



LEGISLATIVE COUNCIL

OF

SOUTH AUSTRALIA

STATISTICS

**FIRST SESSION OF THE
FIFTY-SECOND PARLIAMENT**

6 May 2010 to 15 December 2011

TABLE OF CONTENTS

	Page No.
Members of the Legislative Council	1
Officers of the Legislative Council	2
Committees.....	3
List of Bills considered by Legislative Council.....	8
List of Bills passed by Legislative Council.....	10
List of Legislative Council Bills amended by Legislative Council and House of Assembly	12
List of House of Assembly Bills amended by Legislative Council.....	13
Substantive Motions and Resolutions	15
Petitions.....	23
Synopsis of Legislation	27

MEMBERS OF THE LEGISLATIVE COUNCIL

The Hon. ROBERT KENNETH SNEATH

(President of the Legislative Council)

The Hon. ANN MARIE BRESSINGTON

The Hon. ROBERT LAWRENCE BROKENSHERE, J.P.

The Hon. JOHN ANDREW DARLEY, J.P.

The Hon. JOHN SAMUEL LETTS DAWKINS, A.D.F.M.

The Hon. BERNARD VINCENT FINNIGAN, B.A.

The Hon. TAMMY ANNE FRANKS

The Hon. GAIL ELIZABETH GAGO

(Minister for Agriculture, Food and Fisheries;
Minister for Forests
Minister for Regional Development
Minister for Tourism
Minister for Status of Women)

The Hon. JOHN MARIO GAZZOLA

The Hon. PAUL HOLLOWAY, B.Sc., B.E.(Hons.), B.Ec. (Resigned 15 August 2011)

(Minister for Mineral Resources Development;
Minister for Urban Development and Planning
Minister for Small Business)

The Hon. DENNIS GARRY EDWARD HOOD, B.Ec., B.A.(Hons.)

The Hon. IAN KEITH HUNTER, B.Sc.(Hons.)

(Minister for Communities and Social Inclusion;
Minister for Social Housing
Minister for Disabilities
Minister for Youth
Minister for Volunteers)

The Hon. GERARD ANTHONY KANDELAARS, Assoc.Dip.Eng.(Electronics), J.P.,
A.AIST. (Elected 13 September 2011)

The Hon. JING SHYUAN LEE

The Hon. JACQUELINE MICHELLE ANN LENSINK, B.App.Sc. (Physiotherapy), M.B.A.

The Hon. ROBERT IVAN LUCAS, B.Sc., B.Ec., M.B.A.

The Hon. MARK CHARLES PARNELL, LL.B., B.Comm., M.R.U.P.

The Hon. DAVID WICKHAM RIDGWAY

(Leader of the Opposition, Legislative Council)

The Hon. TERENCE JOHN STEPHENS

The Hon. KELLY LEAH VINCENT

The Hon. STEPHEN GRAHAM WADE, LL.B., B.Ec., F.A.I.C.D.

The Hon. RUSSELL PAUL WORTLEY

(Minister for Industrial Relations;
Minister for State/Local Government Relations)

The Hon. CARMEL ZOLLO

OFFICERS OF THE LEGISLATIVE COUNCIL

<i>PRESIDENT</i>	The Hon. Robert Kenneth SNEATH, M.L.C.
<i>THE CLERK OF THE COUNCIL</i>	Mrs. Janice M. DAVIS, A.M., B.A.(Juris.), J.P.
<i>THE DEPUTY CLERK AND USHER OF THE BLACK ROD</i>	Mr. Christopher D. SCHWARZ, B.A.(Comm.), Grad.Dip.Soc.Sc. (Pol.Admin.)
<i>THE CLERK-ASSISTANT</i>	Mr. Guy D. DICKSON, B.A., Grad.Dip.Info.St.
<i>PARLIAMENTARY OFFICER</i>	Mr. Anthony D. BEASLEY, B.Sc., Grad.Dip.
<i>PARLIAMENTARY OFFICER</i>	Ms. Leslie GUY, LL.B.

**COMMITTEES APPOINTED UNDER
PARLIAMENTARY COMMITTEES ACT 1991
INCLUSIVE OF LEGISLATIVE COUNCIL MEMBERS**

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

LC Appointed 6 May 2010
HA Appointed 12 May 2010

The Hon. JMA Lensink MLC	The Hon M J Atkinson MP
The Hon M C Parnell MLC	Ms M G Thompson MP
The Hon C Zollo MLC	Mr T J Whetstone MP

Committee Secretary: Mr. P. Frensham

LEGISLATIVE REVIEW COMMITTEE

LC Appointed 6 May 2010
HA Appointed 12 May 2010

The Hon J A Darley MLC	Mr J A Gardner MP
The Hon G A Kandelaars MLC*	Mr A J Sibbons MP
The Hon S G Wade MLC	Ms M G Thompson MP

*Appointed 13 September 2011
Committee Secretary: Mr. A. Crichton

SOCIAL DEVELOPMENT COMMITTEE

LC Appointed 6 May 2010
HA Appointed 12 May 2010

The Hon J M Gazzola MLC**	Ms F E Bedford MP
The Hon DGE Hood MLC	Mr D G Pisoni MP
The Hon J. S. Lee MLC	Mr A J Sibbons MP
The Hon K L Vincent MLC*	The Hon R B Such MP*

*Appointed 30 June 2010
**Appointed 8 November 2011
Committee Secretary: Ms. R. Schutte, B.A., Grad.Dip.Bus.Admin.

STATUTORY AUTHORITIES REVIEW COMMITTEE

LC Appointed 6 May 2010

The Hon A M Bressington MLC	The Hon T J Stephens MLC
The Hon J M Gazzola MLC*	The Hon C Zollo MLC
The Hon R I Lucas MLC	

*Appointed 8 November 2011
Committee Secretary: Mr. G. Hickery, B.Ec.

OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION COMMITTEE

LC Appointed 6 May 2010
HA Appointed 12 May 2010

The Hon J A Darley MLC
The Hon J M Gazzola MLC
The Hon R I Lucas MLC

The Hon S W Key MP
Mr A J Sibbons MP*
Mr I K Venning MP

*Appointed 9 November 2011
Committee Secretary: Mr. R. Crump, B.Sc.(Phys.Ed.), LL.B.

STATUTORY OFFICERS COMMITTEE

LC Appointed 6 May 2010
HA Appointed 12 May 2010

The Hon G E Gago MLC (Minister for
Agriculture, Food and Fisheries)*
The Hon J A Darley MLC
The Hon S G Wade MLC

The Hon S W Key MP
Mr L K Odenwalder MP
Mr T J Whetstone MP

*Appointed 23 June 2011
Committee Secretary: Mr. C. D. Schwarz, B.A.(Comm.), Grad.Dip.Soc.Sc.(Pol.Admin.)

NATURAL RESOURCES COMMITTEE

LC Appointed 6 May 2010
HA Appointed 12 May 2010

The Hon R L Brokenshire MLC
The Hon JSL Dawkins MLC
The Hon G A Kandelaars MLC**

Mr G G Brock MP*
Mrs R K Geraghty MP
The Hon S W Key MP
Mr L K Odenwalder MP
Mr D W Peglar MP*
Mr D C Van Holst Pellekaan MP

*Appointed 30 June 2010
**Appointed 13 September 2011
Committee Secretary: Mr. K. Cudarans, B.Bus.(until 28 May 2010)
Mr. P. Dupont (from 2 August 2010)

COMMITTEE APPOINTED UNDER ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE ACT 2003

ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE

LC Appointed 6 May 2010
HA Appointed 12 May 2010

The Hon J M Gazzola MLC
The Hon T A Franks MLC
The Hon T J Stephens MLC

The Hon G Portolesi MP (Minister for Aboriginal
Affairs and Reconciliation)
Ms F E Bedford MP
Mr S S Marshall MP
Mr A J Sibbons MP*

*Appointed 9 November 2011
Executive/Research Officer: Mr. J. Caire, B.App.Sc.(Hons.)

JOINT COMMITTEE

JOINT PARLIAMENTARY SERVICE COMMITTEE

Appointed 6 May 2010

The President (The Hon R K Sneath MLC)	The Speaker (The Hon L R Breuer MP)
The Hon JSL Dawkins MLC	Mrs R K Geraghty MP
The Hon J M Gazzola MLC	Mr M R Pengilly MP

SESSIONAL COMMITTEES

STANDING ORDERS COMMITTEE

Appointed 6 May 2010

The President (The Hon R K Sneath MLC)	The Hon R I Lucas MLC
The Hon G E Gago MLC (Minister for Agriculture, Food and fisheries)*	The Hon D W Ridgway MLC
The Hon J M Gazzola MLC	

*Appointed 23 June 2011

PRINTING COMMITTEE

Appointed 6 May 2010

The Hon JSL Dawkins MLC	The Hon J S Lee MLC
The Hon J M Gazzola MLC	The Hon C Zollo MLC*
The Hon G A Kandelaars MLC**	

*Appointed 29 July 2011

**Appointed 8 November 2011

SELECT COMMITTEES

DISABILITY SERVICES FUNDING

Appointed 24 November 2010

The Hon A M Bressington MLC*	The Hon R I Lucas MLC
The Hon G A Kandelaars MLC**	The Hon K L Vincent MLC
The Hon JMA Lensink MLC	

*Appointed 29 July 2011

**Appointed 8 November 2011

LONSDALE-BASED ADELAIDE DESALINATION PLANT

Appointed 24 November 2010

The Hon J A Darley MLC
The Hon JSL Dawkins MLC
The Hon T A Franks MLC

The Hon J M Gazzola MLC
The Hon R I Lucas MLC
The Hon C Zollo MLC

DEPARTMENT FOR CORRECTIONAL SERVICES

Appointed 23 February 2011

The Hon R L Brokenshire
The Hon G A Kandelaars MLC*
The Hon T J Stephens MLC

The Hon S G Wade MLC
The Hon C Zollo MLC

*Appointed 13 September 2011

HARVESTING RIGHTS IN FORESTRY SA PLANTATION ESTATES

Appointed 6 April 2011

The Hon R L Brokenshire
The Hon J M Gazzola MLC**
The Hon G A Kandelaars MLC*

The Hon J S Lee MLC
The Hon D W Ridgway MLC

*Appointed 13 September 2011

**Appointed 8 November 2011

MARINE PARKS IN SOUTH AUSTRALIA

Appointed 18 May 2011

The Hon J M Gazzola MLC*
The Hon DGE Hood MLC
The Hon JMA Lensink MLC

The Hon T J Stephens MLC
The Hon C Zollo MLC

*Appointed 13 September 2011

THE INQUIRY INTO CORPORATION OF THE CITY OF BURNSIDE

Appointed 28 September 2011

The Hon A M Bressington MLC
The Hon J A Darley MLC
The Hon JSL Dawkins MLC

The Hon G A Kandelaars MLC
The Hon S G Wade MLC

MATTERS RELATED TO THE GENERAL ELECTION OF 20 MARCH 2010

Appointed 26 May 2010

The Hon J A Darley MLC
The Hon DGE Hood MLC
The Hon I K Hunter MLC*

The Hon S G Wade MLC
The Hon R P Wortley MLC

*Appointed 23 June 2011
Reported 29 November 2011

ACCESS TO AND INTERACTION WITH THE SOUTH AUSTRALIAN JUSTICE SYSTEM FOR PEOPLE WITH DISABILITIES

Appointed 19 October 2011

The Hon A M Bressington MLC
The Hon T A Franks MLC
The Hon K L Vincent MLC

The Hon S G Wade MLC
The Hon C Zollo MLC

SCHOOL BUS CONTRACTS

Appointed 19 October 2011

The Hon R L Brokenshire MLC
The Hon G A Kandelaars MLC
The Hon J S Lee MLC

The Hon M C Parnell MLC
The Hon D W Ridgway MLC

LAND USES ON LeFEVRE PENINSULA

Appointed 19 October 2011

The Hon J A Darley MLC
The Hon J M Gazzola MLC
The Hon JMA Lensink MLC

The Hon M C Parnell MLC
The Hon D W Ridgway MLC

COMMITTEE APPOINTED PURSUANT TO RESOLUTION OF THE COUNCIL

BUDGET AND FINANCE

Appointed 26 May 2010

The Hon J A Darley MLC
The Hon G A Kandelaars MLC*
The Hon R I Lucas MLC

The Hon D W Ridgway MLC
The Hon C Zollo MLC**

*Appointed 13 September 2011

**Appointed 29 July 2011

FIRST SESSION OF THE FIFTY-SECOND PARLIAMENT
PERIOD FROM 6 MAY 2010 TO 15 DECEMBER 2011

TOTAL NUMBER OF BILLS CONSIDERED BY LEGISLATIVE COUNCIL

Legislative Council origin	68
House of Assembly origin	<u>83</u>
	151

TOTAL NUMBER OF BILLS PASSED BY BOTH HOUSES

Legislative Council origin	13
House of Assembly origin	<u>65</u>
	78

BILLS CONSIDERED BY COUNCIL WHICH HAVE NOT PASSED BOTH HOUSES

Legislative Council origin:

