summons fee—on filing a document by which application is made for disclosure of documents before the commencement of a proceeding	
	(a) for a prescribed corporation	\$193.00
	(b) for any other person	\$137.00
2	Summons fee—on filing a document by which a proceeding (other than a proceeding specified in clause 3 or 4) is commenced	
	(a) for a prescribed corporation	\$1 500.00
	(b) for any other person	\$1 064.00
3	Summons fee—on filing a document by which a proceeding is commenced where a fee has previously been paid for filing an application for disclosure of documents relating to the subject-matter of the proceeding	
	(a) for a prescribed corporation	\$1 307.00
	(b) for any other person	\$927.00
4	On filing an application under the <i>National Credit Code</i>	\$210.00
5	On filing a counterclaim or third party notice	
	(a) for a prescribed corporation	\$1 500.00
	(b) for any other person	\$1 064.00
6	On filing or lodging an application, notice or other document that does not relate to a proceeding for which a fee has been paid under any of the preceding clauses	
	(a) for a prescribed corporation	\$193.00
	(b) for any other person	\$137.00
7	For sealing a certificate or certifying under seal that a document is a true copy	\$64.00
8	For each request to search and inspect a record of the Court	\$17.40

9	For copy of evidence—per page	\$6.80
10	For copy of reasons for judgment—per page	\$6.80
	Note—	
	1 copy will be supplied to a party to the proceedings free of charge	
11	For copy of any other document—per page	\$4.20
12	The fee for a computer disc containing a record of court proceedings (including reasons for judgment) is the fee that would be payable under these regulations for a printed copy of the record of the proceedings plus for each day or part of a day on which the proceedings were recorded	\$108.00
13	For production of transcript at request of a party where the Court does not require the transcript—per page	\$13.70
14	Trial fee—for each day or part of a day on which the trial is heard by the Court	
	(a) for a prescribed corporation	\$1 500.00
	(b) for any other person	\$1 064.00
	Note—	
	The fee for a trial is the fee fixed under clause 14 as in force on the day on which the trial commenced and is payable by the plaintiff or appellant in the proceedings. However, if the Court or a registrar so orders, the fee is payable by another party to the proceedings or by the parties to the proceedings in the proportions ordered.	
15	Suitors' Fund—on interest collected on funds in Court or credited to an account, payable on transfer of interest out of the fund or account or at such earlier time or times as required by the Court—	
	(a) if the interest is \$10.00 or less	no fee
	(b) in any other case	3% of amount of interest
16	Taxation of costs—	
	(a) on lodging a bill of costs	\$64.00
	(b) for taxing a bill of costs	5% of amount allowed on taxation (to nearest dollar)
17	For opening Registry (or Registry remaining open) after hours for urgent execution of process—for each hour or part of an hour	\$327.00
18	For opening Court (or Court remaining open) after hours for urgent hearing—for each hour or part of an hour	\$984.00

Schedule 2—Fees in criminal division

1	(1) For each request to search and inspect a record of the Court	\$17.40
	(2) A fee is not payable under subclause (1) for a request by or on behalf of a person accused or a victim of an offence that is the subject of proceedings before the Court	
2	For sealing a certificate or certifying under seal that a document is a true copy	\$64.00
3	For copy of evidence—per page	\$6.80
4	For copy of reasons for judgment—per page	\$6.80
	Note—	
	1 copy will be supplied to a party to the proceedings free of charge.	
5	For copy of any other document—per page	\$4.20
6	The fee for a computer disc containing a record of court proceedings (including reasons for judgment) is the fee that would be payable under these regulations for a printed copy of the record of the proceedings plus for each day or part of a day on which the proceedings were recorded	\$108.00

Schedule 3—Fees in criminal injuries division

1	Summons fee—on filing a document by which a proceeding is commenced	
	(a) for a prescribed corporation	\$193.00
	(b) for any other person	\$137.00
2	(1) For each request to search and inspect a record of the Court	\$17.40
	(2) A fee is not payable under subclause (1) for a request by or on behalf of a person accused or a victim of an offence that is the subject of proceedings before the Court	
3	For copy of evidence—per page	\$6.80
4	For copy of reasons for judgment—per page	\$6.80
	Note—	
	1 copy will be supplied to a party to the proceedings free of charge.	
5	For copy of any other document—per page	\$4.20
6	The fee for a computer disc containing a record of court proceedings (including reasons for judgment) is the fee that would be payable under these regulations for a printed copy of the record of the proceedings plus for each day or part of a day on which the proceedings were recorded	\$108.00
7	For production of transcript at request of a party where the Court does not require the transcript—per page	\$13.70

8	Taxation of costs—	
	(a) on lodging a bill of costs	\$64.00
	(b) for taxing a bill of costs	5% of amount allowed on taxation (to nearest dollar)
9	For opening Registry (or Registry remaining open) after hours for urgent execution of process—per hour or part of an hour	\$327.00
10	For opening Court (or Court remaining open) after hours for urgent hearing—per hour or part of an hour	\$984.00

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 9 June 2011

No 144 of 2011

AGO0170/11CS

South Australia

Supreme Court (Fees) Variation Regulations 2011

under the *Supreme Court Act 1935*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Supreme Court Regulations 2005*

- 4 Variation of regulation 3—Interpretation
 - 5 Substitution of Schedules 1 and 2
 - Schedule 1—Fees in general jurisdiction
 - Schedule 2—Fees in probate jurisdiction
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Supreme Court (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Supreme Court Regulations 2005*

4—Variation of regulation 3—Interpretation

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

corporation has the same meaning as in the *Corporations Act 2001* of the Commonwealth;

not-for-profit organisation means a corporation that is not for the purpose of trading or securing a pecuniary profit for its members from its transactions;

prescribed corporation means a corporation other than—

- (a) a small business; or
 - (b) a not-for-profit organisation;
- (2) Regulation 3—after the definition of **Registrar** insert:

small business means a corporation that—

- (a) has less than 20 full-time equivalent employees; and
- (b) is not a subsidiary of a corporation that has 20 or more full-time employees;

subsidiary has the same meaning as in the *Corporations Act 2001* of the Commonwealth.

5—Substitution of Schedules 1 and 2

Schedules 1 and 2—delete the Schedules and substitute:

Schedule 1—Fees in general jurisdiction

Part 1—General

General Fees

- | | | |
|---|--|------------|
| 1 | On filing an application for disclosure of documents before the commencement of a proceeding | |
| | (a) for a prescribed corporation | \$511.00 |
| | (b) for any other person | \$362.00 |
| 2 | On filing a document by which a proceeding in the court is commenced— | |
| | (a) in the case where a fee has previously been paid for filing an application for disclosure of documents relating to the subject-matter of the proceeding— | |
| | (i) for a prescribed corporation | \$2 489.00 |
| | (ii) for any other person | \$1 764.00 |
| | (b) in any other case— | |
| | (i) for a prescribed corporation | \$3 000.00 |
| | (ii) for any other person | \$2 126.00 |
| 3 | On filing a counterclaim or third party notice | |
| | (a) for a prescribed corporation | \$3 000.00 |
| | (b) for any other person | \$2 126.00 |
| 4 | On filing a summons for permission to appeal | |
| | (a) for a prescribed corporation | \$511.00 |
| | (b) for any other person | \$362.00 |
| 5 | On filing a notice of appeal for which permission to appeal is required | |
| | (a) for a prescribed corporation | \$2 489.00 |
| | (b) for any other person | \$1 764.00 |

- | | | |
|---|--|------------|
| 6 | On filing a notice of appeal in respect of an appeal as of right | |
| | (a) for a prescribed corporation | \$3 000.00 |
| | (b) for any other person | \$2 126.00 |

Note—

No further fee is payable for filing pleadings or particulars or for any interlocutory application, interlocutory motion, application for directions or application for immediate relief, for signing judgment or for any necessary affidavit or document.

- | | | |
|---|---|---------|
| 7 | On— | |
| | (a) filing or lodging an application, notice or other document that does not relate to a proceeding for which a fee has been paid under any of the previous clauses | \$64.00 |
| | (b) sealing a certificate | \$64.00 |
| | (c) certifying under seal that a document is a true copy | \$64.00 |
| 8 | For each request to search and inspect a record of the court, other than a Divorce or Matrimonial Causes record | \$17.40 |

Note—

No fee is payable under this clause for a request made in respect of a record relating to criminal proceedings by or on behalf of the defendant or the victim of the offence that is the subject of those proceedings.

- | | | |
|----|---|--------|
| 8 | For a copy of a document (other than a copy of evidence)—per page | \$4.20 |
| 9 | For a copy of evidence—per page | \$6.80 |
| 10 | For a copy of the reasons for judgment—per page | \$6.80 |

Note—

1 copy will be supplied to a party to the proceedings free of charge.

- | | | |
|----|---|------------|
| 11 | The fee for a computer disc containing a record of court proceedings (including reasons for judgment) is the fee that would be payable under these regulations for a printed copy of the record of the proceedings plus for each day or part of a day on which the proceedings were recorded | \$108.00 |
| 12 | For production of a transcript on the request of a party where the court does not require the transcript—per page | \$13.70 |
| 13 | Trial fee—for each day or part of a day on which the trial is heard by the court— | |
| | (a) for a prescribed corporation | \$3 000.00 |
| | (b) for any other person | \$2 126.00 |

Note—

The fee for a trial is the fee fixed under clause 13 as in force on the day on which the trial commenced and is payable by the plaintiff or appellant in the proceedings. However, if the court or Registrar so orders, the fee is payable by another party to the proceedings or by the parties to the proceedings in the proportions ordered.

Suitors' Funds

- 14 On interest collected on funds in court or credited to an account, payable from time to time or prior to the payment or transfer of interest out of any fund or money in court—
- (a) if the interest is \$10.00 or less no fee
 - (b) in any other case 3% of amount of interest

Fees Payable on Taxation of Costs

- 15 On lodging a bill of costs \$64.00
- 16 For taxing a bill of costs 5% of amount allowed on taxation (to nearest dollar)

Miscellaneous

- 17 On serving on a Registrar of the Magistrates Court copies of a notice of appeal to the Supreme Court against a decision of the Magistrates Court pursuant to section 42 of the *Magistrates Court Act 1991* \$199.00

Note—

This fee is payable at the Magistrates Court when the appeal is lodged.

- 18 For opening the Registry (or the Registry remaining open) after hours for urgent execution of process—for each hour or part of an hour \$327.00
- 19 For opening the court (or the court remaining open) after hours for urgent hearing—for each hour or part of an hour \$984.00

Part 2—Fees payable under rules regulating admission of practitioners

- 20 On application for admission or re-admission as a practitioner \$503.00

Part 3—Fees to be taken by officers of the court or Commissioners for taking affidavits

- 21 On taking an affidavit or an affirmation or attestation upon honour or a declaration (for each person making the affidavit, affirmation, attestation upon honour or declaration)—
- (a) if taken by a Commissioner who has to travel more than 1 kilometre from his or her residence or office or, in the case of an officer of the court, 1 kilometre from the Registry \$10.80
 - (b) in any other case—
 - (i) if taken within the State \$2.10
 - (ii) if taken outside the State \$4.20
- 22 For attesting a document required to be attested by a Commissioner for taking affidavits \$2.10
- 23 Commissioner's fee on execution of bail in the Admiralty jurisdiction, including any affidavit of justification \$17.40

Part 4—Fees to be taken in marshal's office

24	Receiving and entering a writ of summons, warrant of release, decree, order, commission or other instrument under the seal of the court	\$52.50
25	For—	
	(a) service of a writ of summons	\$43.50
	(b) execution of a warrant of arrest—for each person	\$90.50
	but, if a writ is served and a warrant executed on a person at the same time	\$117.00
26	For execution of a warrant for the seizure of a ship, cargo or other goods	\$90.50
27	For the release of any ship, goods or person from seizure or arrest	\$43.50
28	For the execution of a commission of appraisement or sale	\$90.50
29	For the execution of any decree, order, commission or instrument other than 1 otherwise specified in this Part	\$90.50
30	For delivery of a ship or goods to a purchaser	\$90.50
31	For attending the discharge of cargo or removal of a ship or goods—payable per day or part of a day	\$90.50
32	For opening office (or office remaining open) after hours for urgent execution of process—payable per hour or part of an hour	\$327.00
33	On the gross proceeds of any ship or goods sold—	
	(a) for every \$200 or part of \$200, up to \$20 000	\$17.80
	(b) for each additional \$200 or part of \$200	\$10.80
34	For retaining possession of a ship (with or without cargo) or of a ship's cargo—for each day or part of a day	\$52.50

Note—

No fee is payable under this Part for the custody and possession of property seized if it consists of money with an ADI, or goods stored in a bonded warehouse, or if it is in the custody of a customs officer or other authorised person.

Schedule 2—Fees in probate jurisdiction

1	On lodging an application for—	
	(a) a grant of probate or administration	\$995.00
	(b) the sealing of a grant under section 17 of the <i>Administration and Probate Act 1919</i>	\$995.00
	(c) an order under section 9 of the <i>Public Trustee Act 1995</i>	\$995.00

Note—

The fee under clause 1 covers—

	(a) photocopies required of the will or other document (if any) for the grant and record or other purposes;	
	(b) preparing and sealing any probate or letters of administration, with or without the will annexed, and any order to the Public Trustee to administer;	
	(c) sealing any probate or letters of administration, with or without the will annexed, exemplification or other document under section 17 of the <i>Administration and Probate Act 1919</i> .	
2	On lodging an application to amend a grant or for noting on a grant that the deceased died domiciled in South Australia if not so noted when the grant was issued (inclusive fee)	\$73.00
3	On lodging 2 certified photocopies of an order under the <i>Inheritance (Family Provision) Act 1972</i> for annexation to the grant and for the record (inclusive fee)	\$73.00
4	On lodging an application to revoke or impound a grant (inclusive fee)	\$73.00
5	For a photographic copy of a will or extract of a will or other document—for each photographic sheet supplied	\$3.55
6	For impressing a seal of the court on a copy	\$32.75

Note—

This fee is not payable where the fee under clause 8 is payable.

7	For the Registrar's certificate in verification of a copy	\$32.75
8	For an exemplification of probate or letters of administration, with or without the will annexed (in addition to the fee under clause 5)	\$73.00
9	For the entry or withdrawal of a caveat, for a warning to a caveat or for service of a warning to a caveat sent by the Registrar through the post	\$30.00
10	On entering an appearance—for 1 or more persons	\$52.50
11	For sealing a citation or a subpoena	\$30.00

12	For a search for a will or other document filed in the Registry and the issue of a search copy (inclusive fee)	\$17.80
	and, in addition, for handling a search by post—in respect of each will or other document	\$1.75
13	For depositing the will of a deceased person in the Registry—	
	(a) for safe custody on renunciation of executor (inclusive fee)	\$30.00
	(b) under the <i>Crown Lands Act 1929</i> (inclusive fee)	\$30.00
14	For depositing the will or codicil of a living person for safe custody in the Registry under section 13 of the <i>Administration and Probate Act 1919</i> (inclusive fee)	\$99.50
15	On withdrawal of a will under section 15 of the <i>Administration and Probate Act 1919</i> (inclusive fee)	\$49.00
16	For the examination of a person or witness before the Registrar for the purpose of an inquiry or investigation—for each hour or part of an hour	\$126.00
17	For perusing and settling citations, advertisements, oaths, affidavits or other documents—per document	\$38.25
	Note—	
	This fee is not payable on an application under section 16 of the <i>Administration and Probate Act 1919</i> .	
18	On sealing a summons without notice or an inter partes summons	\$254.00
19	On sealing any other summons	\$49.00
	Note—	
	The fee under clause 18 or 19 is not payable where the fee under clause 1 is payable.	
20	On lodging an application for an order admitting to proof a nuncupative will, a will contained in a copy, a completed draft, a reconstruction or other evidence of its contents	\$254.00
21	Hearing in chambers or in court where the hearing occupies more than 10 hours—for every additional period of 5 hours or part of 5 hours	\$126.00
	Note—	
	The fees under clauses 18, 19 and 20 cover any necessary document, affidavit or search, any interlocutory summons and the entering and sealing of any judgment, decree or order given or made in court or in chambers.	
22	For filing a renunciation after the issue of a grant by an executor to whom leave was reserved (inclusive fee)	\$49.00

- | | | |
|----|------|---|
| 23 | For— | |
| | (a) | a certificate under the hand of the Registrar \$30.00 |
| | (b) | filing or depositing an affidavit or document in the Registry \$9.05 |
| | (c) | sealing an order of the court or the Registrar (inclusive fee) \$49.00 |

Note—

These fees are not payable where the certificate or the filing, deposit or sealing of the order is included in an application or proceeding for which another fee is payable.

