

STATISTICS

First Session of the
Fifty-Third Parliament

6 May 2014 to 18 December 2014



LEGISLATIVE COUNCIL
OF
SOUTH AUSTRALIA

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MEMBERS OF THE LEGISLATIVE COUNCIL

The Hon. RUSSELL PAUL WORTLEY
(President of the Legislative Council)

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 Employment, Higher Education and Skills
Minister for Science and Information Economy
Minister for the Status of Women
Minister for Business Services and Consumers)

The Hon. JOHN MARIO GAZZOLA

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

The Hon. IAN KEITH HUNTER, B.Sc.(Hons.)
(Minister for Sustainability, Environment and Conservation
Minister for Water and the River Murray
Minister for Aboriginal Affairs and Reconciliation)

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

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. ANDREW LOCKHART McLACHLAN, C.S.C., LL.B(Adel.), LL.M.(Edin.),
M.B.A. (AGSM)

The Hon. KYAN JOSEPH MAHER

The Hon. TUNG THE NGO

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.

OFFICERS OF THE LEGISLATIVE COUNCIL

<i>PRESIDENT</i>	The Hon. John Mario GAZZOLA, 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

Appointed 6 May 2014

The Hon. JMA Lensink MLC
The Hon T T Ngo MLC
The Hon M C Parnell MLC

Mr S Griffiths MP
Mr E J Hughes MP
The Hon T R Kenyon MP

Executive Officer: Mr P Frensham, Grad.Cert Business, Assoc.Dip.(Business)

LEGISLATIVE REVIEW COMMITTEE

Appointed 6 May 2014

The Hon J A Darley MLC
The Hon G A Kandelaars MLC
The Hon A L McLachlan MLC

Mrs AFC Digance MP
Mr L K Odenwalder MP
Ms I M Redmond MP

Committee Secretary: Mr A Crichton (until 13/6/14); Ms J Fitzgerald (from 19/7/14)

SOCIAL DEVELOPMENT COMMITTEE

Appointed 6 May 2014

The Hon G A Kandelaars MLC
The Hon J. S. Lee MLC
The Hon K L Vincent MLC

Ms K Hildyard MP
Mr A S Pederick MP
Ms D Wortley MP

Committee Secretary: Ms R Schutte, B.A., Grad.Dip.Bus.Admin.

STATUTORY AUTHORITIES REVIEW COMMITTEE

Appointed 6 May 2014

The Hon DGE Hood MLC
The Hon G A Kandelaars MLC
The Hon R I Lucas MLC

The Hon T T Ngo MLC
The Hon S G Wade MLC

Committee Secretary: Mr P Dimopoulos, B.Comm.

OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION COMMITTEE

Appointed 6 May 2014

The Hon J A Darley MLC
The Hon JSL Dawkins MLC
The Hon G A Kandelaars

The Hon S W Key MP
Ms K Hildyard MP
Mr S K Knoll MP

Executive Officer: Ms S Sedivy, B.A., Grad.Dip.O.H.S.Management, M.Pol.Admin.

STATUTORY OFFICERS COMMITTEE

Appointed 6 May 2014

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

The Hon M J Atkinson MP
The Hon J R Rau MP
Mr C Wingard MP

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

NATURAL RESOURCES COMMITTEE

Appointed 6 May 2014

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

Mr J P Gee MP
The Hon S W Key MP
Mr C J Picton MP
Mr P A Treloar MP

Executive Officer: Mr P Dupont, B.A.

CRIME AND PUBLIC INTEGRITY POLICY COMMITTEE

Appointed 6 May 2014

The Hon R L Brokenshire MLC
The Hon G A Kandelaars MLC
The Hon S G Wade MLC

Mr L Odenwalder MP
Mr C J Picton MP
Mr V Tarzia MP

Executive Officer: Ms K McLachlan, B.A.(Hons.), LL.B.(Hons.), LL.M., G.D.L.P.

**COMMITTEE APPOINTED UNDER ABORIGINAL LANDS PARLIAMENTARY
STANDING COMMITTEE ACT 2003**

ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE

Appointed 6 May 2014

The Hon T A Franks MLC
The Hon T T Ngo MLC
The Hon T J Stephens MLC

Mr J P Gee MP
Mr E J Hughes MP
Dr D McFetridge MP

Executive/Research Officer: Mr J Caire, B.App.Sc.(Hons.)

JOINT COMMITTEE

JOINT PARLIAMENTARY SERVICE COMMITTEE

Appointed 6 May 2014

The President
(The Hon R P Wortley MLC)
The Hon JSL Dawkins MLC
The Hon T T Ngo MLC

The Speaker
(The Hon. M. J. Atkinson MP)
Mr JAW Gardner MP
The Hon T R Kenyon MP

SESSIONAL COMMITTEES

STANDING ORDERS COMMITTEE

Appointed 6 May 2014

The President
(The Hon R P Wortley MLC)
The Hon G E Gago MLC (Minister for
Employment, Higher Education and Skills)

The Hon R I Lucas MLC
The Hon T T Ngo MLC
The Hon D W Ridgway MLC

PRINTING COMMITTEE

Appointed 6 May 2014

The Hon G A Kandelaars MLC
The Hon J S Lee MLC
The Hon A L McLachlan MLC

The Hon K J Maher MLC
The Hon T T Ngo MLC

SELECT COMMITTEES

STATUTORY CHILD PROTECTION AND CARE IN SOUTH AUSTRALIA

Appointed 21 May 2014

The Hon J M Gazzola MLC
The Hon DGE Hood MLC
The Hon G A Kandelaars MLC

The Hon J S Lee MLC
The Hon S G Wade MLC

SALE OF STATE GOVERNMENT OWNED LAND AT GILLMAN

Appointed 21 May 2014

The Hon J A Darley MLC
The Hon K J Maher MLC
The Hon R I Lucas MLC

The Hon A L McLachlan MLC
The Hon T T Ngo MLC

ELECTORAL MATTERS IN SOUTH AUSTRALIA

Appointed 4/5 June 2014

The Hon R L Brokenshire MLC
The Hon J A Darley MLC
The Hon T J Stephens MLC

The Hon K L Vincent MLC
The Hon S G Wade MLC

COMMITTEE APPOINTED PURSUANT TO RESOLUTION OF THE COUNCIL

BUDGET AND FINANCE

Appointed 21 May 2014

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

The Hon A L McLachlan MLC
The Hon K J Maher MLC

FIRST SESSION OF THE FIFTY-THIRD PARLIAMENT
PERIOD FROM 6 MAY 2014 TO 18 DECEMBER 2014

TOTAL NUMBER OF BILLS CONSIDERED BY LEGISLATIVE COUNCIL

Legislative Council origin	29
House of Assembly origin	<u>28</u>
	57

TOTAL NUMBER OF BILLS PASSED BY BOTH HOUSES

Legislative Council origin	6
House of Assembly origin	<u>20</u>
	26

BILLS CONSIDERED BY COUNCIL WHICH HAVE NOT PASSED BOTH HOUSES

Legislative Council origin:

Animal Welfare (Companion Animals) Amendment - lapsed in Council.
Commissioner for Children and Young People - negatived in House of Assembly.
Constitution (General Elections) Amendment - lapsed in Council.
Criminal Law Consolidation (Assaults Causing Death) Amendment - negatived in Council.
Electoral (Electronically Assisted Voting and Other Matters) Amendment - lapsed in Council.
Electoral (House of Assembly Casual Vacancies) Amendment - lapsed in House of Assembly.
Electoral (Legislative Council) (Optional Preferential Voting) Amendment - lapsed in Council.
Electoral (Legislative Council Voting Thresholds) Amendment - lapsed in Council.
Electoral (Limitation on Display of Electoral Advertisements) Amendment - lapsed in Council.
Evidence (Journalists) Amendment - lapsed in House of Assembly.
Evidence (Protections for Journalists) Amendment - negatived in House of Assembly.
Family Relationships (Surrogacy) Amendment - lapsed in Council.
Freedom of Information (Miscellaneous) Amendment - lapsed in Council.
Genetically Modified Crops Management (Right to Damages) Amendment - negatived in Council.
Listening and Surveillance Devices (Miscellaneous) Amendment - lapsed in Council.
Marine Parks (Sanctuary Zones) Amendment - negatived in House of Assembly.
Mining (Protection of Exempt Land From Mining Operations) Amendment - negatived in Council.
Petroleum and Geothermal Energy (Hydraulic Fracturing) Amendment - negatived in Council.
Sexual Reassignment (Recognition Certificates) Amendment - lapsed in Council.
Sexual Reassignment Repeal - Withdrawn and referred to the Legislative Review Committee.
Stolen Generations (Compensation) - lapsed in House of Assembly.
Water Industry (Third Party Access) Amendment - lapsed in Council.
Workers Rehabilitation and Compensation (SACFS) Amendment - Withdrawn in House of Assembly and referred to the Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation.

House of Assembly origin:

Child Development and Wellbeing - lapsed in Council.
Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment - lapsed in House of Assembly.
Criminal Law (Forensic Procedures) (Blood Testing for Diseases) Amendment - lapsed in Council.
Fair Work (Miscellaneous) Amendment - lapsed in Council.
Parliamentary Committees (Electoral Laws and Practices Committee) Amendment - lapsed in House of Assembly.
Public Finance and Audit (Treasurer's Instructions) Amendment - lapsed in Council.
Stamp Duties (Off-the-plan Apartments) Amendment - lapsed in Council.
Surveillance Devices - negatived in Council.

SITTINGS OF COUNCIL

The Council met on 40 days and sat for a total number of 178 hours 16 minutes.

FIRST SESSION OF THE FIFTY-THIRD PARLIAMENT
LIST OF BILLS WHICH PASSED BOTH HOUSES OF PARLIAMENT
DURING THE PERIOD FROM 6 MAY 2014 TO 18 DECEMBER 2014

ORIGINATED IN THE LEGISLATIVE COUNCIL

	Bill No.	Act No.
Administration and Probate (Removal of Requirement for Surety) Amendment	2	2 of 2014
Anangu Pitjantjatjara Yankunytjatjara Land Rights (Miscellaneous) Amendment	55, 55A	22 of 2014
Pastoral Land Management and Conservation (Renewable Energy) Amendment	4, 4A	12 of 2014
Statutes Amendment (Legal Practitioners)	12	9 of 2014
Succession to the Crown (Request)	3	3 of 2014
Travel Agents Repeal	8	1 of 2014

ORIGINATED IN THE HOUSE OF ASSEMBLY

	Bill No.	Act No.
Appropriation	22	8 of 2014
Australian Crime Commission (South Australia) (Examinations) Amendment	31	13 of 2014
Budget Measures	23, 23A	11 of 2014
Child Sex Offenders Registration (Control Orders and Other Measures) Amendment	15	6 of 2014
Civil Liability (Disclosure of Information) Amendment	42	19 of 2014
Commissioner for Kangaroo Island	30	15 of 2014
Criminal Law Consolidation (Sexual Offences-Cognitive Impairment) Amendment	51	23 of 2014
Criminal Law (Sentencing) (Character Evidence) Amendment	14	5 of 2014
Criminal Law (Sentencing) (Suspended Sentences) Amendment	28	10 of 2014
Independent Commissioner Against Corruption (Miscellaneous) Amendment	52	20 of 2014
Lady Kintore Cottages (Trust Property) Amendment	21	7 of 2014
Local Government (Governance) Amendment	38	14 of 2014
Return to Work	35, 35A	16 of 2014
Roman Catholic Archdiocese of Adelaide Charitable Trust (Membership of Trust) Amendment	46	24 of 2014
South Australian Employment Tribunal	36, 36A	17 of 2014
Statutes Amendment (Attorney-General's Portfolio)	49, 49A	25 of 2014
Statutes Amendment (Energy Consumers Australia)	50	21 of 2014
Statutes Amendment (SACAT)	26, 26A	26 of 2014
Statutes Amendment (Superannuation)	43	18 of 2014
Supply	11	4 of 2014

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

(From 6 May 2014 to 18 December 2014)