Animal Welfare (Jumps Racing) Amendment - negated in Council.
Aquaculture (Miscellaneous) - lapsed in Council.
Assisted Reproductive Treatment (Assistance for Lesbians and Single Women) Amendment - lapsed in Council.
Casino (Enclosed Areas) Amendment - lapsed in House of Assembly.
Child Employment - lapsed in Council.
Children's Protection (Grandparents and Family Care) Amendment - lapsed in Council.
Children's Protection (Lawful Surrender of Newborn Child) Amendment - lapsed in Council.
Children's Protection (Privacy Issues) Amendment - lapsed in Council.
Children's Protection (Recording of Meetings) Amendment - Bill withdrawn.
Children's Protection (Reporting of Suspected Criminal Offence) Amendment - lapsed in House of Assembly.
Children's Protection (Right to Record Certain Conversations) Amendment - lapsed in House of Assembly.
Classification (Publications, Films and Computer Games) (Parental Guidance) Amendment - negated in House of Assembly.
Consent to Medical Treatment and Palliative Care (End of Life Arrangements) Amendment - negated in Council.
Consent to Medical Treatment and Palliative Care (Parental Consent) Amendment - lapsed in Council.
Consent to Medical Treatment and Palliative care (Termination of Pregnancy) Amendment - negated in Council.
Constitution (Government Advertising) Amendment - negated in Council.
Constitution (Miscellaneous) Amendment - lapsed in Council.
Controlled Substances (Simple Cannabis Offences) Amendment - lapsed in House of Assembly.
Coroners (Recommendations) Amendment - lapsed in House of Assembly.
Criminal Cases Review Commission - withdrawn and referred to Legislative Review Committee.
Criminal Law (Sentencing) (Mandatory Imprisonment of Child Sex Offenders) Amendment - lapsed in Council.
Development (Advisory Committee Advice) Amendment - lapsed in House of Assembly.
Development (Crown Development) Amendment - lapsed in Council.
Development (Principles of Development Control - Mining Operations - Flinders) Amendment - lapsed in Council.
Disability (Mandatory Reporting) - lapsed in Council.
Education (Closure and Amalgamation of Government Schools) Amendment - lapsed in House of Assembly.
Electoral (Cost of By-elections) Amendment - negated in Council.
Electoral (Voting Age) Amendment - lapsed in Council.
Electoral (Voting) Amendment - lapsed in Council.
Electricity (Renewable Energy) Amendment - lapsed in Council.
Environment Protection (Access to Information) Amendment - negated in Council.
Environment Protection (Right to Farm) Amendment - lapsed in Council.
Graffiti Control (Miscellaneous) Amendment - lapsed in Council.
Health Care (Country Health Guarantee) Amendment - lapsed in Council.

Independent Commission Against Corruption - lapsed in Council.
Independent Commission Against Corruption - lapsed in Council.
Livestock (Miscellaneous) Amendment - lapsed in Council.
Local Government (Miscellaneous) Amendment - lapsed in Council.
Marriage Equality - lapsed in Council.
Native Vegetation (Application of Act) Amendment - lapsed in House of Assembly.
Occupational Health Safety and Welfare (Industrial Manslaughter) Amendment - lapsed in Council.
Parks Community Centre (Preservation of Land and Services) - lapsed in Council.
Parliamentary Remuneration (Basic Salary Determinations) Amendment - lapsed in Council.
Road Traffic (Owner Offences) Amendment - lapsed in Council.
Roxby Downs (Indenture Ratification) (Amendment of Indenture) Amendment - lapsed in Council.
South Australian Housing Trust (Miscellaneous) Amendment - lapsed in Council.
Standard Time (Alteration of Standard Time) Amendment - negated in Council.
Statutes Amendment (Drug Driving) - lapsed in Council.
Statutes Amendment (Public Assemblies and Addresses) - lapsed in House of Assembly.
Stolen Generations Reparations Tribunal - Bill withdrawn and referred to Aboriginal Lands Parliamentary Standing Committee.
Subordinate Legislation (Miscellaneous) Amendment - lapsed in Council.
Victims of Crime (Compensation Limits) Amendment - lapsed in Council.
Willunga Basin Protection - lapsed in House of Assembly.
Work Health and Safety - Bill withdrawn.
Workers Rehabilitation and Compensation (Reinstatement of Entitlements) Amendment - negated in Council.

House of Assembly origin:

Arkaroola Protection - lapsed in Council.
Correctional Services (Miscellaneous) Amendment - lapsed in House of Assembly.
Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment - lapsed in House of Assembly.
Criminal Law Consolidation (Looting) Amendment - lapsed in Council.
Criminal Law (Sentencing) (Sentencing Considerations) Amendment - lapsed in Council.
Electoral (Publication of Electoral Material) Amendment - lapsed in Council.
Evidence (Identification) Amendment - negated in Council.
Native Vegetation (Miscellaneous) Amendment - lapsed in Council.
Natural Resource Management (Review) Amendment - lapsed in Council.
Stamp Duties (Partnership Interests) Amendment - lapsed in Council.
Statutes Amendment (Community and Strata Titles) - lapsed in Council.
Statutes Amendment (Criminal Intelligence) - lapsed in Council.
Summary Offences (Prescribed Motor Vehicles) Amendment - lapsed in Council.
Summary Offences (Weapons) Amendment - lapsed in House of Assembly.
Tobacco Products Regulation (Further Restrictions) Amendment - lapsed in Council.
Vocational Education and Training (Commonwealth Powers) - lapsed in Council.
Water Industry - lapsed in Council.
Work Health and Safety - lapsed in Council.

SITTINGS OF COUNCIL

The Council met on 84 days and sat for a total number of 491 hours 38 minutes.

FIRST SESSION OF THE FIFTY-SECOND PARLIAMENT

LIST OF BILLS WHICH PASSED BOTH HOUSES OF PARLIAMENT DURING THE PERIOD FROM 6 MAY 2010 TO 15 DECEMBER 2011

ORIGINATED IN THE LEGISLATIVE COUNCIL

	Bill No.	Act No.
Credit (Commonwealth Powers)	3	2 of 2010
Credit (Transitional Arrangements)	2	3 of 2010
Criminal Law (Sentencing) (Sentencing Powers of Magistrates Court) Amendment	61	1 of 2011
Family Relationships (Parentage) Amendment	18	22 of 2011
Liquor Licensing (Miscellaneous) Amendment	90, 90A	40 of 2011
Local Government (Model By-laws) Amendment	140	45 of 2011
Mental Health (Repeal of Harboursing Offence) Amendment	13	9 of 2010
Mining (Miscellaneous) Amendment	1, 1A	21 of 2010
Occupational Licensing National Law (South Australia)	62, 62A	4 of 2011
Parliamentary Committees (Membership of Committees) Amendment	10	1 of 2010
Statutes Amendment (Surrogacy) Amendment	9	8 of 2010
Statutes Amendment and Repeal (Australian Consumer Law)	47, 47A	23 of 2010
Workers Rehabilitation and Compensation (Employer Payments)	141, 141A	48 of 2011

ORIGINATED IN THE HOUSE OF ASSEMBLY

	Bill No.	Act No.
Adelaide Oval Redevelopment and Management	108, 108A	29 of 2011
Appropriation	49	20 of 2010
Appropriation	112	30 of 2011
Classification (Publications, Films and Computer Games) (Exemptions and Approvals) Amendment	51, 51A	2 of 2011
Commercial Arbitration	114	32 of 2011
Controlled Substances (Offences Relating to Instructions) Amendment	104	25 of 2011
Controlled Substances (Miscellaneous) Amendment	27, 27A	17 of 2010
Controlled Substances (Therapeutic Goods and Other Matters) Amendment	69, 69A	3 of 2011
Coroners (Reportable Death) Amendment	84	18 of 2011
Corporations (Commonwealth Powers) (Termination Day) Amendment	98	17 of 2011
Criminal Law Consolidation (Child Pornography) Amendment	119	43 of 2011
Development (Building Rules Consent - Disability Access) Amendment	118	35 of 2011
Education and Early Childhood Services (Registration and Standards)	138	46 of 2011
Electrical Products (Energy Products) Amendment	113	33 of 2011
Electricity (Miscellaneous) Amendment	103, 103A	24 of 2011
Electronic Transactions (Miscellaneous) Amendment	96	28 of 2011
Evidence (Discreditable Conduct) Amendment	117	34 of 2011
Gaming Machines (Miscellaneous) Amendment	37, 37A	28 of 2010
Health and Community Services Complaints (Miscellaneous) Amendment	76, 76A	5 of 2011
Health Practitioner Regulation National Law (South Australia)	17, 17A	5 of 2010
Health Services Charitable Gifts	77, 77A	15 of 2011
Land Tax (Miscellaneous) Amendment	16, 16A	7 of 2010
Legal Services Commission (Charges on Land) Amendment	121	38 of 2011
Marine Parks (Parliamentary Scrutiny) Amendment	50	24 of 2010

	Bill No.	Act No.
Mining (Royalties) Amendment	101	20 of 2011
Motor Vehicles (Miscellaneous) Amendment	28	14 of 2010
Motor Vehicles (Third Party Insurance) Amendment	81, 81A	23 of 2011
National Energy Retail Law (South Australia)	63	6 of 2011
Natural Resources Management (Commercial Forests) Amendment	135	44 of 2011
Parliamentary Remuneration (Basic Salary) Amendment	146	47 of 2011
Payroll Tax (Nexus) Amendment	15	4 of 2010
Prince Alfred College Incorporation (Variation of Constitution) Amendment	67	27 of 2010
Professional Standards (Mutual Recognition) Amendment	38	16 of 2010
Radiation Protection and Control (Licences and Registration) Amendment	128	39 of 2011
Rail Commissioner (Miscellaneous) Amendment	100	19 of 2011
Rail Safety (Safety Coordination) Amendment	86	12 of 2011
Railways (Operations and Access) (Access Regime Review) Amendment	130	42 of 2011
Railways (Operations and Access) (Miscellaneous) Amendment	24	10 of 2010
Recreation Grounds (Regulations) (Penalties) Amendment	68	25 of 2010
Road Traffic (Red Light Offences) Amendment	126, 126A	50 of 2011
Road Traffic (Use of Test and Analysis Results) Amendment	52	26 of 2010
Roxby Downs (Indenture Ratification)(Amendment of Indenture) Amendment	143	49 of 2011
Safe Drinking Water	92	16 of 2011
Small Business Commissioner	127, 127A	41 of 2011
South Australian Public Health	72, 72A	21 of 2011
Stamp Duties (Insurance) Amendment	85	10 of 2011
Statutes Amendment (Arts Agencies Governance and Other Matters)	41	19 of 2010
Statutes Amendment (Budget 2010)	48, 48A, 48B	22 of 2010
Statutes Amendment (Budget 2011)	111, 111A	31 of 2011
Statutes Amendment (De Facto Relationships)	97	27 of 2011
Statutes Amendment (Directors' Liability)	116	36 of 2011
Statutes Amendment (Driving Offences)	36, 36A	18 of 2010
Statutes Amendment (Electricity and Gas - Price Determination Periods)	21	11 of 2010
Statutes Amendment (Land Holding Entities and Tax Avoidance Schemes)	102, 102A	26 of 2011
Statutes Amendment (Members' Benefits)	40	15 of 2010
Statutes Amendment (National Energy Retail Law)	64	7 of 2011
Statutes Amendment (Personal Property Securities)	80, 80A	11 of 2011
Statutes Amendment (Transport Portfolio - Penalties)	91	13 of 2011
Summary Offences (Tattooing, Body Piercing and Body Modification) Amendment	105, 105A	37 of 2011
Supply	20	6 of 2010
Supply (2011)	93	14 of 2011
Terrorism (Surface Transport Security)	79	9 of 2011
Training and Skills Development (Miscellaneous) Amendment	75, 75A	8 of 2011
Trustee (Charitable Trusts) Amendment	25	13 of 2010
Trustee Companies (Commonwealth Regulation) Amendment	26	12 of 2010

LIST OF LEGISLATIVE COUNCIL BILLS AMENDED BY LEGISLATIVE COUNCIL AND HOUSE OF ASSEMBLY

(From 6 May 2010 to 15 December 2011)

Title of Bill	No. of Amendments made by L.C.	No. of Amendments made by H.A.	No. of H.A. Amendments agreed to by L.C.	No. of H.A. Amendments disagreed to by L.C.	No. of Amendments not insisted on by H.A.	No. of Amendments insisted on by H.A.	Conference/ Resolution
Children's Protection (Reporting of Suspected Criminal Offence) Amendment	4	-	-	-	-	-	Lapsed in HA due to Prorogation
Children's Protection (Right to Record Certain Conversations) Amendment	2						Lapsed in HA due to Prorogation
Classification (Publications, Films and Computer Games) (Parental Guidance) Amendment	1	-	-	-	-	-	Negated in HA
Coroners (Recommendations) Amendment	3	-	-	-	-	-	Lapsed in HA due to Prorogation
Development (Advisory Committee Advice) Amendment	8	-	-	-	-	-	Lapsed in HA due to Prorogation
Education (Closure and Amalgamation of Government Schools) Amendment	1	-	-	-	-	-	Lapsed in HA due to Prorogation
Liquor Licensing (Miscellaneous) Amendment	20	1	1	-	-	-	-
Mining (Miscellaneous) Amendment	15	5	5	-	-	-	-
Occupational Licensing National Law (South Australia)	7	-	-	-	-	-	-
Statutes Amendment and Repeal (Australian Consumer Law)	1	-	-	-	-	-	-
Workers Rehabilitation and Compensation (Employer Payments) Amendment	1	-	-	-	-	-	-