- | | | |
|----|---|---|
| 24 | For administering an oath, taking an affirmation, superintending and attesting execution of a bond, or for taxing or moderating a bill of costs | The appropriate fee set out in Schedule 1 |
|----|---|---|

Note—

The fee payable in respect of a document of foreign origin that is not strictly of a type referred to in this Schedule is that payable in respect of the document specified in this Schedule to which, in the opinion of the Registrar, the foreign document most closely corresponds.

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 9 June 2011

No 145 of 2011

AGO0170/11CS

South Australia

Magistrates Court (Fees) Variation Regulations 2011

under the *Magistrates Court Act 1991*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Magistrates Court (Fees) Regulations 2004*

- 4 Variation of regulation 3—Interpretation
 - 5 Substitution of Schedules 1 and 2
 - Schedule 1—Fees in Civil (General Claims) Division and Civil (Minor Claims) Division
 - Schedule 2—Fees in Criminal Division
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Magistrates Court (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Magistrates Court (Fees) Regulations 2004*

4—Variation of regulation 3—Interpretation

Regulation 3—after the definition of *Act* insert:

corporation has the same meaning as in the *Corporations Act 2001* of the Commonwealth;

not-for-profit organisation means a corporation that is not for the purpose of trading or securing a pecuniary profit for its members from its transactions;

prescribed corporation means a corporation other than—

- (a) a small business; or
- (b) a not-for-profit organisation;

small business means a corporation that—

- (a) has less than 20 full-time equivalent employees; and
- (b) is not a subsidiary of a corporation that has 20 or more full-time employees;

subsidiary has the same meaning as in the *Corporations Act 2001* of the Commonwealth.

5—Substitution of Schedules 1 and 2

Schedules 1 and 2—delete the Schedules and substitute:

Schedule 1—Fees in Civil (General Claims) Division and Civil (Minor Claims) Division

1	For issuing a <i>Final Notice of Claim</i> under the rules	\$18.10
2	On commencement of minor civil action	\$123.00
3	On lodging a counterclaim or a third party notice in a minor civil action	\$123.00
4	On commencement of any other action under the <i>Magistrates Court Act 1991</i> —	
	(a) in the case of a prescribed corporation	\$452.00
	(b) in any other case	\$267.00
5	On lodging a counterclaim or a third party notice in any other action under the <i>Magistrates Court Act 1991</i> —	
	(a) in the case of a prescribed corporation	\$452.00
	(b) in any other case	\$267.00
6	For issuing and administering an investigation or examination summons under the <i>Magistrates Court Act 1991</i>	\$47.25
7	On commencement of action under any other Act or issuing a summons on such action	\$123.00
8	On lodging a counterclaim or a third party notice in any action under any other Act	\$123.00
9	For publishing an advertisement	actual costs reasonably incurred
10	For each request to search and inspect a record of the Court	\$17.40
11	For copy of evidence—per page	\$6.80
12	For copy of reasons for judgment—per page (1 copy will be supplied to a party to the proceedings free of charge.)	\$6.80
13	For copy of any other document—per page	\$4.20

14	The fee for a computer disc containing a record of court proceedings (including reasons for judgment) is the fee that would be payable under these regulations for a printed copy of the record of the proceedings plus —for each day or part of a day on which the proceedings were recorded	\$108.00
15	For production of transcript at request of a party where the Court does not require the transcript—per page	\$13.70
16	Taxation of costs: on lodging a bill of costs (other than in a minor civil action)	\$64.00
17	For opening Registry (or Registry remaining open) after hours for urgent execution of process—for each hour or part of an hour	\$327.00
18	For opening Court (or Court remaining open) after hours for urgent hearing—for each hour or part of an hour	\$984.00

Schedule 2—Fees in Criminal Division

1	On commencement of proceedings for summary applications, summary offences, minor indictable offences or indictable offences	\$207.00 plus if the complaint or information alleges more than 1 offence—\$41.75
2	For making an enforcement order under the <i>Expiation of Offences Act 1996</i>	\$207.00
3	For issuing a warrant of commitment	\$45.25
4	For copy of evidence—per page	\$6.80
5	For copy of reasons for judgment—per page (1 copy will be supplied to a party to the proceedings free of charge.)	\$6.80
6	For copy of any other document—per page	\$4.20
7	The fee for a computer disc containing a record of court proceedings (including reasons for judgment) is the fee that would be payable under these regulations for a printed copy of the record of the proceedings plus —for each day or part of a day on which the proceedings were recorded	\$108.00
8	For production of transcript at request of a party where the Court does not require the transcript—per page	\$13.70
9	For each request to search and inspect a record of the Court	\$17.40

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 9 June 2011

No 146 of 2011

AGO0170/11CS

South Australia

Criminal Law (Sentencing) (Fees) Variation Regulations 2011

under the *Criminal Law (Sentencing) Act 1988*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Criminal Law (Sentencing) Regulations 2000*

- 4 Substitution of Schedule 2
Schedule 2—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Criminal Law (Sentencing) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Criminal Law (Sentencing) Regulations 2000*

4—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees

- | | | |
|---|--|---------|
| 1 | Reminder notice fee (section 65) | \$30.75 |
| 2 | Issuance of penalty enforcement order— | |
| | (a) suspension of driver's licence (section 70E) | \$39.00 |

- | | | |
|-----|--|---------|
| (b) | restriction on transacting business with Registrar of Motor Vehicles (section 70F) | \$39.00 |
| (c) | order for sale of property (section 70G) | \$99.50 |
| (d) | garnishee order (section 70H) | \$99.50 |
- 3 Service and execution of penalty enforcement order—a fee comprised of the costs reasonably incurred in the service or execution, including—
- (a) postage and telephone calls;
 - (b) travelling, accommodation and necessary meals;
 - (c) labour in seizing and removing seized property;
 - (d) cartage, storage and insurance of seized property;
 - (e) maintenance of seized animals;
 - (f) engaging assistants, appraisers, auctioneers or agents;
 - (g) advertisements;
 - (h) conducting sales of seized property.

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 9 June 2011

No 147 of 2011

AGO0170/11CS

South Australia

Youth Court (Fees) Variation Regulations 2011

under the *Youth Court Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Youth Court (Fees) Regulations 2010*

- 4 Substitution of Schedule 1
Schedule 1—Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Youth Court (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Youth Court (Fees) Regulations 2010*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

1	On commencement of proceedings for summary applications, summary offences, minor indictable offences or indictable offences	\$207.00 plus if the complaint or information alleges more than 1 offence—\$41.75
2	On application for an adoption order under the <i>Adoption Act 1988</i>	\$146.00
3	For making an enforcement order under the <i>Expiation of Offences Act 1996</i>	\$207.00
4	For copy of evidence—per page	\$6.80

- | | | |
|---|--|----------|
| 5 | For copy of reasons for judgment—per page | \$6.80 |
| Note— | | |
| A party to proceedings is entitled to 1 copy of the reasons without charge. | | |
| 6 | For copy of any other document—per page | \$4.20 |
| 7 | The fee for computer disc containing record of court proceedings (including reasons for judgment) is the fee that would be payable under these regulations for a printed copy of the record of the proceedings plus —for each day or part of a day on which the proceedings were recorded | \$108.00 |
| 8 | For production of transcript at request of a party where the Court does not require the transcript—per page | \$13.70 |

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 9 June 2011

No 148 of 2011

AGO0170/11CS

South Australia

Coroners (Fees) Variation Regulations 2011

under the *Coroners Act 2003*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Coroners Regulations 2005*

- 4 Substitution of Schedule 1
Schedule 1—Section 37 fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Coroners (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Coroners Regulations 2005*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Section 37 fees

Fees under section 37

- | | | |
|---|---|---------|
| 1 | For each application to inspect a record or any other documentary or evidentiary material | \$17.40 |
|---|---|---------|

- | | | |
|---|--|-----------------|
| 2 | For a copy of— | \$6.80 per page |
| | (a) the transcript of evidence; or | |
| | (b) the findings and any recommendations of the Court;
or | |
| | (c) an order made by the Court | |

Note—

1 copy will be supplied to a person who appears before the Court under section 20 of the Act free of charge.

- | | | |
|---|--|---|
| 3 | For a copy of any other document | \$4.20 per page |
| 4 | For a copy of a computer disc containing the record of court proceedings (including findings on inquest) | the fee that would be payable under these regulations for a printed copy of the transcript of evidence plus \$108.00 for each day or part of a day on which the proceedings were recorded |

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 9 June 2011

No 149 of 2011

AGO0170/11CS

South Australia

Evidence (Fees) Variation Regulations 2011

under the *Evidence Act 1929*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Evidence Regulations 2007*

- 4 Substitution of Schedule 1
Schedule 1—Fee for authorised news representative
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Evidence (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Evidence Regulations 2007*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fee for authorised news representative

- 1 Fee payable in respect of an authorised news media representative

\$532

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 9 June 2011

No 150 of 2011

AGO0170/11CS

South Australia

Mines and Works Inspection (Fees) Variation Regulations 2011

under the *Mines and Works Inspection Act 1920*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Mines and Works Inspection Regulations 1998*

- 4 Substitution of Schedule 3
- Schedule 3—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Mines and Works Inspection (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Mines and Works Inspection Regulations 1998*

4—Substitution of Schedule 3

Schedule 3—delete the Schedule and substitute:

Schedule 3—Fees

- | | | |
|---|---|---------|
| 1 | Application for a certificate under Schedule 1 | \$25.75 |
| 2 | Each subject for examination for a second-class quarry manager's certificate under Schedule 1 | \$16.40 |

3	Examination in mining law, environment and occupational health and safety law under Schedule 1	\$16.40
4	Issue of a certificate under Schedule 1	\$40.25
5	Issue of a replacement certificate	\$25.75

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 9 June 2011

No 151 of 2011

MRD11/002SC

South Australia

Opal Mining (Fees) Variation Regulations 2011

under the *Opal Mining Act 1995*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Opal Mining Regulations 1997*

- 4 Substitution of Schedule 2
Schedule 2—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Opal Mining (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Opal Mining Regulations 1997*

4—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees

1	Application for the issue or renewal of a precious stones prospecting permit	\$62.50
2	Application for the issue of a duplicate precious stones prospecting permit	\$13.80
3	Application for the issue of—	
	(a) a set of identification plates (other than the first set of plates)	\$7.45
	(b) a replacement identification plate	\$5.85

4	Application for the registration of—	
	(a) a small precious stones claim	\$25.75
	(b) a large precious stones claim	\$52.50
	(c) an extra large precious stones claim	\$74.50
	(d) an opal development lease	\$83.00
5	Application for the renewal of the registration of—	
	(a) a small precious stones claim	\$96.00
	(b) a large precious stones claim	\$193.00
	(c) an extra large precious stones claim	\$262.00
6	Lodgment or withdrawal of a caveat	\$62.50
7	Lodgment of a bond	\$13.90
8	Submission for registration of an opal mining cooperation agreement	\$77.50
9	Lodgment for registration of—	
	(a) a native title mining agreement	\$165.00
	(b) a native title mining determination	\$165.00
10	Inspection of the Mining Register	\$37.75
11	Extraction of a precious stones claim	\$5.95
12	Application for an exemption from the obligation to comply with a provision of the Act	\$83.00
13	Recovery of a post stored at an office of the Mining Registrar	\$20.10
14	Application for an exemption from the requirement to remove posts	\$9.55
15	Application for an authorisation under the Act	\$13.90
16	Registration of any other document	\$13.90

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 9 June 2011

No 152 of 2011

MRD11/002SC

South Australia

Petroleum and Geothermal Energy (Fees) Variation Regulations 2011

under the *Petroleum and Geothermal Energy Act 2000*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Petroleum and Geothermal Energy Regulations 2000*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Petroleum and Geothermal Energy (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Petroleum and Geothermal Energy Regulations 2000*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

Part 1—Application fees

- | | | |
|---|--|------------|
| 1 | Application for a licence under the Act | \$3 739.00 |
| 2 | Application for the renewal of a licence under the Act | \$1 869.00 |
| 3 | Application to vary or revoke a discretionary condition of a licence | \$1 869.00 |

4	Application for the approval of the Minister to vary a work program	\$1 869.00
5	Application to convert a production licence into a retention licence	\$1 869.00
6	Application for the authorisation of the Minister to alter or modify a pipeline	\$1 869.00
7	Application to the Minister to consolidate adjacent licence areas, or to divide a licence area	\$1 869.00
8	Application to the Minister to suspend a licence for a specified period	\$1 869.00
9	Application to the Minister for the approval and registration of a registrable dealing	\$1 869.00
10	Application to have access to material included in the commercial register	\$186.00
Part 2—Annual licence fees (section 78)		
11	Preliminary survey licence	\$3 163.00 or \$1.15 per km ² of the total licence area, whichever is the greater
12	Speculative survey licence	\$3 163.00 or \$1.15 per km ² of the total licence area, whichever is the greater
13	Exploration licence—	
	(a) in relation to the first term of the licence	\$3 163.00 or \$1.15 per km ² of the total licence area, whichever is the greater
	(b) in relation to a licence granted on terms under which the licence is renewable for 1 further term—in relation to the second term	\$3 163.00 or \$1.75 per km ² of the licence area during the second term, whichever is the greater
	(c) in relation to a licence granted on terms under which the licence is renewable for 2 further terms—	
	(i) in relation to the second term	\$3 163.00 or \$1.40 per km ² of the licence area during the second term, whichever is the greater
	(ii) in relation to the third term	\$3 163.00 or \$2.85 per km ² of the licence area during the third term, whichever is the greater

	(d) in relation to a licence granted on terms under which the licence is renewable for 3 further terms—	
	(i) in relation to the second term	\$3 163.00 or \$1.30 per km ² of the licence area during the second term, whichever is the greater
	(ii) in relation to the third term	\$3 163.00 or \$1.75 per km ² of the licence area during the third term, whichever is the greater
	(iii) in relation to the fourth term	\$3 163.00 or \$3.55 per km ² of the licence area during the fourth term, whichever is the greater
14	Retention licence—	
	(a) in relation to a petroleum retention licence	\$3 163.00 or \$544.00 per km ² of the total licence area, whichever is the greater
	(b) in relation to a geothermal retention licence or a gas storage retention licence	\$3 163.00 or \$136.00 per km ² of the total licence area, whichever is the greater
15	Production licence—	
	(a) in relation to a petroleum production licence	\$3 163.00 or \$544.00 per km ² of the total licence area, whichever is the greater
	(b) in relation to a geothermal production licence or a gas storage licence	\$3 163.00 or \$136.00 per km ² of the total licence area, whichever is the greater
16	Pipeline licence	\$3 163.00 or \$298.00 per km, whichever is the greater
17	Associated activities licence—	
	(a) in relation to a licence to which section 57(1)(a) of the Act applies	\$3 163.00 or \$1 583.00 per km ² of the total licence area, whichever is the greater
	(b) in relation to a licence to which section 57(1)(b) of the Act applies	\$3 163.00
18	Special facilities licence	\$3 163.00 or \$1 583.00 per km ² of the total licence area, whichever is the greater

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 9 June 2011

No 153 of 2011

MRD11/002SC

South Australia

Petroleum (Submerged Lands) (Fees) Variation Regulations 2011

under the *Petroleum (Submerged Lands) Act 1982*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Petroleum (Submerged Lands) Regulations 2005*

- 4 Variation of regulation 186—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Petroleum (Submerged Lands) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Petroleum (Submerged Lands) Regulations 2005*

4—Variation of regulation 186—Fees

- (1) Regulation 186(2)(a)—delete "\$810" and substitute:
\$920
- (2) Regulation 186(2)(b)—delete "\$4 040" and substitute:
\$4 590

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 9 June 2011

No 154 of 2011

MRD11/002SC

South Australia

Environment Protection (Fees) Variation Regulations 2011

under the *Environment Protection Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Environment Protection Regulations 2009*

- 4 Substitution of regulation 4
 - 4 Monetary value of fee unit
 - 5 Variation of regulation 46—Annual returns for collection depots and super collectors (section 69A)
 - 6 Variation of regulation 70—Waste depot levy (section 113)
 - 7 Substitution of Schedule 4
- Schedule 4—Miscellaneous fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Environment Protection (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Environment Protection Regulations 2009*

4—Substitution of regulation 4

Regulation 4—delete the regulation and substitute:

4—Monetary value of fee unit

In these regulations, the monetary value of a fee unit is as follows:

- (a) for the purposes of the annual authorisation fee for a licence (including a projected annual authorisation fee under regulation 27(4) and (5))—
 - (i) for the flat fee component—\$55.50;

- (ii) for the environment management component—\$586.00;
- (iii) for the pollutant load-based component—\$5.45;
- (iv) for the water reuse component—\$13.80;
- (b) for the purposes of the waste depot levy under regulation 70(1)(a)—\$13.40;
- (c) for all other purposes—\$17.30.