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
Anangu Pitjantjatjara Yankunytjatjara Land Rights (Miscellaneous) Amendment	3	-	-	-	-	-	Act No. 22 of 2014
Commissioner for Children and Young People	19	-	-	-	-	-	Negatived in HA
Evidence (Protection for Journalists) Amendment	17	-	-	-	-	-	Negatived in HA
Surveillance Devices	6	-	2	-	-	-	Negatived in LC
Pastoral Land Management and Conservation (Renewable Energy) Amendment	14	-	-	-	-	-	Act No. 12 of 2014

LIST OF HOUSE OF ASSEMBLY BILLS AMENDED BY LEGISLATIVE COUNCIL

(From 6 May 2014 to 18 December 2014)

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
Budget Measures	11 (2 suggested)	11 (2 suggested)	-	-	-	Act No. 11 of 2014
Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment	4	-	-	-	-	Lapsed in HA. due to Prorogation
Criminal Law Consolidation (Sexual Offences - Cognitive Impairment) Amendment	1	1	1	1	-	Act No. 23 of 2014
Parliamentary Committees (Electoral Laws and Practices Committee) Amendment	8	-	-	-	-	Lapsed in HA. due to Prorogation
Return to Work	35	35	-	-	-	Act No. 16 of 2014
South Australian Employment Tribunal	4	4	-	-	-	Act No. 17 of 2014
Statutes Amendment (Attorney-General's Portfolio)	2	2	-	-	-	Act No. 25 of 2014
Statutes Amendment (SACAT)	20	9	11	11 (and 6 alternative amendments made by LC, and agreed to by HA)	-	Act No. 26 of 2014

LEGISLATIVE COUNCIL
FIRST SESSION OF THE FIFTY-THIRD 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 T T Ngo, 8 May 2014.

Seconded by The Hon G A Kandelaars, 8 May 2014.

Adopted and presented to His Excellency The Governor on 22 May 2014.

PRESIDENT OF THE LEGISLATIVE COUNCIL -

Rulings -

Roman Catholic Archdiocese of Adelaide Charitable Trust (Membership of Trust) Amendment Bill -
Amendments not within Order of Reference, 3 December 2014.

CONDOLENCE MOTIONS -

Death of Mrs Heather Southcott AM -

Motion of regret moved by the Minister for Mineral Employment, Higher Education and Skills and carried in silence, 2 December 2014.

Death of The Hon Cecil William Creedon -

Motion of regret moved by the Minister for Employment, Higher Education and Skills and carried in silence, 7 August 2014.

Death of The Hon Donald Hubert Louis Banfield AO -

Motion of regret moved by the Minister for Employment, Higher Education and Skills and carried in silence, 17 June 2014.

Death of The Hon Robert Bruce Such MP -

Motion of regret moved by the Minister for Employment, Education and Higher Skills and carried in silence, 29 October 2014.

LEAVE OF ABSENCE -

The Hon R L Brokenshire -

Moved by the Minister for Employment, Higher Education and Skills and agreed to, 8 May 2014.

GOVERNMENT MOTIONS -

Appointment of the Hon T T Ngo to Panel consulting on appointment of Deputy Commissioner to Industrial Relations Commission -

Moved by the Minister for Employment, Higher Education and Skills and agreed to, 5 June 2014.

Citizen's Right of Reply -

Moved by the Minister for Employment, Higher Education and Skills and agreed to, 7 May 2014.

Condemnation of Conviction and Sentence of Australian Journalist -

Moved by the Minister for Employment, Higher Education and Skills, 3 July 2013, and agreed to 24 July 2014.

SELECT COMMITTEES - COUNCIL -

Budget and Finance Committee -

Moved by The Hon R I Lucas, 7 May 2014 and agreed to, 21 May 2014.

Power to sit during recess - moved by The Hon T J Stephens and agreed to, 19 November 2014.

Report on Operations of, 2013-2014 - Noting of - moved by The Hon R I Lucas and agreed to, 3 December 2014.

Statutory Child Protection and Care in South Australia -

Moved by The Hon R L Brokenshire, 7 May 2014, and agreed to, 21 May 2014.

Power to sit during recess - moved by The Hon S G Wade and agreed to, 19 November 2014.

Electoral Matters in South Australia -

Moved by The Hon S G Wade, 7 May 2014 and motion discharged, 18 June 2014.

Electoral Matters in South Australia (formerly General Election of 2014) -

Moved by The Hon R L Brokenshire, 7 May 2014.

Amendment moved by The Hon S G Wade and agreed to, 4 June 2014.

Motion, as amended, agreed to, 4 June 2014.

Power to sit during recess - moved by The Hon T J Stephens and agreed to, 19 November 2014.

Sale of State Government Owned Land at Gillman -

Moved by The Hon J A Darley, 7 May 2014 and agreed to, 21 May 2014.

Requesting attendance of Member of House of Assembly - moved by The Hon R I Lucas and agreed to, 5 June 2014.

Power to sit during recess - moved by The Hon T J Stephens and agreed to, 19 November 2014.

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

Moved by Member on own behalf -

Electoral Act 1985 - Nomination Deposit -

Moved by The Hon M C Parnell, 7 May 2014. (Motion lapsed due to Prorogation)

Development Act 1993 - Inner Metropolitan Area Development - Relevant Authority - Development Assessment Commission -

Moved by The Hon M C Parnell, 18 June 2014 and negatived, 17 September 2014.

Development Act 1993 - Assessment of Significant Developments -

Moved by The Hon M C Parnell, 24 September 2014 and negatived, 19 November 2014.

PRIVATE MEMBERS' MOTIONS -

ABC and SBS -

Moved by The Hon T A Franks, 3 December 2014. (Motion lapsed due to Prorogation)

Aboriginal Lands Parliamentary Standing Committee Report, 2013-2014 - Noting of -

Moved by The Hon T T Ngo, 17 September 2014 and agreed to, 24 September 2014.

Adelaide City Skate Park -

Motion moved by The Hon T A Franks, 21 May 2014 and agreed to, 18 June 2014.

Borderline Personality Disorder -

Moved by The Hon T A Franks, 15 October 2014, amendment moved by The Hon J M Gazzola and negatived, 19 November 2014, motion as moved agreed to, 19 November 2014.

By-elections -

Moved by The Hon R L Brokenshire, 29 October 2014. (Motion lapsed due to Prorogation)

Centenary of Red Cross in Australia -

Moved by The Hon JSL Dawkins, 6 August 2014 and agreed to, 15 October 2014.