LIST OF HOUSE OF ASSEMBLY BILLS AMENDED BY LEGISLATIVE COUNCIL

(From 6 May 2010 to 15 December 2011)

Title of Bill	No. of Amendments made by L.C.	No. of Amendments agreed to by H.A.	No. of Amendments disagreed to by H.A.	No. of Amendments not insisted on by L.C.	No. of Amendments insisted on by L.C.	Conference/ Resolution
Adelaide Oval Redevelopment and Management	47	47	-	-	-	-
Classifications (Publications, Films and computer Games) (Exemptions and Approvals) Amendment	4	-	4	-	4	LC no longer insists on Amendments but makes Amendments in lieu thereof and that consequential amendments be made to the Bill.
Controlled Substance (Miscellaneous) Amendment	1	1	-	-	-	-
Controlled Substances (Therapeutic Goods and Other Matters) Amendment	4	4	-	-	-	-
Correctional Services (Miscellaneous) Amendment	6	-	-	-	-	Lapsed in HA due to Prorogation
Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment	22	-	-	-	-	Lapsed in HA due to Prorogation
Electricity (Miscellaneous) Amendment	3	3	-	-	-	-
Gaming Machines (Miscellaneous) Amendment	2	2	-	-	-	-
Health and Community services Complaints (Miscellaneous) Amendment	1	1	-	-	-	-
Health Practitioner Regulation National Law (South Australia) Amendment	9	9	-	-	-	-
Health Services Charitable Gifts	22	22	-	-	-	-
Land Tax (Miscellaneous)	2 (suggested)	2 (suggested)	-	-	-	-
Motor Vehicles (Third Party Insurance) Amendment	20	20	-	-	-	-

Title of Bill	No. of Amendments made by L.C.	No. of Amendments agreed to by H.A.	No. of Amendments disagreed to by H.A.	No. of Amendments not insisted on by L.C.	No. of Amendments insisted on by L.C.	Conference/ Resolution
Road Traffic (Red Light Offences) Amendment Bill	1	1	-	-	-	
Small Business Commissioner	1	1	-	-	-	-
South Australian Public Health	10	8	2	1	1 with relevant Amendments; disagreement to amendment no longer insisted on and relevant amendments agreed to by HA	-
Statutes Amendment (Budget 2010)	7	7	-	-	-	-
Statutes Amendment (Budget 2011)	1	1	-	-	-	-
Statutes Amendment (Driving Offences)	2	2	-	-	-	-
Statutes Amendment (Land Holding Entities and Tax Avoidance)	14	14	-	-	-	-
Statutes Amendment (Personal Property Securities) Bill	1	1	-	-	-	-
Summary Offences (Prescribed Motor Vehicles) Amendment	3	-	3	-	3	Conference – Bill lapsed due to Prorogation
Summary Offences (Tattooing, Body Piercing and Body Modification) Amendment	6	6	-	-	-	-
Summary Offences (Weapons) Amendment	61	-	-	-	-	Lapsed in HA due to Prorogation
Training and Skills Development	3	3	-	-	-	

LEGISLATIVE COUNCIL
FIRST SESSION OF THE FIFTY-SECOND PARLIAMENT
SUBSTANTIVE MOTIONS AND RESOLUTIONS

Only substantive motions are listed below and do not include procedural or formal motions.

ADDRESS-IN-REPLY - motion for adoption of -

Moved by The Hon I K Hunter , 11 May 2010.
Seconded by The Hon R P Wortley, 11 May 2010.
Adopted and presented to His Excellency The Governor on 23 June 2010.

CONDOLENCE MOTIONS -

Death of William Adam Rodda -

Motion of regret moved by the Minister for Mineral Resources Development and carried in silence,
22 June 2010.

Death of The Hon Leonard James King QC -

Motion of regret moved by the Minister for Mineral Resources Development and carried in silence,
6 July 2010.

Death of The Hon Edward Mullighan QC -

Motion of regret moved by the Minister for Regional Development and carried in silence,
27 September 2011.

Death of Lt General Sir Donald Dunstan, KBE, CB, KStJ -

Motion of regret moved by the Minister for Regional Development and carried in silence, 18 October
2011.

Death of The Hon Samuel Jacobs, AO, QC -

Motion of regret moved by the Minister for Regional Development and carried in silence, 18 October
2011.

GOVERNMENT MOTIONS -

Aboriginal Lands Trust Act 1966 - Transfer of Lands

Moved by the Minister for Communities and Social Inclusion and agreed to, 1 December 2011.

Adjournment of Council - Sessional Order

Moved by the Minister for Mineral Resources Development, 12 May 2010, amendment moved by the
Hon M C Parnell, 9 November 2010 - motion withdrawn.

Citizen's Right of Reply -

Moved by the Minister for Mineral Resources Development and agreed to, 11 May 2010.

Holloway, Hon P -

Moved by the Minister for Regional Development, and agreed to, 13 September 2011.

National Parks and Wildlife Act - Proclamation under Section 34A(2) -

Moved by the Minister for State/Local Government Relations, 23 November 2010 and agreed to, 25 November 2010.

SELECT COMMITTEES - COUNCIL -

Access to and Interaction with Justice System for People with Disabilities -

Moved by The Hon K L Vincent, 14 September 2011, and agreed to, 19 October 2011.
Power to sit during recess - moved by The Hon K L Vincent and agreed to, 23 November 2011.

Budget and Finance Committee -

Moved by The Hon R I Lucas, 12 May 2010, amendment moved by The Hon R P Wortley, 26 May 2010, amendment negated, 26 May 2010, motion agreed to, 26 May 2010.
Extension of time for bringing up Report - moved by The Hon R I Lucas and agreed to, 24 November 2010, 9 February 2011, 27 July 2011, 14 September 2011.
Interim Reports - 2009-2010, tabled, 23 November 2010; 2010-2011, tabled, 18 October 2011.
Power to sit during recess - moved by The Hon R I Lucas and agreed to, 23 November 2011.

Department for Correctional Services -

Moved by The Hon T J Stephens, 10 November 2010 and agreed to, 23 February 2011.
Extension of time for bringing up Report - moved by the Hon T J Stephens, and agreed to, 27 July 2011.
Substitution of Member, moved by the Minister for Regional Development, and agreed to, 13 September 2011.
Power to sit during recess - moved by The Hon T J Stephens and agreed to, 23 November 2011.

Disability Services Funding -

Moved by The Hon JMA Lensink, 10 November 2010 and agreed to, 24 November 2010.
Extension of time for bringing up Report - moved by the Hon JMA Lensink, and agreed to, 9 February 2011, 27 July 2011, 14 September 2011.
Substitution of Member, moved by the Minister for Regional Development, and agreed to, 29 July 2011.
Substitution of Member, moved by the Minister for Agriculture, Food and Fisheries, and agreed to, 8 November 2011.
Power to sit during recess - moved by The Hon JMA Lensink and agreed to, 23 November 2011.

Harvesting Rights in Forestry SA Plantation Estates -

Moved by The Hon R L Brokenshire, 23 March 2011 and agreed to, 6 April 2011.
Extension of time for bringing up Report - moved by The Hon R L Brokenshire, and agreed to, 27 July 2011, 14 September 2011.
Substitution of Member, moved by the Minister for Regional Development, and agreed to, 29 July 2011, 13 September 2011.
Substitution of Member, moved by the Minister for Agriculture, Food and Fisheries, and agreed to, 8 November 2011.
Power to sit during recess - moved by The Hon R L Brokenshire and agreed to, 23 November 2011.
Interim Report be noted - moved by The Hon R L Brokenshire, 30 November 2011. (Motion lapsed due to Prorogation)

Land Use on LeFevre Peninsula -

Moved by The Hon M C Parnell, 27 October 2010. Amendment moved by the Hon M C Parnell, 27 October 2010, amendment moved by the Hon C Zollo and negated, 19 October 2011, motion agreed to, 19 October 2011.

Lonsdale-based Adelaide Desalination Plant -

Moved by The Hon T A Franks, 27 October 2010. Amendments moved by the Hon R I Lucas, and agreed to, motion as amended agreed to, 24 November 2010.

Marine Parks in South Australia -

Moved by The Hon DGE Hood, 23 March 2011. Amendments moved by the Hon T J Stephens, 6 April 2011, amendments agreed to, 18 May 2011, motion as amended agreed to, 18 May 2011.

Extension of time for bringing up Report - moved by The Hon DGE Hood, and agreed to, 27 July 2011, 14 September 2011.

Substitution of Member, moved by the Minister for Regional Development, and agreed to, 13 September 2011.

Power to sit during recess - moved by The Hon DGE Hood and agreed to, 23 November 2011.

Matters Related to the General Election, 20 March 2010 -

Moved by The Hon S G Wade, 12 May 2010. Amendment moved by the Minister for Mineral Resources Development, 26 May 2010, amendment moved by The Hon K L Vincent, 26 May 2010, amendment agreed to, 26 May 2010, motion as amended agreed to, 26 May 2010.

Extension of time for bringing up Report - moved by The Hon S G Wade and agreed to, 24 November 2010, 9 February 2011, 27 July 2011, 14 September 2011.

Instruction to amend terms of reference - moved by The Hon J A Darley and agreed to, 23 February 2011.

Power to sit during recess - moved by The Hon S G Wade and agreed to, 23 November 2011.

Interim Report be noted - moved by The Hon S G Wade, 18 May 2011. (Motion lapsed due to Prorogation)

Report be noted, moved by The Hon S G Wade, 30 November 2011. (Motion lapsed due to Prorogation)

School Bus Contracts -

Moved by The Hon D W Ridgway, 14 September 2011, and agreed to, 19 October 2011.

Power to sit during recess - moved by The Hon D W Ridgway and agreed to, 23 November 2011.

The Inquiry into the Corporation of the City of Burnside -

Moved by The Hon A M Bressington, 14 September 2011, amendment moved by The Hon J A Darley, 28 September 2011, amendment negatived and motion agreed to, 28 September 2011.

Power to sit during recess - moved by The Hon A M Bressington and agreed to, 23 November 2011.

MOTIONS FOR DISALLOWANCE OF REGULATIONS, RULES AND BY-LAWS -

Moved by Member on own behalf -

City of Adelaide - By-law No 6 - Rundle Mall -

Moved by The Hon S G Wade, 22 June 2011, and agreed to, 14 September 2011.

Classification (Publications, Films and Computer Games) Act 2011 - General Regulations

Moved by The Hon S G Wade, 27 July 2011, and discharged, 9 November 2011.

Development Act 1993 - Institutional Riverbank Zone -

Moved by The Hon D W Ridgway, 27 July 2011. (Motion lapsed due to Prorogation)

Development Act 1993 - Miscellaneous Regulations -

Moved by The Hon M C Parnell, 27 October 2010. (Motion lapsed due to Prorogation)

Development Act 1993 - Regulated Trees -

Moved by The Hon JMA Lensink, 23 November 2011. (Motion lapsed due to Prorogation)

Firearms Act 1977 - Regulated Imitation Firearms

Moved by The Hon R L Brokenshire, 26 May 2010. (Motion lapsed due to Prorogation)

Livestock Act 1987 - Property Identification Code

Moved by The Hon R L Brokenshire, 23 February 2011, and negatived, 6 April 2011.

Retails and Commercial Leases Act 1995 - Exclusions

Moved by The Hon J A Darley, 10 November 2010. (Motion lapsed due to Prorogation)

Workers Rehabilitation and Compensation Act 1986 - Discontinuance Fee

Moved by The Hon R I Lucas, 23 June 2010, and agreed to, 21 July 2010.

Workers Rehabilitation and Compensation Act 1986 - Revocation of Regulations -

Moved by The Hon R I Lucas, 27 October 2010. (Motion lapsed due to Prorogation)

PRIVATE MEMBERS' MOTIONS -

Aboriginal Lands Parliamentary Standing Committee Reports - Noting of -

2009-2010 -

Moved by The Hon J M Gazzola, 27 July 2011. (Motion lapsed due to Prorogation)

2010-2011 -

Moved by The Hon J M Gazzola, 9 November 2011, and agreed to 23 November 2011.

Amnesty International

Moved by The Hon I K Hunter, 4 May 2011, and agreed to 8 June 2011.

Arkaroola Wilderness Sanctuary

Moved by The Hon M C Parnell, 18 May 2011, and agreed to 8 June 2011.

Attorney-General

Moved by The Hon A M Bressington, 28 September 2011, and agreed to 9 November 2011.

Budget and Finance Committee Reports - Noting of -

Operations of, 2009-2010 -

Moved by The Hon R I Lucas, 24 November 2010, and agreed to, 9 November 2011.

Operations of, 2010-2011 -

Moved by The Hon R I Lucas, 19 October 2011. (Motion lapsed due to Prorogation)

Building and Construction Industry Security of Payment Legislation

Moved by The Hon T A Franks, 9 March 2011, and agreed to 8 June 2011.