5—Variation of regulation 46—Annual returns for collection depots and super collectors (section 69A)

- (1) Regulation 46(1)—after "lodge an annual return with the Authority" insert:
 - , or pay the annual fee to the Authority,
- (2) Regulation 46(2)—delete subregulation (2) and substitute:
 - (2) For the purposes of section 69A(2) of the Act, the penalty for failure to lodge an annual return or pay the annual fee is \$300 or 5% of the annual fee (whichever is higher) for each month (or part of a month) for which the default continues.

Note—

If there has been a failure to lodge an annual return and pay the annual fee, the penalty for default is payable in respect of each failure.

6—Variation of regulation 70—Waste depot levy (section 113)

Regulation 70(1)(a)—delete paragraph (a) and substitute:

- (a) per tonne of solid waste (other than waste fill) disposed of at the depot—
 - (i) if the depot is situated outside of metropolitan Adelaide and the waste has been brought to the depot from premises situated outside of metropolitan Adelaide—1.31 fee units;
 - (ii) if the depot is situated in metropolitan Adelaide and the waste has been brought to the depot by or on behalf of a council the area of which lies wholly outside of metropolitan Adelaide—1.31 fee units;
 - (iii) in any other case—2.62 fee units;

7—Substitution of Schedule 4

Schedule 4—delete the Schedule and substitute:

Schedule 4—Miscellaneous fees

- | | | |
|---|--|--------------|
| 1 | Application for approval of the transfer of an environmental authorisation (section 49(5) of the Act)— | |
| | (a) if the authorisation fee last paid or payable was less than \$1 000 | 5 fee units |
| | (b) if the authorisation fee last paid or payable was not less than \$1 000 but not more than \$1 999 | 10 fee units |
| | (c) if the authorisation fee last paid or payable was not less than \$2 000 but not more than \$4 999 | 20 fee units |

	(d)	if the authorisation fee last paid or payable was not less than \$5 000 but not more than \$9 999	30 fee units
	(e)	if the authorisation fee last paid or payable was not less than \$10 000 but not more than \$49 999	50 fee units
	(f)	if the authorisation fee last paid or payable was \$50 000 or more	100 fee units
2	Beverage container approvals and annual fees (Part 8 Division 2 of the Act)—		
	(a)	application for approval of a class of containers as category A or category B containers (section 68 of the Act)—	
	(i)	for 1 class of container	15 fee units
	(ii)	for 2 to 5 classes of container (inclusive)	25 fee units
	(iii)	for 6 to 10 classes of container (inclusive)	37 fee units
	(iv)	for 11 to 20 classes of container (inclusive)	61 fee units
	(v)	for more than 20 classes of container	109 fee units
	(b)	application for approval to operate a collection depot (section 69 of the Act)—	
	(i)	for a collection depot other than a reverse vending machine	7 fee units
	(ii)	for a reverse vending machine	18 fee units
	(c)	application for approval to carry on business as a super collector (section 69 of the Act)	43 fee units
	(d)	annual fee for operating a collection depot (section 69A of the Act)—	
	(i)	for a collection depot within metropolitan Adelaide	15 fee units
	(i)	for a collection depot outside metropolitan Adelaide	7.5 fee units
	(e)	annual fee for carrying on business as a super collector (section 69A of the Act)	32 fee units
3	Accreditation as site contamination auditor (section 103V of the Act and Part 5 Division 2 of these regulations)—		
	(a)	application for accreditation (regulation 54)	\$421.00
	(b)	grant of accreditation (regulation 55) or renewal of accreditation (regulation 59)	\$4 330.00
	(c)	annual fee for accreditation (regulation 58)	\$2 504.00
	(d)	replacement of certificate of accreditation or identity card (regulation 62)	\$55.50
4	Inspection of the register (section 109(5) of the Act)—		
	(a)	each manual inspection	1 fee unit

- (b) each inspection requiring access to a computer—
 - (i) for the first 10 minutes (or part of that 10 minutes) of access 1 fee unit
 - (ii) for each additional 10 minutes (or part of that 10 minutes) of access 1 fee unit
- 5 Copy of part of the register (section 109(6) of the Act)—
 - (a) first page \$4.40
 - (b) each additional page \$1.50

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 9 June 2011

No 155 of 2011

MEC11/0016CS; MEC11/0025CS

South Australia

Radiation Protection and Control (Ionising Radiation) (Fees) Variation Regulations 2011

under the *Radiation Protection and Control Act 1982*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Radiation Protection and Control (Ionising Radiation) Regulations 2000*

- 4 Substitution of Schedule 4
Schedule 4—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Radiation Protection and Control (Ionising Radiation) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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 *Radiation Protection and Control (Ionising Radiation) Regulations 2000*

4—Substitution of Schedule 4

Schedule 4—delete the Schedule and substitute:

Schedule 4—Fees

1—Interpretation

In this Schedule—

level 1 radiation apparatus means—

- (a) apparatus for dental plain radiography; or
- (b) cabinet X-ray units; or
- (c) bone densitometry apparatus; or
- (d) X-ray analysis apparatus; or
- (e) apparatus for bomb disposal radiography,

other than level 2 or 3 radiation apparatus;

level 2 radiation apparatus means—

- (a) fixed, mobile or portable apparatus for chiropractic, medical or veterinary plain radiography; or
- (b) industrial radiography apparatus (including site radiography apparatus); or
- (c) orthopantomographic or cephalometric apparatus for dental radiography; or
- (d) mini C-arm fluoroscopy apparatus; or
- (e) bore hole logging apparatus,

other than level 3 radiation apparatus;

level 3 radiation apparatus means—

- (a) apparatus for computed or cone beam tomography; or
- (b) fixed or mobile apparatus for medical or veterinary fluoroscopy (other than mini C-arm fluoroscopy apparatus); or
- (c) apparatus capable of producing accelerating voltages of up to 0.5 megavolts for medical radiation therapy; or
- (d) apparatus capable of producing X-rays or electron beams with an energy range of 0.5 to 20 megaelectronvolts for medical radiation therapy; or
- (e) apparatus for mammography or soft tissue radiography.

2—Licence to mine or mill radioactive ores (section 24 of Act)

Annual fee under section 24 of the Act for a licence to carry out operations for the mining or milling of radioactive ores—

- | | |
|--|-----------------|
| <ul style="list-style-type: none"> (a) for a licence authorising, at a site— <ul style="list-style-type: none"> (i) developmental testing of a process and any associated exploration; or (ii) other operations for such testing or exploration (including construction and decommissioning of a mine or mill or associated plant or facilities) | <p>\$417.00</p> |
|--|-----------------|

- | | | |
|-------|---|--------------|
| (b) | for a licence authorising, at a site— | \$163 551.00 |
| (i) | mining comprised of <i>in situ</i> leaching; or | |
| (ii) | other operations for such mining (including construction and decommissioning of a mine or associated plant or facilities), | |
| | (other than operations referred to in paragraph (a)) | |
| (c) | for a licence authorising, at a site— | \$399 177.00 |
| (i) | mining other than <i>in situ</i> leaching; or | |
| (ii) | milling; or | |
| (iii) | other operations for such mining or milling (including construction and decommissioning of a mine or mill or associated plant or facilities), | |
| | (other than operations referred to in paragraph (a)) | |

3—Licence to use or handle radioactive substances (section 28 of Act)

- | | | |
|-----|---|---------|
| (1) | For a licence under section 28 of the Act to use or handle radioactive substances— | |
| (a) | application fee | \$75.00 |
| (b) | licence fee or fee for renewal of licence | \$75.00 |
| (2) | No additional licence fee or application fee is payable by a person who applies for a temporary licence and a permanent licence at the same time where the subject matter of both applications is the same. | |

4—Registration of premises in which unsealed radioactive substances are handled or kept (section 29 of Act)

For registration under section 29 of the Act of premises in which unsealed radioactive substances are handled or kept—

- | | | |
|------|--|----------|
| (a) | application fee | \$184.00 |
| (b) | registration fee or fee for renewal of registration— | |
| (i) | for 1 year | \$184.00 |
| (ii) | for 3 years | \$534.00 |

5—Registration of a sealed radioactive source (section 30 of Act)

For registration under section 30 of the Act of a sealed radioactive source—

- | | | |
|------|---|----------|
| (a) | application fee for each sealed radioactive source registered by the registered owner | \$178.00 |
| (b) | registration fee or fee for renewal of registration— | |
| (i) | for 1 year | \$64.00 |
| (ii) | for 3 years | \$189.00 |

6—Licence to operate radiation apparatus (section 31 of Act)

- (1) For a licence under section 31 of the Act to operate radiation apparatus—
- | | |
|---|---------|
| (a) application fee | \$75.00 |
| (b) licence fee or fee for renewal of licence | \$75.00 |
- (2) No additional licence fee or application fee is payable by a person who applies for a temporary licence and a permanent licence at the same time where the subject matter of both applications is the same.

7—Registration of radiation apparatus (section 32 of Act)

- (1) For registration under section 32 of the Act of each level 1 radiation apparatus—
- | | |
|--|----------|
| (a) application fee | \$128.00 |
| (b) registration fee or fee for renewal of registration— | |
| (i) for 1 year | \$128.00 |
| (ii) for 3 years | \$382.00 |
- (2) For registration under section 32 of the Act of each level 2 radiation apparatus—
- | | |
|--|----------|
| (a) application fee | \$137.00 |
| (b) registration fee or fee for renewal of registration— | |
| (i) for 1 year | \$137.00 |
| (ii) for 3 years | \$413.00 |
- (3) For registration under section 32 of the Act of each level 3 radiation apparatus—
- | | |
|--|----------|
| (a) application fee | \$243.00 |
| (b) registration fee or fee for renewal of registration— | |
| (i) for 1 year | \$243.00 |
| (ii) for 3 years | \$729.00 |
- (4) For registration under section 32 of the Act of each radiation apparatus other than level 1, 2 or 3 radiation apparatus—
- | | |
|--|----------|
| (a) application fee | \$128.00 |
| (b) registration fee or fee for renewal of registration— | |
| (i) for 1 year | \$128.00 |
| (ii) for 3 years | \$382.00 |

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 9 June 2011

No 156 of 2011

MEC11/0016CS

South Australia

Radiation Protection and Control (Non-ionising Radiation) (Fees) Variation Regulations 2011

under the *Radiation Protection and Control Act 1982*

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- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Radiation Protection and Control (Non-ionising Radiation) Regulations 2008*

- 4 Substitution of Schedule 2
Schedule 2—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Radiation Protection and Control (Non-ionising Radiation) (Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

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

4—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees

1	For the issue of a licence to operate a tanning unit—	
	(a) application fee	\$77.50
	(b) licence fee	\$77.50
2	For renewal of a licence to operate a tanning unit	\$77.50

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 9 June 2011

No 157 of 2011

MEC11/0016CS

South Australia

Mining Regulations 2011

under the *Mining Act 1971*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Mining Regulations 2011*.

2—Commencement

These regulations will come into operation on the day on which the *Mining (Miscellaneous) Amendment Act 2010* comes into operation.

3—Interpretation

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

Act means the *Mining Act 1971*;

claim means a mineral claim or an access claim;

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

dimension stone means stone that is quarried in regular blocks and cut, trimmed and finished to specific dimensions and shapes and includes cut stone, ashlar, monumental stone, roofing slate and flagging stone;

holder, in relation to a mining tenement, means—

- (a) in the case of a claim—the owner of the claim;
 - (b) in the case of a lease—the lessee;
 - (c) in the case of a licence—the licensee.
- (2) For the purposes of paragraph (ab) of the definition of **declared equipment** under the Act, a prescribed class of drilling equipment is any mechanically driven machinery that is capable of drilling to depths greater than 2.5 metres below the ground in order to recover subsurface geological samples or information.
- (3) The following are **prescribed purposes** under paragraph (a) of the definition of **extractive minerals** under the Act:
- (a) chemical, cement, lime and glass manufacture;
 - (b) metallurgical flux, refractories and industrial fillers;
 - (c) foundries, fertiliser, agricultural, jewellery and crafted ornamental uses;
 - (d) any purposes connected with the production of dimension stone.

4—Ministerial approval required to enter certain land

- (1) A person must not, for the purposes of exercising a right under the Act or the regulations, enter on land that constitutes a parkland or recreation ground under the care, control or management of a council without the written approval of the Minister.
- (2) An application for the approval of the Minister under subregulation (1) must—
 - (a) be made in writing; and
 - (b) state the name, nature and locality of the relevant land; and
 - (c) provide details concerning the proposed operation or activity on the land.

5—Exercise of rights over a road, street or highway

- (1) A person must not exercise a right under the Act or these regulations on a public road, street or highway without the written consent of the authority that has care, control or management of the road, street or highway.
- (2) However, a consent under subregulation (1) is not required to identify an area for a mineral claim on land (by pegging or in some other approved manner) consisting (partially or entirely) of a public road, street or highway.
- (3) An application to register a claim on land consisting (partially or entirely) of a public road, street or highway must be accompanied by the consent required under subregulation (1).

6—Waiver of exemption

- (1) An agreement under section 9AA of the Act to waive the benefit of an exemption—
 - (a) must set out the full names and addresses of the parties to the agreement; and
 - (b) must set out the details of the exemption provided under the agreement; and

- (c) must set out any conditions to which the exemption is subject; and
 - (d) must set out the term of the agreement; and
 - (e) must include a statement setting out the cooling-off rights of the person who is waiving the benefit of the exemption.
- (2) The holder of a mining tenement (or an applicant for a mining tenement), other than an exploration licence, who is a party to an agreement, or a person who has the benefit of an order under section 9AA of the Act, to waive the benefit of an exemption must ensure that a copy of the agreement or order (as the case may be) is lodged with the Mining Registrar—
- (a) if the waiver is obtained prior to an application to register the tenement—at the time of making the application;
 - (b) if the waiver is negotiated at any time thereafter—within 21 days after the negotiations are completed.
- (3) In the case of an exploration licence, the holder of the licence (or an applicant for a licence) who is a party to an agreement, or a person who has the benefit of an order under section 9AA of the Act, to waive the benefit of an exemption must ensure that a copy of the agreement or order (as the case may be) is lodged with the Mining Registrar within 14 days after being requested to do so by the Mining Registrar, or by a person holding an authority issued by the Mining Registrar for the purposes of this regulation.
- (4) A person claiming for the costs of legal assistance under section 9AA(14) of the Act must provide a copy of an account, or some other reasonable evidence, relating to the incurring of those costs.

7—Special conditions for tenements over the sea bed

- (1) A person who obtains a mining tenement over a part of the sea bed declared to be mineral lands under the Act is liable for, and will indemnify and keep indemnified the South Australian Government against, all actions, suits, claims and demands whatsoever resulting from the erection or placing by the person of a structure or object on or over that part of the sea bed, or the escape of a deleterious substance into the sea, while conducting mining operations associated with the mining tenement and, for this purpose, a mining tenement must not be registered or granted over a part of the sea bed unless and until the relevant person has entered into an agreement with the Minister (to the Minister's satisfaction) that complies with the requirements of subregulation (2).
- (2) An agreement complies with the requirements of this subregulation if the relevant person agrees—
- (a) to indemnify and to keep indemnified the South Australian Government against all actions, suits, claims and demands whatsoever resulting from the erection or placing by the person of a structure or object on or over a part of the sea bed, or the escape of a deleterious substance into the sea, while conducting mining operations associated with the mining tenement; and
 - (b) to remove any such structure or object if or when directed to do so by a Minister and, in default of so removing it, to pay to the Crown all costs and expenses incurred by a Minister in undertaking its removal.