Cycling in South Australia -

Moved by The Hon M C Parnell, 21 May 2014. (Motion lapsed due to Prorogation)

Death of Mr Henry Jones -

Moved by The Hon JMA Lensink, 4 June 2014 and agreed to, 15 October 2014.

Disability in All Policy -

Moved by The Hon K L Vincent, 12 November 2014. (Motion lapsed due to Prorogation)

Diversity in South Australia -

Moved by The Hon K J Maher, 15 October 2014 and agreed to, 3 December 2014.

Environment, Resources and Development Committee - To inquire into Gas Exploration and Extraction -

Moved by The Hon M C Parnell, 29 October 2014, amendment moved by The Hon T A Franks and agreed to, 19 November 2014, motion as amended agreed to, 19 November 2014.

Evans, Hon Iain MP -

Moved by The Hon D W Ridgway, 30 October 2014 and agreed to, 3 December 2014.

Forrest Review -

Moved by The Hon K L Vincent, 15 October 2014. (Motion lapsed due to Prorogation)

House of Assembly Appointments to Statutory Officers Committee -

Moved by The Hon D W Ridgway, 2 July 2014 and agreed to 6, August 2014.

Indian Prime Minister Narendra Modi -

Moved by The Hon J S Lee, 19 November 2014 and agreed to, 3 December 2014.

Legislative Review Committee - Report - Noting of - Partial Defence of Provocation -

Moved by The Hon G A Kandelaars and agreed to, 3 December 2014.

Live Music in South Australia -

Moved by The Hon T A Franks, 3 December 2014. (Motion lapsed due to Prorogation)

MATES in Construction -

Moved by The Hon JSL Dawkins, 12 November 2014 and agreed to, 3 December 2014.

Medical Cannabis -

Moved by The Hon T A Franks, 6 August 2014. (Motion lapsed due to Prorogation)

Members' Chauffeur-driven Cars -

Moved by The Hon M C Parnell, 4 June 2014 and negatived, 3 December 2014.

Minister for Aboriginal Affairs and Reconciliation - No Confidence Motion -

Moved by The Hon R I Lucas and agreed to, 4 December 2014.

Minister for Sustainability, Environment and Conservation - No Confidence Motion -

Moved by The Hon JMA Lensink and agreed to, 24 July 2014.

Music Industry in South Australia -

Moved by The Hon T A Franks, 17 September 2014. (Motion lapsed due to Prorogation)

Natural Resources Committee Report, 2013-2014 - Noting of -

Moved by The Hon G A Kandelaars and agreed to, 29 October 2014.

Occupational Safety, Rehabilitation and Compensation Committee Report, 2013-2013 - Noting of -

Moved by The Hon G A Kandelaars and agreed to, 29 October 2014.

Office of the Ombudsman - Recommendation of Appointment of Mr Wayne Lines -

Moved by The Hon G A Kandelaars, 2 December 2014 and agreed to, 3 December 2014.

Peter Waite and the Waite Campus -

Moved by The Hon D W Ridgway, 6 August 2014 and agreed to, 19 November 2014.

Questions on Notice - Standing Orders Committee to consider and report on -

Moved by The Hon R I Lucas, 15 October 2014 and agreed to, 29 October 2014.

Questions Without Notice - Standing Orders Committee to consider Sessional Order -

Moved by The Hon S G Wade, 15 October 2014 and agreed to, 29 October 2014

Report of the Select Committee on the Inquiry into the Corporation of the City of Burnside -

Moved by The Hon JSL Dawkins, 21 May 2014 and agreed to, 18 June 2014.

Social Development Committee Reports - Noting of -

Review of the Statutes Amendment (Recidivist Young Offenders and Youth Parole Board) Act 2009, Report into -

Moved by The Hon G A Kandelaars and agreed to, 3 December 2014.

Sale and Consumption of Alcohol, Inquiry into -

Moved by The Hon G A Kandelaars, 6 August 2014 and agreed to, 24 September 2014.

Suicide Awareness -

Moved by The Hon JSL Dawkins, 7 May 2014 and agreed to, 4 June 2014.

TAFE -

Moved by The Hon T A Franks, 18 June 2014. (Motion lapsed due to Prorogation)

The Inquiry into the Corporation of the City of Burnside - Report to be referred to the Office of Public Integrity -

Moved by The Hon JSL Dawkins, 21 May 2014 and agreed to, 18 June 2014.

University of Adelaide -

Moved by The Hon A L McLachlan, 19 November 2014 and agreed to, 3 December 2014.

White Ribbon Day -

Moved by The Hon JSL Dawkins, 2 July 2014 and agreed to, 17 September 2014.

Youth Parliament -

Moved by The Hon T A Franks, 29 October 2014 and agreed to, 3 December 2014.

PETITIONS

LEGISLATIVE COUNCIL

(From 6 May 2014 to 18 December 2014)

EFFECTS OF MINING AND DRILLING ON AGRICULTURAL AND CROPPING LAND

Praying that this Honourable House will amend the Mining Act 1971 and the Petroleum and Geothermal Energy Act 2000 to give land owners and rural communities the right to say no to mining and drilling activities in order to protect prime agricultural and cropping land, conservation land and rural communities from the adverse impacts on these activities.

Presented by The Hon M C Parnell, 18 September 2014, 2,475 signatures.

ROAD SAFETY ON PAGES FLAT ROAD, BETWEEN WILLUNGA HILL AND MYPONGA

Praying that this Honourable House will urge the State Government to -

1. Address the unworthy state of the Pages Flat Road between Willunga Hill and Myponga;
2. Assign funding to bituminize the road shoulders;
3. Undertake a study on the suitability of the 100 kph speed limit; and
4. Undertake an audit on the general safety of the road.

Presented by The Hon R L Brokenshire, 20 November 2014, 402 signatures.

SYNOPSIS OF COUNCIL LEGISLATION

ADMINISTRATION AND PROBATE (REMOVAL OF REQUIREMENT FOR SURETY) AMENDMENT BILL

This Bill amends the *Administration and Probate Act 1919* to implement the first set of reforms based upon the recommendations of the South Australian Law Reform Institute in the Final Report 2: Sureties' guarantees for letters of administration.