Burnside Council

Moved by The Hon S G Wade, 29 July 2011. (Motion lapsed due to Prorogation)

Carers of People with Disabilities

Moved by The Hon K L Vincent, 6 July 2011, and agreed to 29 July 2011.

Climate Change - Reports on

Moved by The Hon M C Parnell, 6 July 2011, amendment moved by The Hon I K Hunter, 28 September 2011, amendment negatived and motion agreed to, 28 September 2011.

Commissioner Mullighan's Recommendations concerning Child Welfare on the APY Lands

Moved by The Hon R I Brokenshire, 30 November 2011. (Motion lapsed due to Prorogation)

Criminal Cases Review Commission

Moved by The Hon A M Bressington, 8 June 2011, and agreed to 22 June 2011.

Decision of Supreme Court in White and Others against State of South Australia

Moved by The Hon M C Parnell, 12 May 2010, and agreed to, 19 October 2011.

Disability SA Client Trust Account

Moved by The Hon K L Vincent, 23 February 2011, and agreed to, 18 May 2011.

Draft Murray-Darling Basin Plan

Moved by The Hon M C Parnell, 28 September 2011, and agreed to, 9 November 2011.

Dr A K Susheela

Moved by The Hon A M Bressington, 27 October 2010. (Motion lapsed due to Prorogation)

Environment, Resources and Development Committee - To inquire into -

Duck and Quail Shooting in South Australia

Moved by The Hon T A Franks, 9 March 2011. (Motion lapsed due to Prorogation)

Environment Protection Authority Policy

Moved by The Hon JMA Lensink, 27 October 2010, and agreed to, 24 November 2010.

PIRSA Cost Recovery Policy

Moved by The Hon JSL Dawkins, 9 November 2011, and agreed to, 30 November 2011.

South Australia's Population Strategy

Moved by The Hon JMA Lensink, 26 May 2010, amendment moved by The Hon C Zollo, 21 July 2010, amendment negatived and motion agreed to, 21 July 2010.

**Environment, Resources and Development Committee Reports - Noting of -
2010-2011 -**

Moved by The Hon C Zollo, 9 November 2011. (Motion lapsed due to Prorogation)

Family and Community Development Program Funding

Moved by The Hon JSL Dawkins, 19 October 2011. (Motion lapsed due to Prorogation)

Federated Gas Employees Industrial Union

Moved by The Hon D W Ridgway, 30 November 2011. (Motion lapsed due to Prorogation)

Female Practitioners Act 1911 - Centenary of

Moved by The Hon S G Wade, 9 March 2011, amendment moved by The Hon C Zollo, 18 May 2011, amendment agreed to, 8 June 2011, motion as amended agreed to, 8 June 2011.

Flinders Medical Centre Weight Disorder Unit

Moved by The Hon T A Franks, 9 February 2011, amendment moved by The Hon A M Bressington, 29 July 2011. (Motion lapsed due to Prorogation)

Food Convergence Declaration

Moved by The Hon M C Parnell, 23 June 2010 (Motion lapsed due to Prorogation)

Gilbert, Mr Robert

Moved by The Hon A M Bressington, 18 May 2011, motion negatived, 29 July 2011.

Grain Industry in South Australia - Motion for Select Committee on

Moved by The Hon R L Brokenshire, 9 February 2011, and discharged, 9 March 2011.

Human Rights in Burma

Moved by The Hon T A Jennings, 21 July 2010, amendment moved by The Hon S G Wade, 15 September 2010, amendment agreed to, 29 September 2010, motion as amended agreed to, 29 September 2010.

Independent Medical Examiners

Moved by The Hon A M Bressington, 23 June 2010, amendment moved by The Hon R I Lucas, 27 October 2010. (Motion lapsed due to Prorogation)

Integrity of Parliament

Moved by The Hon M C Parnell, 15 September 2010. (Motion lapsed due to Prorogation)

Legislative Review Committee Reports - Noting of -

Criminal Intelligence -

Moved by The Hon G A Kandelaars, 19 October 2011, and agreed to, 9 November 2011.

Postponement of Regulations from Expiry under the Subordinate Legislation Act 1978 -

Moved by The Hon R P Wortley, 10 November 2010, and agreed to, 18 May 2011.

Stillbirths -

Moved by The Hon G A Kandelaars, and agreed to, 23 November 2011.

Victim Impact Statements -

Moved by The Hon R P Wortley, 10 November 2010. (Motion lapsed due to Prorogation)

Legislative Review Committee - To inquire into and report on -

Matters relating to *State of South Australia v Totani and Another*

Moved by The Hon M C Parnell, 23 February 2011, amendment moved by The Hon S G Wade and agreed to, 9 March 2011, motion as amended agreed to, 9 March 2011.

Live Cattle Trade

Moved by The Hon T A Franks, 22 June 2011. (Motion lapsed due to Prorogation)

Marine Parks Outer Boundaries

Moved by The Hon JMA Lensink, 9 February 2011, and agreed to, 30 November 2011.

Milk Pricing

Moved by The Hon R L Brokenshire, 9 March 2011, and agreed to, 6 April 2011.

Minister for State/Local Government Relations - No Confidence Motion

Moved by The Hon D W Ridgway, and agreed to, 28 July 2011.

Mount Barker Development Plan Amendment

Moved by The Hon JMA Lensink, 9 February 2011. (Motion lapsed due to Prorogation)

Natural Resources Management Act 2004 - Draft Water Allocation Plans

Moved by The Hon J A Darley, 4 May 2011. (Motion lapsed due to Prorogation)

Natural Resources Committee Reports - Noting of -

2009-2010 -

Moved by The Hon R P Wortley, 23 February 2011 and agreed to, 9 March 2011.

Adelaide Desalination Plant Fact Finding Visit -

Moved by The Hon G A Kandelaars, 9 November 2011 and agreed to, 23 November 2011.

Adelaide Mount Lofty Ranges NRM Region Fact Finding Visit -

Moved by The Hon G A Kandelaars, 9 November 2011. (Motion lapsed due to Prorogation)

Bushfire Inquiry -

Moved by The Hon P Holloway, 22 July 2011 and agreed to, 14 September 2011.

Invasive Species Inquiry -

Moved by The Hon P Holloway, 22 July 2011 and agreed to, 14 September 2011.

Little Penguins -

Moved by The Hon G A Kandelaars, 19 October 2011 and agreed to, 9 November 2011.

Natural Resources Management Board Levy Proposals, 2010-2011, on Adelaide and Mt Lofty Ranges, Eyre Peninsula, Kangaroo Island, Northern and Yorke, South Australian Arid Lands, South Australian Murray Darling Basin and South-East -

Moved by The Hon R P Wortley, and agreed to, 24 November 2010.

Natural Resources Management Board Levy Proposals, 2011-2012, on Kangaroo Island, South East, Eyre Peninsula, Northern and Yorke, South Australian Arid Lands, South Australian Murray-Darling Basin and Adelaide and Mt Lofty Ranges -

Moved by The Hon R P Wortley, and agreed to, 22 June 2011.

South Australian Arid Lands Natural Resources Management Board Region Fact Finding Visit

Moved by The Hon R P Wortley, and agreed to, 23 March 2011.

Upper South-East Dryland Salinity and Flood Management Act 2002

Moved by The Hon R P Wortley, 23 February 2011, and agreed to, 9 March 2011.

Occupational Safety, Rehabilitation and Compensation Committee Reports - Noting of - 2010-2011 -

Moved by The Hon J M Gazzola, 19 October 2011 and agreed to, 9 November 2011.

Olympic Dam Environmental Impact Statement

Moved by The Hon M C Parnell, 27 July 2011, motion negatived, 14 December 2011.

Olympic Dam Expansion - Waste Management Practices

Moved by The Hon M C Parnell, 6 July 2011 and agreed to, 29 July 2011.

Operation Flinders Foundation

Moved by The Hon JSL Dawkins, 27 July 2011 and agreed to, 19 October 2011.

Oz Harvest

Moved by The Hon T A Jennings, 30 June 2010 and agreed to, 10 November 2010.

Pervasive Development Disorder Not Otherwise Specified

Moved by The Hon A M Bressington, 12 May 2010, amendment moved by The Hon I K Hunter, 30 June 2010, amendment disagreed to and motion agreed to, 30 June 2010.

Polish Air Tragedy

Moved by The Hon B V Finnigan, and agreed to, 13 May 2010.

Private Finance Initiatives and Privatisation

Moved by The Hon M C Parnell, 18 May 2011. (Motion lapsed due to Prorogation)

Rann, The Hon Mike

Moved by The Hon R L Brokenshire, 30 November 2011. (Motion lapsed due to Prorogation)

Same Sex and Gender Questioning Discrimination

Moved by The Hon T A Franks, 8 June 2011, and agreed to, 6 July 2011.

Same Sex Marriage

Moved by The Hon T A Franks, 19 October 2011, amendment moved by The Hon S G Wade, 9 November, 2011. (Motion lapsed due to Prorogation)

Shorten, The Hon Bill

Moved by The Hon D W Ridgway, 9 November 2011. (Motion lapsed due to Prorogation)

Social Development Committee Reports - Noting of - Dental Services for Older South Australians

Moved by The Hon I K Hunter, 30 June 2010, and agreed to, 29 September 2010.

Same Sex Parenting

Moved by The Hon I K Hunter, 18 May 2011, and agreed to, 22 June 2011.

**Social Development Committee - To inquire into and report on -
Co-Morbidity of Intellectual Disability and Mental Illness**

Moved by The Hon K L Vincent, 14 September 2011, amendment moved by The Hon I K Hunter, and agreed to, 19 October 2011, motion as amended agreed to, 19 October 2011.

Funding for the Australian Broadcasting Corporation

Moved by The Hon R L Brokenshire, 19 October 2011. (Motion lapsed due to Prorogation)

Health Services in Regional South Australia

Moved by The Hon JMA Lensink, 23 February 2011, amendment moved by The Hon R P Wortley and agreed to, 6 April 2011, motion as amended agreed to, 6 April 2011.

New Migrants

Moved by The Hon J S Lee, 21 July 2010, amendments moved by The Hon I K Hunter, 27 October 2010, amendments disagreed to and motion agreed to, 27 October 2010.

South Australian Community Sector

Moved by The Hon T A Jennings, 23 June 2010. (Motion lapsed due to Prorogation)

Sovereign Wealth Fund

Moved by The Hon M C Parnell, 18 May 2011. (Motion lapsed due to Prorogation)

Standing Orders

Moved by The Hon R I Lucas, 15 September 2010. (Motion lapsed due to Prorogation)

State Budget

Moved by The Hon R I Lucas, 21 July 2010. (Motion lapsed due to Prorogation)

Statutory Authorities Review Committee - To inquire into and report on -

Environment Protection Authority - Operations of

Moved by The Hon JMS Lensink, 23 March 2011, and agreed to, 6 April 2011.

Office of the Health and Community Services Complaints Commissioner

Moved by The Hon R L Brokenshire, 24 November 2010. (Motion lapsed due to Prorogation)

Operations of the Environment Protection Authority

Moved by The Hon JMA Lensink, 23 March 2011, and agreed to, 6 April 2011.

Teachers Registration Board

Moved by The Hon C Zollo, 27 July 2011. (Motion lapsed due to Prorogation)

**Statutory Authorities Review Committee Reports - Noting of
2009-2010**

Moved by The Hon C Zollo, 27 October 2010, and agreed to, 10 November 2010.

2010-2011

Moved by The Hon C Zollo, 19 October 2011, and agreed to, 9 November 2011.

Suicide Awareness and Prevention

Moved by The Hon JSL Dawkins, 23 February 2011, amendment moved by The Hon I K Hunter, 6 April 2011, amendment negated and motion agreed to, 6 April 2011.

Torrens Island Quarantine Station

Moved by The Hon A M Bressington, 30 June 2010, motion negated, 15 September 2010.

Violent Attacks

Moved by The Hon JSL Dawkins, 9 March 2011, and agreed to, 18 May 2011.

Water Fluoridation in Mount Gambier

Moved by The Hon A M Bressington, 29 September 2010, amendment moved by the Hon R P Wortley, 10 November 2010, motion discharged, 10 November 2010.

PETITIONS
LEGISLATIVE COUNCIL
(From 6 May 2010 to 15 December 2011)

CAR PARKING AT HAMPSTEAD REHABILITATION CENTRE

Praying that this Honourable House will call upon the State Government to again allow free parking at the Hampstead Rehabilitation Centre.

Presented by The Hon R L Brokenshire, 13 September 2011, 22 signatures.

CAR PARKING AT NOARLUNGA HOSPITAL

Praying that this Honourable House will call upon the State Government to again allow free parking at the Noarlunga Hospital.

Presented by The Hon R L Brokenshire, 15 September 2011, 159 signatures.
Presented by The Hon R L Brokenshire, 20 October 2011, 84 signatures.

CAR PARKING AT PUBLIC HOSPITALS, HEALTH CENTRES AND OTHER FACILITIES

Praying that this Honourable House will call upon the State Government to -

1. Reverse the decision to introduce or increase paid car parking to all public hospitals, health services and facilities; and
2. Rule out privatising or otherwise reducing State ownership and control of car parking at public hospitals, health services and facilities.