- (3) A person holding a mining tenement must not—
- (a) permit the escape of a deleterious substance into the sea; or
 - (b) fail to remove a structure or object placed on or over a part of the sea bed if directed to do so by a Minister.
- (4) In the event of a contravention of subregulation (3)(b), a Minister may take steps to ensure that the structure or object is removed and recover the reasonable costs and expenses incurred in removing it as a debt from the holder of the tenement.
- (5) A person who obtains a mining tenement over a part of the sea bed must not commence mining operations associated with the tenement unless or until the Minister for the time being administering a prescribed Act certifies that the Minister is satisfied that the operations will not contravene a prescribed Act.
- (6) A reference in this regulation to mining operations associated with a mining tenement includes any activity undertaken for the purposes of, or incidental to, the conduct of mining operation.
- (7) In this regulation—
- prescribed Act* means—
- (a) the *Aquaculture Act 2001*; and
 - (b) the *Fisheries Management Act 2007*;

South Australian Government means the Crown in right of the State and includes all Ministers of the Crown.

Part 2—Royalty

8—Prescribed costs (section 17)

For the purposes of section 17(8) of the Act, the costs of the following kinds are prescribed:

- (a) costs (including GST) genuinely incurred in transporting the minerals from the relevant tenement to a point of sale (including, for example, packaging, storage, loading, permit, fees and insurance costs);
- (b) costs genuinely incurred in shipping the minerals to a genuine purchaser in a sale at arms length;
- (c) any other costs determined by the Minister to be a cost of a prescribed kind for the purposes of that section.

9—Means of payment (section 17G)

For the purposes of section 17G of the Act, royalty may be paid by means of electronic funds transfer to an account nominated by the Minister.

Part 3—Claims

Division 1—Mineral claims

10—Size (section 23)

For the purposes of section 23(1) of the Act (but subject to section 23(2)), the maximum permissible area of a mineral claim that can be pegged out is 250 hectares.

11—Shape of claim

- (1) Subject to these regulations, the shape of a mineral claim must, as far as practicable, approximate a rectangle, the length of the longer side of which must not exceed five times the length of the shorter side.
- (2) The length of the longest side of a mineral claim must not exceed 2 kilometres.
- (3) If it is not practicable to comply with subregulation (1) or (2) because of the position of adjoining boundaries for other areas, or natural features, an intervening or irregularly shaped piece of land may be constituted as a mineral claim.

12—Mode of taking possession by pegging

- (1) This regulation sets out the requirements for a valid pegging of a mineral claim under the Act.
- (2) A post must be securely placed in the ground at each corner of the relevant area.
- (3) Each post must—
 - (a) be devoid of marks or writing that refers to a previous pegging; and
 - (b) have a cross-sectional dimension equal to or exceeding 7 centimetres; and
 - (c) project at least 75 centimetres above the ground; and
 - (d) clearly show the date of pegging and the name and address of the person making the claim (either by direct markings on the post or by the secure attachment of a notice to the post), as near to the top of the post as practicable; and
 - (e) if the person is pegging out more than 1 claim on the same parcel of land on the same day, clearly show the number of the claim, as pegged out on that land on that day, using consecutive numbers starting with the number 1.
- (4) The direction of the boundaries of the claim must be clearly indicated by trenches, piles of stones, or substantial indicator markers fixed to each post.
- (5) If it is impracticable to comply with a preceding subregulation, a person may peg out a mineral claim in some other manner but, in such a case, the person must lodge a notice of the manner of pegging at the nearest office of the Mining Registrar to the area that has been pegged out.
- (6) A notice under subregulation (5) must—
 - (a) be in writing; and
 - (b) be given within 7 days after the pegging.

- (7) If the Mining Registrar, or a person authorised by the Mining Registrar for the purposes of this regulation, considers that the method of pegging out an area is unsatisfactory, he or she may order that a different method be used.
- (8) A person to whom an order is directed under subregulation (7) must immediately comply with the order.
- (9) The holder of a mineral claim established under this regulation must maintain all posts, boundary indicator markers and notices on the claim in the positions required by these regulations.

13—Application to establish a mineral claim (section 21)

- (1) For the purposes of section 21(7) of the Act—
 - (a) the plan delineating the location and area of the mineral claim must include coordinates in a manner or form determined by a mining registrar; and
 - (b) information concerning the ownership of the land must be provided in the form of a copy of the relevant certificate or instrument of title for the land (being a copy made within the preceding period of 3 months).
- (2) For the purposes of sections 21(10) and 24A(a)(ii) of the Act, the period of 14 days, or such longer period as a mining registrar may determine or approve, is prescribed.

14—Registration of claim

- (1) Subject to the Act, a mining registrar must, on the registration of a mineral claim—
 - (a) enter full particulars of the claim in the Mining Register; and
 - (b) provide to the applicant an extract of the relevant entry from the Mining Register; and
 - (c) provide notification of the registration of the claim to the owner of the land.
- (2) An extract or notification under subregulation (1) will be provided in a manner and form determined by the Mining Registrar.
- (3) If a mineral claim has been identified by pegging, the owner of the mineral claim (once registered) must ensure that the registration number for the claim is clearly displayed on each post marking out the area of the claim within 14 days after registration.

15—Cancellation of claim

- (1) If the Mining Registrar discovers or determines, after a mineral claim is registered, that the claim should not have been registered on account of a contravention of, or a failure to comply with, a provision or requirement of the Act or these or any other regulations made under the Act, the Mining Registrar may, by notice in writing to the owner of the claim, give notice of his or her intention to cancel the registration of the claim on a day specified in the notice (which must be at least 21 days after the date of the notice).
- (2) A person who receives a notice under subregulation (1) may apply to the Warden's Court to have the decision of the Mining Registrar reviewed.
- (3) An application for review must be made within 14 days of service of the notice (unless the Warden's Court allows an extension of time).

- (4) Pending the determination of an application for review, the Mining Registrar must not cancel the registration of the claim.
- (5) At the conclusion of the review, the Warden's Court may—
 - (a) confirm the decision of the Mining Registrar; or
 - (b) cancel the notice.
- (6) Subject to a decision of the Warden's Court under this regulation, the Mining Registrar may, after the day specified in a notice under this regulation, cancel the registration of the relevant claim.

16—Surrender of claim (section 26(4))

- (1) The owner of a registered mineral claim who wants to surrender the claim must, subject to this regulation—
 - (a) remove the posts (if any) marking out the area of the claim; and
 - (b) lodge a notice of surrender at an office of the Mining Registrar.
- (2) A person is not required to comply with subregulation (1)(a) if an authorised officer, the Mining Registrar or a person authorised in writing by the Mining Registrar issues a certificate of exemption from the requirement on the basis that it is unreasonable (for reasons of safety or otherwise) to require the posts to be removed.
- (3) A notice of surrender must be in a form determined by the Minister.
- (4) A surrender will be taken to be effective when the requirements of the Act, these regulations and any conditions attaching to the claim have been satisfied.

17—Insufficiently defined claims

- (1) If a mineral claim is not defined in accordance with the requirements of these regulations or a mining registrar, a person authorised by the Director for the purposes of this regulation may, by notice in writing to the owner of the claim, require the owner to rectify the situation within a specified period (of at least 7 days).
- (2) If a notice under subregulation (1) is not complied with within the time specified by the notice, the Director may apply to the Warden's Court for an order cancelling the claim and for appropriate consequential orders (and the Warden's Court has jurisdiction to make those orders).

18—Reduction in area of a claim

- (1) The owner of a mineral claim may, with the approval of a mining registrar, reduce the area of the claim.
- (2) An approval under subregulation (1) may be given subject to conditions specified by the mining registrar (and the owner of the claim must, if the area of the claim is reduced, comply with those conditions).
- (3) The requirements of these regulations relating to the shape of a claim do not apply if the area of a mineral claim is reduced under this regulation.

19—Continuation of claim if application made for lease

A mineral claim will not lapse through the expiry of its registration if at the date on which it would otherwise expire an application has been made for a mining lease or a retention lease and the application has not been determined.

20—Cessation of claim if lease granted

If the Minister grants a mining lease or a retention lease over the whole or part of the area of a mineral claim—

- (a) the claim will cease to the extent to which the lease applies to the area of the claim; and
- (b) if there is no other application for a mining tenement in relation to the mineral claim under consideration under the Act and these regulations at that time, the claim will cease and determine.

Division 2—Access claims

21—Determination of site

The holder of a subsurface stratum mining tenement may prospect and carry out on the surface stratum geophysical surveys approved by the Director in order to determine the site of an access claim.

22—Size

The maximum permissible area of an access claim is 2 500 square metres.

23—Shape of claim

- (1) The shape of an access claim must approximate a square.
- (2) The length of a side of an access claim must not exceed 50 metres in length.

24—Mode of taking possession

- (1) This regulation sets out the requirements for a valid pegging of an access claim under the Act.
- (2) A post must be securely placed in the ground at each corner of the relevant area.
- (3) Each post must—
 - (a) be devoid of marks or writing that refers to a previous pegging; and
 - (b) have a cross-sectional dimension equal to or exceeding 7 centimetres; and
 - (c) project at least 75 centimetres from the ground; and
 - (d) clearly show the number and type of subsurface tenement by virtue of which the claim is pegged out, together with the date of pegging (either by direct markings on the post or by the secure attachment of a notice to the post) as near to the top as practicable; and
 - (e) if the person is pegging out more than 1 claim on the same parcel of land on the same day, clearly show the number of the claim, as pegged out on that land on that day, using consecutive numbers starting with the number 1.
- (4) The direction of the boundaries of the claim must be clearly indicated by substantial indicator markers fixed to each post.

25—Maintenance of claims

The holder of an access claim must maintain all posts, boundary indicator markers and notices on the claim in the positions required by these regulations.

26—Registration of claim

- (1) Subject to the Act, a mining registrar must on the registration of an access claim—
 - (a) complete a certificate of registration; and
 - (b) enter full particulars of the claim in the Mining Register.
- (2) The owner of a registered access claim must ensure that the registration number for the claim is clearly displayed on each post marking out the area of the claim within 7 days after registration.

27—Renewal of access claims (section 63E)

- (1) An application for the renewal of an access claim must be made on or before the day on which the registration of the claim is due to expire.
- (2) The application must be made in a form determined by the Minister.
- (3) An application must be accompanied by the appropriate fee under Schedule 1.

28—Surrender of claim (section 63E)

- (1) The owner of a registered access claim who wants to surrender the claim must—
 - (a) remove the posts marking out the area of the claim; and
 - (b) lodge a notice of surrender at an office of the Mining Registrar.
- (2) A notice of surrender must be in a form determined by the Minister.

Part 4—Leases

Division 1—Mining leases

29—Prescribed classes of lease (section 34(3))

For the purposes of section 34(3) of the Act, the following classes of mining leases are prescribed:

- (a) mineral lease;
- (b) extractive minerals lease.

30—Mining proposals

- (1) For the purposes of section 35(1) of the Act—
 - (a) any description or assessment relating to the environment may be limited to those aspects of the environment that may reasonably be expected to be affected by the relevant mining operations; and
 - (b) an assessment of environmental impacts referred to in section 35(1)(a)(ii) of the Act, and an outline of the measures to be taken under that provision, must include a description of the anticipated likelihood and consequences of those impacts after the relevant measures have been taken; and

- (c) the environmental outcomes proposed under section 35(1)(a)(ii)(C) of the Act must be developed by the applicant after taking reasonable steps to consult with the owner of any land on which the mining operations are proposed to be carried out and any other person who, in the opinion of the applicant, may be directly affected by the proposed mining operations; and
 - (d) the statement of the environmental outcomes under section 35(1)(a)(ii)(C) of the Act must include a set of mine rehabilitation outcomes that at least address the following issues (assessed on a long-term basis):
 - (i) external visual amenity;
 - (ii) risks to the health and safety of the public and fauna;
 - (iii) physical, ecological and chemical stability;
 - (iv) surface and groundwater quality and quantity; and
 - (e) information on the consultation undertaken in connection with the proposed mining operations must include a summary of the issues that appeared to cause concern to the persons with whom the consultation occurred and the steps (if any) that the applicant has taken, or intends to take, to address those concerns.
- (2) The information provided for the purposes of a mining proposal under section 35(1) of the Act must—
- (a) be balanced, objective and concise; and
 - (b) state any limitations that apply, or should apply, to the use of the information; and
 - (c) identify any matter in relation to which there is a significant lack of relevant information or a significant degree of uncertainty; and
 - (d) so far as is relevant, identify the sensitivity to change of any assumption that has been made and any significant risks that may arise if an assumption is later found to be incorrect.
- (3) The Minister may, for the purposes of subregulations (1) and (2), determine, by notice in the Gazette, the manner and form, amount and detail of any information that must be acquired or provided after taking into account—
- (a) whether the mining lease is—
 - (i) a mineral lease; or
 - (ii) an extractive minerals lease; and
 - (b) the nature and extent of the operations to be carried out under the lease.

- (4) The Minister may, in relation to a mining proposal under section 35(1) of the Act, require that any information provided for the purposes of the mining proposal must be accompanied by a declaration signed by a person (being the applicant or a person authorised by the applicant) who has taken reasonable steps to review the information and to ensure its accuracy.
- (5) The Minister may determine that an electronic version of a mining proposal must be provided for the purposes of the Act and these regulations.

31—Nature of lease

- (1) Subject to the Act, a mineral lease entitles the lessee to carry out mining operations specified in the lease for the recovery of minerals other than extractive minerals.
- (2) Subject to the Act, an extractive minerals lease entitles the lessee to carry out mining operations specified in the lease for the recovery of extractive minerals.
- (3) For the purposes of section 39(2) and (7) of the Act, the prescribed circumstances are circumstances determined by the Minister to be appropriate in the circumstances of the particular case.

32—Application by trustee or manager

If the owner of a mineral claim is deceased or bankrupt or, in the case of a company, is under official management or in liquidation or receivership, an application for a mining lease may be made by a trustee, manager, receiver or liquidator (as may be appropriate).

33—Display of lease number

- (1) An applicant for a lease who is notified that the Minister has approved his or her application must, within 14 days after receipt of the notification, ensure that the number and class of the lease are clearly displayed on each post marking out the relevant area.
- (2) For the purposes of subregulation (1), the class of lease must be designated by "ML" for a mineral lease or "EML" for an extractive minerals lease, as appropriate.
- (3) The person must ensure that all notices relating to the claim are removed at the time that the information is recorded on the posts under subregulation (1).
- (4) If approval is only given for a portion of the land comprised in a claim, the lessee must, within 14 days of the notification referred to in subregulation (1)—
 - (a) redefine the boundaries of the lease, either by repositioning any existing posts or by placing new posts at the corners of the area in respect of which the lease is granted; and
 - (b) remove any posts outside the area in respect of which the lease is granted.
- (5) This regulation does not apply if the relevant mineral claim has been identified in some other manner approved by a mining registrar under section 21(2)(b) of the Act.

34—Superimposed leases

- (1) If a mining lease of one class is granted over land held as a mining lease of the other class and the lessee is the same person, the lessee need only maintain 1 post at each corner of the relevant area, but each post must have on it, or have on a notice attached to it, the numbers and classes of both mining leases.

- (2) If a superimposed tenement covers a part of the prior tenement, the superimposed tenement must be marked out by independent posts.
- (3) The annual rental payable on superimposed leases will be waived for all leases except the lease with the highest rental.
- (4) If a superimposed lease is held by another party, annual rent is payable for both leases.
- (5) Subregulations (1) and (2) do not apply if the relevant mineral claim has been identified in some other manner approved by a mining registrar under section 21(2)(b) of the Act.

35—Working conditions

Unless otherwise determined or agreed by the Minister, the holder of a mining lease must—

- (a) commence mining operations in accordance with a program under Part 10A of the Act within 12 months after the program has been approved by the Minister; and
- (b) thereafter continue mining operations in accordance with the requirements of that program.

Division 2—Retention leases

36—Application by trustee or manager

If the owner of a mineral claim is deceased or bankrupt or, in the case of a company, is under official management or in liquidation or receivership, an application for a lease may be made by a trustee, manager, receiver or liquidator (as may be appropriate).