In 2011 the South Australian Law Reform Institute was asked to identify the areas of succession law that were most in need of review, to conduct a review of each of those areas and to recommend reforms. One of the concerns raised was whether the South Australian statutory requirement for sureties' guarantees to be provided before some intestate estates can be administered should be retained or modified.

An Issues Paper, released by the Institute in 2013, explored the concerns about the requirement for sureties' guarantees. Submissions on the Issues Paper overwhelmingly supported the removal of this redundant requirement for sureties' guarantees because of the following:

- the unnecessary cost and time involved;
- the difficulty in obtaining a surety;
- the fact there is only infrequent recourse to sureties;
- the degree of protection afforded; and
- the fact that they are required only when an administrator is appointed, and not when there is an executor.

This Bill repeals sections 18 and 31 of the Act and amends sections 58, 66 and 67 of the Act, removing from the Act the requirements for, and references to, sureties' guarantees.

(May 8, 20, June 17 - Act No 2 of 2014)

ANANGU PITJANTJATJARA YANKUNYTJATJARA LAND RIGHTS (MISCELLANEOUS) AMENDMENT BILL

This Bill seeks to do two things. The first is to provide the Minister responsible for the administration of the *Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981* (known as the APY Act) with a new power to suspend the Executive Board and appoint an administrator, exercisable on any ground the Minister thinks fit.

The second aim is to make clear in the APY Act that the Independent Commissioner Against Corruption (the ICAC) and examiners and investigators under the Independent Commissioner Against Corruption Act 2012 do not require permission to enter the APY Lands if performing a function under that Act. Strong administration is necessary if the APY is to operate as an institution that is effective and accountable to the communities they represent.

The current powers may be exercised only where certain failures of a specified kind have occurred on the part of the Executive Board or individual Board members. If one of the specified failures occurs, the Minister can issue a formal direction to the Executive Board to take remedial action. Only if the Executive Board then fails to comply with that direction can the Minister suspend the Executive Board and appoint an Administrator.

However, when a problem is less specific, and is of a broader, more intractable kind, there may be no particular recourse under the current APY Act.

This Bill proposes a broad power on the part of the Minister to intervene where other options may not work. The amendment adds a discretionary power to the existing checks and balances available to safeguard the integrity of APY governance and its accountability to communities. A provision in the Bill also requires the Administrator to prepare and submit to both Houses of Parliament a report on the operations of the Administrator and the APY during a prescribed period.

The second amendment proposed by this Bill ensures that Officers of the new ICAC have scope to enter the Lands without giving notice or having to apply for a permit.

(December 2, 3, 4 - Act No 22 of 2014)

ANIMAL WELFARE (COMPANION ANIMALS) AMENDMENT BILL

This Bill seeks to control and regulate the breeding of companion animals in South Australia. The Bill covers issues such as de-sexing, the buying and selling of animals, and the licensing of breeders.

(September 17; December 3 - lapsed due to Prorogation)

COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE BILL

This Bill seeks to establish a Commissioner for Children and Young People. The Commissioner is intended to help ensure that child safety and development is systematically and effectively pursued across government, in particular in education and family services. The Bill provides the Commissioner with full investigative powers and a broader scope to complement the established institutions and consider the value of investigation in the particular circumstances of each case.

(May 21; August 6 - Bill negatived at second reading in House of Assembly)

CONSTITUTION (GENERAL ELECTIONS) AMENDMENT BILL

This Bill seeks to move the state election polling day from the third Saturday in March to the fourth Saturday in October.

(June 18 - lapsed due to Prorogation)

CRIMINAL LAW CONSOLIDATION (ASSAULTS CAUSING DEATH) AMENDMENT BILL

The purpose of this Bill is to amend the *Criminal Law Consolidation Act 1935* by inserting a section relating to the penalties for assaults causing death committed while intoxicated and amends the *Criminal Law (Sentencing) Act 1988* by including a section relating to the duty of the court to fix or extend non-parole periods to not less than the prescribed mandatory minimum period of imprisonment.

(August 6; September 17; November 19 - Bill negatived at second reading)

ELECTORAL (ELECTRONICALLY ASSISTED VOTING AND OTHER MATTERS) AMENDMENT BILL

This Bill seeks to amend the *Electoral Act 1985* to move the fixed term election date to October and to provide additional and more encompassing methods of voting.

(October 29 - lapsed due to Prorogation)

ELECTORAL (HOUSE OF ASSEMBLY CASUAL VACANCIES) AMENDMENT BILL

This Bill seeks to make various amendments in relation to by-elections. The Bill gives the power to decide on the dates of by-elections to the independent Electoral Commissioner and provides that the writs for by-elections are to be issued by the Electoral Commissioner on the day that he or she decides. The Bill also includes the presumption that when two or more by-elections are called, unless there is a good reason, the by-elections will be set for the same day; and in instances where one or more by-elections have been called and then the Electoral Commissioner is given notice of additional casual vacancy, the Electoral Commissioner must fix the by-elections for the same day if it is at all possible.

(October 29; November 19 - lapsed due to Prorogation in House of Assembly)

ELECTORAL (LEGISLATIVE COUNCIL) (OPTIONAL PREFERENTIAL VOTING) AMENDMENT BILL

This Bill amends the *Electoral Act 1985* to introduce optional preferential voting into the South Australian Legislative Council. The Bill provides that voters can choose to number as many or as few squares as they want, either above or below the line, on the Legislative Council ballot paper. The purpose is to ensure that the composition of the Legislative Council most accurately reflects the will of voters. If there are parties, groups or candidates that they do not want to preference, then they do not have to.

(May 21 - lapsed due to Prorogation)

ELECTORAL (LEGISLATIVE COUNCIL VOTING THRESHOLDS) AMENDMENT BILL

The purpose of this Bill is to introduce a minimum threshold of the primary vote that must be attained to be elected to the Legislative Council. This Bill provides that if somebody achieves below that threshold of primary vote they cannot be elected. Preferences cannot be used to bolster numbers and push candidates over the threshold if they achieve less than that number of votes, or percentage of votes of 2.5 per cent. Only primary votes will count. If an individual achieves over 2.5 per cent of the primary vote then they qualify to be elected should the preferences allow that to occur. For the party, the group or individual that cannot meet this threshold they cannot be elected to the Legislative Council.