Presented by The Hon R L Brokenshire, 15 September 2011, 2,432 signatures.
Presented by The Hon R L Brokenshire, 29 September 2011, 169 signatures.
Presented by The Hon R L Brokenshire, 20 October 2011, 99 signatures.
Presented by The Hon R L Brokenshire, 24 November 2011, 45 signatures.

CAR PARKING AT REPATRIATION GENERAL HOSPITAL

Praying that this Honourable House will call upon the State Government to again allow free parking at the Repatriation General Hospital.

Presented by The Hon R L Brokenshire, 13 September 2011, 17 signatures.

CITY OF BURNSIDE, INVESTIGATION INTO

Praying that this Honourable House will call upon the Minister for State/Local Government Relations to immediately resume the investigation into the City of Burnside pursuant to section 272 of the *Local Government Act 1999* by Mr Ken MacPherson and upon completion publicly release the final report.

Presented by The Hon A M Bressington, 14 September 2011, 1,630 signatures.

DRAG AND TRACK RACING

Praying that this Honourable House will call upon the Premier and his Government to support drag and track racing in South Australia by approving the construction of the Adelaide Motorplex at Gillman.

Presented by The Hon R L Brokenshire, 28 October 2010, 1,200 signatures.

ELECTRICITY PRICES IN NORTHERN SOUTH AUSTRALIA

Praying that this Honourable House will request the Government to reconsider plans to increase electricity prices in Coober Pedy and 12 other northern communities.

Presented by The Hon DGE Hood, 7 April 2011, 1,111 signatures.

EUTHANASIA AND PALLIATIVE CARE

Praying that this Honourable House will support a “culture of life” by opposing the current euthanasia proposals and urge the Government to assign more resources to palliative care and initiatives that enhance and/or improve the quality of life for people with disabilities and/or illness.

Presented by The Hon DGE Hood, 25 November 2010, 5,364 signatures.

FUNDING TO ROADS IN THE SOUTHERN SUBURBS

Praying that this Honourable House notes that approximately \$800 million in funding commitments have been made by the State and Federal Governments for a so-called Superway in the northern suburbs of Adelaide and calls upon the State and Federal Governments to invest at least the same amount, if not more, in upgrading the Victor Harbor Road, Main South Road and the Southern Expressway.

Presented by The Hon R L Brokenshire, 14 October 2010, 90 signatures.

HEALTH SERVICES IN BURRA

Praying that this Honourable House will call upon the Minister for Health, The Hon John Hill MP, to establish an independent inquiry to reassess health services in Burra and restore an attending doctor to accidents and emergencies at Burra Hospital as quickly as possible.

Presented by The Hon T A Franks, 11 November 2010, 571 signatures.

HOUSING SA RENTAL INCREASES

Praying that this Honourable House will call upon the State Government to -

1. Abandon the policy of Housing SA from March 2011 taking, as rent, the rental proportion of the pension increase that the Federal Government intended for pensioner retention as income; and
2. In future, heed the wish of the Federal Minister in this regard.

Presented by The Hon R L Brokenshire, 10 February 2011, 1,157 signatures.

Presented by The Hon R L Brokenshire, 7 April 2011, 101 signatures.

LEGO EXHIBITIONS

Praying that this Honourable House will call upon the State Government to sponsor and partner with Lego to bring Lego exhibitions back to South Australia.

Presented by The Hon DGE Hood, 15 September 2011, 512 signatures.

MARINE PARKS

Praying that this Honourable House will urge the Government to repeal the *Marine Parks Act 2007*.

Presented by The Hon DGE Hood, 1 December 2011, 6,648 signatures.

PARKS COMMUNITY CENTRE

Praying that this Honourable House will call upon the State Government to reinstate funding for the redevelopment, continuation of existing services and locating of new community services at the Parks Community Centre site.

Presented by The Hon R L Brokenshire, 14 October 2010, 813 signatures.

PARKS COMMUNITY CENTRE

Praying that this Honourable House will call upon the State Government to guarantee ongoing funding for the continued provision of services and facilities at the Parks Community Centre site for the enjoyment and wellbeing of residents of the Parks and surrounding communities.

Presented by The Hon M C Parnell, 7 April 2011, 146 signatures.

PARKS COMMUNITY CENTRE

Praying that this Honourable House will call upon the State Government to reinstate funding for the redevelopment, continuation of existing services and locating of new community services at the Parks Community Centre site and support legislation that will guarantee protection of The Parks site as community land preserved for future generations.

Presented by The Hon R L Brokenshire, 7 April 2011, 801 signatures.

Presented by The Hon R L Brokenshire, 15 September 2011, 87 signatures.

Presented by The Hon R L Brokenshire, 29 September 2011, 77 signatures.

PET SHOP DOGS AND CATS

Praying that this Honourable House will stand up for South Australian puppy farm dogs and ban the sale of dogs and cats in pet shops.

Presented by The Hon M C Parnell, 9 June 2011, 212 signatures.

RIGHT TO FARM BILL

Praying that this Honourable House will support the Hon Robert Brokenshire MLC's private Member's Bill to implement a statutory right to farm and acknowledgement by new residents in farming areas that protected farming activities occur in their area.

Presented by The Hon R L Brokenshire, 15 September 2011, 16 signatures.

SCHOOL BUS SERVICES

Praying that this Honourable House will call upon the State Government to -

1. Reverse the decision to give a majority tender to a Victorian company for school services to South Australia; and
2. Ensure that school services are contracted to South Australian local small businesses instead and in future.

Presented by The Hon R L Brokenshire, 15 September 2011, 15,261 signatures.

Presented by The Hon R L Brokenshire, 29 September 2011, 17 signatures.

STOCK THEFT

Praying that this Honourable House will call upon the State Government to reinstate a stock squad specially trained to investigate, prosecute, liaise with local and interstate agencies and bring to justice perpetrators of stock theft.

Presented by The Hon R L Brokenshire, 28 July 2011, 32 signatures.

Presented by The Hon R L Brokenshire, 29 September 2011, 17 signatures.

VOLUNTARY EUTHANASIA

Praying that this Honourable House will enact voluntary euthanasia legislation.

Presented by The Hon M C Parnell, 11 November 2010, 3,512 signatures.

WATER BILLING FOR HOUSING SA HOUSEHOLDS

Praying that this Honourable House will consider our respectful petition and work to ensure that all Housing SA households are provided with their own individual water meters in the interests of fairness and so that tenants might monitor and control their own water use paying SA Water for accurate and appropriate usage.

Presented by The Hon R L Brokenshire, 7 April 2011, 359 signatures.

WILLUNGA BASIN

Praying that this Honourable House will establish forthwith a statutory authority with powers to address major issues such as population growth and the adequate supply of public transport, public and private utility services to the said region and further, to address issues of water security, food security, biodiversity conservation, landscape preservation, sustainable housing and the pursuit of sustainable employment opportunities through horticulture, agriculture, viticulture, tourism and any other enterprises compatible with the preservation and enhancement of the said region.

Presented by The Hon R L Brokenshire, 14 October 2010, 8 signatures.

SYNOPSIS OF COUNCIL LEGISLATION

ANIMAL WELFARE (JUMPS RACING) AMENDMENT BILL

The purpose of this Bill is to amend the Animal Welfare Act by inserting an additional section after Section 14 which would prohibit jumps racing, which is defined as a steeplechase or hurdle race involving the racing of horses.

(June 8, September 28 2011 - second reading negatived)

AQUACULTURE (MISCELLANEOUS) AMENDMENT BILL

This Bill builds upon the framework established by the Aquaculture Act and aims to streamline processes and reduce red tape. It also aims to further promote fair and transparent decision-making with respect to the management of and access to the State's marine water resources while maintaining the balance between social, economic and environmental needs of the community.

Amendments to the Act contained in the Bill will keep the legislation up to date with the rapid development of industry practice, aquaculture management practice, administrative best practice and the ongoing ecologically sustainable development of the aquaculture industry. The Bill further enhances and facilitates attraction of private investment to the aquaculture sector through the introduction of third party registrations on leases (similar to mortgage arrangements on property).

(November 20, 2011 - lapsed due to Prorogation)

ASSISTED REPRODUCTIVE TREATMENT (ASSISTANCE FOR LESBIANS AND SINGLE WOMEN) AMENDMENT BILL

This Bill is based on recommendations made by the Social Development Committee's 2011 Report into Same-Sex Parenting. The Bill seeks to amend section 9 of the Assisted Reproductive Treatment Act 1988 which currently prevents some single women and some women in same-sex relationships from accessing some IVF services in South Australia by broadening the criteria used to define infertility as previously consistent with the provisions contained in Victorian legislation.

(September 14, 2011 - lapsed due to Prorogation)

CASINO (ENCLOSED AREAS) AMENDMENT BILL

The purpose of this Bill is to amend the Casino Act to ensure that the conditions of the casino licence include that gambling may only take place under the licence within a place or area that is enclosed as defined by the Tobacco Products Regulation Act 1997.

(March 23, September 14 2011 - lapsed in House of Assembly due to Prorogation)

CHILD EMPLOYMENT BILL

This Bill is the culmination of several years of consultation and development and its purpose is to promote greater protection for South Australian children at work.

The Bill is an enabling bill which contains the "machinery" for the establishment of particular employment arrangements through regulations and industry-driven codes of practice. These regulations and codes will be developed in consultation with industry sectors, employers and employees as required in the future.

The Bill defines “child” as a person under the age of 18 years. However, future regulations and codes of practice may make different provisions according to the classes of children or types of work to which they are expressed to apply. Other key features of the Bill are -

- clear definitions of the terms “child”, “employer” and “work”;
- application of the laws to children working as employees; working under a contract (that at common law may not be deemed to be employment) to perform work for labour only or substantially labour only; and unpaid or voluntary work;
- general exclusions from the laws for contracts involving children operating their own business; performing domestic chores; acting as a carer or charity collector; working for their guardian; and work that is part of an approved learning program such as an apprenticeship, traineeship or *bona fide* work experience as part of the secondary, TAFE or tertiary education systems;
- regulation-making powers that are generally limited to provisions that are permissible under the scope of state child employment laws that will operate in conjunction with the Commonwealth’s Fair Work Act 2009;
- adoption of codes of practice subject to Ministerial approval and Parliamentary disallowance;
- a clear definition of “work in the entertainment industry” with an intent to make regulations specific to an industry that is unique in the ways children can be hired or engaged;
- employers’ duties provisions underpinned by the use of approved codes of practice in proceedings for an offence against the Act;
- enforcement through inspectors defined as those who are inspectors under the Fair Work Act 1994 (SA), with functions and powers consistent with that Act;
- restrictions relating to nudity; and
- clarification regarding the interaction of this Act and the Education Act 1972 to ensure that exemptions provided under that Act are recognised and that there is no duplication of potential prosecutions of employers under both pieces of legislation.

(March 10; April 5, 7; May 5, 17, 2011 - lapsed due to Prorogation)

CHILDREN’S PROTECTION (GRANDPARENTS AND FAMILY CARE) AMENDMENT BILL

The Bill aims to put families first in foster care considerations in the child welfare system. This Bill is about raising the priority of exploring these options so that the Department is required to show it has considered those options and has solid documented grounds for declining such a placement when it does so. In addition, a family carer who wants care of a child is given standing to participate in the court proceedings. The Youth Court will be able to hear from family carers first hand, rather than relying on the testimony of the Department and the parents of the children concerned.

(July 21, 2010 - lapsed due to Prorogation)

CHILDREN’S PROTECTION (LAWFUL SURRENDER OF NEWBORN CHILD) AMENDMENT BILL

The purpose of this Bill is to establish in South Australia a means by which women and young girls can safely, anonymously and legally relinquish their newborn babies, also known as a baby safe haven scheme. Its aim is to allow women to anonymously relinquish their newborn babies in hospitals or to emergency services personnel, receive medical attention and walk away, knowing that the baby will be well looked after. The Bill encourages the lawful surrender, rather than the abandonment, of a newborn baby, defined to mean a baby less than 60 days old.

(February 9, April 6, November 23, 2011 - lapsed due to Prorogation)

CHILDREN’S PROTECTION (PRIVACY ISSUES) AMENDMENT BILL

The purpose of this Bill is to enhance parents’ ability to properly protect their children from inappropriate online exposure. The Bill seeks to address the way in which parents are disempowered from taking action because of privacy policies by giving parents all the necessary tools to protect their kids online. This Bill requires the Minister to inquire into the problem and publicly consult on it.

(June 22, 2011 - lapsed due to Prorogation)

CHILDREN'S PROTECTION (RECORDING OF MEETINGS) AMENDMENT BILL

The purpose of this Bill is to amend the Children's Protection Act 1993 to enable the recording of interviews and meetings between parents and child protection workers, and children and child protection workers.

(May 26, 2010, March 23, 2011 - Bill withdrawn)

CHILDREN'S PROTECTION (REPORTING OF SUSPECTED CRIMINAL OFFENCE) AMENDMENT BILL

The Bill seeks to insert in the Children's Protection Act 1993 the requirement for the Chief Executive of Families SA to report to the Commissioner of Police any case in which it is reasonably suspected a criminal offence has been committed against a child.