37—Display of lease number

- (1) An applicant for a lease who is notified that the Minister has approved his or her application must, within 14 days after the receipt of the notification, ensure that the number of the lease and the designation "RL" are clearly displayed on each post marking out the relevant area.
- (2) The person must ensure that all notices relating to the claim are removed at the time that the information is recorded on the posts under subregulation (1).
- (3) If approval is only given for a portion of the land comprised in a claim, the lessee must, within 14 days of the notification referred to in subregulation (1)—
 - (a) redefine the boundaries of the lease, either by repositioning any existing posts or by placing new posts at the corners of the area in respect of which the lease is granted; and
 - (b) remove any posts outside the area in respect of which the lease is granted.
- (4) This regulation does not apply if the relevant mineral claim has been identified in some other manner approved by a mining registrar under section 21(2)(b) of the Act.

38—Cessation if mining lease granted

If the Minister grants a mining lease over the whole or part of the area comprised in a retention lease, the retention lease will cease to operate in relation to the area comprised in the mining lease.

Division 3—Common provisions

39—Multiple leases over single mineral claim

- (1) This regulation applies if the area of a mineral claim exceeds the maximum permissible area under an approval of the Minister under section 23(2) of the Act.
- (2) In a case where this regulation applies, the Minister may, subject to the Act, grant 2 or more leases (being either 1 or more mining leases or 1 or more retention leases or any combination of both) over a single mineral claim.
- (3) In connection with subregulation (2), if 2 or more applications have been made in relation to a single mineral claim and the Minister has made an offer to grant a lease over a part of the claim, the mineral claim will continue until all other applications for leases made before the acceptance of the offer by the person to whom it was made have been dealt with by the Minister.

40—Notification of proposed terms and conditions

- (1) If the Minister determines on application under the Act that he or she is willing to grant to the applicant a mining lease or a retention lease (subject to the operation of the Act and these regulations), the Minister must advise the applicant by notice in writing of the terms and conditions under which the Minister is prepared to do so.
- (2) An applicant must, within 21 days after the date of a notice under subregulation (1) or such longer period as the Mining Registrar may allow, notify the Minister in writing as to whether the applicant is willing to accept the terms and conditions notified under subregulation (1).
- (3) If an applicant notifies the Minister under subregulation (2) that the applicant accepts the terms and conditions, and pays the appropriate rental under the Act, the Minister will grant the relevant lease.
- (4) If an applicant fails to provide a notification within the time allowed under subregulation (2), the Minister may assume that the application has been withdrawn.

41—Conditions to be observed after notification of approval

- (1) If or when the applicant for a mining lease or a retention lease receives written notification that the lease has been approved by the Minister, the applicant will, during the period between the date of the notification and the execution of the lease document, be taken to be the lessee of the land in respect of which the lease is sought.
- (2) A person who is taken to be a lessee by virtue of subregulation (1) must, during the period that applies under that subregulation, comply with all proposed terms and conditions of the lease as if the lease document had been executed.
- (3) If a person fails to execute and return a lease document within 90 days of the document being forwarded to the person for execution as lessee, the Minister may, by notice in the Gazette, withdraw his or her approval of the lease, and the lease will then cease and determine.

42—Annual rent

- (1) The rental payable for a mining lease or a retention lease is prescribed by Schedule 2.
- (2) The rent payable for a lease will be calculated according to the total amount of land in respect of which the lease is granted, and no allowance will be made for land that is not available for mining or other activities under the lease.
- (3) The rent payable for a lease must be paid annually in advance to the Director at the head office of the Mineral Resources Group of the Department of the Minister.

43—Maintenance of lease

- (1) The lessee under a mining lease or a retention lease must, during the term of the lease, and any extension or renewal of the lease, maintain all posts, boundary indicator markers and notices in the positions required by these regulations.
- (2) However, subregulation (1) does not apply—
 - (a) if the relevant mineral claim has been identified in some other manner approved by a mining registrar under section 21(2)(b) of the Act; or
 - (b) in the case of a retention lease, if the lessee furnishes the Director with a survey of the area of the retention lease acceptable to the Director.
- (3) A survey accepted under subregulation (2)(b) must be registered in the Mining Register.

44—Transfer of lease

- (1) The following procedures apply to the transfer of a mining lease or a retention lease:
 - (a) an application for the Minister's consent to the transfer of the lease must be made in a form determined by the Minister (as part of the proposed instrument of transfer);
 - (b) the Minister may approve or refuse the application or may require the provision of further information, including particulars of the arrangements that will apply to ensure compliance with requirements of the lease relating to the rehabilitation of land;
 - (c) the Minister's consent will operate subject to the payment of any outstanding fees or rental with respect to the lease and the resolution of any issues relating to a bond under the Act;
 - (d) the instrument of transfer, after payment of stamp duty, must be lodged with a mining registrar, together with the transferor's copy of the lease, the fee prescribed by Schedule 1, any other outstanding fees or rentals with respect to the lease, and any bond, within 30 days after the Minister gives his or her consent to the transfer, or such later time as the Mining Registrar may allow;
 - (e) the late lodgment fee prescribed by Schedule 1 is payable if an instrument of transfer is lodged with a mining registrar later than 30 days after the Minister gives his or her consent to the transfer;

- (f) on due receipt of the documents and other items required under paragraphs (d) and (e) (including evidence of the payment of stamp duty), a mining registrar must enter a memorial of the transfer in the Mining Register, print an extract from the Mining Register that records the transfer and provides particulars of all interests registered against the lease, and furnish the extract and the lease to the transferee;
 - (g) a transfer does not take effect until a memorial of the transfer is entered in the Mining Register under paragraph (f).
- (2) If application is made to transfer a lease for which a lease document has not yet been issued, the procedure under subregulation (1) must be carried out so far as is practicable with the lease document being issued in the name of the transferee, containing any endorsements considered necessary by the Mining Registrar.

45—Surrender of lease

- (1) The Minister may approve an application for the surrender of all or a portion of a mining lease or a retention lease if the Minister is satisfied—
- (a) that all relevant rent, royalties and fees have been paid; and
 - (b) that all relevant land (being land to which the surrender relates and, if relevant, land outside the area of the tenement) has been rehabilitated—
 - (i) in accordance with the requirements of a program under Part 10A of the Act; and
 - (ii) to a standard required to secure compliance with a condition of the lease; and
 - (c) that all other requirements under the Act (including by virtue of a notice, direction or order under the Act) have been complied with or satisfied.
- (2) The Minister may, if the Minister thinks fit, waive compliance with a requirement under subregulation (1).
- (3) A right of surrender under the Act and these regulations is subject to the rights of persons claiming from or under a lessee.

Part 5—Licences

Division 1—Exploration licences

46—Notification of proposed terms and conditions

- (1) If the Minister determines on application under the Act that he or she is willing to grant to the applicant an exploration licence (subject to the operation of the Act and these regulations), the Minister must advise the applicant by notice in writing of the terms and conditions under which the Minister is prepared to do so.
- (2) An applicant must, within 21 days after the date of a notice under subregulation (1) or such longer period as the Mining Registrar may allow, notify the Minister in writing as to whether the applicant is willing to accept the terms and conditions notified under subregulation (1).

- (3) If an applicant notifies the Minister under subregulation (2) that the applicant accepts the terms and conditions, and pays the appropriate fee under section 31 of the Act, the Minister will grant the relevant licence.
- (4) If an applicant fails to provide a notification within the time allowed under subregulation (2), the Minister may assume that the application has been withdrawn.

47—Conditions of exploration licence

An exploration licence is subject to the following conditions:¹

- (a) the licensee must, as soon as reasonably practicable, report to the Director the discovery on the land of minerals potentially capable of economic production;
- (b) the licensee must give written notice of the following matters to the Director:
 - (i) a proposal to carry out an airborne survey of the land (including details of the type of survey, the area to be surveyed, flight line spacing and flight height);
 - (ii) a proposal to investigate the use of groundwater on the land for the purpose of water supplies, de-watering, in-situ leaching, waste disposal or other purpose;
- (c) the licensee must within 60 days after making a request to the Minister for a reduction in the area of the land in respect of which the licence operates submit to the Minister a technical report of the exploratory operations carried out in the area sought to be excluded from the licence.

Note—

- 1 Expenditure obligations will be included in conditions imposed by the Minister under section 30(1)(b) of the Act.

48—Cessation of tenement or private mine

If a mining tenement or private mine within the area of an exploration licence ceases to exist, the area of land within the mining tenement or private mine will be incorporated into the area of the licence.

Division 2—Miscellaneous purposes licences

49—Management plans

- (1) For the purposes of section 53(1) of the Act—
 - (a) any description or assessment relating to the environment may be limited to those aspects of the environment that may reasonably be expected to be affected by the relevant operations or activity; and
 - (b) an assessment of environmental impacts referred to in section 53(1)(a)(ii) of the Act, and an outline of the measures to be taken under that provision, must include a description of the anticipated likelihood and consequences of those impacts after the relevant measures have been taken; and

- (c) the environmental outcomes proposed under section 53(1)(a)(ii)(C) of the Act must be developed by the applicant after taking reasonable steps to consult with the owner of any land on which the operations or activities are proposed to be carried out and any other person who, in the opinion of the applicant, may be directly affected by the proposed operations or activities; and
 - (d) the statement of the environmental outcomes under section 53(1)(a)(ii)(C) of the Act must include a set of rehabilitation outcomes that at least address the following issues (assessed on a long-term basis):
 - (i) external visual amenity;
 - (ii) risks to the health and safety of the public and fauna;
 - (iii) physical, ecological and chemical stability;
 - (iv) surface and groundwater quality and quantity; and
 - (e) information on the consultation undertaken in connection with the proposed operations or activities must include a summary of the issues that appeared to cause concern to the persons with whom the consultation occurred and the steps that the applicant has taken, or intends to take, to address those concerns.
- (2) The information provided for the purposes of a management plan under section 53(1) of the Act must—
- (a) be balanced, objective and concise; and
 - (b) state any limitations that apply, or should apply, to the use of the information; and
 - (c) identify any matter in relation to which there is a significant lack of relevant information or a significant degree of uncertainty; and
 - (d) so far as is relevant, identify the sensitivity to change of any assumption that has been made and any significant risks that may arise if an assumption is later found to be incorrect.
- (3) The Minister may, for the purposes of subregulations (1) and (2), determine, by notice in the Gazette, the manner and form, amount and detail of any information that must be acquired or provided after taking into account—
- (a) the nature of any associated tenement; and
 - (b) the nature and extent of the operations or activities to be carried out under the miscellaneous purposes licence.
- (4) The Minister may, in relation to a management plan under section 53(1) of the Act, require that any information provided for the purposes of the management plan must be accompanied by a declaration signed by a person (being the applicant or a person authorised by the applicant) who has taken reasonable steps to review the information and to ensure its accuracy.
- (5) The Minister may determine that an electronic version of a management plan must be provided for the purposes of the Act and these regulations.

50—Notification of proposed terms and conditions

- (1) If the Minister determines on application under the Act that he or she is willing to grant to the applicant a miscellaneous purposes licence (subject to the operation of the Act and these regulations), the Minister must advise the applicant by notice in writing of the terms and conditions under which the Minister is prepared to do so.
- (2) An applicant must, within 21 days after the date of a notice under subregulation (1) or such longer period as the Mining Registrar may allow, notify the Minister in writing as to whether the applicant is willing to accept the terms and conditions notified under subregulation (1).
- (3) If an applicant notifies the Minister under subregulation (2) that the applicant accepts the terms and conditions, and pays the appropriate rental under the Act, the Minister will grant the relevant licence.
- (4) If an applicant fails to provide a notification within the time allowed under subregulation (2), the Minister may assume that the application has been withdrawn.

51—Size

The maximum permissible area of a miscellaneous purposes licence is—

- (a) 250 hectares; or
- (b) an amount (greater than 250 hectares) determined by the Minister in a particular case.

52—Mode of taking possession

- (1) An application for a miscellaneous purposes licence must identify the area of the licence—
 - (a) by pegging in accordance with this regulation; or
 - (b) in some other manner approved by a mining registrar on application by the person seeking to establish the licence (after complying with any conditions specified by the mining registrar when making the determination).
- (2) The following subregulations set out the requirements for a valid pegging of a miscellaneous purposes licence.
- (3) A post must be securely placed in the ground at each corner of the relevant area.
- (4) Each post must—
 - (a) be devoid of marks or writing that refers to a previous pegging; and
 - (b) have a cross-sectional dimension equal to or exceeding 7 centimetres; and
 - (c) project not less than 75 centimetres above the ground; and
 - (d) clearly display a notice of the person's intention to apply for a miscellaneous purposes licence.
- (5) The direction of the boundaries of the area must be clearly indicated by trenches, piles of stones, or substantial indicator markers fixed to each post.
- (6) A person who has pegged out an area for a miscellaneous purposes licence must lodge an application for the licence within 14 days after the pegging.
- (7) A person who is acting under subregulation (1)(b) must lodge an application for a miscellaneous purposes licence within 14 days after an area has been identified under that subregulation, or within such longer period as a mining registrar may determine or approve.

- (8) Nothing in a preceding subregulation affects the validity or boundaries of a miscellaneous purposes licence as determined or recorded by a mining registrar under the Act or the other provisions of these regulations.

53—Display of licence number

- (1) An applicant for a miscellaneous purposes licence who is notified that the Minister has approved his or her application must, within 14 days after the receipt of the notification, ensure that the number of the licence and the designation "MPL" are clearly displayed on each post marking out the relevant area.
- (2) The person must ensure that all notices relating to the intention to apply for the licence are removed at the time that the information is recorded on the posts under subregulation (1).
- (3) This regulation does not apply if the area of the licence has been identified in some other manner approved by a mining registrar.

54—Annual rent

- (1) The annual rental for a miscellaneous purposes licence is prescribed by Schedule 2.
- (2) The rent payable will be calculated according to the nominal area of the licence, and no allowance will be made for land that is not available for use under the licence.
- (3) The rent payable for the licence must be paid annually in advance to the Director at the head office of the Mineral Resources Group of the Department of the Minister.

55—Maintenance of licence

- (1) The licensee under a miscellaneous purposes licence must, during the term of the licence, and any extension or renewal of the licence, maintain all posts, boundary indicator markers and notices in the positions required by these regulations.
- (2) This regulation does not apply if the area of the licence has been identified in some other manner approved by a mining registrar.

56—Renewal of licence

An application for the renewal of a miscellaneous purposes licence must be in a form determined by the Minister.

Division 3—Common provisions

57—Conditions to be observed after notification of approval

- (1) If or when the applicant for an exploration licence or a miscellaneous purposes licence receives written notification that the licence has been approved by the Minister, the applicant will, during the period between the date of the notification and the execution of the licence document, be taken to be the licensee of the land in respect of which the licence is sought.

- (2) A person who is taken to be a licensee by virtue of subregulation (1) must, during the period that applies under that subregulation, comply with all proposed terms and conditions of the licence as if the licence document had been executed.
- (3) If a person fails to execute and return a licence document within 90 days of the document being forwarded to the person for execution as licensee, the Minister may, by notice in the Gazette, withdraw his or her approval of the licence, and the licence will then cease and determine.

58—Transfer of licence

- (1) The following procedures apply to the transfer of an exploration licence or a miscellaneous purposes licence:
 - (a) an application for the Minister's consent to the transfer of the licence must be made in a form determined by the Minister (as part of the proposed instrument of transfer);
 - (b) the Minister may approve or refuse the application or may require the provision of further information, including particulars of the arrangements that will apply to ensure compliance with requirements of the licence relating to the rehabilitation of land;
 - (c) the Minister's consent will operate subject to the payment of any outstanding fees or rental with respect to the licence and the resolution of any issues relating to a bond under the Act;
 - (d) the instrument of transfer, after payment of stamp duty, must be lodged with a mining registrar, together with the transferor's copy of the licence, the fee prescribed by Schedule 1, any outstanding fees or rentals with respect to the licence, and any bond, within 30 days after the Minister gives his or her consent to the transfer, or such later time as the Mining Registrar may allow;
 - (e) the late lodgment fee prescribed by Schedule 1 is payable if an instrument of transfer is lodged with a mining registrar later than 30 days after the Minister gives his or her consent to the transfer;
 - (f) on due receipt of the documents and other items required under paragraphs (d) and (e) (including evidence of the payment of stamp duty), a mining registrar must print an extract from the Mining Register that records the transfer and provides particulars of all interests registered against the licence, and furnish the extract and the licence to the transferee;
 - (g) a transfer does not take effect until a memorial of the transfer is entered in the Mining Register under paragraph (f).
- (2) If application is made to transfer a licence for which a licence document has not yet been issued, the procedure under subregulation (1) must be carried out so far as is practicable with the licence document being issued in the name of the transferee, containing any endorsements considered necessary by the Mining Registrar.