(September 24 - lapsed due to Prorogation)

ELECTORAL (LIMITATION ON DISPLAY OF ELECTORAL ADVERTISEMENTS) AMENDMENT BILL

This Bill introduces provisions into the *Electoral Act 1985* to limit the number of corflutes allocated in an electoral district to 100 per person, political party or Independent.

(June 18 - lapsed due to Prorogation)

EVIDENCE (JOURNALISTS) AMENDMENT BILL

The purpose of the Bill is to provide shield laws to protect journalists. Under this Bill, journalists will be compelled to reveal their sources only if the case fails the public interest test, that is, where the public interest in revealing information outweighs the potential detriment to the source.

The Bill provides protections to journalistic sources where a journalist has promised not to disclose an informant's identity, or if the journalist receives information in a context where such a confidence is implied, neither the journalist nor their employer could be compelled to answer any question or produce any document which would disclose the identity of their informant or which would enable the source's identity to be determined.

The privilege against disclosure of a source includes situations where a person is compelled to answer a question or produce a document that would disclose the identity of the informant or enable that identity to be determined. The court may, on the application of a party, compel the information be released on the grounds that the public interest and the disclosure of the evidence or identity of the informant outweighs any detriment to the source.

(July 2; November 19 - lapsed due to prorogation in House of Assembly)

EVIDENCE (PROTECTIONS FOR JOURNALISTS) AMENDMENT BILL

The purpose of this Bill is to enshrine in legislation the fundamental principle that journalists should not be compelled to reveal their sources and better promote the notion of the public's right to information.

(July 2; September 24 - Bill negatived at second reading in House of Assembly)

FAMILY RELATIONSHIPS (SURROGACY) AMENDMENT BILL

This Bill seeks to amend the *Family Relationships Act 1975* and to make a related amendment to the *Assisted Reproductive Treatment Act 1988* in relation to altruistic surrogacy. The Bill seeks allow for reasonable reimbursement of costs incurred by a surrogate mother during the period in which she is carrying the baby. It also would establish a framework that would enable a register of approved surrogates to be established and to be accessed by approved medical institutions. The Bill also seeks to insert a provision that would regulate overseas surrogacy arrangements, whereby any proposed international surrogacy agreement would go before the responsible Minister and be assessed on a case-by-case basis for approval, much like the process already in place for overseas adoptions.

(November 12; December 3 - lapsed due to Prorogation)

FREEDOM OF INFORMATION (MISCELLANEOUS) AMENDMENT BILL

This Bill seeks to amend the *Freedom of Information Act 1991* to introduce a reference to the principles of representative democracy in the objects section of the act and also to acknowledge that documents held by government are “a public resource to be held on behalf of the public and managed for public purposes”.

(November 12 - lapsed due to Prorogation)

GENETICALLY MODIFIED CROPS MANAGEMENT (RIGHTS TO DAMAGES) AMENDMENT BILL

The purpose of this Bill is to enable a person who suffers damages as a result of genetically-modified plant material contaminating their land to sue companies who own and sell the technology, including multinational companies such as Monsanto and Bayer CropScience. This Bill creates a right of action in the name of a South Australian farmer against the technology owner of these GM crops.

(June 4; October 29 - Bill negated at second reading)

LISTENING AND SURVEILLANCE DEVICES (MISCELLANEOUS) AMENDMENT BILL

This Bill seeks to amend and update the police aspects of the *Listening and Surveillance Devices Act 1972*. The Bill seeks to amend requirements in relation to surveillance device warrants and surveillance device (emergency) authorities. The Bill also outlines the registers, reports and records that are required to be kept.

(August 6 - lapsed due to Prorogation)

MARINE PARKS (SANCTUARY ZONES) AMENDMENT BILL

This Bill seeks to convert 12 sanctuary zones outlined in the *Marine Parks Act 2007* into habitat protection zones.

(May 21; July 2 - Bill negated at second reading in House of Assembly)

MINING (PROTECTION OF EXEMPT LAND FROM MINING OPERATIONS) AMENDMENT BILL

The purpose of this Bill is to allow rural communities to restrict mining operations on their land or in their local areas.

Under this Bill, the mining company and the landholder cannot sign a waiver agreement without first directly notifying all the neighbors. The Bill also provides that the mining company has to advertise their intention to agree on a waiver with a landholder. They have to advertise that fact in a local newspaper and the mining department must also put it on its website. The Bill provides that, once those two things have happened, there is a two-week objection period.

Under this Bill, if anyone lodges an objection within that two-week period, whether they be the landholder concerned, a neighbor of the landholder or anyone else who believes they would be affected by the mining proposal, then those objectors become parties to the proceedings in the Environment, Resources and Development Court.

(September 24; November 12 - Bill negatived at second reading)

PASTORAL LAND MANAGEMENT AND CONSERVATION (RENEWABLE ENERGY) AMENDMENT BILL

The Bill will provide renewable energy investors with access to 40 per cent of South Australia's land mass that is Crown land subject to pastoral lease. The Bill makes it possible for a wind farm developer to apply for a licence to build and operate a wind farm on pastoral lease land. A wind farm development can co-exist with pastoral activities in the same way as occurs on freehold farming land. The Bill also expedites access to pastoral land for solar energy projects.

This Bill allows for the co-existence of wind farm development and the activities of pastoralism and resource exploration on Crown land. A wind farm developer will make information available on an ongoing basis regarding planned activities on the land and the location of access roads and infrastructure, and a pastoral lessee will be able to make reasonable use of access roads built by a wind farm developer.

The wind farm licence conditions will be negotiated on a case by case basis in recognition of the varying nature of pastoral lease land and the great variation in the scope of wind farm projects. The South Australian Government will charge a licence fee for use of pastoral lease land that is commensurate with that paid by wind farm developers to owners of freehold land.

A wind farm licence will be granted for at least 25 years with the option to renew for another term of at least 25 years. Prior to the granting of a licence, a wind farm developer will be able to gain access to pastoral land upon approval by the Minister responsible for the Act. The wind farm developer will need to give 14 days' notice and access can be granted for conducting investigations or tests; the temporary installation of devices; taking samples; or for any other purpose as agreed by the Minister. During this period, no other wind farm developer will be given approval for access to the same portion of a pastoral lease for a period of up to five and a half years in order to protect a developer's investment in the exploration phase.