(September 29, March 9, March 23, 2010 - lapsed in House of Assembly due to Prorogation)

CHILDREN'S PROTECTION (RIGHT TO RECORD CERTAIN CONVERSATIONS) AMENDMENT BILL

The purpose of this Bill is to amend the Children's Protection Act 1993 to empower constituents to record conversations in meetings with Families SA employees.

(May 4, July 6, 2011 - lapsed in House of Assembly due to Prorogation)

CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (PARENTAL GUIDANCE) AMENDMENT BILL

The purpose of this Bill is to make changes to consumer warnings applying to unrestricted publications.

(May 26, June 30, July 21, 2010 - passed Legislative Council, negated in House of Assembly)

CONSENT TO MEDICAL TREATMENT AND PALLIATIVE CARE (END OF LIFE ARRANGEMENTS) AMENDMENT BILL

This Bill seeks to amend the Consent to Medical Treatment and Palliative Care Act to allow adult South Australians of sound mind to give an anticipatory direction that he or she refuses to consent to certain medical treatment, and further that he or she be allowed to die. The direction only operates if the person is incapable of making decisions about medical treatment when the question of administering the treatment arises. The section also makes procedural provisions in respect of such a direction.

The Bill establishes the Voluntary Euthanasia Board of South Australia. The Board has the function of advising the Minister and is to carry out any other functions assigned to it under the Act or by the Minister. Of particular note is the conferral of powers to conduct inquiries, and make declarations and orders. However, the Board is not required to inquire into or approve each request for voluntary euthanasia, rather it only acts in relation to a particular request following an application for a declaration, or following an inquiry (whether the inquiry was a result of an application for a declaration or was conducted on the Board's own motion). The Board's composition and operation is specified so as to make sure that appropriate medical and legal expertise is always available.

The Bill also provides for the making of active requests and advance requests and sets out matters that must be complied with in making the requests as well as provisions for the revocation of requests. The Bill contains some stricter obligations in relation to the witnessing of documents for voluntary euthanasia.

(September 29, November 10, 24, 2010 - second reading negated)

CONSENT TO MEDICAL TREATMENT AND PALLIATIVE CARE (PARENTAL CONSENT) AMENDMENT BILL

The purpose of this Bill is to amend the Consent to Medical Treatment and Palliative Care Act 1995 to allow whenever practically possible, parents involvement in decisions regarding the medical treatment and procedures carried out on their children.

(September 15, 2010 - lapsed due to Prorogation)

CONSENT TO MEDICAL TREATMENT AND PALLIATIVE CARE (TERMINATION OF PREGNANCY) AMENDMENT BILL

This Bill seeks to amend the Consent to Medical Treatment and Palliative Care Act to require doctors to provide women who are seeking an abortion with information with respect to the alternative options of adoption and foster care.

(October 27, July 29, September 14, 2010 - second reading negated)

CONSTITUTION (GOVERNMENT ADVERTISING) AMENDMENT BILL

The purpose of this Bill is to introduce basic rules around publicly-funded advertising campaigns.

(June 23, September 15, 2010 - second reading negated)

CONSTITUTION (MISCELLANEOUS) AMENDMENT BILL

This Bill contains three essential elements. Firstly, it requires Premiers to serve no longer than two terms and, generally speaking, eight years in office; secondly, the empowering of the people of South Australia by petition to require an election; and thirdly, the compelling of the Upper House to sit in or about the January/February period before a March fixed election.

(September 14, 2011 - lapsed due to Prorogation)

CONTROLLED SUBSTANCES (SIMPLE CANNABIS OFFENCES) AMENDMENT BILL

The purpose of this Bill is to reduce the expiable amount of cannabis and increase associated fines.

(September 29, 2010, February 23, 2011 - lapsed in House of Assembly due to Prorogation)

CORONERS (RECOMMENDATIONS) AMENDMENT BILL

The purpose of this Bill is to amend the Coroners Act 2003 to extend the scope of recommendations that the Coroner is permitted to make in relation to an investigation and empower the Coroner to compel a Minister to prepare a supplementary report addressing concerns raised in a Coroner's report, which must be tabled in Parliament by the Minister within eight sitting days of the expiration of three months after receiving the request from the Coroner.

(September 29, 2010, September 14, 28, 2011 - lapsed in House of Assembly due to Prorogation)

CREDIT (COMMONWEALTH POWERS) BILL

This proposed Act will form part of the new national credit protection regime being established under Commonwealth law. It is to be enacted for the purposes of section 51(xxxvii) of the Constitution of the Commonwealth, which enables State Parliaments to refer matters to the Commonwealth Parliament or to adopt Commonwealth laws that have been enacted pursuant to such referrals. In essence, the Bill provides the Commonwealth with the necessary constitutional power it requires for the implementation and operation of the national credit regime.

In view of the enactment of the Commonwealth laws, the remaining States, including South Australia, decided to adopt the Commonwealth laws under section 51(xxxvii) of the Constitution. The adopted laws are the National Consumer Credit Protection Act 2009 of the Commonwealth (as amended at the time of the adoption by the National Consumer Credit Protection Amendment Act 2010 of the Commonwealth) and the National Consumer Credit Protection (Transitional and Consequential Provisions) Act 2009 of the Commonwealth.

The Bill also provides for the referral of certain matters relating to credit to the Commonwealth Parliament in order to support future amendments to the National Consumer Credit Protection Act 2009 of the Commonwealth and the National Consumer Credit Protection (Transitional and Consequential Provisions) Act 2009 of the Commonwealth (an amendment reference).

(May 11, 27, June 22 - Act No. 2 of 2010)

CREDIT (TRANSITIONAL ARRANGEMENTS) BILL

This Bill supports the Credit (Commonwealth Powers) Bill 2010, which has the object of adopting the National Consumer Credit Protection Act 2009 of the Commonwealth. The Bill forms part of the new national credit protection regime being established under Commonwealth law and provides the Commonwealth with the necessary constitutional powers it requires for the implementation and operation of the national credit regime. Given the move from the State-based Uniform Consumer Credit Code (UCCC), to the National consumer credit code under the National Consumer Credit Protection Act 2009, a number of minor and technical transitional issues invariably arise. This Bill seeks to address these transitional issues.

The Bill, which operates in conjunction with the Credit (Commonwealth Powers) Bill 2010, ensures that references made to the existing UCCC are amended to refer to the new National credit code. To provide further flexibility for any concerns that are raised in the move to the new National regime, the Bill provides for the making of additional regulations of a saving or transitional nature. While not expected to be necessary, this provision provides further confidence to both industry and consumers that appropriate mechanisms can be put in place to respond to unforeseen issues.

Most importantly, the Bill repeals the existing Consumer Credit (South Australia) Act 1995 and the Credit Administration Act 1995. These Acts give effect to the UCCC in South Australia and are no longer required under the national credit regime.

(May 11, 25, 27, June 22 - Act No. 3 of 2010)

CRIMINAL CASES REVIEW COMMISSION BILL

The purpose of this Bill is to provide for the establishment of a Criminal Cases Review Commission and for the reference of matters by that Commission to appellate courts; to make related amendments to the Bail Act 1985 and the Criminal Law Consolidation Act 1935; and for other purposes.

(November 10, 2010, May 18, June 8, 2011 - Bill withdrawn and referred to Legislative Review Committee)

CRIMINAL LAW (SENTENCING) (MANDATORY IMPRISONMENT OF CHILD SEX OFFENDERS) AMENDMENT BILL

This Bill seeks to introduce mandatory minimum sentencing for those who commit sexual offences against children. It does so by requiring that a minimum of one-third of the maximum penalty for prescribed offences be served as a non-parole period, except where the maximum penalty is life, for which the minimum of 10 years must be served.

The offences prescribed include rape, unlawful sexual intercourse, incest, procuring a child to commit an indecent act, use of a child in commercial sexual services, and the production and dissemination of child pornography, amongst others. In addition to these offences, the Bill prescribes corresponding offences that were previously in force, meaning that where a defendant faces charges for a crime committed prior to the enactment of the tabled offence they, too, will be subject to a minimum sentence, as will a person who aids, abets, counsels or procures the commission of a prescribed offence.

(June 30, 2010 - lapsed due to Prorogation)

CRIMINAL LAW (SENTENCING) (SENTENCING POWERS OF MAGISTRATES COURT) AMENDMENT BILL

The Bill supplements and is consequential to the 2008 reforms and ensures the efficient administration of occupational health, safety and welfare matters in the South Australian court system. The key changes proposed in this Bill are -

- To allow industrial magistrates to impose penalties of up to \$300,000 when hearing criminal offences under the Occupational Health, Safety and Welfare Act; and
- To ensure that industrial magistrates have the capacity to impose up to \$300,000 fines for offences committed after the penalty increases in 2008 but before the passing of this Bill.

The current sentencing limit for industrial magistrates is \$150,000.

This Bill will enable industrial magistrates to hear and sentence in relation to all Division 2 offences providing consistency for the court system, as well as for employers and employees. The Bill also provides significant case management advantages for the South Australian court system into the future.

(November 10, 25, 2010, February 9, 2011 - Act No. 1 of 2011)

DEVELOPMENT (ADVISORY COMMITTEE ADVICE) AMENDMENT BILL

The purpose of this Bill is to provide that the Planning Minister, having received advice from the Development Policy Advisory Committee in relation to a Development Plan Amendment, must publish that advice.

September 29, October 27, November 10, 24, 2010 - lapsed in House of Assembly due to Prorogation)

DEVELOPMENT (CROWN DEVELOPMENT) AMENDMENT BILL

The purpose of this Bill is to amend the Development Act 1993 to ensure that private development projects are assessed under the Development Act in a consistent manner and that private projects cannot take advantage of special fast-track provisions designed for approving government projects.

(October 27, 2010 - lapsed due to Prorogation)

DEVELOPMENT (PRINCIPLES OF DEVELOPMENT CONTROL - MINING OPERATIONS - FLINDERS) AMENDMENT BILL

The purpose of this Bill is to insert into the Development Act 1993 the area known as an "environmental class A zone".

(November 24, 2010 - lapsed due to Prorogation)

DISABILITY (MANDATORY REPORTING) BILL

This Bill seeks to protect some of our most vulnerable citizens and to protect people who are unable, or are likely to be unable, to even recognise abuse and neglect toward them, such as people with intellectual disabilities or people whose physical disabilities are such that they are unable, or likely to be unable, to report abuse and neglect. The Bill also seeks to protect those who have the courage, under this Bill, to report abuse and neglect.

(July 21, October 27, 2010 - lapsed due to Prorogation)

EDUCATION (CLOSURE AND AMALGAMATION OF GOVERNMENT SCHOOLS) AMENDMENT BILL

This Bill ensures that a government school cannot be closed or amalgamated except in accordance with a resolution that is passed by both Houses of Parliament. It builds on the previous work in part 2 of the Education Act which requires the Minister to undertake a review process and also to produce a copy of a committee's report and recommendations under section 14E to be laid before each House of Parliament within six sitting days of receiving that report and its recommendations, as is the current situation.

The Bill ensures that the Minister is, in fact, bound by the recommendations and decisions of the school community in relation to either a closure or amalgamation of a school with the scrutiny of a parliamentary process to follow that decision-making process by the school community.

(September 28, November 9, 23, 2011 - lapsed in House of Assembly due to Prorogation)

ELECTORAL (COST OF BY-ELECTIONS) AMENDMENT BILL

The purpose of this Bill is to provide that, in the event of early retirement the political party to which the member belongs will pay the cost of the by-election from its own party resources or not field a candidate in the subsequent by-election.

(September 14, November 9, 2011 - second reading negated)

ELECTORAL (VOTING) AMENDMENT BILL

This Bill seeks to achieve four outcomes. Firstly, it seeks to ban the handing out of how-to-vote cards on election day and, secondly, it introduces the system known as Robson rotation for House of Assembly electoral ballot papers. Thirdly, the Bill introduces a system of optional preferential voting for the Legislative Council and, finally, the Bill bans political parties from being involved in the collection of postal voting information.

(May 26, June 22, 2010 - lapsed due to Prorogation)

ELECTORAL (VOTING AGE) AMENDMENT BILL

This Bill would grant the right to vote for those 16 and 17 year olds who choose to do so. It would not make it compulsory for them but it would, in fact, give them the option to vote should they desire.

(July 21, 2010 - lapsed due to Prorogation)

ELECTRICITY (RENEWABLE ENERGY) AMENDMENT BILL

The purpose of this Bill is to amend the Electricity Act 1996 to ensure domestic electricity customers are credited against the charges payable for the supply of electricity the amount of \$0.50 per kWh for any electricity generated by the qualifying generator of the qualifying customer.

(July 21, 2010 - lapsed due to Prorogation)

ENVIRONMENT PROTECTION (ACCESS TO INFORMATION) AMENDMENT BILL

This Bill has four main objectives: firstly, it provides that the EPA's public register should be kept in an electronic form on a website that is accessible to the public; secondly, it provides that access to that environmental information should be free of charge; thirdly, it provides that information should be published within at least seven days of the document being eligible for inclusion on the public register); and, finally, it consolidates and expands the list of information required to be kept on the public register.

(March 23, October 19, 2011 - second reading negated)

ENVIRONMENT PROTECTION (RIGHT TO FARM) AMENDMENT BILL

The Bill amends the Environment Protection Act and makes a consequential amendment to the Land and Business (Sale and Conveyancing) Act to provide additional protection for farmers against complaints from residential neighbours arising from the carrying on of normal farming activities. It also provides that prospective purchasers of residential land in the vicinity of farms be advised of that fact prior to formalising the purchase.

(May 12, 2010 - lapsed due to Prorogation)

FAMILY RELATIONSHIPS (PARENTAGE) AMENDMENT BILL

This Bill aims to deal with the inconsistency in South Australian legislation where same-sex couples have obligations and responsibilities in relation to parenting their non-biological children, but not the corresponding rights. To this point, South Australia has not followed other jurisdictions in recognising same-sex relationships and parental bonds, remaining the only jurisdiction to not recognise same sex parenting other than foster care.

In 2008 the Federal Government changed 85 laws to give same-sex couples in a *de facto* or registered relationship the same rights as opposite sex couples, specifically changes to the Family Law Act 1975.

Following law reform across Australia, all other jurisdictions recognise same-sex parents or recognise some pathways to parenthood for them - all other jurisdictions presume the same-sex partner of a birth mother who has used ART to conceive is a legal parent of a child born.

However, a lack of consistency in this regard exists between Federal and South Australian legislation leaving the potential for unsatisfactory resolutions in the Family Court for children and 'parents' in certain situations. This Bill is, in effect, granting certain rights to homosexual people that heterosexual people already enjoy.

(June 23, November 24, 2010, June 9, 2011 - Act No.22 of 2011)

GRAFFITI CONTROL (MISCELLANEOUS) AMENDMENT BILL

The purpose of this Bill is to amend the Graffiti Control Act 2001 to strengthen specific penalties in relation to graffiti. In particular, it proposes, firstly, that taggers pay for the cost of cleaning up the graffiti themselves, at their own cost. Secondly, they must then do community service cleaning up other graffiti as well and finally, they will be disqualified from holding or obtaining a driver's licence for a period, at the court's discretion.

(June 22, 2011 - lapsed due to Prorogation)

HEALTH CARE (COUNTRY HEALTH GUARANTEE) AMENDMENT BILL

The purpose of this Bill is to amend the Health Care Act 2008 by inserting provisions relating specifically to hospital services delivered in the country.

(March 23, 2011 - lapsed due to Prorogation)

INDEPENDENT COMMISSION AGAINST CORRUPTION BILL

The purpose of this Bill is to establish as Independent Commission against Crime and Corruption that would investigate all of Government and its agencies. The Commission will investigate allegations or complaints which imply corrupt conduct and/or organised crime occurred or may be occurring. In addition to this, a new Parliamentary Standing Committee would be set up which, like other Standing Committees, would be answerable to Parliament.

(May 12, 2010 - lapsed due to Prorogation)

INDEPENDENT COMMISSION AGAINST CORRUPTION BILL

The purpose of this Bill is to establish the Independent Commission against Corruption and to define its functions and powers. The Bill defines the role of the Commission which is to -

- investigate, expose and prevent corruption involving or affecting public authorities and public officers; and
- educate public authorities, public officers and members of the public about corruption and its detrimental effects on public administration and on the community.

(May 12, July 21, 2010 - lapsed due to Prorogation)

LIQUOR LICENSING (MISCELLANEOUS) AMENDMENT BILL

This Bill provides that premises trading between the hours of 4.00 am and 7.00 am will be required to adhere to a higher standard of operation during those hours. These special conditions will be included in a Code of Practice and will reflect the increased risks associated with trading during this period. The Code may include conditions relating to:

- CCTV and extra security requirements inside and outside of the venue;
- Prohibition of alcohol consumption on footpaths or other outdoor areas;
- A requirement for licensees to employ a 'drink marshal' whose sole responsibility is to monitor the responsible service and consumption of alcohol;
- A requirement for licensees to maintain a register of all incidents that occur on premises; and
- Prohibition of practices that encourage the rapid and excessive consumption of alcohol, for example, shots, laybacks etc.

Further, the Bill provides that if disciplinary action is taken against a licensee for breaching a condition of their licence or a requirement under the Act between the hours of 4am and 7am on a second or subsequent occasion within a two year period, the Court must alter the licence to prohibit the premises from trading between those hours, unless the licensee can show cause why such action should not be taken.

The Bill affords the Commissioner a new power to provide a rapid response to threats against public order and safety by issuing a short term public order and safety notice in respect of a licence. The Liquor and Gambling Commissioner will be able to issue this type of notice at his or her absolute discretion. A public order and safety notice may be imposed for a period up to 72 hours and may affect the licence conditions in respect of a licence. Power of the Liquor and Gambling Commissioner to suspend or impose conditions on a person's approval pending disciplinary action

The Bill provides the Liquor and Gambling Commissioner with the power to suspend a person's approval, or impose conditions on an approval, pending disciplinary action before the Court.

The Bill extends the powers of Police to ensure that a senior police officer (that is, a police officer of or above the rank of inspector) can issue certain orders if the officer believes on reasonable grounds that it would be unsafe for members of the public to enter or remain in licensed premises because of conditions temporarily prevailing there.

The Bill also provides for significantly increased penalties where there have been subsequent breaches of the Act or licence. It is intended that these increased penalties will serve as a greater deterrent for licensees to repeatedly offend against liquor licensing laws.

The Bill provides for an extension of the current provision for the Court to take disciplinary action against a licensee when the licensee is convicted of an offence involving the unlawful sale or supply of liquor to a minor and a complaint has been lodged with the Court on the ground that conviction was due to a breach of duty so that the provision will now include an offence involving the unlawful sale or supply of liquor to an intoxicated person, an offence involving trafficking drugs on the licensed premises and any offences of a class prescribed by the regulations.

To reflect the serious nature of repeat offending against licence conditions, it is intended that the regulations will prescribe certain licence conditions where expiation notices will not be able to be issued for subsequent offences but that disciplinary action would be taken against a licensee and a broader range of penalties would be available to the Commissioner or the Judge in dealing with the matter.

The Bill also creates a new expiable offence for offensive or disorderly conduct in, or in the vicinity of a licensed premises.

The Bill contemplates that a draft Code of Practice will ensure that obligations are clear to both licensees and regulators. The draft Code will strengthen mandated practices which licensees must comply with and practices which licensees must not engage in.

The Bill introduces redrafted provisions that relate to the hours in which premises covered by each licence class are permitted to trade. These amendments assist in the overall administration of the Act by making the provisions easier to understand and regulate.

The Bill introduces a number of amendments to address administrative matters relating to the Licensing Court. These are purely administrative in nature.

The Bill also provides new powers of issuing a public order and safety notice in respect of a licence or imposing a licence condition to improve public order and safety may be exercised on the basis of information that is classified by the Commissioner of Police as criminal intelligence and in such a case, the Commissioner is not required to provide any grounds or reasons for the decision other than it would be contrary to the public interest if the condition were not imposed or the notice were not issued.

Finally, the Bill makes some technical amendments designed to improve the administration of the Act.

(March 23, May 17, June 9, 21, 22, July 26, October 20 - Act No. 40 of 2011)

LIVESTOCK (MISCELLANEOUS) AMENDMENT BILL

This Bill is about improving the current operation of the Livestock Act 1997. The current act came into operation in January 1998 and represented the consolidation of eight Acts relating to the health of livestock in South Australia.

This Bill proposes to enable recovery of costs from individuals who refuse or fail to take required disease control actions, beyond just the expenses incurred by inspectors. This is particularly aimed at the apiary sector where a significant amount of taxpayer and industry funds are used to clean up neglected and abandoned hives and hive material, which present a biosecurity threat to the bee and honey industries.

Specific provisions for the allocation of a property identification code (PIC) to all properties with livestock have been developed to provide for more equitable penalty provisions for persons in breach of the requirements and to improve the current PIC system. The PIC is an essential component of the NLIS and provides vital information about livestock properties for use in disease emergencies and natural disasters. These new provisions will not change the current requirements and operation of the PIC registration system.

(November 30, 2011 - lapsed due to Prorogation)

LOCAL GOVERNMENT (MISCELLANEOUS) AMENDMENT BILL

The purpose of this Bill is to amend the Local Government Act 1999 to allow Councils to make By-Laws to prohibit smoking in a specified public place.

(November 10, 2010 - lapsed due to Prorogation)

LOCAL GOVERNMENT (MODEL BY-LAWS) AMENDMENT BILL

Currently, section 250(4) of the Local Government Act 1999 prevents a Council from adopting a model by-law and exercising the powers underneath that by-law until the period allowed for disallowance under the Subordinate Legislation Act 1978 has passed and the model by-law has not been disallowed.

This Bill removes the current restriction in the Local Government Act that prevents a Council from adopting a model by-law until the time for disallowance has passed, and enables adoption of a model by-law any time after it is published in the *Gazette*. The Bill also provides that, in the event that the model by-law is disallowed, the adoption by the council will be of no effect on and after the date of disallowance. The model by-law for the management of pedestrian malls is the first model by-law to be made since the commencement of the Local Government Act.

The amendments proposed in this Bill will mean that it may be possible that a Council adopts a model by-law which is disallowed by Parliament at a later date.

(November 9, 10, 22 - Act No. 45 of 2011)

MARRIAGE EQUALITY BILL

This Bill aims to provide for marriage equality for South Australian adult consenting couples of the same sex. The Bill provides for the solemnisation of same sex marriages in South Australia, their dissolution and annulment, requirements of celebrants and the establishment and maintenance of the Register of Same Sex Marriages.

(February 9, 23, 2011 - lapsed due to Prorogation)

MENTAL HEALTH (REPEAL OF HARBOURING OFFENCE) AMENDMENT BILL

The purpose of this Bill is to amend the Mental Health Act 2009 by repealing section 105 which creates a crime that is defined in the Act as “harbouring or assisting a patient at large” and that is to apply to:

“A person who, knowing or being recklessly indifferent as to whether another is a patient at large, harbours the patient or assists the patient to remain at large is guilty of an offence.”

The maximum penalty is \$25,000 or up to two years of imprisonment. In this section, interstate patients at large have the same meanings. Section 105 is not congruent with the philosophy underpinning the Mental Health Act 2009 as it is likely to harm both the family and the patient, particularly if the patient’s key supporter is imprisoned for assisting them. It is not consistent with a contemporary approach to mental health care and consequently it should be removed from the Act.

(May 26, June 23, 30, July 22 - Act No. 9 of 2010)

MINING (MISCELLANEOUS) AMENDMENT BILL

The Bill was developed in accordance with three key objectives:

- Reducing Red Tape - Repeal or amend legislative requirements that impede industry in the conduct of normal business operations.
- Greater Transparency - Require industry to provide more information on proposed and current mining operations and improve notification protocols for access to land for landholders and the community. Greater transparency in Government processes.
- Effective Regulation - Ensure the Regulator is authorised to effectively regulate mining operations and is adequately resourced to provide a quality and timely service to industry and the community.

The Bill will not have a significant regulatory impact on industry, and formalises in the Act and the Regulations existing policies and good practice. New provisions will authorise PIRSA Officers to identify and address any illegal mining activities. The Bill provides for the penalty for illegal mining to be significantly increased from a maximum of \$5,000 up to a maximum of \$250,000.

The Bill introduces three new fees: an annual administration fee and an assessment fee. The administration fee replaces approximately 20 administrative fees which were revoked as a result of the *Mining Variation Regulations 2008* coming into operation on 1 July 2008.

The Bill provides for the Minister to be able to request an expert report from a tenement holder, verifying the information contained within a return under Part 3 of the Act. This provision was introduced to provide additional assurance to the State regarding the accuracy of the mining returns and royalty payments submitted by tenement holders.

The provisions of the Bill will lead to better quality information and a higher level of accountability for explorers and mining developers, ensuring responsibility and accountability are clearly assigned and understood by resource companies, other land users and the community.

The Bill provides significant enhancements to compliance, enforcement and penalty provisions which will ensure that explorers and mining operators achieve approved environmental outcomes.

(May 11, June 24, July 1, 20, 22, September 14, October 28, November 9 - Act No. 21 of 2010)

NATIVE VEGETATION (APPLICATION OF ACT) AMENDMENT BILL

The purpose of this Bill is to amend the Native Vegetation Act 1991, to clarify the current ambiguous definition in the Native Vegetation Act of the area to which the Act applies. In particular, confirm that the Act applies in the bush suburbs of the Mitcham Hills.

(July 21, 2010, April 6, June 22, 2011 - lapsed in House of Assembly due to Prorogation)

OCCUPATIONAL HEALTH, SAFETY AND WELFARE (INDUSTRIAL MANSLAUGHTER) AMENDMENT BILL

The purpose of this Bill is to introduce reforms to increase safety in workplaces in South Australia, including a principle of corporate criminal responsibility.

(October 27, 2010 - lapsed due to Prorogation)

OCCUPATIONAL LICENSING NATIONAL LAW (SOUTH AUSTRALIA) BILL

The purpose of this Bill is to implement a national licensing system which will make it easier for businesses and workers to operate across State and Territory borders. The Bill will allow eligible licensees to work across Australian jurisdictions without the need to hold multiple licences or pay multiple fees.

(November 10, 24, 2010 - Act No. 4 of 2011)

PARKS COMMUNITY CENTRE (PRESERVATION OF LAND AND SERVICES) BILL

The purpose of this Bill is to make provision for the preservation and use of the Parks Community Centre for the benefit of the community.

(October 27, 2010 - lapsed due to Prorogation)

PARLIAMENTARY COMMITTEES (MEMBERSHIP OF COMMITTEES) AMENDMENT BILL

This Bill amends the Parliamentary Committees Act 1991 to increase the number of members of two of the Standing Committees established by that Act. The Bill increases the Membership of the Social Development Committee from six members to eight. The Social Development Committee currently has six members - three from each House - and the Bill increases the representation to four from each House. It also increases the number of Members of the Natural Resources Committee from seven to nine, comprising the existing three Members from the Legislative Council and the remaining six Members from the House of Assembly. The Bill increases the Membership of these two Committees only for the life of the current Parliament.

(May 25, 26, June 22 - Act No. 1 of 2010)

PARLIAMENTARY REMUNERATION (BASIC SALARY DETERMINATIONS) AMENDMENT BILL

The purpose of the Bill is to break the nexus between the salaries paid to State Members of Parliament and the salaries paid to Federal Members of Parliament. The Bill also provides that the South Australian Remuneration Tribunal should be the proper authority for determining the salary levels of State Members of Parliament; and that any pay rise recommended by the Remuneration Tribunal does not to come into effect until it has been put into a regulation, which is then able to be disallowed by either House of State Parliament.

(November 24, 2010 - lapsed due to Prorogation)

ROAD TRAFFIC (OWNER OFFENCES) AMENDMENT BILL

The purpose of this Bill is to amend the Road Traffic Act 1961 to allow a person running a business who is not a corporate entity the opportunity to deal with the expiation notices in the same way as any other corporate body or corporate entity and sign a statutory declaration to say that they are unable to identify the driver and therefore not incur the expiation themselves.

(November 10, 2010, October 19, 2011 - lapsed due to Prorogation)

ROXBY DOWNS (INDENTURE RATIFICATION) (AMENDMENT OF INDENTURE) AMENDMENT BILL

The purpose of the Bill is to enhance the Roxby Downs (Indenture Ratification) Act 1982 to provide for expanded project components that were not envisaged under the original agreement. The revisions also change the way in which certain other Acts of the Parliament of the State apply to the revised Indenture to ensure its currency with relevant legislation. The project expansion proposed by BHP Billiton will develop an open pit mine, processing facilities and supporting infrastructure that will operate simultaneously to existing underground mining operations.

The Bill provides that BHP Billiton may apply to the Indenture Minister for all other approvals; BHP Billiton is subject to the Environmental Protection Act for environmental authorisations for the project. In this way, the Bill recognises the full independence of the Environmental Protection Authority for environment approvals, licensing and necessary compliance action for Olympic Dam.

The Bill also enhances compliance and enforcement provisions to ensure that the project achieves approved environmental outcomes and brings the existing Act into line with current legislation in the Mining Act 1971 and Environmental Protection Act 1993.

(October 19, 2011 - lapsed due to Prorogation)

SOUTH AUSTRALIAN HOUSING TRUST (MISCELLANEOUS) AMENDMENT BILL

The purpose of this Bill is to amend the South Australian Housing Trust Act 1995 to reform public housing by fixing rent, installing separate meters and evicting tenants convicted of indictable offences.

(September 28, 2011 - lapsed due to Prorogation)

STANDARD TIME (ALTERATION OF STANDARD TIME) AMENDMENT BILL

This Bill changes South Australia's time zone back to being the time zone applicable to the 135 degree meridian, bringing Standard Time for the State back by 30 minutes.

(June 8, October 19, 2011 - second reading negatived)

STATUTES AMENDMENT (DRUG DRIVING) BILL

The purpose of this Bill is to amend the Harbors and Navigation Act 1993; the Motor Vehicles Act 1959; the Road Traffic Act 1961; and the Summary Offences Act 1953 to remove the ability to expiate drug-driving offences, create a right to inspect a vehicle if a person tests positive for drugs and raise penalties to be closer to drink-driving penalties.

(September 28, 2011 - lapsed due to Prorogation)

STATUTES AMENDMENT (PUBLIC ASSEMBLIES AND ADDRESSES) AMENDMENT BILL

The purpose of this Bill is to amend the Summary Offences Act 1953 to provide police with the power to control the use of public address systems in a prescribed area. The Bill also seeks to amend the Public Assemblies Act 1972 to provide for a Speaker's Corner and to establish a new offence of disrupting or obstructing an assembly.

(October 19, November 9, 2011 - lapsed in House of Assembly due to Prorogation)

STATUTES AMENDMENT (SURROGACY) BILL

The purpose of this Bill is to amend the Statutes Amendment (Surrogacy) Act 2009. The Act currently allows parents who are already raising a child from a non-commercial surrogacy arrangement the ability to apply to the Youth Court to have their details added to their child's birth certificate. It is a retrospective measure. Clause 1(4) of the transitional provisions currently states an application cannot be made if a child has been born as a result of the relevant pregnancy and the child is more than 5 years old on the day on which this clause comes into operation. This Bill will increase the age limit from five years to 10 years.

(May 12, June 23 - Act No. 8 of 2010)

STATUTES AMENDMENT AND REPEAL (AUSTRALIAN CONSUMER LAW) BILL

This Bill gives effect to one of the most significant national reforms of Australia's consumer protection laws. The Bill ensures South Australia will join with other States and Territories in providing consumers the benefit of nationally consistent consumer protection laws by applying the Australian Consumer Law as a law of South Australia and make changes to existing South Australian legislation to give effect to this new regime.

On 15 August 2008, the Ministerial Council on Consumer Affairs agreed that all jurisdictions would adopt a new nationally consistent Australian Consumer Law to replace the consumer protection provisions of the Trade Practices Act 1974 of the Commonwealth (the *TPA*), and the Fair Trading laws now operating in each jurisdiction.

This Bill ensures South Australia takes a further step towards a key aspect of COAG's national business and regulatory reform agenda to create a seamless national economy. South Australia will also be delivering on the commitment under the Australian Consumer Law Intergovernmental Agreement by implementing the Australian Consumer Law on 1 January 2011 resulting in:

- the removal of the inconsistencies that have developed over time between the Commonwealth and State and Territory laws;
- significant new consumer protections, including provisions drawn from best practice provisions in existing state and territory consumer protection and fair trading laws; and
- consumer affairs regulators taking a national approach to enforcement.

The Bill also puts in place transitional arrangements, and repeals a number of provisions that have been made redundant through the application of the Australian Consumer Law, or cannot be retained because they would operate inconsistently with the Australian Consumer Law.

This Bill and the implementation of the Australian Consumer Law in South Australia and across the nation represents a significant achievement for both business and consumers. For business, the Australian Consumer Law is a step towards a seamless national economy which reduces regulatory complexity and allows for greater efficiencies. For consumers, this single national law will provide a consistent set of rights wherever goods or services are purchased in Australia.

(September 29, October 29, November 9, 23 - Act No. 23 of 2010)

STOLEN GENERATION REPARATIONS TRIBUNAL BILL

The purpose of this Bill is to establish a Stolen Generations Reparations Tribunal.

(July 21, 2010; May 4, June 8, 2011 - withdrawn and referred to the Aboriginal Lands Parliamentary Standing Committee)

SUBORDINATE LEGISLATION (MISCELLANEOUS) AMENDMENT BILL

The Bill seeks to amend the Subordinate Legislation Act to prevent regulations from being reintroduced immediately after they have been disallowed; to allow either House of Parliament to disallow part of a regulation; to vary or substitute regulations; and to replace the current tests necessary and appropriate for a certificate of early commencement to a test of exceptional circumstances.

(May 12, 2010; April 6, 2011 - lapsed due to Prorogation)

VICTIMS OF CRIME (COMPENSATION LIMITS) AMENDMENT BILL

The purpose of this Bill is to amend the Victims of Crime Act 2001 to raise the maximum amount payable to victims of crime from \$50,000 to \$100,000, ensure that the maximum continues to reflect the same value to future claimants by raising the amount in accordance with the All Groups Consumer Price Index of inflation on 1 January each year and to dispense with the scaled maximum payable, depending on when the offence from which the claim arises occurred.

(September 28, November 30, 2011 - lapsed due to Prorogation)

WILLUNGA BASIN PROTECTION BILL

The Bill provides special planning and development procedures to protect the amenity of the Willunga Basin, including the establishment of a committee to formulate a development plan for the Willunga Basin, which would have a greater force in law than the Onkaparinga Council Development Plan.

(May 12, 2010; February 9, 2011 - lapsed in House of Assembly due to Prorogation)

WORK HEALTH AND SAFETY AMENDMENT BILL

The purpose of this Bill is to provide for the foundation for South Australia's participation in a nationally harmonised system of occupational health and safety. The Bill enacts the nationally-agreed model Work Health and Safety Act in this jurisdiction.

(April 7, May 3, 2011 - withdrawn in Legislative Council)

WORKERS REHABILITATION AND COMPENSATION (EMPLOYER PAYMENTS) BILL

The purpose of this Bill is to enable a new approach to employer payments in the South Australian workers compensation Scheme. The proposed new approach to employer payments will provide a financial incentive to employers to achieve the best possible work health and safety practices leading to fewer workplaces injuries.

Where workplace injuries do occur, the system will provide a financial incentive to employers to support injured workers to stay at work wherever possible or to achieve an early and safe return to work. Improvements in injury prevention, management and return to work practices in the Scheme will result in better outcomes for workers as well as lower the cost of the Scheme.

The new approach to employer payments has been carefully developed and the framework incorporated into this enabling legislation. The full detail of the new approach is not incorporated into the Bill because the system is best served by including the design framework in the Act, with supporting detail contained in the Regulations and various Gazetted documents, as is the case in the similar New South Wales, Victorian and Queensland schemes.

The Regulations and gazettal documents will be developed for consultation with stakeholders.

The new approach to employer payments can be summarised as incorporating:

- a mandatory Experience Rating System for medium and large employers registered with the Scheme;
- an optional Retro Paid Loss arrangement for large employers registered with the Scheme;
- no change to the way in which premiums are calculated for small employers registered with the Scheme;
- minimal change to private and Crown self insured arrangements;
- changes to terminology, definitions and practices within the Scheme, aimed at achieving cultural change.

Both the Experience Rating System and the Retro Paid Loss arrangements are forms of experience rating. Under an experience rating approach the amount an employer pays in premium is directly impacted by their own claims experience.

Experience rating aims to provide a financial incentive for employers to improve their claims experience through good work health and safety practices and injury and return to work management. The result is that if an employer has high claims costs it is likely that they will pay more in premium in comparison to similar sized employers operating in the same industry who have lower claims costs.

The premium calculation for the Experience Rating System is designed to take into consideration the employer's individual claims experience, as well as their size and the level of risk of their industry. A range of employer protections are built into the system to achieve a balance between 'insurance protection' with 'user pays' principles.

Small employers will be defined in regulation as those with a base premium of less than \$20,000 or annual remuneration paid to their employees of less than \$300,000 and they will continue to pay premium based on their remuneration and relevant industry premium rate. All employers with base premium equal to or above \$20,000 and annual remuneration equal to or above \$300,000 will meet the threshold criteria for entry into the Experience Rating System.

Large employers will be defined as those employers with base premium of more than \$500,000 and will be experience rated unless they apply for and are accepted into the separate Retro Paid Loss arrangements.

Under the new employer payments approach, large employers (those with a base premium over \$500,000) will also have the option of applying to enter into Retro Paid Loss arrangements. Retro Paid Loss is a form of experience rating that calculates the premium an employer pays in a manner that closely reflects the actual costs the employer has incurred. It has limited association with industry experience.

Employers within Retro Paid Loss arrangements can experience significant reductions in the amount of premium that they pay if they have good claims experience. However, employers can experience a high premium if they don't manage their claim numbers and costs effectively. In this approach, the premium an employer pays is closely linked to their claims performance (that is, injury prevention and management practices), not only during the policy period but until the claim is closed, or for four years following the expiry date of the policy period, whichever comes first.

This Bill also makes consequential amendments to other Acts, including the Stamp Duties Act 1923, the WorkCover Corporation Act 1994, and the proposed Work Health and Safety Act 2011.

(November 10, 23, 29, 30, December 1 - Act No. 48 of 2011)

WORKERS REHABILITATION AND COMPENSATION (REINSTATEMENT OF ENTITLEMENTS) AMENDMENT BILL

This Bill seeks to reinstate three fundamental entitlements that have, through recent legislative amendments, been removed: the right of an injured worker to sue a negligent employer for damages; the right of an injured worker to be covered by workers compensation when travelling to and from work; and the right of an injured worker to continue to be paid compensation payments when disputing the compensating authority's decision to discontinue payments.

(November 10, 2010; November 9, 2011 - second reading negatived)