59—Surrender of licence

- (1) The Minister may approve an application for the surrender of all or a portion of an exploration licence or miscellaneous purposes licence if the Minister is satisfied—
 - (a) that all relevant rent, royalties and fees have been paid; and
 - (b) that all relevant land (being land to which the surrender relates and, if relevant, land outside the area of the tenement) has been properly rehabilitated; and
 - (c) that all other requirements under the Act (including by virtue of a notice, direction or order under the Act) have been complied with or satisfied.
- (2) The Minister may, if the Minister thinks fit, waive compliance with a requirement under subregulation (1).
- (3) A right of surrender under the Act and these regulations is subject to the rights of persons claiming from or under a licence.

Part 6—Entry on land

60—Notice of entry

- (1) In addition to the requirements under section 58A of the Act, a notice of entry under section 58A of the Act—
 - (a) must state the full name and business address of the mining operator; and
 - (b) must provide the name and telephone number of a person who may be contacted about the notice; and
 - (c) must—
 - (i) provide a reasonable description of the activities proposed to be carried out on the land; and
 - (ii) set out a process by which the owner of the land will be kept informed on an on-going basis about any such activities; and
 - (d) must—
 - (i) insofar as is reasonably practicable and foreseeable, identify the place or places where activities are to be carried out on the land and indicate the proposed timing for the activities and the proposed duration of the activities; or
 - (ii) set out a process by which the owner of the land will be kept informed about these matters; and
 - (e) insofar as is relevant to the particular land—
 - (i) must provide reasonable information on the anticipated events and consequences associated with the activities to be carried out on the land, and on the action that is proposed to be taken to manage and address those events and consequences, in order to enable the owner of the land to make an informed decision about the impact or potential impact of the activities on the land; or
 - (ii) must set out a process by which the owner of the land will be kept informed about the matters outlined in subparagraph (i); and

- (f) must inform the owner of the land that the operations and activities to which the notice relates are conducted under the Act and that any concerns or issues associated with the conduct of those operations may be raised with the Director; and
 - (g) must be accompanied by a copy of Part 9 of the Act; and
 - (h) must comply with any other requirements determined by the Minister.
- (2) A mining operator must ensure that a duplicate copy of each notice of entry served under section 58A of the Act is retained by or on behalf of the operator.
- (3) A person must, on serving a notice of entry under section 58A of the Act, immediately record information about the service of the notice by completing on the duplicate copy of the notice the appropriate part of the form that relates to service of the notice.
- (4) An agreement between a mining operator and an owner of land that provides that a prescribed notice of entry is not required under section 58A of the Act—
- (a) must be in writing; and
 - (b) must include a statement by the owner of the land that the owner acknowledges that, by entering into the agreement, the owner will waive the ability to lodge a notice of objection with a court under section 58A of the Act; and
 - (c) must be signed by the parties to the agreement; and
 - (d) subject to subregulation (5), will continue to have effect despite any subsequent change in who constitutes the owner of the land.
- (5) If—
- (a) an agreement between a mining operator and an owner of land is entered into under subregulation (4); and
 - (b) the mining operator does not enter the land within—
 - (i) unless subparagraph (ii) applies—12 months of the date of the agreement; or
 - (ii) a period specified in the agreement,
- the agreement lapses (but not so as to prevent the entering into of a new agreement between the relevant parties).
- (6) A person who is proposing to enter, or who has entered, land to carry out mining operations must, at the request of an owner of the land, produce proof of his or her name and provide a contact address.

61—Lapse of notice

If—

- (a) notice of entry is given under sections 58 and 58A of the Act or notice of an intention to use declared equipment is given under section 59 of the Act; and
- (b) no objection is made; and
- (c) the mining operator does not enter the land, or does not use the declared equipment (as the case may be) within 12 months of the service of the notice,

the notice lapses (but not so as to prevent the service of a new notice).

62—Agreement to use declared equipment

- (1) An agreement between a mining operator and an owner of land for the purposes of section 59(8)(b) of the Act—
 - (a) must be in writing; and
 - (b) must include a statement by the owner of the land that the owner acknowledges that, by entering into the agreement, the owner will waive the ability to lodge an objection under section 59 of the Act; and
 - (c) must be signed by the parties to the agreement; and
 - (d) subject to subregulation (2), will continue to have effect despite any subsequent change in who constitutes the owner of the land.
- (2) If—
 - (a) an agreement between a mining operator and an owner of land is entered into under subregulation (1); and
 - (b) the mining operator does not enter the land within 12 months of the date of the agreement,

the agreement lapses (but not so as to prevent the entering into of a new agreement between the relevant parties).

63—Objection to entry or use of declared equipment

- (1) Pursuant to section 67(2) of the Act, the Warden's Court has jurisdiction to determine an objection to the use, or the unconditional use, of declared equipment on any land that is subject to a licence under the *Petroleum and Geothermal Energy Act 2000*.
- (2) An objection under subregulation (1) must be lodged with the Warden's Court within 3 months after the service of a notice under section 59(2a) of the Act.
- (3) A copy of a notice of objection under subregulation (2) must, within 7 days after lodgement with the Warden's Court, be served on the mining operator.
- (4) The Warden's Court must, in determining an objection under subregulation (1), apply the same principles that apply under section 59(5) and (6) of the Act.
- (5) If the Warden's Court receives a notice of objection to entry to land, or to the use of declared equipment, (whether under the Act or these regulations), the court may order that the mining operator not enter or use the land, or not use the declared equipment, until the objection is determined.

64—Conditions of entry not affected by transfer

An order of the Warden's Court relating to conditions of entry to land or the occupation of a tenement will, if the tenement is transferred, bind the transferee.

Part 7—Programs for environment protection and rehabilitation

65—Preparation of programs

- (1) For the purposes of section 70B(2) of the Act, a program that relates to mining operations to be carried out in pursuance of an exploration licence must, in addition to the requirements of that section—
 - (a) include a description of the features of the natural environment that are expected to be affected by the proposed operations; and
 - (b) include a description of the environmental impacts that may reasonably be expected to occur; and
 - (c) include information on any consultation undertaken in connection with the proposed operations and, insofar as any issue appeared to cause concern to the persons with whom the consultation occurred, the steps (if any) that the holder of the tenement has taken, or proposes to take, to address those concerns; and
 - (d) set out the strategies that the holder of the exploration licence proposes to adopt to manage the impacts identified under paragraph (c) and to achieve the environmental outcomes under section 70B(2)(b)(i) of the Act; and
 - (e) set out the criteria that will be used to measure the environmental and activity completion outcomes specified in the program, including details about—
 - (i) what is to be measured and the form of the measurements that are to be used; and
 - (ii) the locations where the relevant measurements are to be taken, or how such locations are to be determined; and
 - (iii) what is proposed to be taken to constitute the achievement of the outcomes (with consideration being given to any inherent errors of measurement); and
 - (iv) any background or control data that is to be used, or how any such data is to be acquired.
- (2) For the purposes of section 70B(2) of the Act, a program that relates to mining operations to be carried out in pursuance of a mining tenement other than an exploration licence or a retention lease must, in addition to the requirements of that section—
 - (a) include information on any consultation undertaken in connection with the proposed operations and, insofar as any issue appeared to cause concern to the persons with whom the consultation occurred, the steps (if any) that the holder of the tenement has taken, or proposes to take, to address those concerns; and
 - (b) set out the environmental outcomes (including environmental outcomes for mine completion) that are to be achieved (as specified in the relevant lease or licence); and

- (c) set out the strategies that the holder of the tenement proposes to adopt to achieve—
 - (i) the environmental outcomes under section 70B(2)(b)(i) of the Act; and
 - (ii) if relevant, the mine completion outcomes under paragraph (b); and
 - (d) set out the criteria that will be used to measure the outcomes specified in the program, including details about—
 - (i) what is to be measured and the form of the measurements that are to be used; and
 - (ii) the locations where the relevant measurements are to be taken, or how such locations are to be determined; and
 - (iii) what is proposed to be taken to constitute the achievement of the relevant outcomes (with consideration being given to any inherent errors of measurement); and
 - (iv) the frequency of any measuring or monitoring; and
 - (v) any background or control data that is to be used, or how any such data is to be acquired; and
 - (e) without limiting paragraph (d), to the extent (if any) that there is a high level of reliance on control strategies to reduce risk to the environment—set out criteria (*leading indicator criteria*) that will be used to give an early warning that a control strategy may fail or be failing.
- (3) Subregulation (2)(e) does not apply in relation to an extractive minerals lease.
- (4) For the purposes of section 70B(2) of the Act, a program that relates to a retention lease must, in addition to the requirements of that section, comply with any requirements determined by the Minister.
- (5) Information or material provided for the purposes of a program under section 70B of the Act must—
- (a) be balanced, objective and concise; and
 - (b) state any limitations that apply, or should apply, to the use of the information and material; and
 - (c) identify any matter in relation to which there is a significant lack of relevant information or a significant degree of uncertainty; and
 - (d) so far as is relevant, identify the sensitivity to change of any assumption that has been made and any significant risks that may arise if an assumption is later found to be incorrect.
- (6) Without limiting subregulation (5), the criteria provided for the purposes of subregulation (1)(e) or (2)(d) or (e) must, insofar as is reasonably practicable and appropriate, be expressed in quantitative terms (rather than qualitative terms).
- (7) The Minister may, for the purposes the preceding subregulations, determine, by notice in the Gazette, the manner and form, amount and detail of any information that must be acquired or provided after taking into account—
- (a) the nature of the tenement; and

- (b) the nature and extent of the operations or activities to be carried out under the tenement.
- (8) The Minister may, in relation to a program under section 70B of the Act, require that any information or material provided for the purposes of the program must be accompanied by a declaration signed by a person (being the holder of the mining tenement or a person authorised by the holder of the mining tenement) who has taken reasonable steps to review the information or material and to ensure its accuracy.
- Administrative penalty.
- (9) The Minister may determine that an electronic version of a program must be provided for the purposes of Part 10A of the Act and these regulations.
- (10) A program required for the purposes of Part 10A of the Act must be provided to the Minister within 12 months after the grant of the relevant mining tenement or within such longer period as the Minister may determine or allow.
- (11) Subregulation (10) does not apply in relation to an exploration licence.
- (12) Without limiting any other requirement, the holder of a mining tenement subject to the operation of subregulation (1)(e) or (2)(d) must, for the purposes of those provisions, retain, for a period determined by the Minister by notice in the Gazette—
- (a) information necessary to indicate compliance with the requirements of those provisions; and
 - (b) information comprising measurements, data or other information collected for the purposes of those provisions.

66—Adoption of programs

- (1) For the purposes of section 70B(8) of the Act, any program determined by the Minister and published in the Gazette in connection with the operation of this regulation is adopted.
- (2) For the purposes of section 70B(8) of the Act, the following classes of mining operations are prescribed:
- (a) operations under an exploration licence;
 - (b) operations for the recovery of extractive minerals.

67—Audits

- (1) The holder of a mineral lease must, at the request of the Minister, cause an audit of the environmental outcomes required under a program under Part 10A of the Act to be undertaken in accordance with the requirements of this regulation.
- (2) The audit must—
- (a) address any matter specified by the Minister as being required to be within the scope of the audit and included in an audit report; and
 - (b) be undertaken by an independent person approved by the Minister; and
 - (c) be completed within a period determined by the Minister.

- (3) The results of an audit must be—
 - (a) provided to the Minister by the holder of the relevant tenement in a manner and form determined by the Minister within 1 month after the audit is completed; and
 - (b) provided on the basis that the Minister may release the results of the audit to the public in a manner and form determined by the Minister.

Administrative penalty.

- (4) The holder of the relevant tenement is responsible for the costs of the audit.

68—Review of program

For the purposes of section 70C(3) and (4) of the Act, a review must be completed and furnished to the Minister within 3 months after the direction of the Minister to review the program, or within such longer period approved by the Minister.

Part 8—Registration of documents

69—Tenement documents to be issued in duplicate

A lease or licence granted under the Act must be issued in duplicate, 1 copy being delivered by a mining registrar to the lessee or licensee and the other retained and registered in the Mining Register by a mining registrar.

70—Consent of Minister

- (1) An application for the consent of the Minister under section 83 of the Act must be—
 - (a) lodged with the Director; and
 - (b) accompanied by the appropriate fee prescribed by Schedule 1.
- (2) A mining registrar must enter a memorial in the Mining Register of a consent of the Minister under section 83 of the Act and register a copy of any instrument submitted for the purposes of an application under that section specified by the Minister.
- (3) Any additional copies of an instrument registered under subregulation (2) must be endorsed by a mining registrar to the effect that a copy has been registered and then the mining registrar must return the endorsed copies to the applicant.

71—Status of unregistered instruments

- (1) An instrument required to be registered by the Act or these regulations has no force or effect unless or until it is registered.
- (2) However, an approval of the Minister or an order of an appropriate court will be effective from the date specified in the approval or order.

72—Amendment of register

Subject to the provisions of the Act, the appropriate court may order—

- (a) that an entry in the Mining Register be made, amended or cancelled; or
- (b) that an instrument be registered or that the registration of an instrument be cancelled.

73—Searches

- (1) Subject to the Act and subregulation (2), a person may, on payment of the appropriate fee prescribed by Schedule 1, during the hours, and on the days, specified by the Director, inspect or obtain an extract from—
 - (a) the Mining Register; and
 - (b) all registered instruments under the Act held by the Department of the Minister.
- (2) The Mining Registrar may determine—
 - (a) that certain information should not be released to the public on account of its confidential nature; or
 - (b) that certain information should only be released subject to conditions or restrictions specified by the Mining Registrar.

74—Divesting of right to claim royalty

- (1) If a person divests himself or herself of an actual or potential right to claim royalty—
 - (a) the person must lodge a copy of the instrument of divestment with the Director together with the appropriate fee prescribed by Schedule 1; and
 - (b) the parties to an instrument evidencing further dealings or charges relating to the instrument of divestment must lodge a copy of that instrument with the Director together with the appropriate fee prescribed by Schedule 1.
- (2) The Director must maintain a register of these instruments and a person may, on payment of the appropriate fee prescribed by Schedule 1, during the hours, and on the days, specified by the Director, inspect the register and all registered instruments.

Part 9—Extractive Areas Rehabilitation Fund

75—Interpretation

In this Part—

fund means the Extractive Areas Rehabilitation Fund;

land means land which, or part of which, has been disturbed by mining operations for the recovery of extractive minerals.

76—Application

A person who has paid to the Minister royalty for extractive minerals—

- (a) who submits a plan for the rehabilitation of land that has been approved by the Chief Inspector in accordance with the provisions of the regulations under the *Mines and Works Inspection Act 1920*; or
- (b) on whom an order has been made by the Chief Inspector in accordance with the provisions of the regulations under the *Mines and Works Inspection Act 1920* requiring that person to rehabilitate any land; or
- (c) who, as a condition of an extractive minerals lease, has carried out rehabilitation work on the land,

may apply to the Minister for a payment from the fund.

77—Progressive payments

- (1) The Minister may approve progressive payments to an applicant from the fund.
- (2) However, progressive payments must not be made unless the Director has certified to the Minister—
 - (a) that satisfactory rehabilitation work has been carried out; or
 - (b) that rehabilitation work is proceeding in a satisfactory manner and that a progress payment is justified.

78—Payments to support rehabilitation of land

- (1) The Minister may also make payments out of the fund to a person who satisfies the Minister that he or she has executed or intends to execute work which has or will, wholly or partially, rehabilitate land.
- (2) A payment may be made under this regulation either in respect of all or any of the expenses incurred in the rehabilitation or by way of an advance of moneys to be used to pay all or any of the estimated expenses expected to be incurred in the rehabilitation of land.
- (3) If the Minister makes an advance of moneys pursuant to this regulation and any of those moneys remain unexpended 1 year after the time at which the advance was made, the Minister may request the unexpended moneys to be repaid to the fund and the person to which the advance was made must immediately repay the unexpended moneys.