During this investigation period, a developer must satisfy the Minister, after a period of two and a half years, that they have developed a plan for a wind farm on the land and are able to fund the completion of that plan. If the Minister is satisfied, a further three years for investigations will be granted.

Once a wind farm licence is granted, the developer must reach two critical milestones. Within three years, a developer needs to demonstrate they have financing and have executed contracts for the construction of the major components of the wind farm. Within five years, the wind turbines must be erected and commissioning tests completed. In issuing a licence there will be obligations on the licence holder to decommission and rehabilitate the wind farm area on completion of the operation period or on lapse of the wind farm licence.

Before a wind farm licence is granted the responsible Minister will consult with the pastoral lessee and any other persons who have an interest in the land. A wind farm licence will not be issued until the applicant has entered into a land access agreement with the pastoral lessee.

If an application for a wind farm licence relates to pastoral land over which a mining tenement under the Mining Act 1971, or petroleum or geothermal tenement under the Petroleum and Geothermal Energy Act 2000 is held, a wind farm licence will not be issued until the applicant has entered into a land access agreement with the holder of the resources tenement.

In cases where warranted, the Government will offer a lease to a solar energy developer for minimal rent in recognition of the costs associated with large-scale solar energy production. In the case of wind developers accessing pastoral lease land through the excision of part of a pastoral leasehold, a wind farm lease will be offered at a rent commensurate with that paid by wind farm developers to owners of freehold land. This rent will take account of the extra costs associated with development in remote areas.

If the construction of the solar energy facility has not been substantially completed within five years after the date that resumption takes effect, the Minister may choose to restore the excised area back to the pastoral leasehold.

In regards to the issue of native title, a wind farm licence will not be granted on pastoral lease land, nor land excised from a pastoral lease, until any native title issues have been adequately addressed as per the Native Title Act.

(May 8, 22, June 3, July 24, August 5, October 14 - Act No 12 of 2014)

PETROLEUM AND GEOTHERMAL ENERGY (HYDRAULIC FRACTURING) AMENDMENT BILL

The Bill calls for the permanent protection of farmland, conservation land, and residential land from fracking for gas. The Bill also seeks to impose a statewide moratorium on hydraulic fracturing for gas for two years, pending a thorough scientific assessment of the environmental impacts.

(September 24; November 12 - Bill negated at second reading)

SEXUAL REASSIGNMENT (RECOGNITION CERTIFICATES) AMENDMENT BILL

This Bill seeks to remove from the *Sexual Reassignment Act 1988* the line that states that a recognition certificate cannot be issued to a person that is married. Currently a married person must divorce their spouse to obtain a recognition certificate.

(June 4; October 15 - lapsed due to Prorogation)

SEXUAL REASSIGNMENT (REPEAL) BILL

The purpose of this Bill is to repeal the *Sexual Reassignment Act 1988*.

(October 15; December 3 - withdrawn and referred to the Legislative Review Committee)

STATUTES AMENDMENT (LEGAL PRACTITIONERS) BILL

This Bill seeks to amend the *Legal Practitioners Act 1981* and the *Fair Trading Act 1987* to address a number of minor inconsistencies and omissions in the *Legal Practitioners (Miscellaneous) Amendment Act 2013* identified during the drafting of regulations to support the operation of that Act.

The principal object of the Bill is to clarify that the Commissioner's costs, including the salaries and associated employment costs of the Commissioner and the Commissioner's staff, are able to be met from money in the Fidelity Fund. It was always the intention of the Government to continue the current practice of funding the regulatory body from the Fidelity Fund and these amendments make that intention explicitly clear.

This Bill will also make minor amendments to the *Legal Practitioners Act* as amended by the *Legal Practitioners (Miscellaneous) Amendment Act*. These uncontroversial amendments will clarify the policy intent of the identified provisions and ensure that the provisions operate as originally intended by the Government.

A definition of corresponding authority will be inserted into the interpretation section of the Act to address that omission from the *Legal Practitioners (Miscellaneous) Amendment Act*.

New section 77H will also be amended to make clear that the reporting obligation in that section only relates to offences committed by a legal practitioner or former legal practitioner. Clause 19 in new Schedule 4 of the Act will also be amended to clarify the intention of that provision.

The final amendment to the *Legal Practitioners Act* is to section 95. This section sets out how the money collected for practising certificates and the fee under section 23D, which requires an interstate legal practitioner to give written notice to the Supreme Court if they intend to establish an office in this State, is distributed. The effect of the amendment to section 95 is to incorporate the fees collected under clauses 4 and 5 of new Schedule 1 so that the revenue is applied towards the purposes of the Act and is distributed in the same manner as the revenue from practising certificate fees and the fee for giving notice under section 23D. A consequential amendment has also been made to section 57(3) the Act.

Finally the Bill amends the *Fair Trading Act* to insert a new section 25A. This will address an inconsistency between clause 34(2) of new Schedule 3 and section 101(3) of the Commonwealth *Competition and Consumer Act 2010*, insofar as those provisions relate to the period within which an itemised bill is provided.

Clause 34(2) provides that a law practice must comply with a request for an itemised bill within 21 days of the request while section 101(3) of the Australian Consumer Law stipulates that a supplier must give an itemised bill to the consumer within seven days of the request being made. Without this amendment, the shorter time period specified in the Australian Consumer Law would prevail.

(June 5, July 1, August 7, September 16 - Act No 9 of 2014)

STOLEN GENERATIONS (COMPENSATION) BILL

The purpose of this Bill is to establish a scheme for *ex gratia* payments of compensation to be made to members of the Stolen Generations and for other purposes.

(October 15; December 3 - lapsed due to Prorogation in House of Assembly)

SUCCESSION TO THE CROWN (REQUEST) BILL

This Bill allows the passage of Commonwealth legislation to reform and modernise the rules of royal succession. It will ensure that males are no longer given precedence over females in the line of succession. It will remove the current bar on those in line of succession from marrying a person of the Roman Catholic faith.