79—Conditions

- (1) The Minister may impose conditions relating to a payment of money from the fund.
- (2) A person to whom a payment is made must comply with any relevant condition.

Part 10—Private mines**80—Prescribed requirements for mine operations plans**

- (1) This regulation sets out prescribed requirements relating to mine operations plans for the purposes of section 73G of the Act.
- (2) A mine operations plan must include a description of the nature and character of the environment (including physical and biological features) that can reasonably be expected to be affected by operations carried out at the private mine¹.
- (3) The objectives included as part of a mine operations plan must at least relate to each of the following matters²:
 - (a) the construction and operation of the mine and any related facilities;
 - (b) the management of potential impacts on the environment, including (insofar as is relevant) impacts relating to the following:
 - (i) erosion;
 - (ii) noise;

- (iii) dust;
 - (iv) visual effects;
 - (v) vegetation clearance or disturbance;
 - (vi) habitat clearance or disturbance;
 - (vii) silt;
 - (viii) stormwater;
 - (ix) topsoil management;
 - (x) waste management;
- (c) ongoing and final rehabilitation of the site, site closure, and future use of the site;
- (d) the action to be taken in the event of an emergency situation at the site of the mine.
- (4) The following provisions apply with respect to the criteria for measuring the objectives³:
- (a) the criteria must be described in specific terms which clearly define the outcomes upon which achievement of the objectives can be measured (including, if appropriate, timelines and sequences of events);
 - (b) outcomes may be expressed in quantitative or qualitative terms;
 - (c) if the measurement of the achievement of an objective is to be undertaken by the acquisition of field data over time, the criteria must indicate (subject to possible changes in circumstances)—
 - (i) the type of study, monitoring or other activity to be undertaken to acquire the data; and
 - (ii) the type of information to be gathered; and
 - (iii) the timelines that are to apply to acquiring, interpreting and publishing the data.
- (5) A mine operations plan must also describe, or include information about⁴—
- (a) the material to be recovered at the mine; and
 - (b) the geological environment, and estimated reserves, of the mine; and
 - (c) the type or types of mining operation to be carried out at the mine; and
 - (d) the sequence of operations at the mine; and
 - (e) the hours of operation that are to apply at the mine; and
 - (f) plans for the use of explosives at the mine; and
 - (g) plans for any silt retention; and
 - (h) plans for any stockpiling at the mine; and
 - (i) any processing plant located (or to be located) at the mine; and
 - (j) the services and utilities that are to be used at, or supplied to, the mine; and

- (k) the procedures to be followed in the event of an incident or situation which gives rise to, or could adversely affect, a matter of environmental significance.
- (6) A person submitting a draft to the Director under section 73G(4) of the Act must provide—
- (a) 3 copies of the draft in written form; and
 - (b) an electronic version of the draft in a form (and format) determined or approved by the Minister.

Notes—

- 1 This description must constitute part of the first component of the mine operations plan.
- 2 These objectives must constitute part of the second component of the mine operations plan.
- 3 These criteria must constitute part of the second component of the mine operations plan.
- 4 The matters required under this subregulation must constitute the third component of the mine operations plan.

81—Consultation on mine operations plans

- (1) For the purposes of section 73G(9) of the Act, the Director must publish a notice in a newspaper circulating generally throughout the State—
- (a) identifying the location of the mine; and
 - (b) stating that a mine operations plan has been prepared for the mine and that the relevant objectives and criteria may be inspected at a nominated address; and
 - (c) inviting written submissions from interested persons on the draft objectives and criteria within a period ending on a date at least 20 business days after publication of the notice.
- (2) The Director must also invite written submissions on the draft objectives and criteria from—
- (a) if the relevant mine is located on land vested in fee simple in a person other than the proprietor of the mine—that person; and
 - (b) if the relevant mine is located within the area of a council—that council; and
 - (c) if the relevant mine is located within a part of the State described in Schedule 20 of the *Development Regulations 2008*—the Development Assessment Commission.
- (3) The period for making a written submission under subregulation (2) must be at least 20 business days after the Director has served a written notice inviting the submission.
- (4) The Director may, after consultation with the person who submitted the relevant draft to the Director, extend a period allowed under subregulation (1) or (3) for an additional period not exceeding 15 business days.
- (5) The Director must, within 15 business days after the expiration of all time periods that apply under this regulation, provide to the person who submitted the relevant draft copies of any submissions that have been received by the Director in order to enable compliance with section 73G(10) of the Act.
- (6) The report required for the purposes of section 73G(10) of the Act must be submitted to the Director within 20 business days after copies of the submissions are provided under subregulation (5), or within such longer period as the Director may allow.

82—Review of mine operations plans

- (1) For the purposes of section 73G(16) of the Act, a review of a mine operations plan must consist of the preparation of a report which includes—
 - (a) an assessment of the achievement of the objectives in the mine operations plan when measured against the criteria; and
 - (b) to the extent that the objectives have not been met taking into account the assessment under paragraph (a), an analysis or explanation of what has occurred; and
 - (c) an analysis of whether the objectives and criteria are still, and will continue to be, appropriate; and
 - (d) details about any proposals for alterations to the objectives or criteria; and
 - (e) if alterations are proposed, an analysis of the impacts (if any) that those alterations may have on the environment and, if so required by the Director, any information that may be reasonably required in order to assist the Director in deciding whether the alterations are appropriate; and
 - (f) information on any action that has been taken, or is proposed to be taken, as the result of a report from an authorised officer or other authorised person concerning operations at the mine during the period to which the review relates.
- (2) A review conducted at the direction of the Director under section 73G of the Act must be completed and furnished to the Director within 3 months after the direction of the Director to review the plan, or within such longer period approved by the Director.

Administrative penalty.
- (3) A person furnishing a report must provide—
 - (a) 3 copies of the report in written form; and
 - (b) an electronic version of the report in a form (and format) approved by the Director.

83—Variation or revocation of declaration

- (1) For the purposes of section 73M(4)(a) of the Act, a report required from the proprietor of a private mine must include—
 - (a) a description of the topography and geological environment of the relevant land; and
 - (b) reasonable estimates of the quantity, quality, distribution, depth and marketability of the minerals situated within the mine; and
 - (c) details of any mining operation proposed to be carried out at the mine, including the type of operation and the anticipated date for commencement of the operation; and
 - (d) details of any agreement relating to future mining at the mine; and
 - (e) details of any agreement between the proprietor of the mine and another person concerning the future use or development of the relevant land for a purpose other than mining; and
 - (f) details of any mining or exploration operations carried out on land adjoining the mine that could be relevant to assessing the potential of the mine; and
 - (g) information on the purposes for which land adjoining the mine is used.

- (2) If the Director issues a notice under section 73M(4)(a) of the Act, the Director must send copies of the notice to—
- (a) the South Australian Chamber of Mines and Energy Inc.; and
 - (b) *Cement, Concrete and Aggregates Australia*.

Part 11—Provision of information and returns

Division 1—Records and samples

84—Records and samples

- (1) For the purposes of section 77(1) of the Act—
- (a) the holder of a mining tenement must maintain records of geological mapping, surveys of workings, logs of drill holes, location and type of samples taken, results of analyses and testing of samples, and results of geophysical surveys; and
 - (b) subject to subregulation (3), the holder of a mining tenement must maintain any drill samples obtained from mining operations conducted on the tenement.
- (2) The holder of a mining tenement may give notice to the Minister, in a manner and form determined by the Minister, that the holder intends to dispose of or destroy specified drill samples maintained under subregulation (1)(b) after the expiration of the period of 3 months from the date of the provision of the notice.
- (3) If the Minister does not, within the period of 3 months referred to in subregulation (2), indicate to the holder of the tenement that the drill samples must be retained, the holder of the tenement may proceed to dispose of or destroy the relevant drill samples (but must otherwise continue to maintain them in accordance with these regulations).

Division 2—Other material to be provided

85—Other material to be provided

For the purposes of section 77B(1) of the Act, the following information is prescribed:

- (a) technical data, studies and reports associated with any exploration operations;
- (b) representative samples (including drilling samples) obtained as a result of any mining operations, as determined by the Director for the purposes of this regulation;
- (c) economic, environmental or social studies or reports associated with any mining operations;
- (d) other technical data or reports, or samples, determined by the Director.

Division 3—Compliance reports

86—Compliance reports

(1) Compliance reports are required under this regulation as follows:

- (a) the holder of—
 - (i) a mineral lease; or
 - (ii) a miscellaneous purposes licence associated with a mineral lease,must furnish to the Minister, after the end of each determined by the Minister (the *reporting period*), a compliance report;
- (b) the holder of any other kind of tenement must, if required by the Minister, furnish to the Minister after the end of each period determined by the Minister (the *reporting period*) a compliance report.

Administrative penalty.

(2) A determination under subregulation (1)(b)—

- (a) except in the case of an extractive minerals lease—may apply in relation to a particular tenement, or a specified class of tenement;
- (b) in the case of an extractive minerals lease—may only apply in relation to particular tenements determined by the Minister on a case-by-case basis.

(3) A compliance report—

- (a) must be furnished within a period after the end of each reporting period determined by the Minister; and
- (b) must be provided in a manner and form determined by the Minister.

(4) A compliance report may include (according to a determination of the Minister)—

- (a) a description of the activities undertaken under the tenement during the reporting period, and a description of the activities proposed to be conducted in the coming reporting period; and
- (b) information about the areas on the mining tenement that have been disturbed by mining operations and the rehabilitation status of each area; and
- (c) a summary of all technical data, studies and reports within the ambit of section 77B(1) of the Act generated during the reporting period; and
- (d) a report for the reporting period on compliance with—
 - (i) the terms and conditions of the relevant lease or licence; and
 - (ii) the requirements of any program under Part 10A of the Act that applies in relation to the tenement; and
- (e) a statement concerning any action to rectify non-compliance with any obligations that are relevant to the operation of paragraph (d), and to minimise the likelihood of the reoccurrence of any such non-compliance; and

- (f) a report on the extent to which any leading indicator criteria became relevant to the operation of any control strategy under a program under Part 10A of the Act and a statement concerning any action to review or adjust any such criteria or strategy; and
 - (g) a summary of any management system reviews undertaken during the reporting period in order to improve or ensure compliance with the requirements of any program under Part 10A of the Act that applies in relation to the mining tenement; and
 - (h) a report on any new or emerging environmental hazards that apply, or appear to be arising, in relation to mining operations conducted in pursuance of the mining tenement; and
 - (i) a summary of any complaints relating to activities undertaken under the tenement made by members of the public and received by the holder of the tenement during the reporting period; and
 - (j) any other information determined by the Minister.
- (5) A determination under subregulation (3) or (4) must be published in the Gazette.
- (6) A report under subregulation (4)(d) must clearly identify any relevant incidents of non-compliance.
- (7) The Minister may, for the purposes of subregulation (4), determine the amount and detail of any information that must be provided after taking into account—
- (a) the nature of the tenement; and
 - (b) the nature and extent of the operations carried out under the tenement.
- (8) If or when a mining tenement subject to the operation of this regulation expires or is surrendered or cancelled, the person who is holding the relevant lease or licence at that time must furnish a final compliance report within a period, or at the conclusion of any work, specified by the Minister.

87—Initial incident reports

- (1) In this regulation—
- reportable incident*** means a situation where the holder of a tenement has failed to achieve an outcome specified in a program for the purposes of section 70B(2)(b)(i) of the Act (as measured according to criteria adopted to measure that outcome).
- (2) If or when the holder of a mining tenement becomes aware of the occurrence of a reportable incident, the holder of the tenement must ensure that the reportable incident is reported to the Minister—
- (a) initially (and within 1 business day after the holder of the tenement becomes aware of the occurrence of the incident)—
 - (i) by telephone (using a number determined by the Minister); or
 - (ii) by email (using an email address determined by the Minister); and
 - (b) by providing a written report on the reportable incident within 3 months after the holder of the tenement becomes aware of the occurrence of the incident, or within such longer period as the Minister may determine or allow.

Administrative penalty.

- (3) The initial report under subregulation (2)(a) must include the following information:
 - (a) the full name and business address of the holder of the mining tenement;
 - (b) the name and telephone number of a person who may be contacted about the matter;
 - (c) the circumstances constituting the reportable incident;
 - (d) the steps that have been taken to address or rectify the effects of the reportable incident.
- (4) The written report under subregulation (2)(b) must include the following information:
 - (a) the results of any assessment of the conditions or circumstances that caused or contributed to the occurrence of the reportable incident;
 - (b) the nature and extent of any damage to the environment that has occurred on account of the reportable incident;
 - (c) the steps that have been taken, or are proposed to be taken, to rehabilitate any area affected by the reportable incident or to address the effect of the incident;
 - (d) the steps that have been taken, or are proposed to be taken, to prevent a reoccurrence of the incident.
- (5) A report under subregulation (2)(b) must be signed by a person (being the holder of the mining tenement or a person authorised by the holder of the mining tenement) who has taken reasonable steps to review the report to ensure the accuracy of the information contained in the report.
- (6) A report under subregulation (2)(b) must be furnished in a manner and form determined by the Minister.

Division 4—Release of matter

88—Release of matter

- (1) For the purposes of section 77D of the Act, the following material is prescribed:
 - (a) any program under Part 10A of the Act;
 - (b) any statistical information provided by the holder (or former holder) of a mining tenement;
 - (c) without limiting paragraph (b)—
 - (i) any information provided under sections 76, 77 or 77B of the Act; or
 - (ii) any report under Division 3.
- (2) The Director of Mines may, before releasing any information or report under subregulation (1), take steps to ensure that commercially sensitive information is not disclosed to the public.

- (3) For the purposes of section 77D(5)(a) of the Act, the following circumstances are prescribed:
- (a) the release of any plan under Part 10A of the Act, where the Minister determines that the information should be released in the public interest;
 - (b) the release of any information, drill cores or other material that has been provided to the Minister or the Director under section 77 or 77B of the Act and that has been held by the Department for a period of at least 5 years.

Part 12—Miscellaneous

89—Requirement to provide information to assess or verify capabilities

- (1) The Minister may, at any time determined to be appropriate by the Minister, in connection with assessing a person's capabilities for the purposes of this Act (and without limiting any other provision), by notice in writing, require the person to provide 1 or more of the following:
- (a) the person's corporate or operational policies that address the achievement of regulatory requirements and relevant environmental outcomes under the Act;
 - (b) information about the person's procedures or practices to achieve compliance with regulatory requirements and relevant environmental outcomes under the Act;
 - (c) information about the extent to which the person has adopted and implemented a comprehensive and effective risk management system for the purposes of operations carried out under the Act;
 - (d) information about the extent to which the person has established systems to monitor, evaluate, audit and review compliance against regulatory requirements and relevant environmental outcomes under the Act;
 - (e) information about the person's systems to identify and report any non-compliance with regulatory requirements or relevant environmental outcomes under the Act;
 - (f) information about the extent to which the person has established a comprehensive and effective emergency response plan;
 - (g) information about the person's practices and procedures to provide appropriate communication of regulatory requirements to employees, contractors and visitors (including site induction, on-going training and supervision);
 - (h) information about the person's practices and procedures to respond to, and communicate with, external parties on compliance matters under the Act;
 - (i) information about the person's record in achieving regulatory requirements and objectives under the Act;
 - (j) information about the extent to which the person has allocated resources to compliance systems for the purposes of the Act.
- (2) In the case of an extractive minerals lease, subregulation (1) is limited in its application to paragraphs (b) and (i).
- (3) A person must provide any information required under subregulation (1) within a period determined by the Minister.

Administrative penalty.

90—Public liability insurance

- (1) The holder of a mining tenement must, before commencing operations under the tenement and for the duration of the tenement, maintain a policy of public liability insurance indemnifying the holder of the tenement, in an amount that is reasonable taking into account the kind of tenement, the nature and extent of the operations carried out under the tenement, and relevant industry standards, in relation to any action arising out of the operations carried out under the tenement and complying with any other requirement (if any) determined by the Minister.
- (2) The holder of a mining tenement must, at the request of the Minister, furnish to the Minister a copy of the cover note for the insurance required under subregulation (1), or a copy of the policy of insurance, or both.
- (3) Nothing in this regulation is intended to give rise to any liability on the part of the Minister for the adequacy (or otherwise) of any insurance required or provided under this regulation.
- (4) This regulation will apply in relation to a mining tenement from 1 July 2012, or from such later date as the Minister may determine in any particular case.

91—Land subject to pastoral lease

The holder of a tenement over land subject to a pastoral lease under the *Pastoral Land Management and Conservation Act 1989* must give the pastoral lessee access to the land for domestic purposes and for watering stock (although the holder of the tenement is not required to give the pastoral lessee access to water provided or stored by the lessee by artificial means).

92—Roads and pipelines across tenements

- (1) The Warden's Court may, on application, approve the making, laying or use of a road or pipeline on or over a claim or lease if the Warden's Court is satisfied that the road or pipeline is necessary for the efficient working of another tenement, or for use by the public.
- (2) An approval under subregulation (1) may be given subject to directions or conditions specified by the Warden's Court (which may include provision for the payment of compensation to the holder of the tenement that will be affected by the making, laying or use of the road or pipeline).
- (3) A person must not breach, or fail to comply with, a direction or condition under subregulation (2).

93—Removal of posts

- (1) If a post is in a place that interferes with the working of a mining tenement, the holder of the tenement may apply to—
 - (a) a mining registrar; or
 - (b) an authorised officer; or
 - (c) a person authorised by the Mining Registrar for the purposes of this subregulation,for approval to remove the post.
- (2) A person to whom an application is made under subregulation (1) may, if satisfied that it is appropriate to do so, authorise the removal of the post.

- (3) An authorisation under subregulation (2)—
 - (a) may include directions to ensure the proper definition of the boundaries of the tenement while the post is removed; and
 - (b) may be given on conditions specified in the authorisation.
- (4) A person who has the benefit of an authorisation under subregulation (2) must comply with any directions or conditions under subregulation (3).
- (5) A person (other than the holder of the relevant tenement) must not remove a post placed in the ground in order to mark a mining tenement (or an area for a mining tenement).
- (6) Subregulation (5) does not apply to—
 - (a) a person acting with the written permission of the holder of the tenement; or
 - (b) a mining registrar, an authorised officer, or a person authorised by the Mining Registrar for the purposes of this subregulation, removing a post from a tenement (or the area for a tenement) if—
 - (i) it appears that there has been a failure to comply with a requirement of the Act or these regulations; or
 - (ii) it appears that the tenement (or any pegging) may have lapsed, or been surrendered or cancelled.
- (7) A post removed under subregulation (6)(b) must be stored at the nearest office of the Mining Registrar to the tenement.
- (8) The owner of a post stored under subregulation (7) may, within 1 month after the post was removed under subregulation (6)(b), recover the post (and, if appropriate, any identification plate or marker attached to the post).
- (9) If a post is not recovered under subregulation (8)—
 - (a) the post becomes the property of the Crown; and
 - (b) the Minister may dispose of the post as the Minister thinks fit.

94—Rectification of boundaries

For the purposes of section 91A of the Act, the following circumstances are prescribed:

- (a) the Mining Registrar believes that there is insufficient certainty about the location or boundaries of a mining tenement due to lack of information, or an error, at the time that the tenement was granted;
- (b) it appears to the Mining Registrar that a peg or pegs have been moved, removed or displaced;
- (c) it is discovered that—
 - (i) the area, shape or dimensions of a mining tenement do not conform with the Act or these regulations; or
 - (ii) a portion of another tenement has been included within the boundaries of the mining tenement;
- (d) the Mining Registrar considers that the boundaries or delineation of a mining tenement should be varied on account of new technology or updated datums that are available for use by the Mining Registrar.

95—Superimposed tenements—consent

- (1) If a class of mining tenement is granted over land already held as a tenement of a different class, and the holder of the tenement is the same person, the person need maintain only 1 post at each corner of the area, but each post must have on it, or on a notice attached to it, the numbers and classes of all the tenements.
- (2) If the superimposed tenement covers a part of the prior tenement, the superimposed tenement must be marked out by independent posts.
- (3) The annual rental payable on the tenements are to be waived except for the one with the highest rental.
- (4) If a superimposed lease is held by another party, the annual rental must be payable for the superimposed tenement.
- (5) If application is made to register a tenement superimposed on an existing tenement, the applicant must lodge with the application a consent in writing under section 80(2) of the Act, together with particulars in writing of the agreement of the parties.

96—Action to comply

- (1) A liability to the forfeiture of a mining tenement on account of failure to comply with a requirement of these regulations will cease on subsequent compliance by the holder of the tenement.
- (2) However—
 - (a) the obtaining of an order for the suspension of working conditions does not constitute compliance with the regulations for the purposes of subregulation (1);
 - (b) subregulation (1) does not apply if proceedings for forfeiture of the tenement are commenced under the Act within 1 month after the liability to forfeiture arises and before the holder of the tenement takes steps to rectify the non-compliance.
- (3) If—
 - (a) a person applies to the Warden's Court for an order—
 - (i) cancelling a pegging; or
 - (ii) for the forfeiture of a tenement,on the ground that a requirement of the Act or these regulations has not been complied with; and
 - (b) the Warden's Court finds that there has been non-compliance with the Act or these regulations but that in the circumstances an order for cancellation or forfeiture should not be made,the court may nevertheless order the person in default to take steps to rectify the non-compliance.
- (4) A person to whom an order is directed under subregulation (3) must comply with the terms of the order.

97—False information

- (1) A person who by false statement or misrepresentation, obtains or attempts to obtain registration of a mining tenement, or an instrument or certificate under the Act or these regulations—
 - (a) forfeits all rights in relation to the relevant tenement; and

(b) is guilty of an offence.

Maximum penalty: \$1 250.

- (2) A person who, in furnishing information required under the Act or these regulations, makes a statement that is false or misleading in a material particular is guilty of an offence.

Maximum penalty: \$1 250.

98—Change of address or other details

- (1) The holder of a mining tenement must, by notice in a manner and form determined by the Mining Registrar, furnish to the Mining Registrar information about any of the following:
- (a) a change in the name of the holder of the tenement;
 - (b) a change in the registered or business address of the holder of the tenement, or a change in any other address provided for correspondence or service;
 - (c) a declaration of bankruptcy in relation to the holder of the tenement or, in the case of a company, the placing of the company under official management or in liquidation or receivership.
- (2) The information required under subregulation (1) must be provided within 14 days after the requirement to furnish the information arises.

99—Duplicate tenement document

An application for the issue of a duplicate copy of a lease or licence under section 84 of the Act must be accompanied by the appropriate fee prescribed by Schedule 1.

100—Declaration

If application is made to the Warden's Court for a declaration of invalidity of a mining tenement on the grounds that the tenement has not been lawfully acquired in accordance with these regulations, the declaration must not be made unless the Court is satisfied that a breach of these regulations is a breach in a material respect and that the matter is of sufficient gravity to justify the making of the declaration, but the Court may order the rectification of any non-compliance with these regulations.

101—Power of court to award costs

The Warden's Court is vested with jurisdiction to award reasonable costs.

102—Recording of proceedings

The Warden's Court must give written notice to the Mining Registrar of any proceedings before the Warden's Court relating to a mining tenement, and a note of the proceedings must be entered in the Mining Register against the entry of the relevant mining tenement.

103—Application for native title declaration

An application under section 63J of the Act for a declaration that land is not subject to native title is to be made as an application for a native title declaration under the *Native Title (South Australia) Act 1994*.

104—Approved associations for umbrella authorisations

For the purposes of section 63L of the Act, the following associations are approved as associations that may be proponents of native title mining agreements conferring umbrella authorisations:

- (a) South Australian Opal Miner's Association Inc.;
- (b) Coober Pedy Miner's Association Inc.;
- (c) Andamooka Progress and Opal Miners Association Inc.;
- (d) Mintabie Miners and Progress Association Inc.

105—Notice initiating negotiations with native title parties

A notice under section 63M of the Act given by a proponent initiating negotiations for a native title mining agreement under Part 9B of the Act must be in a form determined by the Minister.

106—Service of documents

A notice or document required or authorised by or under the Act or these regulations to be given to or served on a person (other than a person who holds or may hold native title in land¹) may—

- (a) be served on the person personally; or
- (b) be posted in an envelope addressed to the person—
 - (i) at the person's last known address; or
 - (ii) if the person has an address for correspondence or service—at that address; or
- (c) be served by email sent to an email address provided by the person (in which case the notice or document will be taken to have been given or served at the time of sending).

Note—

- 1 Part 5 *Native Title (South Australia) Act 1994* sets out the method of service on all who hold or may hold native title in land.

107—Execution of notice of entry

A notice of entry or a notice to use declared equipment under the Act may be signed (and given) by an agent of a mining operator.

108—Lapse of owner's consent

If—

- (a) an owner of land gives a consent under section 75 of the Act; and
- (b) the person who has the benefit of the consent does not take action to establish a claim or apply for a lease within 12 months of the provision of the consent,

the consent lapses (but not so as to prevent the granting of a new consent).

109—Fees

- (1) The fees set out in Schedule 1 are payable as specified in that Schedule.
- (2) The Director may, on application, in his or her discretion, waive payment of the whole or a part of a fee, or refund a fee (in whole or in part).

110—Damage to posts

A person must not damage or deface a post or notice under these regulations, or alter a notice or date found on a mining tenement.

111—Offences

- (1) A person who contravenes or fails to comply with a provision of these regulations is guilty of an offence.
- (2) A person who is guilty of an offence against these regulations for which no penalty is specifically prescribed is liable to a fine not exceeding \$1 250.

112—Administrative penalties

- (1) The amount of an administrative penalty that is to apply in relation to a relevant provision of the Act is fixed by Schedule 3.
- (2) The amount of an administrative penalty that is to apply in relation to a provision of these regulations is fixed as \$1 000.

113—Special mining enterprises

The requirements imposed by the provisions of the Act and these regulations listed in the first column of Schedule 4 (a description of which is provided in the second column for convenience of reference only) are prescribed for the purposes of section 56C(2)(g) of the Act.

114—Transitional provisions

- (1) In this regulation—

1998 regulations means the *Mining Regulations 1998*;

EWA means an exploration work approval under regulation 56(b) of the 1998 regulations;

DEF means a declaration of environmental factors imposed under regulation 56(b) of the 1998 regulations or by a condition attached to an exploration licence (or both);

MARP means a program for mining and rehabilitation of land under regulation 42(b) of the 1998 regulations;

PEPR means a program under Part 10A of the Act;

relevant day means the day on which these regulations commence.

- (2) An EWA, DEF or MARP in force immediately before the relevant day will, on the commencement of these regulations, continue in operation and be taken to constitute a PEPR for the purposes of the Act and these regulations.
- (3) If a mining tenement in force immediately before the relevant day does not become subject to a PEPR by virtue of the operation of subregulation (2) (including by virtue of the fact that a MARP is in force in relation to the tenement immediately before that day), then the holder of the mining tenement must provide a PEPR to the Minister within 12 months after the commencement of these regulations or within such longer period as the Minister may determine or allow.
- (4) Subregulation (3) does not apply in relation to an exploration licence.
- (5) If, before the relevant day, a person has lodged an application for a mining tenement under the Act but that application has not been determined by that day, the Minister may determine that an EWA, DEF or MARP will be suitable to constitute a PEPR in relation to the tenement for the purposes of the Act and these regulations if or when the tenement is granted.
- (6) If, before the relevant day, a person has lodged an EWA, DEF or MARP for the purposes of the Act, the Minister may determine that the EWA, DEF or MARP will be suitable to constitute a PEPR for the purposes of the Act and these regulations.
- (7) If, on or after the relevant day, a person who is the holder of an exploration licence undertakes new activities under the tenement, the Minister may determine that an EWA or DEF will be suitable to constitute a PEPR in relation to those activities under the tenement.
- (8) Subregulation (7) will expire on the third anniversary of the commencement of these regulations.
- (9) Despite a preceding subregulation, the Minister may at any time—
 - (a) determine that additional information must be provided in relation to an EWA, DEF, MARP or PEPR within the ambit of this regulation (including in connection with any review or other step to be conducted or taken with respect to any such document after the relevant day); or
 - (b) determine that an EWA, DEF, MARP or PEPR within the ambit of this regulation must be reviewed; or
 - (c) vary an EWA, DEF, MARP or PEPR within the ambit of this regulation in order to provide greater consistency with the requirements for a PEPR under the Act or these regulations.
- (10) The holder of a mining tenement in relation to which a determination under subregulation (9) applies must comply with the requirements of the determination within a period specified by the Minister.
- (11) Unless otherwise determined or agreed by the Minister, a person holding a mining lease immediately before the relevant day must ensure that the lease is worked in accordance with any mining plan that applies in relation to that lease as if the mining plan formed part of a PEPR (and the 2 year period applying under regulation 35 will not apply).
- (12) The first compliance report required under Part 11 Division 3 in relation to a mining tenement in force immediately before the relevant day cannot apply in relation to any period that occurs earlier than the anniversary date of the lease or licence that occurs during the period of 12 months commencing on the relevant day.

Schedule 1—Fees

1	Application for registration of mineral claim	\$332.00
2	Exploration licence—	
	(a) application fee—the sum of the following components:	
	(i) base component	\$554.00
	(ii) advertising component	\$597.00
	(b) annual fee—the sum of the following components:	
	(i) administration component	\$110.00
	(ii) regulation component	\$365.00 or
	The fee payable will be calculated according to the nominal	\$8.45 per km ² or
	area of the licence, and no allowance will be made for land that	part of a km ² in the
	is not available for exploration.	area of the licence,
		whichever is the
		greater
3	Application for mining lease or miscellaneous purposes licence—the sum of the following components:	
	(a) base component	\$1 107.00
	(b) advertising component	\$597.00
4	Application for retention lease	\$554.00
5	Application for registration or renewal of access claim	\$62.50
6	Late lodgment of transfer of mineral lease, retention lease, exploration licence or miscellaneous purposes licence	\$110.00
7	Lodgment of an agreement (including an indigenous land use agreement) or determination with the Mining Registrar under Part 9B of Act	\$390.00
8	Lodgment of caveat—per tenement	\$110.00
9	Late lodgment of mining return under section 76 of Act (administration fee)	\$191.00
10	Application for—	
	(a) variation of condition of tenement, working conditions or special approval to undertake particular work program	\$390.00
	(b) Ministerial consent under Act	\$390.00
11	Proposal for a safety net agreement under section 84A of Act	\$75.00
12	Application for issue of duplicate lease or licence	\$94.00
13	Inspection of Mining Register	\$38.00
14	Extract from Mining Register comprising copy of mining tenement	\$9.60
15	Extract from Mining Register comprising results of standard search query	\$37.50 plus \$1.15 per page
16	Extract from Mining Register comprising results of customised search query	\$75.00 plus \$1.15 per page

Schedule 2—Annual rents

1	Mining lease	\$166.00 or \$43.25 for each hectare or part of a hectare in the area of the lease, whichever is the greater
2	Retention lease	\$166.00 or \$21.90 for each hectare or part of a hectare in the area of the lease, whichever is the greater
3	Miscellaneous purposes licence	\$166.00 or \$43.25 for each hectare or part of a hectare in the area of the licence, whichever is the greater

Schedule 3—Administrative penalties

Section of Act	Administrative penalty
Section 25(2)	\$1 000
Section 32(1)	\$1 000
Section 32(2)	\$1 000
Section 77(1)	\$1 000
Section 77(2)	\$1 000
Section 77(3)	\$1 000
Section 77B(1)	\$1 000
Section 77B(2)	\$1 000
Section 77B(4)	\$1 000
Section 77B(5)	\$1 000
Section 77C(1)	\$5 000
Section 77D(9)	\$1 000

Schedule 4—Prescribed requirements

Section of Act	Description
Section 35A	Representations in relation to grant of lease
Section 53	Application for licence
Section 54	Compensation
Section 58	How entry on land may be authorised
Section 58A	Notice of entry
Section 61	Compensation
Regulation	Description
Regulations 35	Working conditions
Regulation 52	Mode of taking possession

Regulation	Description
Regulation 53	Display of licence number
Regulation 55	Maintenance of licence
Regulation 91	Land subject to pastoral lease

Schedule 5—Revocation of *Mining Regulations 1998*

The *Mining Regulations 1998* are revoked.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 9 June 2011

No 158 of 2011