The Bill will also allow the Commonwealth to legislate to repeal the Royal Marriages Act 1772. That Act provides that a marriage of a descendant of King George II that was not made with the Monarch's permission is void.

Passage of the Commonwealth legislation is an important constitutional amendment as it will change the law relating to the effect of gender and marriage on royal succession consistent with changes made to the law in the United Kingdom and ensure that the Sovereign of Australia is the same person as the sovereign of the United Kingdom. The changes will be retrospective. For example, the amendment in relation to succession to the Crown based on gender takes effect for any person born after 28 October 2011.

The Bill provides the mechanism for the South Australian Parliament to request and consent to the Commonwealth Parliament's enactment of legislation to change the rules of royal succession throughout Australia. Section 51(xxxviii) of the Australian Constitution gives the Commonwealth the power to pass legislation at the request of, or with the concurrence, of the Parliaments of all the States directly concerned.

The original proposal for these amendments arose at the Commonwealth Heads of Government Meeting in Perth on 28 October 2011, where the leaders of the 16 realms who have Her Majesty the Queen as Sovereign (including Australia) agreed to apply uniform changes to the rules of succession in each of their jurisdictions.

After the Perth decision, the matter was put to a meeting of the Council of Australian Governments. The council agreed to introduce the reforms by a request and consent scheme, relying on section 51(xxxviii) of the Australian Constitution.

A request and consent Bill such as this does not allow the Commonwealth to change the rules of succession for Australia's sovereign in the future without further consultation. The Commonwealth Bill includes a provision, a proposed section 12, to the effect that the Act can only be expressly or impliedly repealed or amended by an Act passed at the request or with the concurrence of the Parliaments of all of the States.

The draft Commonwealth Bill is included in schedule 1 of the South Australian Bill. The Bill also makes consequential amendments to the Treason Act 1351, passed by the Parliament of England, as this applies in South Australia, to remove references to the "eldest son and heir" and replace them with references to the "oldest child and their heir".

(May 8, 22, June 17 - Act No 3 of 2014)

TRAVEL AGENTS REPEAL BILL

This Bill repeals the Travel Agents Act 1986 and implements a key recommendation in the national Travel Industry Transition Plan approved by a majority of State and Territory Governments on 7 December 2012.

The transition plan recommended sweeping changes to existing travel agents regulation which has been in place since 1986, following the introduction of a cooperative scheme for the uniform regulation of travel agents, known as the national scheme. The terms of the national scheme require jurisdictions to enact uniform legislation requiring travel agents to be licensed and for those agents to become and remain members of the Travel Compensation Fund, or TCF. The TCF monitors the financial position of travel agents and administers compensation to consumers who have suffered financial loss because their travel agent has failed to pay a travel or travel-related service provider on their behalf.

Now, after two decades in operation, the national scheme has steadily become ill-suited both to modern industry practices and to how consumers purchase travel today. The rise of electronic commerce, in particular, has fuelled the growth of direct distribution channels. Making travel arrangements is now predominantly an online business, with consumers cutting travel agents out of many transactions.

A significant number of consumer transactions are currently falling outside the scope of this existing regulatory scheme and the pool of consumers who are eligible to access compensation by the TCF is now shrinking. However, the compliance burden associated with satisfying the TCF's prudential oversight requirements remains high relative to its declining benefit to consumers.

This Bill is the culmination of a lengthy process of collaborative reform that has been in place since early 2009. All jurisdictions are cooperating to achieve the passage of similar legislation within the required time frame.

The Bill enables travel agents to transition into an environment that is appropriate for contemporary market conditions and existing regulatory coverage. It also enables an experienced, well-established industry to play a central role in overseeing the activities of its representatives in the absence of a more prescriptive regulatory framework. Importantly, the Bill helps place the Australian Consumer Law centrally as the most appropriate form of protection for consumers and regulation for travel agents, both at present and in the foreseeable future.

(May 22, June 3, 5, 18 - Act No 1 of 2014)

WATER INDUSTRY (THIRD PARTY ACCESS) AMENDMENT BILL

This Bill amends the Water Industry Act by inserting a new part 9A that provides a light handed negotiate/arbitrate framework for businesses to seek access to services provided by natural monopoly water infrastructure (e.g. transport services via SA Water's bulk water pipelines).

The Bill establishes access arrangements to SA Water's bulk water transport services. The Bill does not relate to retail services or bulk water resources. The Bill amends the Water Industry Act to ensure that access seekers and infrastructure owner are not limited from negotiating commercial agreements outside of the provisions of the access regime. The Bill, as a safety net, confers rights on the access seeker in relation to negotiating access and imposing obligations on the infrastructure owner when the access seeker exercises those rights.

The Bill appoints ESCOSA as the regulator of a state based access regime for water. ESCOSA will be required to adopt a light handed regime of monitoring and enforcing compliance with the access regime. ESCOSA will be required to report to the Minister each year about the work carried out by the regulator under the access regime.

The adoption of a light handed regime that facilitates commercial negotiation and arbitration in a low cost manner is considered appropriate in an environment where access negotiations are likely to be infrequent and specific to the needs of the access seeker. This approach has been adopted in South Australia's certified legislative access regimes for railways (set out in the Railways (Operations and Access) Act 1997) and port services (set out in the Maritime Services Act 2000).

(December 4 - lapsed due to Prorogation)

WORKERS REHABILITATION AND COMPENSATION (SACFS) AMENDMENT BILL

This Bill seeks to ensure that volunteer firefighters do not have to prove which fire caused a cancer, should a volunteer firefighter contract one of the 12 cancers that are compensable in the qualifying schedule. The Bill provides that if a volunteer firefighter suffers from one of the 12 prescribed primary site cancers and they have been exposed to carcinogens, toxins, or hazards of a fire scene for a significant part of their volunteer service, then their cancer is presumed to be caused because of their duty as a firefighter. Therefore, the Bill adds the presumption into the Act that the volunteer firefighter's cancer was caused because of their firefighting. It is presumed that the volunteer firefighter's cancer was work-related. Under this Bill, the employment of the volunteer firefighter is taken to have contributed to the cancer unless proven to the contrary.

(May 7; June 4 - withdrawn in House of Assembly and referred to the Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation)