# HOUSE OF ASSEMBLY

2012-2013

SECOND SESSION, FIFTY SECOND PARLIAMENT

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OFFICERS OF THE HOUSE

THE SPEAKER

HON L R BREUER, MP (until 5 February 2013)
HON M J ATKINSON MP (from 5 February 2013)

DEPUTY SPEAKER AND CHAIRMAN OF COMMITTEES

MR A PICCOLO, MP (until 21 January 2013)
HON M J WRIGHT MP (from 5 February 2013)
THE GOVERNOR

His Excellency Rear Admiral Kevin Scarce, A.C., C.S.C, R.A.N.R

THE MINISTRY

As at prorogation

HON JAY WILSON WEATHERILL, LLB, BEc, GDLP, MP
Premier
Treasurer
Minister for State Development
Minister for the Public Sector
Minister for the Arts

HON JOHN ROBERT RAU, LLB, MP
Deputy Premier
Attorney-General
Minister for Planning
Minister for Industrial Relations
Minister for Business Services and Consumers

HON GAIL ELIZABETH GAGO, BSc (Hons), Dip.App.Sc. (Nursing), MLC
Minister for Agriculture, Food and Fisheries
Minister for Forests
Minister for Regional Development
Minister for the Status of Women
Minister for State / Local Government Relations

HON JOHN JAMES SNELLING, BA, JP, MP
Minister for Health and Ageing
Minister for Mental Health and Substance Abuse
Minister for Defence Industries
Minister for Veterans’ Affairs

HON JENNIFER MARY RANKINE, MP
Minister for Education and Child Development
Minister for Multicultural Affairs

HON ANASTASIOUS KOUTSANTONIS, MP
Minister for Transport and Infrastructure
Minister for Mineral Resources and Energy
Minister for Housing and Urban Development

HON MICHAEL FRANCIS O’BRIEN, BA, MBA, JP, MP
Minister for Finance
Minister for Police
Minister for Correctional Services
Minister for Emergency Services
Minister for Road Safety
HON GRACE PORTOLESI, MP
Minister for Employment, Higher Education and Skills
Minister for Science and Information Economy

HON THOMAS RICHARD KENYON, BA, BApp. SC, JP, MP
Minister for Manufacturing, Innovation and Trade
Minister for Small Business

HON CHLOË CATIENNE FOX, BA (Hons), MA, Grad.Dip.Ed, MP
Minister for Transport Services
Minister Assisting the Minister for the Arts

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

Minister for Communities and Social Inclusion
Minister for Social Housing
Minister for Disabilities
Minister for Youth
Minister for Volunteers

HON LEON WILLIAM KENNEDY BIGNELL, MP
Minister for Tourism
Minister for Recreation and Sport
OTHER OFFICE HOLDERS

**MS ISOBEL MARY REDMOND, LLB, MP**  
Leader of the Opposition (until 4 February 2013)

**MR STEVEN SPENCE MARSHALL, MP**  
Leader of the Opposition (from 4 February 2013)

**MR MICHAEL RICHARD WILLIAMS, MP**  
Deputy Leader of the Opposition (until 23 October 2012)

**MR STEVEN SPENCE MARSHALL, MP**  
Deputy Leader of the Opposition (until 4 February 2013)

**MS VICKIE ANNE CHAPMAN, LLB, GDLP, MP**  
Deputy Leader of the Opposition (from 4 February 2013)

WHIPS

**MRS ROBYN KATHRYN GERAGHTY, JP, MP**  
Government

**MR STEVEN PAUL GRIFFITHS, DIP LG ADMINISTRATION, JP, MP**  
Opposition (until 12 November 2012)

**MR ROGER MARK GOLDSWORTHY, MP**  
Opposition (from 12 November 2012 until 18 February 2013)

**MR JOHN ANTHONY WILLIAM GARDNER, BA, MP**  
Opposition (from 18 February 2013)
### MEMBERS

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<thead>
<tr>
<th>NAME</th>
<th>PARTY</th>
<th>DISTRICT</th>
<th>DATE FIRST ELECTED</th>
<th>POSITION HELD, INCLUDING COMMITTEE MEMBERSHIP</th>
</tr>
</thead>
<tbody>
<tr>
<td>ATKINSON Hon Michael John, BA (Hons), LLB, JP</td>
<td>ALP</td>
<td>Croydon</td>
<td>25 November 1989</td>
<td>Speaker, Standing Orders Committee, Joint Parliamentary Service Committee (from 5 February 2013), Environment, Resources and Development Committee, Public Works Committee (until 5 February 2013).</td>
</tr>
<tr>
<td>BEDFORD Frances Ellen, JP</td>
<td>ALP</td>
<td>Florey</td>
<td>11 October 1997</td>
<td>Social Development Committee, Aboriginal Lands Parliamentary Standing Committee (until 12 June 2012), Dogs and Cats as Companion Animals Select Committee (from 5 February 2013).</td>
</tr>
<tr>
<td>BETTISON Zoe Lee, BA, MBA</td>
<td>ALP</td>
<td>Ramsay</td>
<td>11 February 2012</td>
<td>Economic and Finance Committee (from 28 February 2012), Public Works Committee (from 5 February 2013), Aboriginal Lands Parliamentary Standing Committee (from 28 February 2012 until 5 February 2013), Port Augusta Power Stations Select Committee, Sustainable Farming Practices Select Committee (from 5 February 2013), Adelaide Workers Homes Bill Select Committee, Anti-Social and Criminal Behaviour Select Committee.</td>
</tr>
<tr>
<td>BIGNELL Leon William Kennedy</td>
<td>ALP</td>
<td>Mawson</td>
<td>18 March 2006</td>
<td>Minister for Tourism, Minister for Recreation and Sport (from 21 January 2013), Publishing Committee (until 5 February 2013), Grain Handling Industry Select Committee, Road Traffic (Emergency Vehicles) Amendment Bill Select Committee. Dogs and Cats as Companion Animals Select Committee (until 5 February 2013).</td>
</tr>
<tr>
<td>Name</td>
<td>Party</td>
<td>Constituency</td>
<td>Term Start</td>
<td>Term End</td>
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<td>Ruth</td>
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<tr>
<td><strong>CLOSE</strong> Susan Elizabeth, BA (Hons) PhD</td>
<td>ALP</td>
<td>Pt Adelaide</td>
<td>11 February 2012</td>
<td>Aboriginal Lands Parliamentary Standing Committee (from 12 June 2012 to 5 February 2013), Sustainable Farming Practices Select Committee, Port Augusta Power Stations Select Committee, Dogs and Cats as Companion Animals Select Committee.</td>
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<tr>
<td><strong>CONLON</strong> Hon Patrick Frederick, BA, LLB (Hons)</td>
<td>ALP</td>
<td>Elder</td>
<td>11 October 1997</td>
<td>Leader of Government Business, Minister for Transport and Infrastructure, Minister for Housing and Urban Development, (until 21 January 2013)</td>
</tr>
<tr>
<td>Name</td>
<td>Party</td>
<td>electorate</td>
<td>Date</td>
<td>Role and Committees</td>
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<tr>
<td><strong>EVANS</strong> Hon Iain Frederick, BAppSc, JP</td>
<td>LPA</td>
<td>Davenport</td>
<td>11 December 1993</td>
<td>Environment, Resources and Development Committee (from 5 February 2013 to 5 March 2013).</td>
</tr>
<tr>
<td><strong>HAMILTON-SMITH</strong> Martin Leslie James, ASM, DFSM, BA (Mil), MA, MBA, JP</td>
<td>LPA</td>
<td>Waite</td>
<td>11 October 1997</td>
<td>Public Works Committee, Port Pirie Smelting Facility (Lead-In-Air Concentrations) Bill Select Committee.</td>
</tr>
<tr>
<td><strong>HILL</strong> Hon John David, BA, DipEd, LLB, JP</td>
<td>ALP</td>
<td>Kaurna</td>
<td>11 October 1997</td>
<td>Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health and Ageing (until 21 January 2013), Review of the Retirement Villages Act 1987 Select Committee.</td>
</tr>
<tr>
<td>Name</td>
<td>Party</td>
<td>Constituency</td>
<td>Date</td>
<td>Position and Responsibilities</td>
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<tr>
<td>KEY Hon Stephanie Wendy, BA, JP</td>
<td>ALP</td>
<td>Ashford</td>
<td>11 October 1997</td>
<td>Natural Resources Committee, Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation, Statutory Officers Committee.</td>
</tr>
<tr>
<td>KOUTSANTONIS Hon Anastasious (Tom)</td>
<td>ALP</td>
<td>West Torrens</td>
<td>11 October 1997</td>
<td>Minister for Small Business, Minister for Manufacturing, Innovation and Trade (until 21 January 2013), Minister for Mineral Resources and Energy, Minister for Transport and Infrastructure, Minister for Housing and Urban Development, Port Pirie Smelting Facility (Lead-In-Air Concentrations Bill Select Committee.</td>
</tr>
<tr>
<td>McFETRIDGE Dr Duncan, Dip T, BSc (Vet Biol), BVMS, BSc (Ag Sc)</td>
<td>LPA</td>
<td>Morphett</td>
<td>9 February 2002</td>
<td>Aboriginal Lands Parliamentary Standing Committee, Dogs and Cats as Companion Animals Select Committee, Review of the Retirement Villages Act 1987 Standing Committee, Adelaide Workers' Homes Bill Select Committee.</td>
</tr>
<tr>
<td>Name</td>
<td>Party</td>
<td>Constituency</td>
<td>Date</td>
<td>Positions</td>
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<tr>
<td>O’BRIEN Hon Michael Francis, BA, MBA</td>
<td>ALP</td>
<td>Napier</td>
<td>9 February 2002</td>
<td>Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety (from 21 January 2013), Minister for Finance, Minister for the Public Sector (until 21 January 2013).</td>
</tr>
<tr>
<td>ODENWALDER Lee Kenny, BA(Hons)</td>
<td>ALP</td>
<td>Little Para</td>
<td>20 March 2010</td>
<td>Economic and Finance Committee (until 28 February 2012), Natural Resources Committee, Statutory Officers Committee (until 29 November 2012), Public Works Committee (until 5 March 2013), Environment, Resources and Development Committee, Legislative Review Committee (from 5 March 2013), Publishing Committee, Sustainable Farming Practices Select Committee, Adelaide Workers’ Homes Bill Select Committee, Port Augusta Power Stations Select Committee.</td>
</tr>
<tr>
<td>PEGLER Donald William</td>
<td>IND</td>
<td>Mount Gambier</td>
<td>20 March 2010</td>
<td>Natural Resources Committee.</td>
</tr>
<tr>
<td>PICCOLO Antonio (Tony) BEc, B.Ec, Grad Cert. Ed, M. Ed Mgt, CPA, JP</td>
<td>ALP</td>
<td>Light</td>
<td>18 March 2006</td>
<td>Deputy Speaker and Chairman of Committees (until 21 January 2013) Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Your, Minister for Volunteers (from 21 January 2013), Grain Handling Industry Select Committee.</td>
</tr>
<tr>
<td>Name</td>
<td>Political Affiliation</td>
<td>Constituency</td>
<td>Start Date</td>
<td>Position</td>
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<td>PISONI David Gregory</td>
<td>LPA</td>
<td>Unley</td>
<td>18 March 2006</td>
<td>Committee, Sustainable Farming Practices Select Committee (until 5 February 2013).</td>
</tr>
<tr>
<td>RANKINE Jennifer Mary</td>
<td>ALP</td>
<td>Wright</td>
<td>11 October 1997</td>
<td>Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety (until 21 January 2013) Minister for Multicultural Affairs, Minister for Education and Child Development (from 21 January 2013).</td>
</tr>
<tr>
<td>RAU John Robert</td>
<td>ALP</td>
<td>Enfield</td>
<td>9 February 2002</td>
<td>Minister for Industrial Relations (from 21 January 2013), Deputy Premier, Attorney General, Minister for Planning, Minister for Business Services and Consumers</td>
</tr>
<tr>
<td>SIBBONS Alan John</td>
<td>ALP</td>
<td>Mitchell</td>
<td>20 March 2010</td>
<td>Publishing Committee, Legislative Review Committee (until 5 March 2013), Social Development Committee, Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation, Aboriginal Lands Parliamentary Standing Committee (until 28 February 2013).</td>
</tr>
<tr>
<td>Name</td>
<td>Party</td>
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<td>Date</td>
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<tr>
<td>SNELLING Hon John</td>
<td>ALP</td>
<td>Playford</td>
<td>11 October 1997</td>
<td>Treasurer, Minister for Workers Rehabilitation (until 21 January 2013)</td>
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<tr>
<td>James, BA</td>
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<td></td>
<td>Minister for Health and Ageing, Minister for Mental Health and Substance Abuse</td>
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<td>(from 21 January 2013)</td>
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<td>Minister for Veterans' Affairs, Minister for Defence Industries</td>
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<td>SUCH Hon Robert</td>
<td>IND</td>
<td>Fisher</td>
<td>25 November 1989</td>
<td>Social Development Committee, Statutory Officers Committee (from 29 November 2012)</td>
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<tr>
<td>THOMPSON Mary</td>
<td>ALP</td>
<td>Reynell</td>
<td>11 October 1997</td>
<td>Standing Orders Committee, Environment, Resources and Development Committee, Legislative Review Committee, Road Traffic (Emergency Vehicles) Amendment Bill Select Committee. Aboriginal Lands Parliamentary Standing Committee (from 5 February 2013), Publishing Committee (from 5 February 2013)</td>
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<tr>
<td>(Gay) Gabrielle, B.A, JP</td>
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<td>TRELOAR Peter</td>
<td>LPA</td>
<td>Flinders</td>
<td>20 March 2010</td>
<td>Economic and Finance Committee (from 27 November 2012), Port Augusta Power Stations Select Committee.</td>
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<td>Andrew</td>
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<td>VAN HOLST PELLEKAAN Daniel Cornelis, BEc</td>
<td>LPA</td>
<td>Stuart</td>
<td>20 March 2010</td>
<td>Natural Resources Committee, Road Traffic (Emergency Vehicles) Amendment Bill Select Committee. Port Augusta Power Stations Select Committee.</td>
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<tr>
<td>Name</td>
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<td>Member Name</td>
<td>Position</td>
<td>Committee</td>
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<td>Venning Ivan</td>
<td>LPA</td>
<td>Howard, JP</td>
<td>Schubert</td>
<td>Standing Orders Committee</td>
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<td>Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation, Sustainable Farming Practices Select Committee.</td>
</tr>
<tr>
<td>Vlahos Leesa Anne</td>
<td>ALP</td>
<td></td>
<td>Taylor</td>
<td>Road Traffic (Emergency Vehicles) Amendment Bill Select Committee. Sustainable Farming Practices Select Committee (until 5 February 2013).</td>
</tr>
<tr>
<td>Weatherill Hon Jay</td>
<td>ALP</td>
<td>Wilson, LLB, BEc, GDLP</td>
<td>Cheltenham</td>
<td>9 February 2002</td>
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<tr>
<td>Whetstone Timothy</td>
<td>LPA</td>
<td></td>
<td>Chaffey</td>
<td>20 March 2010</td>
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<td>Williams Michael</td>
<td>LPA</td>
<td>Richard</td>
<td>MacKillop</td>
<td>Standing Orders Committee</td>
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<tr>
<td>Wright Hon Michael</td>
<td>ALP</td>
<td>John, BEd</td>
<td>Lee</td>
<td>Deputy Speaker and Chairman of Committees (from 5 February 2013) Economic and Finance Committee (until 5 February 2013), Public Works Committee (until 5 February 2013)</td>
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</table>
SUMMARY OF THE SESSION

The Second Session of the Fifty-Second Parliament was opened on 14 February 2012, pursuant to His Excellency the Governor’s proclamation of 16 December 2011. His Excellency’s speech outlined a number of areas in which the Government intended to legislate during the new session, including protection of peri-urban agricultural production regions, advancement of mining and encouragement of advanced manufacturing, changes to planning and licensing provisions as part of plan to support greater ‘vibrancy’ in the CBD, support of affordable housing development and early childhood services.

It seemed that the prorogation of the First Session of the Fifty-Second Parliament by His Excellency on 15 December 2011 roughly coinciding with the election by the Labor Government of a new Leader and therefore Premier on 21 October 2011 generated a level of controversy in some quarters of the media not seen before in association with traditional and constitutional procedures that have been performed numerous times since 1857. Such was the nature of the ill-informed commentary in relation to the purpose of prorogation and the significance of the traditional witnessing of an opening of a new session that for the first time the usual hospitality shown guests invited to witness the opening was dispensed with.

From a procedural perspective the relative length of the First and Second Sessions of the Fifty-Second Parliament suggests that there is some acceptance of a more practical interpretation of section 7 of the Constitution Act 1934 relating to parliamentary sessions and in the future the Parliament of South Australia may join with most of the other Australian parliamentary jurisdictions and not regularly prorogue between parliaments but only when procedurally or ceremonially necessary.

Two new Members elected at the by-elections conducted on 11 February 2012 for the vacancies in the seats of Port Adelaide (Dr Susan Close) and Ramsay (Ms Zoe Bettison) were duly sworn in and took their seats on 28 February 2012.

On 4 February 2013 Mrs Isobel Redmond resigned as Leader of the Opposition and subsequently on 8 February 2013 from all of her Shadow Ministry portfolios. She was replaced as Leader of the Opposition by Mr Steven Marshall on 4 February 2013 and a reallocation of Shadow Minister portfolios was made on 8 February 2013.

On 5 February 2013 Hon L R Breuer resigned as Speaker (coinciding with a minor Ministerial reshuffle) and the House appointed Hon M J Atkinson as Speaker. The new Speaker was presented to His Excellency the Governor later that day. On the same day Mr Piccolo, who had on 21 January been appointed to Cabinet, was replaced as Deputy Speaker and Chairman of Committees by Hon M J Wright.

During the session the House of Assembly marked the passing by way of condolence motions for Mr D S Baker, former Member for Mackillop, Minister and Leader of the Opposition; Corporal S J Smith, an officer of the Australian Defence Force killed while serving in Afghanistan; Mr M J Brown, former Member for Whyalla; Mr D M Ferguson, former Member for Henley Beach, Deputy Speaker and Chairman of Committees; Mrs Joy Baluch, former Mayor of the City of Port Augusta; Sir Keith Douglas, former Governor of South Australia; Hon F T Blevins, former Member for Whyalla and Giles, former Member of the
Legislative Council and former Deputy Premier; Hon R J Ritson, former Member of the Legislative Council; Mr Edward (Ted) Connelly, former Member for Pirie and Speaker of the House of Assembly.

Once again at the beginning of the session the House adopted the sessional orders for the earlier sittings of the House on Tuesdays and Wednesdays and the procedures for automatic adjournment at 7.00pm if the House happens to be sitting then. The complimentary sessional order, given the differences in the sittings times of the two Houses, for the delivery and receipt of messages when the House of Assembly isn’t sitting was also readopted. The sessional order providing for a citizen’s right of reply was also re-adopted. Interestingly, although the sessional order has been in place since 2007 there is yet to be successful submission for a right of reply and there were no submissions received during this particular session. Further sessional orders giving the Speaker authority to require a disruptive Member to withdraw from the Chamber for up to one hour and to limit the time available to a Minister in answering a question in Question Time to four minutes were also adopted.

Following the report of a Senate committee inquiry earlier in the year on 18 July 2012 the Premier moved a motion of apology to women who had been the subject to a policy of forced relinquishment of their new born children in the following terms:

That this House recognises that the lives of many members of the South Australian community have been adversely affected by adoption practices, which have caused deep distress and hurt, especially for mothers and their children, who are now adults. We recognise that past adoption practices have profoundly affected the lives of not only these people, but also fathers, grandparents, siblings, partners and other family members. We accept with profound sorrow that many mothers did not give informed consent to the adoption of their children. To those mothers who were denied the opportunity to love and care for their children, we are deeply sorry. We recognise that practices of our past mean that there are some members of our community today who remain disconnected from their families of origin. To those people adopted as children who were denied the opportunity to be loved and cared for by their families of origin, we are deeply sorry. To those people who were disbelieved for so long, we hear you now; we acknowledge your pain, and we offer you our unreserved and sincere regret and sorrow for those injustices. To all those hurt, we say sorry.

What followed was an at times moving debate witnessed by many of the women affected by the policies of the past outlined in the motion. The debate was concluded and the motion agreed to on 6 September 2012.

Uniquely, that debate and indeed the earlier proceedings of the House of Assembly, on 10, 11 and 12 July 2012, were in an historic first conducted with the House sitting in the Legislative Council. The House of Assembly’s Chamber had been closed at short notice for the remediation of low level asbestos contamination. The incident and the remediation work undertaken were detailed in a report to the Speaker tabled during the session.

The House debated a number of significant pieces of legislation including the Advance Care Directives Bill that enables competent adults to make decisions and give directions in relation to their future health care, residential and accommodation arrangements and personal affairs
and creates a single form of Advance Care Directive to replace the existing Enduring Power of Guardianship, Medical Power of Attorney and the Anticipatory Direction. The Character Preservation Barossa Valley Bill recognises the special character of the Barossa Valley and provides statutory protection from inappropriate urban development. This legislation sets out what is desirable and undesirable development in the Barossa Valley. Similarly the Character Preservation McLaren Vale Bill recognises the special character of McLaren Vale and provides statutory protection from inappropriate urban development. The Constitution (Recognition of Aboriginal Peoples) Amendment Bill acknowledges Aboriginal occupation and custodianship of the land and waters of South Australia. It provides for a new section in part 1 of the Constitution Act 1934, entitled 'Recognition of Aboriginal Peoples'. The Disability Services (Rights, Protection and Inclusion) Amendment Bill promotes the rights of people with disability. The Independent Commissioner Against Corruption Bill establishes an independent body focussed entirely on preserving and safeguarding public confidence in and the integrity of the functions performed by public officers, agencies and authorities in South Australia. The South Australian Civil and Administrative Tribunal Bill establishes the South Australian Civil and Administrative Tribunal as the primary forum with jurisdiction to review administrative decisions. The Torrens University Australia Bill provided for the establishment of new private university in South Australia. The Water Industry Bill repealed the Waterworks Act 1932, Water Conservation Act 1936 and Sewerage Act 1929; and provides a framework for water demand and supply planning and a competitive water industry.

Committee activity, both Standing Committees and Select Committees was up on recent years if the number of reports tabled and meetings held, detailed later in this Digest, can be regarded as an indicator. A fairer performance measure is the number of major inquiries completed with the tabling of substantial and quite far reaching reports such as the reports by the Economic and Finance Committee on the South Australian Taxation System and on Compulsory Third Party Insurance; the report by the Environment Resources and Development Committee on Urban Density; the report tabled by the Natural Resources Committee on Water Resources Management in the Murray-Darling Basin; and the report of the Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation on its inquiry into Vocational Rehabilitation and Return to Work Practices for Injured Workers. A number of reports of Select Committees also serve as evidence of parliamentary committees adding value to the debate on and development of public policy. Such as the report of the Select Committee on the Port Pirie Smelting Facility (Lead-in-Air Concentrations) Bill; the Select Committee on Sustainable Farming Practices report; and the report of the Select Committee on the Retirement Villages Act 1987.

During the session there were over 300 hours of Standing Committee activity for hearings, site visits and deliberation and over 170 hours of activity by Select Committees. There were 40 meetings or site visits that took the operations of the House of Assembly beyond the confines of Parliament House.

At the close of the session and during the traditional valedictory remarks the Members for Reynell (Ms Thompson), Giles (Hon L R Breuer), Torrens (Mrs Geraghty), Kaurna (Hon J Hill), Elder (Hon J P Conlon), Lee (Hon M J Wright) and Schubert (Mr Venning) announced or confirmed their intention not to seek re-election at the forthcoming General Election. The Members for Reynell, Giles, Kaurna, Elder and Lee are retiring as Members after almost 17 years of service to the Parliament, all having been elected at the 1997 General Election. The
Member for Torrens retires after 20 years as a Member and the Member for Schubert after 24 years of service.

The last sitting day of the session on 28 November 2013 ended a session comprising 101 sitting days; the most sitting days in a session since the 126 sitting day session of 1872. Ninety-nine of those sitting days accommodated a one hour Question Time and over 105 hours of the session was devoted to Private Member Business.

On 12 December 2013 His Excellency the Governor issued a proclamation for the prorogation of Parliament until 27 February 2014. Prior to that date it is expected a Writ for a General Election will be issued to be held in accordance with s.28(1) of the Constitution Act on 15 March 2013.

Malcolm Lehman
Clerk
House of Assembly

December 2013
# SITTING DAYS AND TIMES

**Opening of Session - 14 February 2012**  
**Last Day of Sitting - 28 November 2013**  
**Prorogation of Session - 12 December 2013**

<table>
<thead>
<tr>
<th>TIME FROM MEETING TO ADJOURNMENT</th>
<th>TIME OF ADJOURNMENT</th>
<th>NUMBER OF DAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Month</td>
<td>Number of Sitting Days</td>
<td>* Hrs Mins</td>
</tr>
<tr>
<td><strong>2012</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Feb</td>
<td>5</td>
<td>28 55</td>
</tr>
<tr>
<td>March</td>
<td>7</td>
<td>45 10</td>
</tr>
<tr>
<td>April</td>
<td>3</td>
<td>17 04</td>
</tr>
<tr>
<td>May</td>
<td>9</td>
<td>53 36</td>
</tr>
<tr>
<td>June</td>
<td>5</td>
<td>30 53</td>
</tr>
<tr>
<td>July</td>
<td>4</td>
<td>15 17</td>
</tr>
<tr>
<td>Sept</td>
<td>6</td>
<td>30 54</td>
</tr>
<tr>
<td>Oct</td>
<td>5</td>
<td>28 35</td>
</tr>
<tr>
<td>Nov</td>
<td>7</td>
<td>43 14</td>
</tr>
<tr>
<td><strong>2013</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>February</td>
<td>6</td>
<td>36 58</td>
</tr>
<tr>
<td>March</td>
<td>6</td>
<td>36 41</td>
</tr>
<tr>
<td>April</td>
<td>4</td>
<td>25 09</td>
</tr>
<tr>
<td>May</td>
<td>5</td>
<td>34 38</td>
</tr>
<tr>
<td>June</td>
<td>6</td>
<td>36 44</td>
</tr>
<tr>
<td>July</td>
<td>5</td>
<td>33 20</td>
</tr>
<tr>
<td>Sept</td>
<td>6</td>
<td>39 07</td>
</tr>
<tr>
<td>Oct</td>
<td>6</td>
<td>37 06</td>
</tr>
<tr>
<td>Nov</td>
<td>6</td>
<td>39 02</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td>101</td>
<td>612 23</td>
</tr>
</tbody>
</table>

Average time per sitting day - 6 hours 4 minutes
ADJOURNMENT OTHER THAN TO NEXT REGULAR SITTING DAY

Thursday 1 March to Tuesday 13 March 2012
Thursday 15 March to Tuesday 27 March 2012
Thursday 5 April to Tuesday 1 May 2012
Thursday 3 May to Tuesday 15 May 2012
Thursday 17 May to Tuesday 29 May 2012
Thursday 31 May to Tuesday 12 June 2012
Thursday 6 June to Tuesday 26 June 2012
Wednesday 27 June to Tuesday 10 July 2012
Thursday 12 July to Wednesday 18 July 2012
Wednesday 18 July to Tuesday 4 September 2012
Thursday 6 September to Tuesday 18 September 2012
Thursday 20 September to Tuesday 16 October 2012
Thursday 18 October to Tuesday 30 October 2012
Thursday 1 November to Tuesday 13 November 2012
Thursday 15 November to Tuesday 27 November 2012
Thursday 29 November to Tuesday 5 February 2013
Thursday 7 November to Tuesday 19 November 2013
Thursday 21 February to Tuesday 5 March 2013
Thursday 7 March to Tuesday 19 March 2013
Thursday 21 March to Tuesday 9 April 2013
Thursday 11 April to Tuesday 30 April 2013
Thursday 2 May to Tuesday 14 May 2013
Thursday 16 May to Tuesday 4 June 2013
Thursday 6 June to Tuesday 18 June 2013
Thursday 20 June to Wednesday 3 July 2013
Thursday 4 July to Tuesday 23 July 2013
Thursday 25 July to Tuesday 10 September 2013
Thursday 12 September to Tuesday 24 September 2013
Thursday 26 September to Tuesday 15 October 2013
Thursday 17 October to Tuesday 29 October 2013
Thursday 31 October to Tuesday 12 November 2013
Thursday 14 November to Tuesday 26 November 2013

ESTIMATES COMMITTEES

During June 2012, Estimates Committees A and B both sat over five days for 27 hours and 32 minutes and 29 hours and 53 minutes respectively, in consideration of the proposed expenditures contained in the Appropriation Bill.

During June/July 2013, Estimates Committees A and B both sat over five days for 31 hours and 41 minutes and 26 hours and 37 minutes respectively, in consideration of the proposed expenditures contained in the Appropriation Bill.
## BUSINESS ANALYSIS

14 FEBRUARY 2012 – 28 NOVEMBER 2013

<table>
<thead>
<tr>
<th>Nature of Business</th>
<th>No. of Sitting Days</th>
<th>Time Spent Thereon</th>
<th>Percentage of Total Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Questions Without Notice</td>
<td>99</td>
<td>100…53</td>
<td>16.5%</td>
</tr>
<tr>
<td>Address in Reply Debate</td>
<td>4</td>
<td>12…25</td>
<td>2.0%</td>
</tr>
<tr>
<td>Government Bills</td>
<td>96</td>
<td>238…14</td>
<td>38.9%</td>
</tr>
<tr>
<td>Other Government Business</td>
<td>101</td>
<td>58…28</td>
<td>9.5%</td>
</tr>
<tr>
<td>Appropriation Bill -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grievance Debate</td>
<td>2</td>
<td>4…38</td>
<td>0.8%</td>
</tr>
<tr>
<td>Second Reading Debate</td>
<td>5</td>
<td>15…07</td>
<td>2.5%</td>
</tr>
<tr>
<td>+ Committee Reports Debate</td>
<td>4</td>
<td>11…15</td>
<td>1.8%</td>
</tr>
<tr>
<td>In Committee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supply Bill -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grievance Debate</td>
<td>2</td>
<td>3…13</td>
<td>0.5%</td>
</tr>
<tr>
<td>Second Reading Debate</td>
<td>5</td>
<td>7…40</td>
<td>1.3%</td>
</tr>
<tr>
<td>Committee Stage</td>
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</tr>
<tr>
<td>Private Members -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Committees/Regulations</td>
<td>30</td>
<td>29…03</td>
<td>5.0%</td>
</tr>
<tr>
<td>Bills</td>
<td>32</td>
<td>30…24</td>
<td>7.6%</td>
</tr>
<tr>
<td>Other Motions</td>
<td>31</td>
<td>46…42</td>
<td>0.3%</td>
</tr>
<tr>
<td>Suspension of Sittings</td>
<td>10</td>
<td>1…48</td>
<td>1.0%</td>
</tr>
<tr>
<td>Adjournment Debates</td>
<td>13</td>
<td>6…07</td>
<td>7.6%</td>
</tr>
<tr>
<td>Grievance Debates</td>
<td>95</td>
<td>46…26</td>
<td></td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>101</strong></td>
<td><strong>612…23</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

+ See also Estimates Committee
## QUESTION ANALYSIS

<table>
<thead>
<tr>
<th>Questions Directed to</th>
<th>Answered Questions without Notice from Members of</th>
<th>Answered Questions on Notice from Members of</th>
<th>Grand Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Govt</td>
<td>Opp</td>
<td>Ind</td>
</tr>
<tr>
<td>Premier</td>
<td>94</td>
<td>326</td>
<td>3</td>
</tr>
<tr>
<td>Treasurer</td>
<td>16</td>
<td>52</td>
<td>3</td>
</tr>
<tr>
<td>Minister for State</td>
<td>9</td>
<td>2</td>
<td>11</td>
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<tr>
<td>Development</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minister for the Public Sector</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minister for The Arts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deputy Premier</td>
<td>6</td>
<td>1</td>
<td>5</td>
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<tr>
<td>Attorney General</td>
<td>34</td>
<td>41</td>
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<tr>
<td>Minister for Planning</td>
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<td>15</td>
<td>4</td>
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<tr>
<td>Minister for Industrial Relations</td>
<td>1</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Minister for Business Services and Consumers</td>
<td>14</td>
<td>4</td>
<td>18</td>
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<tr>
<td>Minister for Health and Ageing</td>
<td>58</td>
<td>138</td>
<td>7</td>
</tr>
<tr>
<td>Minister for Mental Health and Substance Abuse</td>
<td>1</td>
<td>3</td>
<td>14</td>
</tr>
<tr>
<td>Minister for Defence Industries</td>
<td>11</td>
<td>6</td>
<td>14</td>
</tr>
<tr>
<td>Minister for Veteran’s Affairs</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Minister for Education and Child Development</td>
<td>45</td>
<td>165</td>
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</tr>
<tr>
<td>Minister for Multicultural Affairs</td>
<td>1</td>
<td>3</td>
<td>4</td>
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<tr>
<td>Minister for Transport and Infrastructure</td>
<td>22</td>
<td>65</td>
<td>1</td>
</tr>
<tr>
<td>Minister for Mineral Resources and Energy</td>
<td>19</td>
<td>10</td>
<td>2</td>
</tr>
<tr>
<td>Minister for Housing and Urban Development</td>
<td>3</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Minister for Finance</td>
<td>9</td>
<td>22</td>
<td>1</td>
</tr>
<tr>
<td>Minister for Police</td>
<td>19</td>
<td>35</td>
<td>1</td>
</tr>
<tr>
<td>Minister for Correctional Services</td>
<td>7</td>
<td>10</td>
<td>2</td>
</tr>
<tr>
<td>Minister for Emergency Services</td>
<td>16</td>
<td>8</td>
<td>24</td>
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<tr>
<td>Minister for Road Safety</td>
<td>8</td>
<td>8</td>
<td>16</td>
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<tr>
<td>Minister for Employment, Higher Education and Skills</td>
<td>36</td>
<td>35</td>
<td>1</td>
</tr>
<tr>
<td>Minister for Science and Information Economy</td>
<td>10</td>
<td>10</td>
<td></td>
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</tbody>
</table>

Continued over
<table>
<thead>
<tr>
<th>Questions Directed to</th>
<th>Answered Questions without Notice from Members of -</th>
<th>Answered Questions on Notice from Members of -</th>
<th>Grand Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Govt</td>
<td>Opp</td>
<td>Ind</td>
</tr>
<tr>
<td>Minister for Manufacturing, Innovation and Trade</td>
<td>25</td>
<td>25</td>
<td>5</td>
</tr>
<tr>
<td>Minister for Small Business Representing:</td>
<td>9</td>
<td>7</td>
<td>2</td>
</tr>
<tr>
<td>Minister for Agriculture, Food and Fisheries</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Minister for forests</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minister for Regional Development</td>
<td>4</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Minister for the Status of Women</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Minister for State / Local Government Relations</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Minister for Transport Services</td>
<td>19</td>
<td>34</td>
<td></td>
</tr>
<tr>
<td>Minister Assisting the Minister for the Arts</td>
<td>12</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Minister for Communities and Social Inclusion</td>
<td>9</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>Minister for Social Housing</td>
<td>4</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Minister for Disabilities</td>
<td>7</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>Minister for Youth</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minister for Volunteers</td>
<td>15</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Minister for Recreation and Sport</td>
<td>25</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Minister for Tourism Representing:</td>
<td>18</td>
<td>26</td>
<td></td>
</tr>
<tr>
<td>Minister for Sustainability, Environment and Conservation</td>
<td>9</td>
<td>35</td>
<td></td>
</tr>
<tr>
<td>Minister for Water and the River Murray</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minister for Aboriginal Affairs and Reconciliation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>The Speaker</strong></td>
<td>2</td>
<td></td>
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</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td>623</td>
<td>1113</td>
<td>43</td>
</tr>
</tbody>
</table>

Ministerial Responsibilities listed as at time of prorogation
Average number of questions without notice asked per question time = 18
Supplementary questions are not counted as a new question.
# BILL STATISTICS
Second Session – Fifty Second Parliament 2012 – 2013

## I. BILLS CONSIDERED IN HOUSE OF ASSEMBLY

<table>
<thead>
<tr>
<th>Category</th>
<th>Bills Considered</th>
<th>Introduced in House of Assembly</th>
<th>Received from Legislative Council</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private Members Bills</td>
<td>176 (41)</td>
<td>42 (21)</td>
<td></td>
<td>218 (62)</td>
</tr>
</tbody>
</table>

## II. BILLS WHICH RECEIVED ASSENT

<table>
<thead>
<tr>
<th>Category</th>
<th>Bills Considered</th>
<th>Introduced in House of Assembly</th>
<th>Received from Legislative Council</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private Members Bills</td>
<td>126</td>
<td>23</td>
<td></td>
<td>149</td>
</tr>
</tbody>
</table>

## III. FATE OF BILLS CONSIDERED IN HOUSE OF ASSEMBLY BUT NOT PASSED BY BOTH HOUSES

### Lapsed owing to Prorogation

<table>
<thead>
<tr>
<th>Bills Considered</th>
<th>Introduced in House of Assembly</th>
<th>Received from Legislative Council</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private Members Bills</td>
<td>14 (11)</td>
<td>5 (1)</td>
<td>31 (24)</td>
</tr>
</tbody>
</table>

### Negatived

<table>
<thead>
<tr>
<th>Bills Considered</th>
<th>Introduced in House of Assembly</th>
<th>Received from Legislative Council</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private Members Bills</td>
<td>21 (21)</td>
<td>4 (0)</td>
<td>31 (27)</td>
</tr>
</tbody>
</table>

### Discharged

<table>
<thead>
<tr>
<th>Bills Considered</th>
<th>Introduced in House of Assembly</th>
<th>Received from Legislative Council</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private Members Bills</td>
<td>2 (2)</td>
<td>1 (1)</td>
<td>3 (3)</td>
</tr>
</tbody>
</table>

### Withdrawn

<table>
<thead>
<tr>
<th>Bills Considered</th>
<th>Introduced in House of Assembly</th>
<th>Received from Legislative Council</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private Members Bills</td>
<td>2 (0)</td>
<td>2 (0)</td>
<td>2 (0)</td>
</tr>
</tbody>
</table>

### Laid Aside

<table>
<thead>
<tr>
<th>Bills Considered</th>
<th>Introduced in House of Assembly</th>
<th>Received from Legislative Council</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private Members Bills</td>
<td>2 (0)</td>
<td>2 (0)</td>
<td>2 (0)</td>
</tr>
</tbody>
</table>

( ) = Private Members Bills
SYNOPSIS OF LEGISLATION

The following synopsis of legislation introduced into the House of Assembly and enacted during the session. It is not intended to be an authoritative exposition of the law. Further explanation of the legislation can be found in the second reading debate at the Hansard reference provided. Reference should be made to the Statutes to ascertain the law.

Aboriginal Lands Parliamentary Standing Committee (Presiding Member) Amendment

This Act amends the structure of the Aboriginal Lands Parliamentary Standing Committee. It removes the requirement that the Minister for Aboriginal Affairs be the Presiding Member and provides that the Presiding Member will be a committee member from the Upper House. The Presiding Member of the Committee, who is not the minister, will receive a 14 per cent increase on their base parliamentary salary.

The previous quorum for the Committee, of seven members, was six. This Act reduces a committee quorum to five members.

House of Assembly - Thursday, 12 September 2013, Page 6877.
Act No.56 of 2013.

Adelaide Workers' Homes

This Act provides for the Adelaide Workmen's Homes Incorporated (the association) with a legislated constitution and clarifies what powers and functions the association may exercise. The Act enables the board to borrow money, acquire and dispose of real or personal property, to enter into joint ventures, and to receive donations and testamentary dispositions. The Act also provides that the association is taken to have always had the powers and functions set out in its constitution. The association takes the opportunity to rename the association Adelaide Workers' Homes to reflect the original intent to house workers of either sex and to keep abreast of contemporary linguistic practice.

House of Assembly - Wednesday, 20 March 2013, Page 4893.
Act No.19 of 2013.

Adoption (Consent to Publication) Amendment

Previously section 31 of the Adoption Act made it an offence for any person to publish or causes to be published, in the news media, the name of an adopted child or the name of a parent or guardian, or the name of any party or material tending to identify any one of those people relating to proceedings under the Adoption Act. It created an offence with a maximum penalty of $20,000.

However, section 31 did not prevent a publication made in pursuance of an authorisation granted by the court or the chief executive. The exemption rested on the decision of the chief executive of the department or of a court.

This Act will remove the exemption being able to be granted by the chief executive and provide that the exemption be able to be provided by the parent or the child themselves, if they are over 18.

House of Assembly - Thursday, 7 March 2013, Page 4695.
Act No.28 of 2013.

Advance Care Directives

The principal purpose of this Act is to:

- enable competent adults to make decisions and give directions in relation to their future health care, residential and accommodation arrangements and personal affairs;
- provide for the appointment of substitute decision-makers to make such decisions on behalf of the person;
ensure that health care is delivered to the person in a manner consistent with their wishes and instructions;
facilitate the resolution of disputes relating to advance care directives;
provide protections for health practitioners and other persons giving effect to an advance care directive; and,
make related amendments to the Consent to Medical Treatment and Palliative Care Act 1995, the Coroner’s Act 2003, the Fair Work Act 1994, the Guardianship and Administration Act 1993, the Health and Community Services Complaints Act 2004 and the Wills Act 1936.

The Act creates a single form of Advance Care Directive to replace the existing Enduring Power of Guardianship, Medical Power of Attorney and the Anticipatory Direction. Provisions in the legislation make it easier to complete and apply Advance Care Directives and assist people to express their views and preferences and to have confidence they will be known and respected in the future.
Importantly, the Act contains protections for those who complete and apply Advance Care Directives, particularly Substitute Decision-Makers and health practitioners.
The Act sets out a simple dispute resolution process for application in situations of uncertainty or if there is a dispute.

Appropriation 2012

This Act provides for the appropriation of money from the Consolidated Account for the financial year ending 30 June 2013 and for other purposes. The Act is to be taken to have come into operation on 1 July 2012.

Appropriation 2013

This Act provides for the appropriation of money from the Consolidated Account for the financial year ending 30 June 2014 and for other purposes.

Arkaroola Protection

This legislation protects the cultural, natural and landscape values of Arkaroola in perpetuity. It establishes the Arkaroola Protection Area and provides for the proper management and care of that area. The legislation also specifically prohibits all forms of mining activities within the Arkaroola Protection Area.
The Arkaroola Protection Area established by this Act will have the same legal status in South Australia as a national park under the National Parks and Wildlife Act 1972, as well as being internationally recognised as a protected area.
The Act provides for the conservation of features of cultural and natural significance, including the conservation of habitat, ecosystems, biological diversity, geological features and landscapes. The native title rights of the Adnyamathanha people are fully respected by this legislation, and Aboriginal heritage will continue to be protected. Accordingly, the Act has a specific provision to support the conservation of objects, places or features of cultural value to the Adnyamathanha people. Rather than affecting the determined native title rights of the Adnyamathanha, this legislation supports the continued existence, enjoyment and exercise of those rights.
The Act also contains objects to support scientific research and environmental monitoring that is in keeping with the other objects of the legislation. It also requires that the Minister for Environment and Conservation develop a management plan for the Area and that the
Adnyamathanha people, and all other persons or bodies holding an interest in the area, be consulted about and involved in developing the management plan.

The bill specifically provides that no mining rights or operations or regulated activities under the Mining Act 1971, the Opal Mining Act 1995, or the Petroleum and Geothermal Energy Act 2006 can be acquired or exercised in relation to land within the Arkaroola Protection Area. The definition of this land is the same as that continued in the Acts Interpretation Act 1915 and will include the subsurface land within the area. This includes both existing and future operations and activities related to exploration or production.

The intent of the legislation is only to prohibit exploration and mining within the Arkaroola Protection Area. If a tenement boundary crosses into the Arkaroola Protection Area, only that part of the licence within the Arkaroola Protection Area will not be available for exploration and mining. Mining operations or regulated activities under a mining act will remain permissible in the part of the licence not within the Arkaroola Protection Area.

Burial and Cremation

This Act provides for a consolidation of the laws governing burial and cremation in South Australia. This Act repeals the Cremation Act 2000 and Part 30 of the Local Government Act 1934 in order to create a single comprehensive and consistent regulatory scheme that will cover all cemeteries and crematoria, whether public or private, and better reflect modern technologies, community expectations and industry practice. It is also made clear at the outset that human remains are to be treated at all times with dignity and respect.

The Act provides, inter alia, for:

- clarification in regards to processes for burial other than in a cemetery including burial in natural burial grounds;
- the processes for the renewal, surrender, transfer and enforcement of interment rights are clarified;
- changes the existing common law position so that a memorial is the personal property of the person who holds the interment right in respect of the interment site where the memorial is situated. This provision will make it easier for the cemetery authority and the public to resolve ownership issues;
- New record-keeping obligations imposed on the relevant authority for a cemetery or natural burial ground to ensure the preservation and accessibility of historic records when the cemetery or natural burial ground closes;
- the relevant authority for a cemetery or natural burial ground to have general powers for the management and maintenance of the cemetery or natural burial ground, including the power to enlarge, improve or embellish the grounds or facilities or to restrict interments in any part of the grounds; and
- the imposition of certain obligations, including a requirement that the relevant authority have due regard to the customs and needs of the various ethnic and religious communities that may resort to the cemetery or natural burial ground for the disposal of human remains.

Character Preservation (Barossa Valley)

This Act recognises the special character of the Barossa Valley and provides statutory protection from inappropriate urban development. Similarly with the Character Preservation (McLaren Vale) Act, this Act defines the boundary of the district, sets out broad objectives guiding its development and, at the local level, and ensures that development will be assessed against local zoning policies that are consistent with these objectives. However, unlike the McLaren Vale Legislation, this Act provides for certain designated areas, specified on a map lodged with the General Registry Office, to be excluded from the prohibition on
residential subdivision. Within the Barossa Valley, a number of areas have been zoned for rural living over past decades. These areas, including a large tract between Sandy Creek and Williamstown, are now nearly fully developed under current zoning policy. It is not possible to turn back the clock and restore these areas to agricultural uses. This legislation sets out what is desirable and undesirable in the Barossa Valley. Neither the State Government nor the local council will be able to change the rules, or allow incremental erosion of the landscape for urban development, without the approval of Parliament. The Act strikes the appropriate balance and will ensure the special character of the Valley is protected and maintained.

House of Assembly - Thursday, 5 April 2012, Page 1212.
Act No.38 of 2012.

Character Preservation (McLaren Vale)

This Act recognises the special character of McLaren Vale and provides statutory protection from inappropriate urban development.
This Act defines the boundary of the district, sets out broad objectives guiding its development and, at the local level, and ensures that development will be assessed against local zoning policies that are consistent with these objectives.
This legislation sets out what is desirable and undesirable in McLaren Vale. Neither the State Government nor the local council will be able to change the rules, or allow incremental erosion of the landscape for urban development, without the approval of Parliament. The Act strikes the appropriate balance and will ensure the special character of this district is protected and maintained.

House of Assembly - Thursday, 5 April 2012, Page 1215.
Act No.39 of 2012.

Children's Protection (Notification) Amendment

This Act is in response to the recommended legislative amendments set out in the Royal Commission 2012-13 Report of the Independent Education Inquiry prepared by the Hon. Bruce Debelle AO, QC. The Act provides for an enhanced mandatory notification provision in section 11 of the Children's Protection Act 1993. This section requires a mandated notifier, who forms the view that a child has been or is being abused or neglected to report this suspicion to the Child Abuse Report Line (CARL). This Act creates defence provisions for mandated notifiers in relation to their obligation to make a report in particular circumstances. In line with the royal commission recommendations, a defence is established when a mandated notifier has failed to notify a reasonable suspicion of neglect or abuse of a child because:
- the person became aware of such circumstances as a result of information imparted to them by a police officer (recommendation 26); or
- the mandated notifier became aware of the child's situation from another mandated notifier who has already made a report in respect of the situation (recommendation 27).

In the context of setting out recommendation 26, Justice Debelle expressed the view that the very fact that police are investigating an allegation of child abuse or neglect demonstrated that a child had been identified as being at risk, which was the purpose of the police investigation. Justice Debelle stated that, 'there is an element of circularity, if not absurdity' to require a mandated notifier to make a report to CARL in circumstances where they learn of the allegations of abuse or neglect from the police in the course of the conduct of such an investigation.

The circumstances considered by Justice Debelle in making recommendation 27 related to the responsibilities of teachers as mandated notifiers and, accordingly, it was framed to relate only to teachers in an educational institution. However, in Justice Debelle's report, he raised the question as to whether teachers should be the only class of mandated notifiers considered in implementation of his recommended exemption from notifying CARL in
circumstances where a fellow employee passes on information about the abuse or neglect of a child.
This Act extends a defence to all mandated notifiers prescribed in section 11 of the Children’s Protection Act 1993. By expressing the amendment as a defence provision rather than an exemption, the requirement to report child abuse remains the default position, and does not prevent a number of notifications being made in respect of the same child.

**Child Sex Offenders Registration (Miscellaneous) Amendment**

The purpose of this Act is to ensure that children are better protected and that the principal Act targets those offenders who pose a risk to the safety and wellbeing of children.
This Act requires child sex offenders to be registered with the Commissioner of Police. These people are known as ‘registrable offenders’. Depending on the offence or offences for which the registrable offender has been convicted, registration is mandatory for eight or 15 years or life, or for a discretionary period specified in a court order. Registrable offenders are required to make an initial report to SAPOL of certain personal information, must report annually and must update SAPOL when certain information changes. Registrable offenders are precluded from undertaking child-related work.
In response to a request from the Commissioner of Police, the Act was drafted to:
- significantly tighten and strengthen the reporting requirements;
- create a new category of a serious registrable offender for whom the Commissioner of Police will have enhanced monitoring powers, including the power to order electronic tracking, search their premises and require far more frequent reporting;
- amend the Bail Act 1985 so that unless a bail authority is satisfied that a person accused of a child sex offence poses no risk to the safety and wellbeing of children, the accused will be subject to a bail condition that they cannot engage in child-related work;
- ban all registrable offenders from working as taxi or hire car drivers;
- update the list of commonwealth child sex offences that trigger operation of the principal Act;
- for a limited category of child sex offenders, empower the Commissioner of Police to modify the operation of the principal Act;
- strengthen provisions so that persons charged with a child sex offence, or suspected of committing a child sex offence, must provide police with details of their employment;
- empower police to contact employers to verify the information provided by the accused person and notify the employer of the charge.

The last two changes implement recommendations 28 and 29 in the report of the independent education inquiry, undertaken by the Hon. Bruce Debelle.

**Classification (Publication, Films and Computer Games) (R 18+ Computer Games) Amendment**

This Act provides for an R18+ classification for computer games, consequent upon the commonwealth Classification (Publications, Films and Computer Games) (R18+ Computer Games) Amendment Act 2012 and regulates the display and advertising of R18+ DVDs and computer games.
Australia does not have a classification category for games that are intended for adults. The highest classification currently available for computer games is MA15+ which means that many computer games that are classified as R18+ overseas are modified, sometimes
several times, to bring them within the MA15+ classification so that they can be sold in Australia.

Following 10 years of negotiations between the commonwealth, states and territories, and a long and comprehensive public consultation period, there is agreement to introduce a R18+ classification for games. The consultation process carried out by the commonwealth showed overwhelming support for an adult classification for computer games. The R18+ classification will bring Australia into line with the classification systems in many overseas countries and will ensure that games that are unsuitable for minors to play are properly classified as adult material.

In particular, games that are R18+ overseas should no longer be modified in an attempt to fit within the MA15+ classification here. These games will properly be restricted to adults. This is likely to lower the risk of games that contain high levels of violence being available to minors. The RC, in other words, refused classification, will still apply to material that does not come within the national classification guidelines for 18+ games.

House of Assembly - Thursday, 20 September 2012, Page 3095

Act No. 41 of 2012.

Community Housing Providers (National Law) (South Australia)

This Act underpins reforms to the South Australian community housing sector and establishes a solid foundation for its continued operation and development. The key aims of the Act are to:

- introduce a nationally consistent approach to the regulation of registered community housing providers;
- provide a platform for registered community housing providers to operate more easily across jurisdictions;
- clearly establish the separation of the government's dual roles of both funder and regulator; &bull; enable greater flexibility for new and innovative funding arrangements;
- secure government's financial and non-financial interests in the community housing assets; and &bull; provide clarity and surety for stakeholders interacting with the community housing providers, e.g. financiers, developers, benevolent organisations and other regulators.

The Act is essentially split into two keys parts: provisions to introduce the National Regulatory System for Community Housing Providers, through application of the National Law; and provisions to establish and effect funding of community housing providers in South Australia previously covered by the South Australian Co-operative and Community Housing Act 1991.

House of Assembly - Thursday, 12 September 2013, Page 6922

Act No. 65 of 2013.

Constitution (Recognition of Aboriginal Peoples) Amendment

The Constitution Act 1934 previously did not acknowledge Aboriginal occupation and custodianship of the land and waters of South Australia. It also did not acknowledge the spiritual, social, cultural and economic practices of Aboriginal people in relation to the lands and waters.

This Act provides for a new section in part 1 of the Constitution Act 1934, entitled 'Recognition of Aboriginal Peoples'. This new section begins with two statements of historical fact: the establishment of the Province of South Australia by the 1836 Letters Patent and that there had been no proper and effective recognition, consultation or authorisation of Aboriginal peoples either then or when the present Constitution Act 1934 was passed almost 100 years later.

The words 'proper and effective' are intended to reflect the fact that there had been some interaction or communication with Aboriginal peoples prior to 1934. The failure to properly and effectively consult was deeply offensive to the respectful way in which the Aboriginal
people conducted negotiations within their own groups about coming onto land or about the use of land. Following this is a statement of acknowledgement and respect which records the apology to the stolen generations given in Parliament on 28 May 1997, and subsection (2)(a) goes on to acknowledge and respect Aboriginal peoples as the state’s first peoples and nations.

Subsection (2)(b) recognises Aboriginal peoples as traditional owners and occupants of land and waters in South Australia.

Subsection (3) provides that this measure is to have no legal force or effect, making it plain that the amendment will not provide the foundation for any cause of action. Nor will it be called in aid of claims whether for native title, compensation for past wrongs, or any other.

The amendment will also be irrelevant to the legal interpretation of any document (including this act) and to the content or processes by which government carries out its functions, policies or undertakes decision making. Further, the factual statements contained in the amendment cannot be relied upon as evidence in legal proceedings.

This Act is of profound importance for current and future generations of both Aboriginal and non-Aboriginal people. Formally recognising the Aboriginal people of South Australia will continue the important process of reconciliation.

House of Assembly - Thursday, 29 November 2012, Page 4083.

Act No.8 of 2013.

Controlled Substances (Offences) Amendment

This Act amends the Controlled Substances Act 1984 (the CS Act) to tackle the increase of synthetic drugs in our community. The provisions contained within this Act provide South Australia Police (SAPOL) with a new weapon to combat the trade in synthetic drugs.

Under the previous provisions of the CS Act, the process of adding newly discovered harmful substances to the list of controlled drugs could be a lengthy one. There were also no provisions to prevent persons marketing potentially unsafe products as legal alternatives to illicit drugs.

This Act has been drafted to amend the CS Act so that the Attorney-General has the power to declare a substance to be an 'interim controlled drug'. Under the proposed amendment, the Attorney-General may, if he or she is of the opinion that a substance may be of exceptional danger to human, declare the substance to be an 'interim controlled drug' by notice in the Gazette.

The notice operates for a period of not more than 12 months and may be varied or revoked at any time by the Attorney-General. The notice may refer to a substance by its trade name or in any other manner.

Once a substance is declared to be an 'interim controlled drug' that substance is treated in the same way as a 'controlled drug', meaning the existing offence provisions concerning controlled substances contained in the CS Act will apply to that substance. This provision ensures that the legislation is able to keep up with the speed at which these new substances are produced. It targets creative chemists who use the internet to either import, or obtain instructions for creating, new substances that are not yet identified as 'controlled drugs' not those who unwittingly purchase these products believing them to be legal. Consequently, the possession and consumption offences contained in the CS Act will not apply to the interim controlled drugs.

The Act also creates a number of new offences to target the way these substances are manufactured, marketed and sold. The offences apply regardless of whether the substance has been proven to be dangerous.

House of Assembly - Wednesday, 25 September 2013, Page 7098

Act No.84 of 2013.
Co-operatives National Law (South Australia)

This Act will give effect to an intergovernmental agreement under which all States and Territories have committed to replace their existing legislation regulating co-operatives with a new national law, the Co-operatives National Law.

The new Co-operatives National Law to be implemented by this Act will provide a more level playing field for co-operatives by:

- ensuring that legislative measures for the oversight of co-operatives are no less favourable than measures in place for other forms of corporate body, including companies registered under the Corporations Act 2001; and

- ensuring that a registered co-operative can operate on a national basis, equivalent to the manner in which a company can operate on a national basis.

By entering into an intergovernmental agreement to provide for this National legislative scheme, States and Territories committed to implementing the Co-operatives National Law, either by enacting application of laws legislation to apply the New South Wales law as amended from time to time as a law of their State or Territory or by enacting alternative consistent legislation.

Under this Act, the NSW Act will not automatically be applied in South Australia from time to time as amended; rather amendments could be adopted by the making of a South Australian regulation, which will be subject to disallowance by Parliament in the usual way. This model is favoured as it maximises the ongoing consistency of the law of South Australia with the other jurisdictions, thus delivering the benefits of the Co-operatives National Law, while maintaining South Australian Parliamentary sovereignty.

House of Assembly - Wednesday, 20 February 2013, Page 4464.

Act No.14 of 2013.

Correctional Services (Miscellaneous) Amendment

This Act makes wide ranging changes to the principal Act to enhance public safety and the safety of staff, and improve the security and effectiveness of operations in prisons and community corrections with particular focus on parole.

The changes will make parolees more accountable for their actions by strengthening processes for offenders who have breached their parole order and are considered to present a high risk to the community. The changes also improve the sharing of appropriate information between Correctional Services, the Department of Health, the Parole Board, and SAPOL about prisoners and parolees.

House of Assembly - Wednesday, 8 June 2011, Page 4005

Act No.24 of 2012.

Criminal Assets Confiscation (Miscellaneous) Amendment

This Act makes amendments to rectify provisions which were found by the Courts to be unjust. Pecuniary Penalty Provisions

The Act amends the law concerning forfeiture orders following the Courts decision that the obligatory nature of the legislation was harsh, arbitrary and unjust. The amendment gives the court a discretion to impose a pecuniary penalty in relation to instruments of crime, just as it does in relation to the forfeiture of instruments of crime. That discretion is informed by an inclusive list of factors identical to those legislated in relation to the forfeiture of instruments of crime.

Restraining Orders

The Courts also noted that the principal Act contained provision for what is known as ‘automatic forfeiture’. The essence of the scheme was that property subject to a restraining order would be forfeited by operation of law after the expiry of a certain time period after conviction. The only way for a defendant (or any other interested party) to escape this process was to apply for and win an order excluding property from the restraining order. The Courts found that a literal reading of the legislation could say that the property would be
automatically (and irretrievably) forfeited even though an application to exclude that property was on foot and had yet to be resolved.

This Act abolishes what used to be called extension orders as a separate phenomenon and instead provides that any person may apply for the exclusion of property from forfeiture and, when that application is made, the forfeiture of property is subject to an extended period terminating when the application for exclusion is finally determined.

Other Amendments

The Act also makes minor amendments to clarify the provisions relating to the forfeiture of a security given by a defendant or other person on the making an application for an exclusion order.

House of Assembly - Tuesday, 16 October 2012, Page 3111
Act No.57 of 2013.

**Criminal Law Consolidation (Cheating at Gambling) Amendment**

This Act establishes a range of offences directed at determined match-fixing behaviour. These include engaging in conduct that corrupts a betting outcome, facilitating the corruption of a betting outcome, concealing the corruption of a betting outcome, and using corrupt conduct information or inside information for betting purposes. Generally, the maximum penalties involved are set at the 10 year level. Subjective fault elements of knowledge, recklessness and intention must be proven for such serious offences.

The definition of 'corrupts a betting outcome' requires proof to the satisfaction of a jury that the conduct 'is contrary to the standards of integrity that a reasonable person would expect of persons in a position to affect the outcome of any type of betting on an event'. Where an offence or offences covers a potentially broad range of conduct that is inherently morally ambiguous, it is not uncommon to include this kind of evaluative element to ensure that those who technically break the letter of the law are not ensnared by a net designed to catch those who are much more seriously involved.

House of Assembly - Thursday, 29 November 2012, Page 4087.
Act No.7 of 2013.

**Criminal Law Consolidation (Protection for Working Animals) Amendment**

Previously there were no specific laws in South Australia that target offenders who intentionally harm animals used in law enforcement roles. The South Australian Police Force currently has 25 dogs and 36 horses.

This Act contains the new offence of causing death or serious harm to a working animal by an intentional act. Serious harm is defined in a way that is consistent with the current definition of serious harm as it applies to humans. The applicable maximum penalty will be 5 years imprisonment. The definition of working animal explicitly covers a police dog, a police horse, a guide dog and a correctional services dog. Other working animals can be prescribed by regulation.

It is not necessary that, at the time the offence is committed, the offender knows that the animal is a working animal as defined. In almost all cases either the circumstances surrounding the incident or the accoutrements of the animal will make that obvious.

The Act also provides for an extensive set of court powers to award compensation for various effects of causing the death of or serious harm to a working animal. The extent of the order will be up to the court.

House of Assembly - Wednesday, 11 September 2013, Page 6801.
Act No.83 of 2013.

**Criminal Law Consolidation (Looting) Amendment**

This Act provides for aggravated penalties for certain offences under the Criminal Law Consolidation Act. These penalties are specifically enshrined in legislation to deal with those people who loot premises affected by fire or in a fire prone area when an emergency has been declared or when there is a day of extreme fire danger.
In situations where the CFS have warned people in a certain area that their homes and businesses are at risk; and that they need to put in place their bushfire action plan, many people will leave the district. These warnings are publicly broadcast, and those who have a criminal mind therefore know that in those geographic areas a large number of people are not likely to be home. This situation exposes those areas to a higher level of crime. Also in the immediate aftermath of a fire the authorities are naturally worrying about the basics of life; rescuing people, food, water, shelter and delivering emergency provisions. Experience has shown that the looting of properties in the affected areas is prevalent. This Act sends a message to looters that their crimes are heinous and totally unacceptable and such activities will attract an aggravated offence with a higher penalty.

The principle behind this legislation is: If a bushfire occurs and premises are ruined, people who then go in and rob at that point need to be sent the strongest message possible that they are preying on people in their time of need and they should be dealt with more severely under the law.

House of Assembly - Thursday, 1 July 2010, Page 835.

Act No.10 of 2012.

**Criminal Law (Sentencing) (Guilty Pleas) Amendment**

This Act regulates and makes transparent the sentencing discounts given to offenders who plead guilty. The main objective is to improve the operation and effectiveness of the criminal justice system by reducing current delays and backlogs in cases coming to trial. It encourages offenders who are minded to plead guilty to do so in a timely way.

A secondary objective of the Act is to tidy up the operation of section 10 of the Criminal Law (Sentencing) Act 1998. This legislation identifies three pivotal stages in major indictable cases, which are the core around which provision for discount for guilty pleas can be made. It provides for a modified and simplified two-stage process for matters dealt with summarily to reflect the different nature of the typical summary case and operational consideration in the Magistrate’s Court.

The Act provides for a graduated series of discounts for pleas of guilty. The quantum of the discounts are dependent on the timing and circumstances of the guilty plea; the earlier the plea the higher the discount. The Act restricts the conferral of discounts for late guilty pleas but permits adequate discretion to a court to ensure that defendants, who may plead guilty at a late stage through no fault on their own part, or some good reason, are not unfairly prejudiced.

House of Assembly - Wednesday, 11 July 2012, Page 2426.

Act No.49 of 2012.

**Criminal Law (Sentencing) (Supergrass) Amendment**

The acute problem posed to our community by organised criminal gangs cannot be exaggerated. Gangs of this kind are involved in many criminal activities, such as the manufacture and trafficking of illicit drugs and the all too common and indiscriminate use of violence and firearms to resolve their internal disputes and to enforce their criminal will. These criminal gangs consider that they are above the reach of the law, and conventional law enforcement is often ineffectual in dealing with them because of the strong fears that their thuggery engenders and the resulting unwillingness of many witnesses to testify or assist the authorities in the investigation and prosecution of such criminals. This Act is an integral part of the comprehensive series of linked measures that the government is taking to help tackle the very real problems posed by organised criminal gangs involved in serious crime. The Act, in particular, supports and complements the operation of the Statutes Amendment (Serious and Organised Crime) Act 2012. The Act confers the power on a court grant an 'at large' discount in sentence to an offender in return for that offender's valuable cooperation with the authorities. It encourages offenders involved in serious and organised crime to turn on their criminal associates and to assist the authorities in the investigation and prosecution of other offenders and/or other crimes. Such offenders are often known as
'supergrasses'. Such cooperation can, and in fact does, play an important role in combating crime, especially in bringing to justice the leaders of organised gangs involved in serious crime.

House of Assembly - Wednesday, 11 July 2012, Page 2434
Act No.51 of 2012.

Criminal Law (Sentencing) (Sentences of Indeterminate Duration) Amendment

This Act amends Division 3 of Part 2 of the Criminal Law (Sentencing) Act 1988 which was enacted to deal with offenders of a particular class; namely, sexual offenders. The government of the day believed that an offender who has been assessed as being incapable of controlling, or unwilling to control, his or her sexual instincts, is a grave enough risk to warrant an overturning of the fundamental principle of proportionality in sentencing in order to protect society from the likely recidivism of the offender. Section 23 provides that, if a person has been convicted of a relevant sexual offence, the Supreme Court may order that the person be medically assessed as to whether they are incapable of controlling, or unwilling to control, his or her sexual instincts. On receipt of reports of this assessment, or if the offender refused to cooperate with an assessment ordered by the Court, the Court may order that the offender be detained in custody until further order (known as an indeterminate sentence).

The purpose of an order under section 23 is principally for the protection of the community and not for the punishment of the offender.

It has been held that the power to make an order under section 23 is exceptional and should be exercised with caution and where there is cogent and acceptable evidence justifying the making of the order. A release on licence under section 24 involves the exercise of a discretion on similar criteria to those under section 23(11) but has been granted more readily than a discharge of the order itself. The Supreme Court has held that a determination of an application under section 24 involves balancing the interests of the applicant on the one hand and those of the community on the other.

This Act amends the current test for the discharge of an indeterminate sentence order and imposes a new test for a release on licence under section 24. When considering such applications, the Court will be required to take into account the safety of the community as the paramount consideration. This test is akin to the test included in section 67 of the Correctional Services Act 1982, which provides that the paramount consideration for the Parole Board when determining an application for the release of a prisoner who is not eligible for automatic parole must be the safety of the community.

The Act also makes amendments to the test for the making of an indeterminate detention order, requiring the Court to take into account the safety of the community as the paramount consideration when determining any applications under this legislative scheme.

House of Assembly - Thursday, 17 October 2013, Page 7391
Act No.77 of 2013

Criminal Law (Sentencing) (Suspended Sentences) Amendment

Under amendments made in this Act, repeat violent offenders, and offenders who are involved in serious and organised crime, will not receive the benefit of a suspended sentence unless their case is truly exceptional.

This Act amends the Criminal Law (Sentencing) Act 1988 (the Sentencing Act) so as to limit the power of the court to suspend a term of imprisonment to when there are 'exceptional circumstances' for two targeted groups of offenders.

The two targeted groups are repeat violent offenders and offenders who are involved in serious and organised crime.

House of Assembly - Wednesday, 5 June 2013, Page 5887.
Act No.53 of 2013.
Development (Private Certification) Amendment

The State's residential development code was introduced in March 2009 with the aim of streamlining residential development that met specific complying standards. Effectively, the code sets up a tick-a-box approach to planning requirements for low risk, low impact detached and semi-detached housing, in other words, the typical house and land package in greenfields areas. In August this year, the Parliament made a series of changes to the code to enable homebuyers to get a quick turnaround in planning approval, in most cases, within 10 business days, and keep downward pressure on housing affordability.

However, while the revised code provides for more streamlined assessment processes for new houses and alterations and additions to existing houses, applicants are still required to get a council approval. This contrasts with building assessment, which has allowed for building approvals to be granted by an accredited private certifier since 1997.

This Act will enable the same process currently applying to building approvals to also apply to residential code approvals. As a consequence of this reform, an applicant will be able to seek all necessary development approvals for a home covered by the residential code through a private certifier. It is considered that this change will have real benefits for all parties in the State’s planning system: making housing approvals cheaper for first home buyers, helping industry in a difficult time in the construction market and reducing development assessment costs for councils, particularly in key urban growth areas where high volumes of new housing development add staffing and budget costs to councils’ bottom lines, costs which are funded by existing ratepayers.

House of Assembly - Thursday, 18 October 2012, Page 3327.

Act No.53 of 2012.

Disability Services (Rights, Protection and Inclusion) Amendment

This Act promotes the rights of people with disability and ensures they enjoy adequate safeguarding protections and inclusion.

The Act contains the following provisions:

- Referencing the United Nations Convention on the Rights of Persons with Disabilities
- Enshrining the right of people with disability to exercise choice and control in relation to decision-making
- Referencing other national and state discrimination legislation
- Mandating a requirement for disability service providers to have accessible and well publicised complaints and grievance procedures
- Protections for those who complain or report bad treatment
- Mandating a requirement for disability service providers to have in place safeguarding policies and procedures
- A power to enable the Minister for Disabilities to make regulations covering the issue of reporting on outcomes with a view to monitoring and action on a lack of appropriate performance by government and government-funded agencies

The Act acknowledges and supports the rights of people with disability to exercise choice and control over their own lives and the positive impact this control can have on a person’s quality of life, health and wellbeing. This Act highlights the importance for people with disability and their intrinsic human rights to be at the centre of disability legislation.

House of Assembly - Thursday, 12 September 2013, Page 6929.

Act No.66 of 2013.

Electoral (Funding, Expenditure and Disclosure) Amendment

This Act seeks to address cynicism concerning the perceived influence of special and financial interests in politics. It amends the Electoral Act 1985 to provide transparency, openness and accountability in political campaigning, especially at times when politicking is at its height.
The Act makes amendments in three main areas. Firstly it introduces a voluntary public funding scheme which will partially reimburse political parties, candidates and groups for political expenditure incurred during the campaign period. Specifically, candidates and groups will have the choice of opting into a scheme to receive funding and, as a condition of opting into the scheme, will be subject to prescribed limits on political expenditure during a specified period of time.

Secondly it outlines expenditure caps that will apply to those candidates, groups and parties who choose to opt in. For a general election, limits on expenditure will apply throughout the eight month period prior to polling day. The expenditure caps, in conjunction with public funding, will level the playing field, reducing campaign costs and the need for political fundraising.

Thirdly it introduces a regulatory disclosure scheme, requiring all key political participants, including political parties, their associated entities, candidates, groups and third party campaigners to disclose certain financial information on a regular basis, including relevant details of all gifts and loans valued over a threshold of $5,000.

Electoral (Legislative Council Voting) Amendment

This Act amends the Electoral Act by changing the nomination requirements for candidates. The Act requires a single candidate for the House of Assembly to obtain the support and signature of 20 electors and a candidate for the Legislative Council 250 electors, as opposed to the previous requirement of two. This measure is designed to encourage quality candidates who have reasonable support and backing within the community.

Further, only political parties and groups may lodge a voting ticket and hence obtain an 'above the line' voting ticket square on the Legislative Council Ballot Paper. However, if Legislative Council candidates group together, they must have the supporting signatures of different electors. If two or more candidates have the same signatures, that signature will not be counted for the purposes of making the nomination.

As a consequence, electors will have to provide a preference for every candidate below the line on the Legislative Council ballot paper should they wish to vote for an ungrouped independent candidate or a group whose candidates did not provide supporting signatures of at least 500 different electors upon making nomination.

The Act also reduces the number of descriptive words that may be provided adjacent to a candidate or group name on the Legislative Council ballot paper from five or less to three words. Finally, the ballot paper will be required to list candidates and groups in an order beginning with registered political party groups, Independent groups and then, lastly, Independent candidates.

Electoral (Miscellaneous) Amendment

This Act amends the Electoral Act 1985 to improve participation in elections and further regulate the use of electoral material and, importantly, enhance the integrity of the state electoral roll by ensuring that information contained on the roll is accurate and complete. In addition to several technical amendments recommended by the South Australian Electoral Commissioner, the Act contains a number of substantive amendments which arose from the recommendations of the Select Committee on Matters Related to the General Election of 20 March 2010.

The Act addresses concerns regarding the use of certain how-to-vote cards such as those which allegedly confused voters in the 2010 election. The Act does not seek to regulate what preferences parties, candidates and political groups choose to advocate, or whether they choose to advocate a first or second preference. However, it does regulate the way preferences are put forward by confining the context (including the language, colour and form
The card) in which the preference order can be represented, striking at the heart of the mischief complained of in the 2010 election.

The Act also reverses the 2009 amendments to section 116 of the Electoral Act 1985 relating to the requirements to identify a person responsible for political content in published material.

This Act also addresses complaints of voter confusion and lack of transparency in relation to the distribution of postal vote applications and electoral material in recognition of recommendations put forward by the Electoral Commissioner and the Select Committee.

A number of other changes include:

- amendments to the Electoral Act 1985 so that a ballot paper is not informal merely because the voter has marked it in a way that might identify them;
- harmonisation of the State and Commonwealth electoral rolls;
- amendments to the eligibility age of provisional voters in South Australia to 16 rather than the current 17 years;
- providing that the position of Deputy Electoral Commissioner be a 5 year statutory appointment rather than an appointment until the age of 65.

House of Assembly - Thursday, 15 November 2012, Page 3834.
Act No.48 of 2013.

Electronic Conveyancing National Law (South Australia)

The National Electronic Conveyancing initiative is a Council of Australian Governments’ reform that is endorsed within the existing National Partnership Agreement for a Seamless National Economy, to which South Australia is a party.

National Electronic Conveyancing will be an electronic business environment specifically implemented to create and settle property transactions prior to lodgement with the Land Services Group and other Australian Land Registries.

It is anticipated that National Electronic Conveyancing will:

- reduce costs and delays associated with conveying and settling land transactions;
- increase the accuracy of transactional data lodged with Land Registries; and
- reduce the complexity and cost of dealing across eight different jurisdictions.

The introduction of National Electronic Conveyancing is estimated to generate national gross savings of up to $250 million per annum and reduce the cost of preparing and settling each transaction by around $230.

This Act is a national law which will provide the legislative basis for National Electronic Conveyancing. The Act will not come into operation until the end of 2014, which will allow for the necessary amendments to the Real Property Act 1886 and other related legislation to be made. A separate Bill will be brought to the Parliament containing those related amendments.

House of Assembly - Wednesday, 5 June 2013, Page 5883.
Act No.89 of 2013.

Equal Opportunity (Sporting Competitions) Amendment

This Act amends the Equal Opportunity Act 1984 to address a concern that the provisions prohibit discrimination on the grounds of sex, chosen gender or sexuality by associations, or in the provision of certain services, in Part 3 of the Act, in relation to competitive sport.

House of Assembly - Wednesday, 24 July 2013, Page 6620.
Act No.42 of 2013.

Evidence (Discreditable Conduct) Amendment

This Act amends and clarifies the previous Evidence (Discreditable Conduct) Amendment Act 2011 ('the 2011 Act').

The 2011 Act requires a party seeking to adduce of discreditable conduct to give notice in writing to each other party in the proceedings in accordance with the rules of court. This requirement was drawn from the practice in the Uniform Evidence Act jurisdictions. The UEA
requires the prosecution to give written notice of its intention to use either propensity or similar fact evidence, but importantly does not require written notice of a party’s intention to use discreditable conduct for other purposes. The extension of the notice requirement in the South Australian legislation is not practical. The definition of discreditable conduct captures a vast amount of evidence. This is a type of evidence that is commonly used in court, and in the majority of cases for a purpose other than to establish a particular propensity or disposition of the defendant as circumstantial evidence of a fact in issue (in other words, for propensity or similar fact purposes). It is impractical that the use of discreditable conduct evidence for purposes other than a propensity or similar fact purpose be the subject of prior written notice; this was not the intent of the 2011 Act. This Act brings the South Australian regime in line with the UEA jurisdictions. Notice will only be required when the party intends lead the evidence to establish a particular propensity or disposition of the defendant as circumstantial of a fact in issue.

Evidence (Identification Evidence) Amendment

A properly conducted identification parade has been regarded traditionally as giving rise to the most confidence in a reliable identification. The traditional assumption that identification parades are a superior form of identification was accepted by the Australian Law Reform Commission in the 1980s and was incorporated into the Uniform Evidence Act which has been enacted in New South Wales, Victoria, the Commonwealth and the Australian Capital Territory (though not on this point in Tasmania). However, that assumption has come under increasing challenge over recent years on account of practical considerations, psychological and academic research and technological advances. Other jurisdictions, notably Western Australia (by judicial ruling) and England have explicitly departed from the preferred use of identification parades and recognise the benefit of identification by means of photographs or a video.

The core purpose of this Act is to put photographic means of identification on an even footing with an identification parade. A bad photographic identification is just as bad as a bad identification parade and a good photographic identification is just as good as a good identification parade. The form of the amendment is designed to be technologically neutral.

The Act includes a safeguard by replicating the procedure set out in Part 17 of the Summary Offences Act 1953, namely, that the evidence will be inadmissible unless an audio-visual record of the identification process is made.

Evidence (Reporting on Sexual Offences) Amendment

This Act amends section 71A of the Evidence Act 1929 to allow a person to make an application to the court for a publication order. The court will be able to lift or vary the restriction on publication of the name of a person accused of a sexual offence, or information about the evidence or proceedings, if it is satisfied that to do so would assist in an investigation of an offence or it is otherwise in the public interest to do so.

Publication of information by which the identity of an alleged victim is revealed, or from which the identity of an alleged victim might reasonably be inferred, remains prohibited by section 71A(4). The only exception to this prohibition is if a judge authorises such publication, or if the alleged victim consents to such publication; but no such authorisation or consent can be given if the alleged victim is a child.

The amendments require the court to make an initial assessment of an application for a publication order to determine whether the applicant has a proper interest in the question of whether the order should be made. If, in the opinion of the court, the applicant does have a proper interest, then the applicant, a party to the proceedings in which the order is sought, a representative of a newspaper or a radio or television station, and any other person who has
a proper interest in the question of whether an order should be made, will be permitted to make submissions and, with permission of the court, call evidence in support of the submissions.

House of Assembly - Wednesday, 5 September 2012, Page 2788.
Act No.44 of 2012.

**Family Relationships (Surrogacy) Amendment**

Under South Australian laws a potential mother in South Australia can legally engage a surrogate mother to carry her child under two eligibility categories, the first being that the potential mother is infertile, and the second being that the child is at risk of being born with a serious genetic defect or serious disease or illness that would be transmitted to the child from the potential mother.

Previously however, the legislation did not cover a mother whose own life or health would be seriously impacted by pregnancy or delivery of an infant. This Act expands the definition of what infertile means to enable the commissioning female parent to engage a surrogate mother if there appears to be a risk that becoming pregnant or giving birth to a child would result in physical harm to the female commissioning parent (being harm of a kind, or of a severity unlikely to be suffered by women becoming pregnant or giving birth generally).

House of Assembly - Thursday, 1 March 2012, Page 436.
Act No.22 of 2012.

**Financial Transaction Reports (State Provisions) (Miscellaneous) Amendment**


In 2006 the Commonwealth Government upgraded this regime. The Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Commonwealth) was enacted to combat changes in how financial transactions are conducted as a result of an increase of cashless, non face-to-face electronic transactions and global development in value transfer technology. The new regime is designed to combat organised and serious crime, including major drug dealing and terrorism financing.

This Act amends the SA Financial Transaction Reports (State Provisions) Act to reflect the new Commonwealth regime that now includes both the Financial Transaction Reports Act and the more recent Anti-Money Laundering Act.

House of Assembly - Wednesday, 14 November 2012, Page 3718.
Act No.4 of 2013.

**Firearms (Miscellaneous) Amendment**

Possession and use of illicit firearms are significant elements of criminal activity in South Australia. Trafficking of firearms, including the movement of firearms across borders, is an ongoing concern for police jurisdictions, as are the links to organised crime. Entrepreneurial criminals also exploit emerging technologies to support their activity.

This Act creates new criminal offences and enhances powers to support police. Many are stringent provisions but all have a strong focus on criminal activity involving firearms by those who access, possess and utilise firearms for criminal enterprises. They are intended to directly assist police in the challenge of disrupting and preventing this type of illegal and socially unacceptable activity. Several amendments will also bring South Australia into line with other jurisdictions, establishing consistency and supporting the need for a national approach to preventing and reducing firearm crimes and harms. House of Assembly - Wednesday, 30 October 2013, Page 7547.

Act No.92 of 2013.
First Home and Housing Construction Grants (Budget 2013) Amendment

This Act introduces legislative amendments to extend the Housing Construction Grant (HCG) for a further six months until 31 December 2013. A HCG of up to $8,500 has been available for home buyers who have entered into a contract to buy or build an eligible new home from 15 October 2012. The HCG applies to properties valued up to $400,000 and phases out for properties valued between $400,000 and $450,000. The HCG was due to end on 30 June 2013. The extension of the HCG means that home buyers who enter into contracts to purchase or build an eligible new home up to 31 December 2013 can receive the HCG of up to $8,500. All other existing criteria for the HCG remain unchanged. Extending the HCG for a further six months is expected to cost $38.6 million over two years. House of Assembly - Thursday, 6 June 2013, Page 6015. Act No.33 of 2013.

First Home Owner Grant (Housing Grant Reforms) Amendment

This Act renames the First Home Owner Grant Act 2000 to be the First Home and Housing Construction Grants Act 2000 and amends the First Home Owner Grant Act 2000 to increase the first home owner grant for new homes from $7,000 to $15,000 for contracts entered into on or after 15 October 2012. It also reduces the first home owner grant for established homes from $7,000 to $5,000 for contracts entered into from the date the legislation comes into force until 30 June 2014. The first home owner grant will be abolished for established homes from 1 July 2014. A new home is a home that has not been previously occupied or sold as a place of residence, and includes a substantially renovated home. The Act also removes the phase out of the first home bonus grant from $8,000 to $4,000 from 1 July 2012. The first home bonus grant will remain at $8,000 for eligible transactions entered into between 1 July 2012 and 14 October 2012 (inclusive). From 15 October 2012, the $8,000 first home bonus grant will be abolished and replaced with a housing construction grant of $8,500. The housing construction grant will be available for all new home contracts entered into between 15 October this year and 30 June next year (or where building commences during that time for an owner builder) and where the property has a value up to $400,000. The housing construction grant phases out for properties valued up to $450,000. The housing construction grant will be available to natural persons, companies and trusts and only one housing construction grant will be paid per property. The Act includes transitional provisions to ensure the grants can be administered appropriately from the date of the government's announcement of the revised grant arrangements. House of Assembly - Thursday, 18 October 2012, Page 3325. Act No.47 of 2012.

Graffiti Control (Miscellaneous) Amendment

This Act increases penalties for existing offences, further restricts the sale and display of graffiti implements, gives the courts new penalty options and gives police the power to confiscate graffiti implements. A major feature of the Act is the increased range of sentencing options available to a court when sentencing graffiti offenders. The Act to provide courts with an alternative to the requirement that a court must order that an offender remove the graffiti and creates a new penalty option in the form of a cost recovery provision. Drivers licence sanctions have been amended so that a court may, for second and subsequent offences, order the suspension of an offender's driver's licence, including a learner's permit. A duty to produce a driver's licence in court, if required by the court, a police officer or registrar, has also been imposed.
There is also an amended police power to seize a prescribed graffiti implement so that the procedures relating to the seizure of a graffiti implement and the circumstances in which the graffiti implement may be returned or forfeited to the Crown are prescribed in the regulations.

House of Assembly - Thursday, 1 March 2012, Page 485.
Act No.1 of 2013.

Health Practitioner Regulation National Law (South Australia) (Miscellaneous) Amendment

On 1 July 2010 the Health Practitioner Regulation National Law (South Australia) Act 2010 came into effect. That Act sets out the legislative provisions for the operation of the National Registration and Accreditation Scheme, whereby practitioners in ten health professions across Australia are registered under a profession-specific national board and subject to nationally consistent registration standards and codes for their profession. The Act established the South Australian Health Practitioners Tribunal to hear disciplinary matters against health practitioners and appeals against decisions of the national boards.

The legislation also covers the regulation of related matters in South Australia that are not part of the National Scheme. These matters include the registration of pharmacy premises and pharmacy depots. This Amending Act makes changes to the legislation to give effect to:

- a standardised timeframe within which appeals against decisions of a national board may be made to a tribunal;
- revising the legislative provisions that relate to the ownership of pharmacy premises and pharmacy depots in South Australia; and
- provisions relating to the transition of the occupational therapy profession into the National Registration and Accreditation Scheme.

House of Assembly - Thursday, 17 May 2012, Page 1719.
Act No.31 of 2012.

Health Practitioner Regulation National Law (South Australia) (Protection of Title – Paramedic) Amendment

Paramedics are those health practitioners that provide rapid response and emergency medical assessment, treatment or care in a pre-hospital or community environment. There is a distinction between the role of the paramedic from that of an ambulance officer and volunteers. Ambulance officers and volunteers have completed a comprehensive program focused on the provision of pre-hospital emergency care. The fundamental difference between these levels of healthcare providers is the expansive and internationally accepted scope of practice of a paramedic. Paramedics are required to respond to medical and trauma emergencies, assess and treat the patient and prepare them for transport to a hospital for ongoing care, if and as required. Paramedics are often required to make complex and critical clinical judgements without direct supervision, including, but not limited to, decisions to discharge at the scene or to refer the patient to alternative pathways of care. Paramedic practice is not currently regulated in Australia. This is despite a call for the profession to be included as part of the National Registration and Accreditation Scheme for health professions from reports in New South Wales, Victoria and Western Australia. In the absence of regulation any person may call themselves a paramedic and undertake the duties and responsibilities generally associated with paramedic practice regardless of whether they hold the necessary education and training to provide the level of care expected.

This Act takes a step towards the regulation of paramedic practice by protecting the title of paramedic. Under the Act it will be an offence for any person to take or use the title of 'paramedic' unless they hold the appropriate qualifications to perform the role of the paramedic. The protection of the title 'paramedic' is commensurate with the degree of risk associated with paramedic practice due to the clinical interventions and the nature of the occupation in comparison to the practices of the ambulance officer or volunteer.

The Council of Ambulance Authorities has established an accreditation scheme for education courses in Australia to ensure that graduates meet the requisite education and training
standards for employment as a paramedic in Australia and New Zealand. These qualifications will form the basis of the qualifications that will entitle a person to take the title of ‘paramedic’. Most paramedics employed in Australia hold a tertiary qualification and have completed an internship program.

This Act will provide protection for the public ahead of the work currently being undertaken at the national level for the regulation of the paramedic workforce. This legislation to protect the title ‘paramedic’ will assist with the transition of South Australian paramedics into any future national regulatory scheme.

House of Assembly - Wednesday, 16 October 2013, Page 7282
Act No.68 of 2013.

Health Practitioner Regulation National Law (South Australia) (Restricted Birthing Practices) Amendment

On 6 June 2012, the Deputy State Coroner handed down his findings into the unrelated deaths of three babies who died at the time of, or very soon after, their birth, between 2007 and 2011.

Each of the babies was delivered by way of planned homebirth at the respective homes of their parents, but unfortunately died after complications that were experienced in the course of their birth. In each of the births the Deputy State Coroner found that there was an enhanced risk of complication associated with their birth that was not unpredictable.

This Act is in response to the Deputy State Coroner’s recommendation for legislation to render it an offence for a person other than a registered midwife or medical practitioner to be involved in the management of the three stages of labour.

The Act restricts birthing practices, defined as the management of the three stages of labour and childbirth, to a midwife or medical practitioner registered under the Health Practitioner Regulation National Law.

The Act recognises that there are a number of health practitioners that may provide health services to a woman during her pregnancy. By restricting birthing practice, these services may continue. The Act also recognises that there are others who may provide emotional and social support to the woman and her family during the birth. These persons will also be able to continue in this role.

The Act also makes provision for those instances where a person other than a midwife or medical practitioner may need to render assistance to a woman who is in labour or giving birth to a child in an emergency.

House of Assembly - Wednesday, 25 September 2013, Page 7092.
Act No.62 of 2013.

Heavy Vehicle National Law (South Australia)

This Act and its companion, the Statutes Amendment (Heavy Vehicle National Law) Bill 2013 will enable South Australia to fulfil its commitments under the Council of Australian Governments’ Intergovernmental Agreement on Heavy Vehicle Regulatory Reform (IGA). The heavy vehicle reform is one of the competition reform priorities under the National Partnership Agreement to Deliver a Seamless National Economy. This is the last of 3 transport regulatory reforms considered by this Parliament, following the passage of the Rail Safety National Law (South Australia) Act 2012 and the introduction of the Marine Safety (Domestic Commercial Vessel) National Law (Application) Bill 2013. The purpose of this Application Bill is to establish a national system of heavy vehicle regulation governed by one national law (the National Law), that brings together model legislation developed through national heavy vehicle regulatory reforms over the last 20 years. This includes registration; fatigue management; accreditation schemes; mass, dimension and loading limits; compliance requirements and enforcement powers for all heavy vehicles over 4.5 tonnes.

House of Assembly - Thursday, 2 May 2013, Page 544.
Act No.36 of 2013.
Housing and Urban Development (Administrative Arrangements) (Urban Renewal) Amendment

This Act provides for a new urban renewal planning process. It establishes a special precinct development process, which will operate as an alternative to the normal rezoning process, to enable urban renewal to be kick-started on a precinct-wide basis at selected locations. The process is particularly designed to enable complex urban renewal projects, such as Port Adelaide, to be addressed in ways which are outside the ambit of the current rezoning framework.

The Act provides for councils of joint venture-style statutory corporations including councils or other representatives to undertake urban renewal projects. This will be of great assistance to councils undertaking urban regeneration programs such as Marion, Onkaparinga, Tea Tree Gully and Salisbury among others. In complex situations, with multiple land owners, such as the Port, the Act will ensure that all relevant interests can be included in the governance arrangements for an urban renewal project.

The process outlined in this Act has been designed to be scalable, working for large sites such as Bowden or Tonsley, while also able to apply to smaller scale renewal opportunities that may arise from time to time and are most likely to be undertaken by councils or private sector developers.

The Act sets out in detail the precinct planning process that will be required for all areas declared as urban precincts.

Independent Commissioner Against Corruption

This Act establishes in South Australia an independent body focussed entirely on preserving and safeguarding confidence and the integrity of the functions performed by public officers, agencies and authorities in the State of South Australia. The Act proposes to achieve this by establishing the Independent Commissioner Against Corruption and the Office for Public Integrity.

The primary objects of the Act are to establish the Independent Commissioner Against Corruption (‘ICAC’) and the Office for Public Integrity (‘OPI’). The public officers, the public authorities responsible for the officers, and the Ministers responsible for the public authorities to which the functions of the ICAC and the OPI will apply, are set out in Schedule 1. Further, a private individual may also be subject to an ICAC investigation into corruption, where their alleged corrupt conduct is in connection with a public officer, inquiry agency or public authority exercising a function of public administration. The functions of the Independent Commissioner Against Corruption (‘the ICAC’) are designed to further:

- the identification and investigation of corruption in public administration; and
- the prevention or minimisation of corruption, misconduct and maladministration in public administration, including through referral of potential issues, education and evaluation of practices, policies and procedures.

The functions of the Office for Public Integrity (‘the OPI’) are to manage complaints about public administration with a view to:

- the identification of corruption, misconduct and maladministration in public administration; and
- ensuring that complaints about public administration are dealt with by the most appropriate person or body.

Late Payment of Government Debts (Interest)

This Act will ensure that small business suppliers are paid within the Government's standard 30 day payment terms. Where this does not occur, the Act provides suppliers with the
opportunity to be paid penalty interest to help offset any costs associated with not being paid on time.

The key elements of the legislation are as follows:

- The scheme will apply in relation to public authorities designated by the Treasurer.
- Only small business suppliers (defined as non-government Australian vendors with revenue of less than $5 million per annum) will be able to claim late payment interest.
- Interest will start to accrue from the 31st day after the date an invoice was received by a public authority.
- Until a date to be fixed by the Treasurer, small business vendors will need to invoice the applicable public authority of any late payment interest entitlement. After that date, public authorities will be expected to pay any interest at the time that payment is made for the provision of the relevant goods or services. It is the Government’s intention to move to the ‘automatic’ payment of interest under the Act within the next 2 years. In order to ensure that there is a smooth transition to the ‘automatic’ payment of interest, a review is to be undertaken within 18 months after the commencement of the legislation.
- To avoid excessive administrative costs, interest will only be payable to small business vendors when the total amount of interest owed is greater than $20.
- The Small Business Commissioner will have a dispute resolution function under the Act.

House of Assembly - Wednesday, 19 June 2013, Page 6171.
Act No.82 of 2013.

**Legal Practitioners (Miscellaneous) Amendment**

This Act modernises the regulation of the legal profession in South Australia and provides greater harmonisation for South Australian practitioners than otherwise exists. The Act makes improvements to the disciplinary system, with a view to improving the system for both consumers and practitioners. The Act provides for increased protections for consumers of legal services in South Australia.

House of Assembly - Tuesday, 19 March 2013, Page 4816.
Act No.44 of 2013.

**Liquor Licensing (Miscellaneous) Amendment**

This Act amends the Liquor Licensing Act 1997 to better equip the Liquor and Gambling Commissioner, his staff and police to address problem drinking and alcohol-related violence. Greater responsibility has been placed upon licensees to prevent excessive alcohol consumption occurring on their premises. The Commissioner’s power to take action against licensees for inappropriate management of premises and to place restrictions on the sale of liquor where necessary for public order, safety, health or welfare grounds have been strengthened. The objects of the principal Act have been amended to specifically address alcohol-related violence and property damage.

At the same time this Act introduces amendments to streamline administrative processes and reduce red tape on both the liquor industry and government. The requirement that a responsible person be approved has been made more flexible so that approval will apply industry-wide. Notice requirements are made less onerous. The requirement that separate entertainment approval be obtained for over-sized television screens has been removed. Companies limited by guarantee have been given the right to hold club licences. The processes by which dry areas are declared and educational courses are exempt from the need to be licensed have been made less onerous. The Act also makes a number of minor technical amendments to improve the efficiency and effectiveness of liquor regulation and to address out of date references to Commonwealth legislation.

House of Assembly - Wednesday, 5 June 2013, Page 5873.
Act No.52 of 2013.
Liquor Licensing (Small Venue Licence) Amendment

This Act provides for a new category of liquor licence aimed at providing flexibility to the owners of small venues, and a new streamlined process for small venue licence applications. The aim of the small venue licence is to provide entrepreneurs with a liquor licence that is flexible enough to accommodate a variety of small business models, from food-orientated businesses such as small tapas and sushi bars to hybrid businesses that operate as restaurants during peak meal times or on certain nights of the week, but bars outside of those times, to small specialist bars, such as wine or whisky bars, and small bars that provide patrons with an alternative to large, traditional hotels and night clubs. The proposal also aims to encourage small venues to host live music. It is expected that this will encourage business activity and diversification in the liquor market and promote the live music industry.

House of Assembly - Wednesday, 28 November 2012, Page 4005.
Act No.3 of 2013.

Local Government (Superannuation Scheme) (Merger) Amendment

The recent release of the Federal Government's Cooper Review into the operation of Australia's superannuation system has encouraged superannuation funds to consider merger and acquisition opportunities. Against that background, Local Super and Statewide Super have publicly announced that they are interested in a possible merger.

This Act makes a minor amendment to a transitional provision of the Local Government (Superannuation Scheme) Amendment Act 2008 that would, unless amended, prevent the possible merger of Local Super with another superannuation fund, and the possible winding up of Local Super.

Clause 2 of Schedule 1 of the Local Government (Superannuation Scheme) Amendment Act 2008, which currently provides that the Local Government Superannuation Scheme is to continue in existence under a trustee deed, is amended to allow for the possible future merger of the Local Government Superannuation Scheme with some other scheme that may result in the discontinuance of the scheme in its own right and under its current name.

The Act also contains a number of consequential amendments to other transitional provisions of the Local Government (Superannuation Scheme) Amendment Act 2008.

House of Assembly - Wednesday, 4 April 2012, Page 1096.
Act No.18 of 2012.

Magistrates (Miscellaneous) Amendment

This Act amends the Magistrates Act 1983 by introducing changes designed to modernise and improve public confidence in and understanding of the judicial system. Amendments include:

- removing the term 'stipendiary magistrate';
- abolishing the administrative positions of 'Supervising Magistrate' and 'Assisting Supervising Magistrate';
- placing responsibility for the administration of the magistracy solely on the Chief Magistrate,
- removing the qualification subject to the control and direction of the Chief Justice;
- amending the eligibility requirements of the Chief and Deputy Chief Magistrates; and
- amending provisions relating to the removal of magistrates, including the grounds for removal of a magistrate.

House of Assembly - Thursday, 2 May 2013, Page 5430.
Act No.26 of 2013.

Major Events

This Act facilitates the holding and conduct of major events in South Australia; regulates and/or prohibits the conduct of specific commercial and non-commercial activities at major
events; and regulates the behaviour of attendees at major events. The Act gives the Government the ability to declare any event a 'major event' and, in making such a declaration, protect the integrity of the event and the safety and wellbeing of event attendees. The Act deals with the regulation of certain commercial activities, including the sale and distribution of prescribed articles, ticket scalping and ambush marketing; unauthorised broadcasting; control of airspace and use of official logos and official titles. The Act also regulates other activities at major events, including entry to and exit from major event venues, possession of flares and explosive devices, obstruction or interference at major events and entering restricted areas at major event venues.

House of Assembly - Thursday, 21 March 2013, Page 4958.
Act No.63 of 2013.

**Marine Safety (Domestic Commercial Vessel) National Law (Application)**


This Act is South Australia’s contribution to the delivery of a single, nationally consistent marine safety regime for all domestic commercial vessels. This Act applies the Commonwealth National Law as the law of South Australia and extends coverage of the National Law to cover any gap in the Commonwealth’s Constitutional reach.

The National Law (both Commonwealth and State) confers regulatory powers and functions on the National Regulator (AMSA) which:

- will be responsible for the development of standards and regulations;
- will delegate powers and functions under both the State and Commonwealth laws to State officers (if agreed by the State) and Commonwealth officers;
- will enter into service level agreements with the States; and
- will appoint State officers as marine safety inspectors under both the State and Commonwealth Acts.

In keeping with the requirements of the Intergovernmental Agreement, this Act amends the South Australian Harbors and Navigation Act 1993 to remove provisions related to matters covered by the National Law.

The National Law and supporting subordinate legislation will enable vessels and seafarers to be certificated for work in any Australian waters. South Australia will retain responsibility for regulating South Australian waterways, ports, harbors and moorings and will continue to enforce speed limits and drug and alcohol offences on the water. This Act also addresses several pressing matters affecting the administrative efficiency of the Harbors and Navigation Act.

House of Assembly - Wednesday, 6 March 2013, Page 4648
Act No.21 of 2013.

**Mental Health (Inpatient) Amendment**

This Act makes a subtle but important amendment to the Mental Health Act 2009 through a change in terminology from detention and treatment order to inpatient treatment order to more accurately reflect the way in which contemporary involuntary mental health treatment is delivered and to remove the negative connotation of the term 'detention' which is often associated with criminality and used in a punitive sense.

The title for detention and treatment orders in the current Mental Health Act 2009 sends too strong a message about the nature of the orders and leads readers to have a picture of all mental health patients subject to detention and treatment orders being locked up and
physically prevented from leaving a treatment centre. This is not an accurate portrayal of our progressive mental health system.

The change in terminology does not in any way change the functions of the orders or the limitations on their duration. It is merely a cosmetic amendment to remove potentially misleading terminology and substitute more accurate terminology. Neither does it change the ability to revoke the orders at any stage to ensure people are not treated involuntarily any longer than is clinically necessary.

House of Assembly - Wednesday, 14 March 2012, Page 646.
Act No.26 of 2012.

Mining (Exploration Authorities) Amendment

Amendments to the Mining Act 1971, which came into operation on 1 July 2011, inter alia provided for the removal of the concept of a miner’s right from the Act. Section 20 of the Act was amended to establish a general right to prospect over mineral land in this State. A consequential amendment to remove a reference to a miner’s rights from the definition of exploration authority in section 6(1) of the Act was also made.

Under section 63F of the Mining Act 1971 an exploration authority does not confer a right to carry out mining operations that would affect native title rights and interests other than where they are properly authorised in accordance with that section. This ensures that the grant of these exploration authorities comply with the provisions of the Native Title Act 1993, which is commonwealth legislation.

The Native Title Act requires that any legislative changes conferring a right to mine that affect native title must comply with the processes set out by the Commonwealth Act. Subsequently it is considered that amendments to section 20 create a general right to mine which is not restricted by section 63F and may include a right to undertake activities which could have affect native title rights.

Accordingly, this Act makes an amendment to the definition of exploration authority making it clear that an exploration authority includes a right to prospect for minerals under section 20 of the Act. This will redress the unintended consequence of the amendments made by the 2010 act to section 20 thus ensuring that section 63F of the act applies.

This Act will be taken to have come into operation on 1 July 2011, which was the date on which the 2010 amendments came into operation to take account of rights to prospect that have come into existence from that date.

House of Assembly - Tuesday, 3 April 2012, Page 1056.
Act No.11 of 2012.

Mining (Royalties) Amendment

In the 2012 -13 Mid-Year Budget Review, the Government announced reforms to the timing of royalty payments collected by the State, for producers with expected annual royalties in excess of $100,000 required to make royalty payments monthly in arrears from 1 July 2013. This Act reflects those reforms for mineral producers who pay royalties under the Mining Act 1971.

This change to royalty collections was estimated in the Mid-Year Budget Review to provide a one-off benefit to the State of $31.6 million in the 2013 - 14 financial year.

The revised payment arrangement aligns South Australian royalty payments for large mineral producers with the timing of royalty payments in some other Australian jurisdictions. In addition, it aligns large mineral producers' royalty payment arrangements with royalty arrangements for South Australian petroleum and geothermal producers.

The changes outlined in this Act have no impact on producers with an annual royalty liability of less than $100,000.

House of Assembly - Thursday, 4 July 2013, Page 6433.
Act No.67 of 2013.
Motor Vehicle Accidents (Lifetime Support Scheme)

The Act establishes a Lifetime Support Scheme that would benefit people who are catastrophically injured in motor vehicle accidents occurring in South Australia, irrespective of who was at fault. The Scheme will commence on 1 July 2014. The Lifetime Support Authority is established to administer the Scheme. Its role is to ensure that the injured people who participate in the Scheme receive the treatment, care and support they need. A person would be eligible to participate in the scheme if they suffer a bodily injury in a motor vehicle accident, the scope of which is set out in the Act, and the injury satisfies criteria set out in the Act and Lifetime Support Scheme Rules. The Rules will be made by the Governor on the recommendation of the Lifetime Support Authority. They will be laid before both Houses of Parliament and be disallowable.

The Act also contains dispute resolution mechanisms for participants and potential participants regarding eligibility and assessments of treatment, care and support needs. The Act also introduces a no fault compensation for medical and ongoing care costs for children who were under the age of 16 years at the time of the accident.

The Act makes amendments to the Civil Liability Act by changing the way in which compensation for past and future economic loss and the threshold for payment of damages for non-economic loss are assessed. The Act is also intended to encourage a more methodical approach and greater rigour in assessing these damages.

Legal fees are a significant part of Compulsory Third Party costs. This Act provides that no costs will be awarded if the amount of damages awarded is $25,000 or less and will be capped at the Magistrates Court scale if the award is between $25,000 and $100,000 regardless of the court in which the proceedings are issued. These limitations on costs awards will apply to both the claimant and the insurer.

House of Assembly - Wednesday, 6 March 2013, Page 4652.
Act No.15 of 2013.

Motor Vehicles (Disqualification) Amendment

This Act rectifies a problem where programming errors have previously caused systems to malfunction, resulting in information not being produced or actioned in reasonable time frames.

Previously, when a driving offence was finalised (for example, through expiation or conviction), information relating to the offence was transmitted electronically from the Courts Administration Authority and South Australia Police to the Registrar of Motor Vehicles. Once received, the registrar was required to add the offence to a person’s driving record. Offences appeared on the record in chronological order according to the date on which they were committed (or, in the case of expiated offences, allegedly committed).

If an offence resulted in a person becoming liable to be disqualified from driving, the registrar was required to give the person a notice of disqualification. This would happen, for example, if the offence was a breach of a driver’s licence or learner’s permit condition, or if the offence attracted demerit points and, when added to the person’s record, the total number of demerit points incurred within a three-year period equalled or exceeded 12 points.

Previously, the registrar had a statutory duty to give a notice of disqualification if the person became liable to disqualification under the Motor Vehicles Act. The registrar had no choice but to act in accordance with the law and was unable to withhold or determine not to give a notice of disqualification. This Act changes that position by not allowing the registrar to give a notice of disqualification where the notice has been delayed by 12 months or more due to government error.

House of Assembly - Wednesday, 11 July 2012, Page 2438
Act No.42 of 2012.
Motor Vehicles (Learner’s Permits and Provisional Licences) Amendment

This Act amends the Motor Vehicles Act 1959 to enhance the Graduated Licensing Scheme (GLS) and improve the safety of young drivers, their passengers and other road users. The Act provides for:

- a passenger restriction for P1 drivers (under aged 25), allowing no more than one passenger aged 16 to 20 years (immediate family members are exempt and exemptions for employment will apply);
- a night-time driving restriction for P1 drivers (under age 25) between midnight and 5 am (with an exemption system). P1 drivers will be exempt from the restriction if they need to drive for employment (including formal volunteer work), education, training or sporting purposes;
- an extension of the total minimum provisional licence period from two to three years; and
- the removal of the legislative requirement to regress to a previous licence stage following a period of driver disqualification. No strong evidence has emerged to suggest that this policy has improved road safety outcomes for young drivers.

This Act also contains a number of consequential amendments to the GLS such as:

- a night-time driving restriction for learner motorcyclists who have not already obtained a P2 or full licence for another class of vehicle;
- a curfew on novice drivers who are disqualified for a serious disqualification offence; and
- a Hazard Perception Test (HPT) will become a requirement of graduation from L to P1 rather than from the current P1 to P2.

House of Assembly - Wednesday, 24 July 2013, Page 6577.
Act No.70 of 2013.

Motor Vehicles (Periodic Payments) Amendment

This Act makes amendments to the Motor Vehicles Act 1959 to provide an additional option for motor vehicle registration renewal payments by monthly direct debit. This will offer flexibility to vehicle owners and help families manage their finances by allowing more frequent, but smaller payments to be made by a convenient, automated means. The Act also enables motor vehicle registration and associated fees, including third party insurance premiums, to be paid periodically by a debit to a specified account.

House of Assembly - Thursday, 4 July 2013, Page 6370.
Act No.40 of 2013.

National Energy Retail Law (South Australia) (Implementation) Amendment

This Act provides for a national framework for regulating retailers and distributors who sell and supply electricity and gas to customers.

In June 2006 the Council of Australian Governments amended the Australian Energy Market Agreement to provide for (among other things), the national framework for energy access; and the national framework for distribution and retail services. This final component is known as the National Energy Customer Framework, here referred to as the Customer Framework, and consists of a package of Laws, Rules and Regulations.

A key component of this package of Laws includes the National Energy Retail Law, which passed South Australian Parliament as lead legislator for national gas and electricity legislation without amendment and received Royal Assent on 17 March 2011.

This Act applies the Customer Framework in South Australia. This framework provides national consistency for the sale and supply of energy to retail customers and therefore simplifies the regulatory regime for energy retailers and distributors. Further, the Customer Framework contains a wide-ranging suite of energy-specific consumer protections.

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As a consequence, the Act provides for the regulation of non-price retail and non-economic distribution functions to shift from South Australia's independent energy regulator, the Essential Services Commission of South Australia to the Australian Energy Regulator.

Act No.16 of 2012.

**National Gas (South Australia) (Gas Trading Exchanges) Amendment**

This Act establishes a new voluntary gas trading market that will offer a low cost, flexible method to transfer title of gas from one party to another.

The new trading market is an important development in the Eastern Australia gas market. It will assist market participants adjust to changing market conditions following the commencement of liquefied natural gas export from Queensland from 2014.

The Act will make small but important amendments to the National Gas Law, a schedule to the National Gas (South Australia) Act 2008, to provide for the establishment of gas trading exchanges. This Act will clearly provide for gas trading exchange functions as a statutory function of the Australian Energy Market Operator. New functions for the Australian Energy Market Operator provided for in the Act include operation of a gas trading exchange, making and administering a gas trading exchange agreement, trade in natural gas for the efficient operation and of the gas trading exchange and the ability to suspend trading on a gas trading exchange.

The benefits of a gas trading exchange are expected to include enhanced transparency of gas trading, strengthening participants’ short term ability to allocate and price gas efficiently and support for the efficient trade and movement of gas between regions.

Act No.54 of 2013.

**National Health Funding Pool Administration (South Australia)**

This Act forms part of a national reform process to improve the transparency and accountability in how the State’s public hospitals are funded and managed. In August 2011 the Council of Australian Governments signed the National Health Reform Agreement committing all Commonwealth, State and Territory Governments to work in partnership to improve the health outcomes for all Australians and to ensure the sustainability of the public health system going forward.

Under the National Health Reform Agreement the Commonwealth and States and Territories have joint responsibility for funding hospital services. Activity based funding will be used as the primary basis for funding the majority of public hospital services, although some services that are not appropriately funded through this method will continue to be block (or grant) funded.

This Act enables the State to participate in the National Health Reform Agreement and provides that there will be complete accountability and transparency on the funding provided by the Commonwealth and State Governments to local health networks and the consequent accounting and reporting of these funds. The funding arrangements outlined in this Act provide more certainty and more money for South Australia’s public hospital system which will lead to a more effective health system that meets the health needs of the South Australian community. South Australia will receive an estimated total of $1.1 billion in growth funding over the period 1 July 2014 to 1 July 2020.

Act No.30 of 2012.

**National Tax Reform (State Provisions) (Administrative Penalties) Amendment**

The National Tax Reform (State Provisions) (Administrative penalties) Act amends the National Tax Reform (State Provisions) Act 2000. This Act gives effect to South Australia's
commitment under a national agreement to extend the Commonwealth’s interest and penalties regime to the notional GST liabilities of government entities. There has been uncertainty about whether state and local governments were liable to pay penalty and interest charges in relation to their notional GST liabilities where necessary. This amendment makes it clear that interest and penalty charges will apply to state and local government GST obligations where necessary.

While this Act will allow the Australian Taxation Office to charge South Australian government entities interest and penalties on outstanding notional GST payments, this measure is not expected to have a material impact on the State’s finances as South Australian government entities are already compliant with the GST law.

A uniform interest and penalties regime will promote competitive neutrality and provide clarity and certainty to government, taxpayers and the Australian Taxation Office.

The Act will take effect from 1 July 2013.

House of Assembly - Wednesday, 10 April 2013, Page 5105.
Act No.22 of 2013.

Natural Resources Management (Review) Amendment

This Act amends the Natural Resources Management Act 2004 following a 2007 review of the legislation. The review contained over 60 recommendations that included a number of recommended legislative amendments. This Act clarifies existing provisions, simplifies administration, improves flexibility and addresses inconsistencies. The Act includes provisions that:

- refine, simplify and clarify some processes in the legislation and provide a solid base for additional amendments that may be required in the future;
- allow for more expedient water conservation measures by simplifying the processes;
- promote Aboriginal engagement in natural resources management in South Australia by requiring consultation with relevant bodies; and
- provide for significantly increased penalties for water theft.

This Act proposes to make the operation of the Natural Resources Management Act 2004 more effective and efficient, thereby ensuring that South Australia is well equipped to meet future challenges in natural resources management.

House of Assembly - Wednesday, 27 October 2010, Page 1789.
Act No.29 of 2013.

Native Vegetation (Miscellaneous) Amendment

The Native Vegetation Act 1991 remains a key legislative instrument supporting South Australia's Strategic Plan 'no species loss' target. The amendments made by this legislation ensures consistency with the State's other environmental legislation. The amendments strengthen landscape approaches to biodiversity conservation in the State and support economic development by providing improved flexibility for business.

The key features of this Act are to:

- Increase flexibility in the delivery of significant environmental benefit offsets for vegetation clearance;
- Add new expertise to the Native Vegetation Council;
- Update evidentiary provisions to reflect modern technology;
- Ensure that offences constituted under the Native Vegetation Act 1991 lie within the criminal jurisdiction of the Environment, Resources and Development Court;
- Make minor modifications to existing powers and penalties to improve the administration of the legislation and to provide better integration with the Natural Resources Management Act 2004.

House of Assembly - Wednesday, 22 June 2011, Page 4254.
Act No.80 of 2013.
Parliamentary Remuneration (Basic Salary) Amendment

The previous provisions of the Parliamentary Remuneration Act 1990 provided that a State parliamentarians base salary is automatically linked to the base salary payable to a federal parliamentarian, less $2,000 per annum. Last year, the Commonwealth Remuneration Tribunal undertook a review of the base salary of Federal parliamentarians. The tribunal determined on 12 March 2012, that the base salary of Federal parliamentarians would increase from $140,910 to $185,000, with some offset to allowances. If this Act was not passed, the base salary of State parliamentarians would automatically increase to $183,000 on 1 July, 2012. This would see a benefit in excess of $40,000 flowing to State members of parliament. A salary increase of that magnitude is not acceptable to the state government.

Legislation was passed late last year to freeze the pay of state parliamentarians until 30 June 2012, temporarily pausing the link between the basic salary rate of a Federal parliamentarian to that of a State parliamentarian.

This Act maintains the link between the base salaries of State parliamentarians to that of Federal parliamentarians, however, to avoid a significant increase in salaries, it sets the difference between the base salary of State and Federal parliamentarians at $42,000 from 1 July 2012. This will mean the base salary of South Australian parliamentarians will be $143,000 per annum from 1 July 2012, an effective increase of 2.9 per cent.

Payroll Tax (Miscellaneous) Amendment

This Act contains two amendments to the Payroll Tax 2009 in order to maintain payroll tax harmonisation across Australia. These amendments are proposed to take effect from 1 July 2013. The first amendment removes outdated references to commonwealth legislation in the employee share scheme provisions. The commonwealth legislation and changes in the way the new commonwealth legislation taxes shares and options have made it necessary to amend provisions of the State Act to reflect the commonwealth changes. Transitional provisions will allow employers to pay payroll tax on the grant of shares and options from 1 July 2009 to before 1 July 2013 under the current provisions or under the proposed new provisions. There is considered to be little material difference in the impact of the two sets of provisions.

The second amendment clarifies the application of the maternity and adoption leave exemption. Currently, the 14-week exemption period can be pro-rated to the equivalent of 14 weeks’ leave for full-time employees who take their leave at less than full pay, but the Act arguably does not provide equivalent treatment for part-time employees. To ensure consistent and equitable treatment of wages paid to full-time and part-time employees in line with current administrative practice, this amendment will put beyond doubt that the 14-week period can be pro-rated for part-time employees on the basis of the wages that would have normally been paid for that period.

Petroleum and Geothermal Energy (Transitional Licences) Amendment

This amending Act introduces amendments to the Petroleum and Geothermal Energy Act 2000 to ensure the validity of certain past grants, consolidations and renewals of petroleum production licences held by Santos Limited, Delhi Petroleum Pty Ltd and Origin Energy Resources Ltd in the Cooper Basin.

It was drawn to the State’s attention that there were potential unintended consequences arising from the transitional provisions of the Petroleum and Geothermal Energy Act. The State had concerns that if the proposed amendments were not made, many petroleum
production licences could be found to be flawed on the basis of the unintended legislative effect. Such a finding would have had very serious consequences for the confidence of the petroleum industry in carrying on business in South Australia, and the State’s ability to encourage future investment in the petroleum sector.

House of Assembly - Wednesday, 5 September 2012, Page 2797.
Act No.34 of 2012.

Police (GST Exemption) Amendment

South Australia Police (SAPOL) currently provides a number of services to the public for which it charges fees. Some of these charges are imposed in accordance with legislation (for example, the impounding or clamping of vehicles; the issue of firearms licences) and some are provided under individual contract (for example, police escorts of over dimensional vehicles; police aircraft hire). However, there are some services that police carry out that are under neither the authority of any legislation nor specific contract. These relate solely to requests from the public for access to information from certain police records, namely, national police certificates, fingerprint reports, fingerprint and history checks, police incident reports, vehicle reports, antecedent reports and apprehension reports.

Amendments were recently made by the Commonwealth Government to the A New Tax System (Goods and Services Tax) Act 1999 (Cth) which state in part that a fee charged by a Government agency to supply information that is not required to be provided under an Australian law will be subject to GST. These Commonwealth amendments will come into operation on 1 July 2013. As the aforementioned requests for access to SAPOL records are not subject to any legislation, they will be liable to GST payments from that date, unless they can be brought under South Australian law in the meantime.

This Act makes amendments to the regulation making power in the Police Act 1998 to provide authority for regulations to be made specifying that particular services and respective fees may be charged by SAPOL. This will formally bring the imposition of such fees (being fees for the provision of information that is of a regulatory nature by a government agency) under the authority of South Australian legislation thereby allowing the payment of such fees to continue to be GST exempt under the Commonwealth Act.

House of Assembly - Wednesday, 1 May 2013, Page 5304.
Act No.27 of 2013.

Port Pirie Smelting Facility (Lead-In-Air Concentrations)

This Act seeks to secure the continued prosperity of the Port Pirie community by improving environmental outcomes in and around Port Pirie and by ensuring continued investment aimed at further improving the health outcomes for the children of Port Pirie.

Nyrstar’s Port Pirie facility is one of the world’s largest primary lead smelting facilities and the third largest silver producer. The operation directly employs more than 850 people, or around 17 per cent of the working population of the town. It incorporates a lead smelter and refinery, a precious metals refinery, a copper plant and a zinc plant.

In 2011, Nyrstar and the South Australian government began discussions to determine the best way forward for the company’s Port Pirie smelting facility in the expectation that new licensing arrangements with the Environmental Protection Authority would require additional investment to transform the existing operation.

During 2012, the State Government established the Port Pirie Transformation Taskforce to work with the Nyrstar and Commonwealth and State agencies to determine the best way forward to deliver certainty to the company and a long-term future for Port Pirie. Under the leadership of the Port Pirie Transformation Taskforce, the Federal and State Governments agreed to a range of measures to support Nyrstar’s transformation proposal because of the regional significance of the facility for Port Pirie's local economy and workforce and because the employment of modern smelting technology would result in significantly improved environmental health outcomes for the community.
The State providing regulatory certainty is a cornerstone of this agreement. Without that certainty the investment in the transformation would not happen and the benefits would not be realised.

The progression of the Transformation into execution is dependent on the successful completion of feasibility and engineering studies, expected by the end of 2013. The company is expected to make the decision to invest in the transformation in early 2014.

The Act does two key things.

It provides that, for a period of 10 years following the date on which the EPA sets the maximum lead - in - air condition in the operating EPA licence for the completed project, the EPA may not vary that condition except in circumstances where the variation has been either approved by the Manufacturing Minister or where the company has consented to the variation. This section relates only to any conditions of the EPA licence that set the maximum permissible concentrations of lead in air in Port Pirie.

It modifies the law of the State to the extent that any requirement that would have the effect of reducing the maximum permissible concentrations of lead in air at licensed locations in Port Pirie does not apply, unless a determination is made by the Manufacturing Minister that a particular law or authorisation does apply. The Manufacturing Minister may only make such a determination in one of two defined circumstances;

- either the company has consented to the making of the determination, or
- the Manufacturing Minister has undertaken consultation with both the company and, where the requirement arises under an Act, with the Minister to whom the administration of the Act is committed.

This section operates from the commencement of the Act for a period of up to 4 years, and then, if the defined project completion date is achieved during that initial period, for a further 10 year period.

The provisions of the Act have been constructed to provide an appropriate level of certainty necessary to ensure that Nyrstar and its investors can commit to the massive investment to achieve the Transformation.

Public Corporations (Subsidiaries) Amendment

The ‘Southern Select Super Corporation’ was established as a subsidiary of the Minister for Finance pursuant to the Public Corporations (Southern Select Super Corporation) Regulations 2012 and is the trustee of Super SA Select, the State Government’s taxed superannuation scheme. Pursuant to the previous legislation there was no external independent dispute mechanism in respect of the decisions of the board of directors of the Southern Select Super Corporation. This was because the Public Corporations Act 1993 did not provide for the regulations establishing a subsidiary of a public corporation to confer jurisdiction on a court to review a decision of that subsidiary.

This Act will enable the making of regulations establishing a subsidiary of a public corporation to confer jurisdiction on a court to review decisions or activities of that subsidiary. This amendment will enable a consequential amendment to be made to the Public Corporations (Southern Select Super Corporation) Regulations 2012 to provide specifically for the Administrative and Disciplinary Division of the District Court to hear an appeal against a decision of the Southern Select Super Corporation.

The Act also amends clause 2 of the Schedule to the Public Corporations Act 1993 to clarify that even though a subsidiary is subject to the direction and control of the board of its parent corporation, such direction and control will not apply in relation to the performance of that subsidiary’s functions as a trustee (if any). The intention of the amendment is not to remove general oversight of, or accountability to, the parent corporation in respect of decisions of subsidiaries, but to ensure that where a subsidiary makes decisions in the capacity of trustee, the subsidiary is not bound to follow a direction but can exercise those trustee functions independently.
Rail Safety National Law (South Australia)

This Act will lead the way to nationally uniform regulation of rail transport operators creating one single national rail safety regulator to provide the rail industry with a consistent and reliable co regulatory approach which will cut red tape and enable those operators who work in multiple jurisdictions to have one certificate of accreditation, and only have to respond to one regulator rather than up to seven different regulators.

An Office of the National Rail Safety Regulator will be created by this Act based in South Australia. The National Rail Regulator Project Office has consulted extensively with all relevant stakeholders in all jurisdictions to ensure this Act will be a workable national approach to rail safety regulation.

This Law is an applied law scheme which requires a host jurisdiction to pass the national Law as a law of that State (generally included as a schedule to the Act) and then for the other States and Territories to pass legislation applying the schedule in the host jurisdiction's law as their own law.

The Rail Safety National Law clearly expresses the intention, that despite many jurisdictions passing the law, only one single national entity is created.

This Act sets out the functions and powers of the National Rail Safety Regulator, and includes objectives of providing for the effective management of safety risks associated with railway operations and to promote public confidence in the safety of transport of persons or freight by rail. It covers accreditation; registration of rail infrastructure managers of private sidings; safety management; provision of information about rail safety; investigation and reporting by rail transport operators; drug and alcohol testing by the Regulator and enforcement officers; train safety recordings; auditing of railway operations by the Regulator; compliance and enforcement measures; exemptions; review of decisions; and general liability and evidentiary provisions.

The application provisions of this Act provide that a regulation made under the legislation may be disallowed if a majority of jurisdictions vote against it. This approach is supported by industry as providing the greatest certainty that regulations will remain the same in all jurisdictions.

The Council of Australian Governments anticipates that the National Regulator will commence operations by 1 January 2013.

Real Property (Access to Information) Amendment

A Register Book of land holdings, ' the Register Book ', is maintained by the Registrar-General under section 65 of the Real Property Act 1886. Section 65 provides that:

Any person shall have access to the Register Book, and to all instruments filed and deposited in the Lands Titles Office for the purpose of inspection during the hours and upon the days appointed for search.

The four principal entry points to access information held in the Register Book about title to land under the Real Property Act are the:

- name of the registered proprietor;
- address of the property;
- certificate of title reference number; and
- plan and parcel reference.

The effect of section 65 is that the Register Book is an open public register that may be searched by anyone and may be searched electronically. As a result, it is possible to search the Register Book by name and obtain the residential address of the registered proprietor of real property.
The Registrar - General’s office regularly receives correspondence from registered proprietors, including victims of domestic violence and members of SAPOL, concerned that a search of the Register Book will reveal their residential address to someone wishing to do them harm. Many have asked that their names be suppressed from searches of the Register Book. Owing to section 65 the Registrar - General cannot comply even where he is of the opinion that the safety of the person, a member of their family, or some other person is at risk. This amending legislation enables the Registrar - General to prevent access to a person’s particulars via the Register Book where the person’s personal safety, or that of a member of their family, is at risk.

House of Assembly - Tuesday, 18 September 2012, Page 2904.
Act No.35 of 2012.

**Residential Tenancies (Miscellaneous) Amendment**

The Residential Tenancies Act regulates the relationship between landlords and tenants. This Act amends the Residential Tenancies Act of 1995 to reflect the current rental market which is significantly different from the rental market of the 1990s, when the Residential Tenancies Act was introduced.

The purpose of this Act is to improve protections available for parties to tenancy agreements, as well as roaming house arrangements and lifestyle village agreements. This legislation has been the result of a lengthy review process that has already seen the enactment of the Residential Parks Act 2007. This Act contains a comprehensive range of reforms to the Residential Tenancies Act that are designed to benefit tenants and landlords by increasing protection and clarity for both. Some reforms are designed to improve the administration of the Residential Tenancies Tribunal, which plays the pivotal role in resolving disputes and providing remedies. Additionally, the scope of the Residential Tenancies Act has been expanded to protect residents in lifestyle villages, which provide rental accommodation and services to older South Australians.

House of Assembly - Wednesday, 31 October 2012, Page 3478.
Act No.13 of 2013.

**Road Traffic (Average Speed) Amendment**

This Act provides for point to point speed detection. Speeding can be targeted at high risk locations with safety camera technology. Mobile or fixed spot speed detection can generate a positive 'halo effect' in the vicinity of the instantaneous speed measurement device, but this is limited to approximately 1 kilometre. Point to point speed detection can have a far more widespread and beneficial effect. Point to point enforcement promotes area-wide suppression of speeding, because speed enforcement is sustained over a length of road rather than just at one single spot, thus modifying the behaviour of drivers over a larger area.

Average speed is one form of point to point detection. It involves measuring the time taken by a vehicle to travel between two camera sites. The distance between cameras is certified by an independent surveyor. An image of every vehicle is captured by the first camera, together with a record of the time when the image is taken. The second camera repeats that process. The average speed of the vehicle is calculated by dividing the distance between the cameras by the time taken for the vehicle to travel between the sites. If the average speed of the vehicle is in excess of the speed limit then the driver of the vehicle has committed an offence.

This Act extends the evidentiary provisions of the Road Traffic Act to enable evidence of average speed to be taken as evidence of actual speed for the purposes of the Act. This means that the existing penalty structure for speeding offences in the Road Traffic Act and the Road Traffic (Miscellaneous) Regulations 1999 will apply to point to point speeding offences, including excessive speed (with its associated immediate loss of licence, 6 or 12 month disqualification and the minimum court imposed fine).
Road Traffic (Emergency Service Speed Zones) Amendment

This Act changes the maximum legal speed when motorists pass emergency services vehicles using flashing lights from 40km/h down to 25km/h. When on a road where flashing lights are being displayed by any emergency service, whether it is just on arrival, whether it is actively involved in an emergency at the time, or cleaning up afterwards, motorists would be asked to slow down to a maximum speed of 25km/h instead of 40km/h.

Security and Investigation Agents (Miscellaneous) Amendment

Each state and territory government is responsible for regulation of the private security industry within its jurisdiction. This has led to concerns regarding the need for nationally consistent regulation of this potentially high-risk industry, particularly in the light of varying jurisdictional licensing requirements and the effect of mutual recognition on interstate transferability of security industry licences. On 3 July 2008 the Council of Australian Governments (COAG) agreed to adopt a nationally consistent approach to the regulation of the private security industry to improve the probity, competence and skills of security personnel and the mobility of security industry licences across jurisdictions. The agreed reforms include:

- a list of licensable activities, including:
- minimum criminal exclusions in determining a person's suitability to hold a security licence;
- minimum standards for identification and probity checks;
- agreed competency and skills requirements; and
- introduction of provisional and temporary licences.

The current regime in South Australia already includes many features of the agreed reforms. For example, part of the new identification and probity regime includes mandatory fingerprinting, which was introduced in this State in late 2005. In addition, most of the agreed licensable activities are already licensed in South Australia. Implementation of the agreement will provide clarity for industry and the community about the activities performed by licensed security agents.

This Act implements the remaining elements of the nationally agreed reforms to the guarding and technical sectors of the industry.

Serious and Organised Crime (Control) (Declared Organisations) Amendment

In 2007-08 the Government began the process that would lead to the enactment of the Serious and Organised Crime (Control) Act 2008. The objects of that Act was to disrupt and restrict the activities of organisations involved in serious crime, the members and associates of such organisations and to protect members of the public from violence associated with such criminal organisations.

However, it was not the intention of the Parliament that the powers in the Act be used in a manner that would diminish the freedom of persons in the State to participate in advocacy, protest, dissent or industrial action.

On November 11, 2010 the High Court, by a majority of 6 - 1, decided that at least in so far as the Magistrates Court was required to make a control order on a finding that the respondent was a member of a organisation declared to be a criminal organisation under the Act, that court was acting at the direction of the executive, was deprived of its essential character as a court within the meaning of Chapter III of the Commonwealth Constitution and that section was, therefore invalid ( South Australia v Totani (2010) 242 CLR 1 ). The net
effect of that decision was that a key part of the legislative scheme in the Act was inoperable. That, in turn, meant that the legislative scheme for attacking criminal organisations and their members was rendered ineffective and the essential objectives of the Act thwarted. In 2011-12, the Government prepared extensive amendments to the Act in light of Totani and the subsequent decision of the High Court to invalidate the New South Wales equivalent legislation in Wainohu v New South Wales (2011) 243 CLR 181. These amendments represented, on the best advice then available to Government, an attempt to place the legislation and the accomplishment of its aims on a sound constitutional footing. The amendments were passed and came into effect as the Serious and Organised Crime (Control) (Miscellaneous) Amendment Act 2012.

Since the 2012 amendments, the High Court has heard and delivered judgment on a constitutional challenge to the equivalent Queensland legislation. The Queensland Act differs from both versions of the South Australian Act. The High Court dismissed the challenge and upheld the validity of the Queensland scheme in Assistant Commissioner Condon v Pompano Pty Ltd & Anor [2013] HCA 7.

The Queensland scheme provides that the Supreme Court of Queensland, on application by the Commissioner, may declare an organisation to be a 'criminal organisation' if the Court is satisfied that some of the organisation's members 'associate for the purpose of engaging in, or conspiring to engage in, serious criminal activity' and the organisation is 'an unacceptable risk to the safety, welfare or order of the community'. It is clear beyond argument that the constitutionally safe course was to replace 'eligible judges' with the Supreme Court and to make consequential amendments to the Act. The Northern Territory, New South Wales and Victoria have previously legislated using the Supreme Court.

This Act brings South Australia in line with the others and establishes a legislative model that has been definitively ruled to be valid.

The opportunity has also been taken to make some minor adjustments to the Act that, are consistent with constitutionality and ameliorate the effect of transition to a court based system.

House of Assembly - Thursday, 4 July 2013, Page 6419.
Act No.32 of 2013.

Serious and Organised Crime (Control) (Miscellaneous) Amendment

In 2008 the amendments to the Serious and Organised Crime (Control) Act 2008 were passed to disrupt and restrict the activities of organisations involved in serious crime the members and associates of such organisations; and to protect members of the public from violence associated with such criminal associations.

Following the issuing of a control order in May 2009, the validity of the legislation was contested. Those proceedings ended in the High Court.

On 11 November 2010 the High Court, by a majority of 6-1, decided that at least insofar as the Magistrates Court was required to make a control order on the finding that the respondent was a member of a declared organisation, that court was acting at the direction of the executive, was deprived of its essential character as a court within the meaning of chapter 3 of the Commonwealth Constitution, and that section was therefore invalid.

This Act seeks to repair the constitutional damage cited by the High Court and to make some changes that, on advice, would improve its effectiveness.

The Act, inter alia, provides for:

The Declaration Process

The Act is divided into the declaration process and the control order process; both have been extensively renovated to meet the High Court’s objections. In terms of the declaration process, the declaration is not to be made by the Attorney General but by a person designated as an 'eligible judge'. An 'eligible judge' is a judge of the Supreme Court who retains all of his or her status in exercising this function, the function is not a judicial function but an administrative one.

The Act sets out the criteria that apply for the making of the declaration.
Control Orders
Although the High Court did not in any case declare that the control orders as such were constitutionally impermissible, the opportunity has been taken to extensively renovate and replace the provisions of the Act dealing with control orders. The application for the making of a control order is to be made to the Supreme Court. Clause 22(2) sets out the criteria for the making of a control order. It suffices if the respondent is a member of a declared organisation.
The Commissioner of Police may apply for a control order or an interim control order.

Evidentiary Provisions
It should be noted that, in relation to the declaration process, it is provided that the rules of evidence do not apply (this being an administrative proceeding). By contrast, control orders being a judicial proceeding, the ordinary rules of evidence apply, subject to proposed clause 22G.

New Offences and Liability
The Act contains a number of new offences. Clause 34A makes it an offence to permit premises to be habitually used as a place of resort by members of a declared organisation. It is an offence to be knowingly concerned in the management of premises habitually used as a place of resort by members of a declared organisation.
It is an offence for any person who is a member of a declared organisation or who is subject to a control order to recruit, or attempt to recruit anyone to be a member of a declared organisation, or encourage anyone to associate with a member of a declared organisation.
It is an offence to disclose information that has been properly classified by the Commissioner of Police as criminal intelligence.
All of these offences are punishable by imprisonment for 2 years, at the top of the summary range. Clause 39X creates a new civil remedy. Where a member of a declared organisation is found to be civilly liable in damages and where that liability arose from conduct done for the benefit of the organisation or at the direction of or in association with the declared organisation, then, in addition to that liability, the organisation and all the members of that organisation are liable for the damages. Corresponding Orders
The Act contains extensive and detailed provisions about a scheme of registration and enforcement of corresponding declarations and control orders.

Miscellaneous Provisions
The Act states that, in the context of both control orders and declarations, if a particular person is displaying the insignia of an organisation (say, by a tattoo), then that person is presumed, in the absence of proof to the contrary, to be a member of that organisation.

South Australian Civil and Administrative Tribunal
This Act establishes the South Australian Civil and Administrative Tribunal ('the Tribunal') with jurisdiction to review certain administrative decisions and to act with respect to certain disciplinary, civil or other proceedings; to confer powers on the tribunal; and for other purposes.
The purpose of the Tribunal is to make and review a range of administrative decisions in one tribunal. Its objectives in exercising its jurisdiction are to be accessible to all, especially people with special needs, to ensure efficient and cost effective processes for all parties involved, to act with as little formality and technicality as possible and to be flexible in the way in which it conducts its business. The Tribunal will also be transparent and accountable, headed by a President who will hold concurrent office as either a Judge of the Supreme or District Court.
The Tribunal will be the primary forum for the review of administrative decisions, including reviews currently conducted by ministers (departmental reviews and appeals), courts (administrative reviews and appeals) and appellate tribunals (including boards and
committees). The Tribunal will also make specific original administrative and civil decisions currently made by a range of disciplinary boards and tribunals.

The Act also allows for the Tribunal, at any stage of a proceeding for the review of a reviewable decision, to invite the decision-maker to reconsider the decision. Upon being invited to do so by the Tribunal, the original decision-maker may either affirm, vary or set aside the decision and substitute a new decision.

House of Assembly - Wednesday, 24 July 2013, Page 6580.

Act No.59 of 2013.

**Spent Convictions (Decriminalised Offences) Amendment**

This Act amends the Spent Convictions Act 2009 to ensure that historical convictions for offences constituted by homosexual acts (that are no longer criminal offences) can be spent. The Act amends the definition of ‘eligible sex offence’ to include a ‘designated sex-related offence’. The term ‘designated sex-related offence’ is defined as a sex offence that is constituted by consenting adults engaging in (or procuring another adult to engage in) sexual intercourse or activity that no longer constitutes an offence. In addition, this definition includes the capacity to prescribe other offences as ‘designated sex-related offences’.

This means that a person who was convicted of a homosexual offence (that is no longer an offence) can apply to a qualified Magistrate for their conviction to be spent, even if they received a sentence of imprisonment.

If the qualified Magistrate finds that:

- an offence is a ‘designated sex-related offence’; and
- the offence has ceased, by operation of law, to be an offence, then the conviction is spent for all purposes.

Under amendments made by the Act, these types of convictions are spent for all purposes and are no longer be disclosed in any police history check, no matter the purpose of the check (including care of children).

House of Assembly - Wednesday, 25 September 2013, Page 7101

Act No. 88 of 2013.

**Spent Convictions (Miscellaneous) Amendment**

The Spent Convictions Act 2009 came into force on 13 February 2011. That Act provided for certain criminal offences to automatically become spent after a qualification period of 10 years (for certain purposes) provided that the individual has not been convicted of any further offences other than a minor offence in which there was no penalty or the only penalty was a fine not exceeding $500.

A spent conviction does not appear on a police check and need not be disclosed if the person is asked about past convictions, for instance in a job interview, with some exceptions. Under the Act there are some offences that can never be spent, such as serious offences (where the person was sentenced to more than 12 months gaol, or in the case of a youth, 24 months detention) and sex offences (no matter how minor) are never spent. However, there is a further exception. Not only can a sex offence never become spent, but even an offence that would otherwise be spent must still be disclosed in some situations listed in the Act.

These include:

- where the person is applying to care for or work with children;
- where the person is applying to care for or work with vulnerable persons such as the elderly or disabled persons;
- where the person wants to join the police force or become a prosecutor, prison officer, protective services officer or fire-fighter;
- where the person applies for work with a Commonwealth agency that requires a security clearance;
- where the person wishes to enter an occupation that requires a character test, for example, becoming a lawyer, security guard or liquor licensee.

These exclusions are listed in Schedule 1 to the Act.
Following the introduction of the 2011 legislation concerns were raised from and on behalf of members of the public who have been prevented from volunteering or from employment because of very old and minor convictions that appear on their police check. This Act provides that that after 10 years of good behaviour, an individual would be able to apply to a Qualified Magistrate for an eligible sex offence to be spent. The individual would need to demonstrate to the Qualified Magistrate that their conviction was so minor that it should be spent. This provision would only apply to those sex offences (referred to as 'eligible sex offences') where the offender was not imprisoned (whether suspended or not). Individuals would be able to ask the Qualified Magistrate for an order that any spent convictions may be disregarded for 1 or more of the following 3 excluded purposes:

- care of, or working with, children;
- care of, or working with, vulnerable people; and
- activities associated with a character test.

These amendments assist those members of the public who have a long history of good behaviour and have been precluded from volunteering or from employment in areas such as volunteering or working with children and vulnerable persons because of very old minor offences. Under these amendments the individual applying must still have met the requirement of the qualification period under the Act, being good behaviour for a 10 year period.


**Statutes Amendment and Repeal (Budget 2012) (No 2)**

This Act provides for legislative amendments required to various Acts to implement budget measures that have been announced as part of the 2012-13 Budget. These include amendments to:

- the Stamp Duties Act 1923 to introduce a stamp duty concession that will apply for the next four years for purchases of off-the-plan apartments in the Adelaide City Council area, Bowden Village and at 45 Park Terrace, Gilberton;
- provide an exemption from stamp duty for a conveyance of a carbon right created under an Act of the Commonwealth or a conveyance of a renewable energy certificate created under the Renewable Energy (Electricity) Act 2000 of the Commonwealth;
- the Electricity Corporations Act 1994 and the Electricity Corporations (Restructuring and Disposal) Act 1999 to allow RESI Corporation (RESI) to finish its operations and to put in place a scheme to enable the dissolution of RESI in an orderly fashion;
- introduce a public sector skills and experience retention entitlement to apply to public sector employees who have completed 15 or more years of effective service and who are employed under the Education Act 1972, Public Sector Act 2009 or Parliament (Joint Services) Act 1985, or who are subject to the long service leave entitlements under the Public Sector Act 2009;
- repeal the State Bank of South Australia Act 1983 and makes related amendments to the Public Finance and Audit Act 1987, to allow South Australian Asset Management Corporation (SAAMC) to wind up its operations and to provide for other matters relevant to the final dissolution process; &bull; amend the Highways Act 1926 and Local Government Act 1999 to allow for commercial activities on specified roads;
- amend the Payroll Tax Act 2009 to remove the current payroll tax exemption for apprentices and trainees;
- to provide for a one off Water Security Rebate to SA Water’s residential drinking water customers, in recognition of the water price increases for 2012 13;
- amend the Residential Tenancies Act 1995, to require a landlord to pass on the Water Security Rebate to a tenant, where the landlord recovers all or some of the SA Water bill for drinking water from a tenant; and
- amend the Summary Procedure Act 1921 so that in proceedings for an offence prosecuted by a police officer that are dismissed or withdrawn, costs may only be awarded if it is proper to do so.

House of Assembly - Thursday, 1 November 2012, Page 3606.
Act No.54 of 2012.

Statutes Amendment and Repeal (Superannuation)

This Act amends various Acts for the purposes of making amendments to the superannuation arrangements provided under those statutes. The Act repeals the Unclaimed Superannuation Benefits Act 1997 to provide for the Commonwealth Government’s national legislation dealing with unclaimed superannuation benefits that is aimed at having all unclaimed superannuation money centrally collected by the Australian Taxation Office.

The Act also provides for the repeal of legislation dealing with the method to determine the value of an accrued superannuation interest for the purposes of splitting a superannuation interest under the Commonwealth's Family Law Act 1975.

The Act also makes several amendments to the Southern State Superannuation Act 2009, which continues the Government's Triple S superannuation scheme for public sector workers and amends the regulation making powers in section 30 to remove the provisions that exclude the operation of section 10AA of the Subordinate Legislation Act 1978.

Further amendments are made to the Superannuation Act 1988 concerning; where a contributor has suffered a reduction in salary and concerning the Electricity Industry Superannuation Scheme, known as the EISS scheme. Amendments to the Superannuation Funds Management Corporation of South Australia Act 1995 have been made to expand the eligibility to vote in elections for a member representative on the Funds SA Board of Directors. Other proposed amendments to the Act are of a technical or consequential nature.

House of Assembly - Wednesday, 16 May 2012, Page 1610.
Act No.37 of 2012.

Statutes Amendment (Appeals)

This Act provides for new procedures for renewed defence appeals against conviction in the event that 'fresh' and 'compelling' evidence comes to light after the usual right of appeal has been exhausted. These new procedures apply to convictions imposed in any court. The Act utilises the definitions of 'fresh' and 'compelling' in Part 10 of the Criminal Law Consolidation Act 1935 for renewed prosecution appeals against an acquittal for a serious offence. These definitions should not preclude genuine applications, but a reasonably high threshold is necessary to guard against unjustifiable applications by convicted applicants. An applicant must satisfy a court that the evidence is both 'fresh' and 'compelling'.

Second, the Act provides that a person granted a full pardon for a conviction on the basis that the evidence does not support such a conviction will be eligible to have their conviction quashed.

Third, the Act provides that if a defendant appeals his or her sentence on the ground of error and therefore that a lower sentence should have been imposed, or alternatively on grounds that the sentence was manifestly excessive, then the prosecution will have an automatic right of cross appeal without the usual need to obtain permission to appeal. The prosecution can appeal on the basis that an error was made by the sentencing court and the sentence should be increased or on the basis that the sentence is manifestly inadequate.

Finally, the Act provides the Chief Justice with a discretion to constitute the Full Court by a bench of two judges (rather than three) for both sentence and conviction appeals.

The Act also addresses two relatively straightforward issues regarding the appeal process.

House of Assembly - Wednesday, 28 November 2012, Page 3951.
Act No.9 of 2013.
Statutes Amendment (Arrest Procedures and Bail)

This Act provides for greater efficiencies in the bail process by amending the Bail Act 1985 and the Summary Offences Act 1953 and clarifying some ambiguities in the Bail Act 1985 that have led to some variations in court practice. The Act makes amendments in the areas of definitions, procedure on arrest, telephone reviews and other charges.

House of Assembly - Wednesday, 11 September 2013, Page 6795.
Act No.60 of 2013.

Statutes Amendment (Assessment of Relevant History)

Parents, care-givers and family members should be confident that organisations and businesses providing services to children and vulnerable adults are taking all reasonable steps to ensure the safety and well-being of those children and vulnerable adults. Further, parents, care-givers and family members should be confident that unsuitable people are not providing those services. Screening of people who work or volunteer with children and vulnerable adults is a significant preventative measure.

This Act introduces a legislative framework to screen people that work or volunteer in the disability sector by amending the Disability Services Act 1993 and further enhances the existing arrangements in the Children's Protection Act 1993 for screening those that work or volunteer with children. It also amends the Spent Convictions Act 2009 to facilitate more robust screening of those that work or volunteer with children in accordance with our obligations under the Intergovernmental Agreement for A National Exchange of Criminal History Information for People Working with Children.

House of Assembly - Thursday, 26 September 2013, Page 7167.
Act No.87 of 2013.

Statutes Amendment (Attorney-General's Portfolio)

This Act makes miscellaneous amendments to Acts within the Attorney – General's portfolio concerned with the courts and the justice system.

House of Assembly - Thursday, 1 March 2012, Page 489.
Act No.17 of 2012.

Statutes Amendment (Attorney-General's Portfolio) (No 2)

This Act makes various amendments to rectify a number of outstanding technical issues that have been identified by affected agencies and interested parties in various acts committed to this portfolio.

House of Assembly - Wednesday, 6 March 2013, Page 4665.
Act No.11 of 2013.

Statutes Amendment (Attorney-General's Portfolio) (No 3)

This rectifies a number of outstanding technical issues in various acts committed to the Attorney-General. These amendments are minor in scope and are generally of a technical nature, including: Specifically, the Act makes the following amendments:

- amendments requiring the Minister for Correctional Services to take into account a victim’s views when making a determination to vary or revoke any condition of a bond, or to waive the obligation of a probationer to comply any further with a condition requiring supervision;
- make amendments concerning to ongoing application of suppression orders; and
- make amendments to various Acts necessary to address inconsistencies in the use of terms.

House of Assembly - Wednesday, 5 June 2013, Page 5956.
Act No.47 of 2013.
Statutes Amendment (Community and Strata Titles)

This Act provides further protections for consumers who buy into or own units in strata and community titled developments.

The comprehensive suite of measures contained in this Act includes pre-contractual and contractual disclosure for body corporate management contracts, restrictions on the duration of such contracts, better disclosure of conflict of interest and commissions, as well as restrictions on the grant and exercise of proxies for body corporate voting and a penalty notice system for by-law and article breaches. The Act together with existing legislation imposes criminal sanctions for breaches of duties such as failure to disclose conflicts of interest.

Concerns about the actions of developers during the period of establishing a new community title development are addressed by making it clear that a developer is a fiduciary of the community corporation and must act in the interests of the corporation as it will be constituted after the developer ceases to control the corporation.

The Act also establishes a dedicated strata information and advice service to provide unit owners with information about the rights and obligations attaching to community and strata titled properties.

House of Assembly - Thursday, 7 April 2011, Page 3396.
Act No.8 of 2012.

Statutes Amendment (Courts Efficiency Reforms)

The primary focus of this Act is to reduce the backlog of criminal cases in the District Court and reduce delays in the finalisation of criminal matters, with the aim of improved court efficiency. The Act predominantly focuses on the jurisdiction and procedures of the courts with further amendments to a range of Acts as proposed by various parties involved in the justice system, including the judiciary, to improve the general efficiency of the courts.

House of Assembly - Thursday, 1 March 2012, Page 494
Act No.43 of 2012.

Statutes Amendment (Criminal Intelligence)

Criminal intelligence is evidence that suggests that a person is or has been involved in a crime but which, if disclosed, could prejudice criminal investigations, enable the discovery of the existence or identity of a confidential source of information relevant to law enforcement or endanger a person's life or physical safety. This is not a concept new to the law. The common law had long recognised such a category of information and subsumed it under the name of public interest immunity. However, the common law did not deal with it well or sufficiently and it was not clear that public interest immunity applied to some administrative as opposed to judicial proceedings.

The concept of criminal intelligence had been the subject of specific legislation in other acts that dealt with this kind of situation. The development of criminal intelligence provisions in a number of acts directed to the disruption of the activities of organised crime has meant that there are now three versions on the statute book. One of them has been upheld as constitutional by the High Court. It is highly desirable and in the public interest that all of these provisions conform to the constitutional model.

This Act provides for the amendment of criminal intelligence provisions in various Act so that they are consistent and conform to the model upheld as constitutionally valid by the High Court. The Acts amended are:

- the Casino Act 1997;
- the Firearms Act 1977;
- the Gaming Machines Act 1992;
- the Summary Offences Act 1953;
- the Liquor Licensing Act 1997; and
Statutes Amendment (Dangerous Driving)

The Act amends section 19A and section 19AC of the Criminal Law Consolidation Act 1935 (CLCA) and section 46 of the Road Traffic Act 1961 (RTA). A key element of section 19A and 19AC offences is proving that the accused drove in a manner 'dangerous to the public'. Judicial consideration of this phrase has led to a very limited interpretation of who constitutes 'the public'.

The courts in South Australia have held that, in some circumstances, a death caused by dangerous driving on private property will not fall within the circumstances contemplated by section 19A and section 19AC.

This Act amends the relevant sections in the CLCA, namely sections 19A and 19AC. The words 'the public' will be replaced with the words 'any person'. A similar amendment will be made to section 46 of the RTA because it is the alternative offence to sections 19A(1) and 19A(3) of the CLCA. It is important to note that the RTA only applies to offences committed on roads (see section 5A), so will not capture an offence committed on private land.

Statutes Amendment (Directors' Liability)

This Act gives effect to the national partnership agreement to deliver a seamless national economy entered into through the Council of Australian Governments in November 2008, in which the commonwealth and all the states and territories agreed to reform directors' liability provisions in their legislation.

It has been common, not only in South Australia, but in other Australian jurisdictions as well, to include in legislation provisions that impose personal criminal liability that goes beyond the normal principles of accessorial liability. In many Acts there are provisions that hold each director criminally liable on proof of the company's offending, subject to a defence of due diligence that must be proved by the director. Frequently this has applied indiscriminately to every offence against the Act and also to any offences against the Regulations under the Act. Occasionally there was no statutory defence, so that a director became automatically liable to conviction.

This Act reforms the provisions that impose personal criminal liability on directors of corporations by reason of the position they hold in a corporation that has committed an offence. These reforms will extend to members of management committees and other bodies corporate.

The Act will remove directors' vicarious liability from 19 Acts. It will amend another 24 Acts by repealing the existing directors' liability provision and substituting other provisions.

Statutes Amendment (Electronic Monitoring)

This Act amends three pieces of legislation to empower the relevant authorities to impose electronic monitoring of offenders and other persons released to the community that are assessed as posing a risk to the community and requiring additional monitoring.

Electronic monitoring is mostly used for prisoners on post-prison Home Detention and Intensive Bail Supervision. Post-prison Home Detention is for prisoners that satisfy the strict criteria to serve the last part of their period of imprisonment on Home Detention, at times largely or entirely subject to electronic monitoring as a condition. Intensive Bail Supervision is court ordered Home Detention Bail, of which the vast majority have electronic monitoring as a condition.

This Act extends electronic monitoring to empower relevant authorities to impose electronic monitoring on:
• prisoners undertaking approved activities outside of the prisons; and
• offenders who are released to the community by the Courts on licence.

House of Assembly - Wednesday, 16 October 2013, Page 7313
Act No.78 of 2013.

Statutes Amendment (Fines Enforcement and Recovery)

This Act amends the Criminal Law (Sentencing Act) 1988 and the Expiation of Offences Act 1996, as well as making consequential amendments to a number of other acts, to change the present system for the collection and enforcement of unpaid pecuniary sums and expiation fees as well as debts owed to the Crown under the Victims of Crime Act 2001. It was the Government’s view, the present system of enforcing debts was not working as effectively as it could. As at 22 March 2013, the state of South Australia had $275 million under management with the Fines Payment Unit within the Courts Administration Authority. This Act removes the function of fines enforcement from the Courts Administration Authority’s Fines Payment Unit and instead confers it on the Fines Enforcement and Recovery Unit. This business unit will be established within executive government. It makes changes to the present fines collection process to reduce delays and increase flexibility.

House of Assembly - Wednesday, 1 May 2013, Page 5296.
Act No.31 of 2013.

Statutes Amendment (Gambling Reform)

This Act amends various acts in order to maintain the integrity of gaming operations and reduce the harm from problem gambling. The Act takes a holistic and consistent approach to responsible gambling environments across the Casino, clubs and hotels. It integrates advances in technology with customer care and service which is the hallmark of the hospitality industry. This Act contains a number of improvements to existing gaming regulation and reductions in red tape including:
• eliminating the need for gaming machine sale and disposal approvals;
• introducing consistent code of practice conditions across all sectors of the gambling industry, including wagering and lotteries;
• extending expiation fees to all licence conditions;
• extending the rights and responsibilities of licensees to landlords in possession of a gaming venue; and
• changing the tax collection arrangements for casino taxation so that they can be administered by the Commissioner of State Taxation.

These measures will commence from 1 July 2013.

Furthermore, the Act will:
• streamline and simplify recognised training requirements with a greater focus on responsible gambling;
• simplify and standardise barring arrangements across all sectors of the gambling industry, including wagering and lotteries;
• simplify signage requirements to provide for more effective responsible and problem gambling messaging; and
• introduce online employee notifications.

These measures will commence from 1 July 2014.

House of Assembly - Wednesday, 1 May 2013, Page 5276.
Act No.37 of 2013.
Statutes Amendment (Heavy Vehicle National Law)

This Act accompanies and gives full effect to the Heavy Vehicle National Law (South Australia) Act 2013 (the Application Bill). Passage of the two Acts will enable South Australia to fulfil its commitments under the Council of Australian Governments’ Intergovernmental Agreement on Heavy Vehicle Regulatory Reform (IGA).

The purpose of the Application Bill is to establish a national system of heavy vehicle regulation governed by one national law (the National Law), that brings together model legislation developed through national heavy vehicle regulatory reforms over the last twenty years. This includes registration, fatigue management, accreditation schemes, mass, dimension and loading limits, compliance requirements and enforcement powers for all heavy vehicles over 4.5 tonnes.

The National Law also includes matters not the subject of the model legislation, but which are necessary for it to be self-contained and fully operational. Examples of such matters include provisions establishing a National Regulator as a corporate entity to administer the scheme, associated financial controls and governance structures, a review and appeals system, and requirements regulating the use and release of information.

This Act gives effect to those matters not the subject of the model legislation through the amendment of various State legislation.

House of Assembly - Thursday, 2 May 2013, Page 5443
Act No. 35 of 2013.

Statutes Amendment (National Electricity and Gas Laws - Limited Merits Review)

Under the National Electricity Law and the National Gas Law, parties affected by the decisions of the Australian Energy Regulator, or other relevant decision makers, are provided an opportunity for limited merits review of these decisions. These reviews are performed by the Australian Competition Tribunal. This Act will amend the National Electricity Law, set out in the schedule to the National Electricity (South Australia) Act 1996, and the National Gas Law, set out in the schedule to the National Gas (South Australia) Act 2008, for the major reform of the limited merits review regime.

In light of significant energy price rises and concerns that inappropriate use or operation of the review process may have contributed to such rises, Energy Ministers agreed to a review of the limited merits review regime and established an independent expert panel to undertake this review. The review was consistent with a legislated requirement to review the limited merits review regime within seven years of the commencement of the requirement.

This Act requires the Australian Energy Regulator to specify in its decision the manner in which the constituent components of that decision relate to each other and how it took these interrelationships into account in making the decision.

This will provide the Australian Competition Tribunal, and interested stakeholders, guidance on how the Australian Energy Regulator had regard to a range of elements, and any interrelationships between them, in coming to the final, overall decision.

This Act will also, inter alia, impose a clear obligation on the Australian Energy Regulator to develop a record of its regulatory process, which will be the key reference point for the Australian Competition Tribunal in conducting a review of a reviewable regulatory decision.

The Act will also extend the scope of parties who can apply for review of a decision to include parties that made a submission or comment to the Australian Energy Regulator during the regulatory process subject to the review. This would extend to users, consumer interest groups or a Minister of a participating jurisdiction, as long as they participated in the regulatory decision-making process.

House of Assembly - Thursday, 26 September 2013, Page 7171.
Act No. 79 of 2013.

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HOUSE OF ASSEMBLY – DIGEST – A SUMMARY OF THE 2\textsuperscript{nd} SESSION OF THE 52\textsuperscript{nd} PARLIAMENT
2012-2013
Statutes Amendment (National Energy Retail Law Implementation)

This Act forms part of the Government’s package of legislation to implement a national framework for regulating retailers and distributors who sell and supply electricity and gas to customers.

The purpose of this Act is to amend the Electricity Act 1996, the Gas Act 1997 and other Acts as a consequence of the implementation of the National Energy Customer Framework in South Australia.

The National Energy Retail Law (South Australia) (Implementation) Amendment Bill 2012 will replace significant parts of existing jurisdictional energy legislation as South Australia transitions to the Customer Framework. This Act therefore seeks to remove from South Australian energy legislation areas of duplication or inconsistency with the new national Framework.

Further, certain provisions of the National Energy Customer Framework rely upon jurisdictional energy legislation for their full effect. For example, the operation of energy ombudsman schemes, guaranteed service level schemes, and social policy initiatives such as community service obligations. Therefore, the Customer Framework is intended to operate in parallel with jurisdictional energy legislation, and this Act provides for those jurisdictional arrangements to work with South Australia’s application of the Framework.

The Customer Framework will also work alongside existing national electricity and gas regulatory frameworks covering wholesale markets and network access regulation. This Act makes limited consequential amendments to South Australia’s application Acts for the National Electricity and Gas Laws to ensure the National Energy Retail Law operates effectively within the broader energy regulatory environment. These amendments are necessary to ensure the important preparatory work being undertaken by the Australian Energy Regulator ahead of the commencement of the Customer Framework is valid. These are uniform provisions that each participating jurisdiction will include as part of its legislative reforms to implement the Customer Framework. The Commonwealth passed the Australian Energy Market Amendment (National Energy Retail Law) Bill 2011, which contained the same validation provisions, in September last year.

House of Assembly - Thursday, 15 March 2012, Page 776.
Act No.55 of 2012.

Statutes Amendment (Occupational Licensing)

This Act will reduce regulatory costs for business by removing unnecessary red tape and improving administrative efficiencies for Consumer and Business Services (CBS). It amends various Acts to improve efficiencies including:

- removing the requirement that building work contractors may only nominate their directors or employees to be building work supervisors;
- simplifying the audit requirements for land agents and conveyancers trust accounts where no activity within an audit period has been recorded;
- to enable builders, plumbers, gas fitters and electricians, who are the subject of a bankruptcy order, to work as sub-contractors;
- increasing the powers of the Commissioner for Consumer Affairs to improve administrative efficiencies and increase consumer protection;
- increasing the powers of the Commissioner under the Fair Trading Act 1987 to require a trader to personally attend a compulsory conciliation conference arranged to resolve a consumer dispute.

The Act also increases the maximum penalties that may be imposed on a person for trading unlicensed in accordance with the penalties regime proposed under the National Occupational Licensing System (NOLS).
Statutes Amendment (Police)

The Police Act 1998 and its Regulations provide the legislative infrastructure for the management and control of South Australia Police (SAPOL). This Act amends that Act by addressing a number of issues that were identified during an internal review by SAPOL, but which were unable to be rectified administratively. Also included in the Act is an amendment to the Police (Complaints and Disciplinary Proceedings) Act 1985 regarding appeals, and minor complementary amendments to the Public Intoxication Act 1984.

A major emphasis in the Act concerns the introduction of on-duty drug and alcohol testing of police officers, community constables and police cadets. Most other Australian jurisdictions have legislated to permit the drug and alcohol testing of police. While some have extended this to include random testing at any time or place, the Act does not adopting such a position. Instead, it adopts the model of specifying the actual circumstances when testing can occur. Circumstances for such testing will include:

- where there is a reasonable suspicion that a drug has been used or alcohol consumed;
- where a defined critical incident has occurred involving death or serious injury (such incidents including the discharge of a firearm or while detained by a member of SAPOL);
- following 'high risk' driving;
- a police officer applying for a designated classified position;
- a person applying to join SAPOL.

The types of drugs to which these proposals are to apply will be defined and refer to any substance that is a controlled drug under the Controlled Substances Act 1984.

A number of other miscellaneous amendments are included in the Act to address difficulties and shortcomings that have been identified in the administration of the Police Act. These include, removing a legislative impediment in determining the length of probationary periods; addressing aspects involving punishment and appeal options; providing a right of review to an applicant for a prescribed promotional position when no selection has been made; and allowing the Commissioner of Police to suspend the powers of police officers who are absent from duty for extended periods by reason of, either physical or mental disability or illness, or approved leave.

Other amendments include:

- extending the laws regarding the appointment of special constables to give the Commissioner of Police authority to make oral appointments during times of declared emergency.
- amendments relating to the appointment of the presiding officers and secretary to the Police Review Tribunal;
- amendment to the Police (Complaints and Disciplinary Proceedings) Act to provide a right of appeal for police officers found guilty of a law of any State, Territory or the Commonwealth;
- amendments to the Public Intoxication Act will provide for a new police position of responsible officer under the Police Regulations is to be created with responsibility for managing persons in custody in police cells.
Statutes Amendment (Real Estate Reform Review and Other Matters)

This Act has three main objectives; to strengthen the rights of consumers; to increase the level of transparency of real estate transactions, in particular, auctions; and to reduce the administrative burden on real estate agents and auctioneers. The Act creates a nexus between the price sought by, or acceptable to, the vendor and the reserve price set by the vendor. In this way, the expectations of the purchaser will be realistically met when the auction of a property is based on advertising that reflects the genuine selling price of the vendor. It is considered that the approach taken in the Act is the most effective way of eliminating the practice of underquoting. The Act also addresses a number of other issues to reduce the administrative burden on Real Estate Agents.

House of Assembly - Wednesday, 14 November 2012, Page 3722.
Act No.17 of 2013.

Statutes Amendment (Serious and Organised Crime)

In 2007 and 2008, the government began the process that would lead to the enactment of the Serious and Organised Crime (Control) Act 2008. On 11 November 2010, the High Court, by a majority of 6-1, decided that, at least insofar as the Magistrates Court was required to make the control order by the Serious and Organised Crime (Control) Act 2008, on a finding that the respondent was a member of a declared organisation, that court was acting at the direction of the executive and was deprived of its essential character as a court within the meaning of chapter III of the Commonwealth Constitution and that section of the act therefore was invalid.

Constitutional repair of the Serious and Organised Crime (Control) Act 2008 is the subject of separate legislation. This Act contains a suite of related measures designed to disrupt and harass the activities of criminals of all persuasions: organised, disorganised, competent and incompetent. These measures are carefully targeted at serious and organised crime, and it is recognised in international law and the laws of other sovereign nations that the traditional criminal justice system deals poorly with the threats that serious and organised crime suspects may pose to the integrity of the justice system.

House of Assembly - Wednesday, 15 February 2012, Page 77.
Act No.12 of 2012.

Statutes Amendment (Serious Firearm Offences)

This Act includes a series of interlocking measures aimed at attacking firearms offences at the serious end of the scale with a view to the protection of the public and the deterrence of those who commit these offences. A cornerstone of the proposal is the legislative creation of a category of offender to be known as a ‘serious firearm offender’.

The consequence of falling within the ‘serious firearm offender’ category is that there is a presumption that a sentence of immediate imprisonment will be imposed on conviction. The only reason for not imposing a sentence of immediate imprisonment will be if exceptional circumstances exist. There will be a presumption against bail for those who are charged with a serious firearm offence.

The Criminal Law (Sentencing) Act 1988 is amended to reform the provisions dealing with serious repeat offenders. The declaration provisions will be amended so that two repeat convictions for any one of the new category of serious firearm offences described above will qualify for a declaration.

The Act will create two new categories of offences. One will deal with missiles and remain in the Summary Offences Act 1953. The other will deal with firearms and will go into the Criminal Law Consolidation Act 1935 with considerably enhanced penalties.

The offence to be inserted in the Criminal Law Consolidation Act 1935 will be a new s 32AA. The offence deals with the discharge of a firearm without lawful excuse. The series of
offences distinguishes between intentional and reckless offences, the former being more serious. It also distinguishes between offences aimed at personal safety and offences aimed at property. House of Assembly - Wednesday, 13 June 2012, Page 2058.
Act No.33 of 2012.

Statutes Amendment (Shop Trading and Holidays)

This Act amends shop trading and public holidays' legislation and provides for a significant reduction in red tape as outdated procedures for receiving shop trading exemptions are streamlined.

This Act extends shop trading hours on most public holidays in the central business district of Adelaide and to create part-day public holidays from 7.00 pm to midnight on Christmas Eve and New Year's Eve.

The Act will see retailers in the CBD open on most public holidays, from 11:00 am until 5:00 pm. In recognition of the special significance of 25 December, Good Friday, and Anzac Day, the Act ensures that shops will remain closed on those days, in line with South Australian community values and expectations.

The legislation leaves unaltered the shop trading provisions applying to the suburbs in Adelaide. Prescribing part-day public holidays gives private sector workers the right to reasonably refuse to work on Christmas Eve and New Year's Eve pursuant to the National Employment Standards in the Fair Work Act 2009 (Cth), providing them with the opportunity to spend that time with family, friends and loved ones, or be compensated appropriately should they choose to work.

The Act also allows the Minister to grant a single exemption to all, or a majority of shops, in a Prescribed Shopping District. This removes the requirement for non-exempt shops to individually apply for exemptions and allows the Minister to grant 'blanket' exemptions across Prescribed Shopping Districts at special times of the year, such as Christmas, for a maximum period of 30 days; again reducing red tape for both retailers and administrators.

These administrative amendments reflect the Productivity Commission's and the Competitiveness Council's recommendations to improve South Australian shop trading hours legislation, by significantly reducing the time and resources that non-exempt shop operators invest in applying for exemptions.

House of Assembly - Thursday, 1 March 2012, Page 504
Act No.6 of 2012.

Statutes Amendment (Smart Meters)

This Act amends national energy legislation to provide for the implementation of smart meter consumer protections and to remove the power for a Minister to issue a Ministerial smart meter roll-out determination.

Smart meters enable a customer's electricity consumption to be recorded at half hourly intervals. Customers can access that information via various methods, including through a web portal or an in home display. Interval electricity consumption data will enable small customers to better manage their electricity consumption and to select an electricity tariff that best meets their individual needs.

The Act will empower State jurisdictions to stipulate retail tariff structures that must be included in a retailer’s standing offer for small customers that have an interval meter or smart meter. Consumer protections will be provided by new National Energy Retail Rules. This Act provides that the South Australian Minister may make initial Rules in relation to the use of interval meters and smart meters and other related technologies. This process will ensure that consumer protections are in place in early 2014. Once initial Rules have been made by the South Australian Minister on the subjects provided for in this Act, the Minister will have no power to make any further Rules under this power. Noting that Victoria has been the only jurisdiction to mandate a smart meter roll-out, jurisdictions have agreed that any future roll-out of smart meters should proceed on a market driven, competitive basis. Accordingly, the Act removes the ability of the Minister of a participating jurisdiction to issue a Ministerial smart
meter roll-out determination, which would mandate a broad-scale roll-out. However, it does not impact the ability of a Minister of a participating jurisdiction to make a determination that requires a distribution system operator to conduct a smart meter trial or assessment.

House of Assembly - Wednesday, 11 September 2013, Page 6873.
Act No.69 of 2013

Statutes Amendment (Transport Portfolio)

This Act makes a number of minor amendments to the Motor Vehicles Act 1959 and Road Traffic Act 1961. The changes include recognising pedalecs, a new form of electric powered bicycle; improving the administration of the driver’s licensing provisions in the Motor Vehicles Act and enabling the Registrar of Motor Vehicles to refuse to register vehicles that the Registrar reasonably believes contain stolen parts.

House of Assembly - Wednesday, 11 September 2013, Page 6792
Act No.64 of 2013.

Statutes Amendment (Young Offenders)

This Act makes an amendment to the Young Offenders Act 1993 to provide that when a youth is being sentenced to life imprisonment for murder that they are being sentenced as an adult. The Act deletes section 37 of the Young Offenders Act so that section 32 of the Sentencing Act covers the potential early release on parole, by way of the fixing of a non-parole period, of any young offender. A transitional provision provides that any right that has accrued under section 37 of the Act is extinguished.

Hansard 17 October 2013, p 7394
Act No.61 of 2013.

Succession Duties Repeal

The Succession Duties Act 1929 was amended in 1979 to exempt from succession duty the estates of persons who died on or after 1 January 1980. However, succession duty assessments and refunds continue to be made in relation to those persons who died before that date as certain events trigger a liability or an entitlement under that Act.

Although assessments and refunds are increasingly infrequent events, the technical knowledge necessary to assess succession duty liability and consider refund applications is difficult to sustain or justify against the administration of more substantial state taxes. All other Australian jurisdictions have abolished comparable legislation on the basis that the employment of resources required to administer the legislation was not cost effective.

The repeal of the 1929 Act will remove any confusion as to whether there is an ongoing liability to pay succession duty.

This Act gives effect to the abolition of succession duty from 1 July 2014, extinguishing any liability from duty that has not been paid from and including 1 July 2014.

The Act also extinguishes any potential entitlement to a refund under the Act that has not crystallised before 1 July 2014.

The Act further extinguishes any entitlement to a refund that existed prior to 1 July 2014 but in respect of which applications for a refund have not been made on or before 31 December 2014.

House of Assembly - Wednesday, 11 September 2013, Page 6790
Act No.85 of 2013.

Summary Offences (Filming Offences) Amendment

This Act makes it an offence to distribute invasive images in a situation where the distributor knows, or should know, that the person depicted did not consent to the distribution. That is likely to capture, for example, the boyfriend who, unknown to the girlfriend, passes on to his friends the pictures that the girlfriend may have sent him or may have posed for, intending
them to be seen only by him. It is not intended that the offence capture third parties who distribute images without having any reason to know that the subject objects to that distribution.

Further the Act does not intend to capture conduct for legitimate public purposes, that is, conduct in the public interest. The Act gives examples of matters the court should consider. For instance, it should look at whether the conduct was for the purpose of educating or informing the public; as an example, a film that aims to expose abuses, a film of police brutality, or film of degrading conditions in a detention centre would likely be considered to be taken for a legitimate public purpose. The same would be true of news broadcasts or documentary film depicting assaults, racial vilification or other matters of public concern.

The internet is replete with explicit images, many of which may be captured by classification or other existing laws. There is no intention to create a new offence of distributing such images where the distributor knows nothing of the circumstances in which the image was created and cannot tell whether or not the subject consented to the distribution. With these images, it will be rarely possible to know whether they are distributed with consent or not and this offence is not intended to capture that. Instead, what is intended is to capture the person who distributes an image when they know, or they reasonably ought to know, either that the person filmed does not consent to this particular distribution or does not consent to distribution in general. That will most commonly arise where the distributor knows who the subject is or knows the circumstances in which the images were taken.

In addition, the Act repeals and re-enacts the existing law against indecent filming. That law covers up-skirting and other covert indecent filming. The substance of those offences is unchanged although drafting changes have been made.

This law is intended to better protect dignity and privacy against invasions that are made so easy by modern technology.

House of Assembly - Wednesday, 17 October 2012, Page 3250.
Act No.5 of 2013.

**Summary Offences (Weapons) Amendment**

The Act has been introduced to: prohibit the sale of knives to minors; authorise police to use hand-held metal detectors to find knives and other weapons; authorise the issue of weapons prohibition orders; and allow general weapons amnesties to be conducted in relation to dangerous articles and offensive and prohibited weapons.

House of Assembly - Wednesday, 15 September 2010, Page 1149.
Act No.20 of 2012.

**Supply 2012**

This Act is necessary for the first three months of the 2012-13 financial year until the Budget has passed through the parliamentary stages and the Appropriation Bill 2012 receives assent. In the absence of special arrangements in the form of the Supply Acts, there would be no Parliamentary authority for expenditure between the commencement of the new financial year and the date on which assent is given to the main Appropriation Bill.

The amount being appropriated under this Act is $3.161 billion.

House of Assembly - Tuesday, 13 March 2012, Page 593.
Act No.21 of 2012.

**Supply 2013**

This Act is necessary for the first three months of the 2013-14 financial year until the budget has passed through the parliamentary stages and the Appropriation Bill 2013 receives assent. In the absence of special arrangements in the form of supply acts, there would be no parliamentary authority for expenditure between the commencement of the new financial year and the date on which assent is given to the main Appropriation Bill. The amount being sought under this bill is $3,205,000,000.

House of Assembly - Wednesday, 10 April 2013, Page 5105. Act No.23 of 2013.
TAFE SA

This Act establishes TAFE SA as a statutory corporation. This will provide for greater commercial autonomy and accountability through a board of directors, and flexibility and independence from government processes, enabling TAFE SA to be more responsive to market needs.

By establishing TAFE SA as a statutory corporation it will provide greater separation of the roles of TAFE SA and the Department of Further Education, Employment, Science and Technology (DFEEST). Under this Act, the primary function of TAFE SA will be to provide technical and further education defined in the Act as education and training recognised as vocational education and training or higher education for the purposes of a law of the Commonwealth or a law of the State and other post-compulsory education and training in any academic, vocational or practical discipline.

DFEEST will:

- manage the vocational education and training (VET) market to direct training resources to meet the critical and strategic skills needs of the State in consultation with industry and other stakeholders;
- be the purchaser and funder of VET in South Australia;
- provide guidance, advice and support to industry, training providers, students and other users of VET;
- ensure the quality and integrity of the VET system is maintained and enhanced through approval processes and contractual arrangements with Skills for All training providers.

TAFE SA’s statutory functions will be to:

- undertake or facilitate research that relates to technical and further education;
- provide consultancy or other services, for a fee or otherwise;
- undertake or provide for the development or use, for commercial community or other purposes, of any intellectual property, product or process created or developed in the course of, or incidentally to, the provision of technical and further education;
- perform any other function assigned to it by the Minister.

As a statutory corporation TAFE SA’s governance changes will satisfy the Commonwealth's National Skills Reform agenda enabling VET FEE-HELP (income contingent loans) to be available to VET students in South Australia who study at least diploma level where study is publically subsidised through approved training providers.

The Act will operate alongside the Public Corporations Act 1993.

House of Assembly - Thursday, 5 April 2012, Page 1218.

Act No. 28 of 2012.

Telecommunications (Interception)

This Act is a companion to the legislation introduced to establish an Independent Commissioner Against Corruption. Its purpose is to enable the Independent Commissioner Against Corruption (the ‘ICAC’) to be declared an agency under the Telecommunications (Interception and Access) Act 1979 of the Commonwealth and so enable it to obtain telephone intercept warrants for the purposes of investigating corruption in public administration.

As it is essential for the ICAC to maintain independence from all public agencies and authorities, reviews of the ICAC’s records in relation to telephone intercepts will be performed by a person who is independent of the ICAC and is appointed by the Governor as a review agency. ICAC’s use of telephone intercepts will be limited to investigations into corruption in public administration.

House of Assembly - Thursday, 3 May 2012, Page 1469.

Act No.56 of 2012.

Tobacco Products Regulation (Further Restrictions) Amendment


This Act seeks to amend the Tobacco Products Regulation Act 1997 and is about further protecting the community from passive smoking. It bans smoking in a number of public areas including all covered passenger transport waiting areas at bus, tram and train stops, as well as taxi ranks and any other covered outdoor area where people need to congregate to wait for public transport.

This Act also bans smoking within 10 metres of children's playground equipment that is located in a public area. This would include all playground equipment in public areas, such as parks, as well as in areas such as fast food outlets and other venues.

The Act also allows local councils and other incorporated entities to apply to SA Health to have an area or event declared smoke-free. Enabling local councils and other bodies the flexibility to identify and apply to have a certain area or an event declared non-smoking under the Act.

The intent is that the following types of events or areas could be declared non-smoking:

- one-off, time-limited major events such as the Christmas Pageant; and
- popular public places, for example an unenclosed shopping mall.

It is not intended that this Act be used to regulate seated outdoor drinking and dining areas that are part of the normal day to day business operations of premises.

Pursuant to this legislation enforcement officers may issue expiations to people 15 years and over. The rationale for this is that young people are likely to congregate in the areas affected by the Bill, particularly in regard to passenger transport areas. The Expiation of Offences Act 1996 allows for other Acts to set the minimum age of a person who can be given an expiation notice. Lowering that age to 15 years in the Tobacco Products Regulations Act 1997 will allow for the effective enforcement of these amendments and is also consistent with the Passenger Transport Act 1994.

The Act will be brought into operation on 2 January 2012, immediately after the commencement of regulations further restricting tobacco retailer point of sale displays. Commencement on that day will avoid any confusion in enforcing this new law on New Year's Eve, especially in regard to passenger transport waiting areas.

Torrens University Australia

This Act recognises Torrens University Australia through an Act of the South Australian Parliament, and insofar as it is within the legislative powers of the State, facilitates the provision of higher education services by the University.

The Act is to acknowledge Torrens University as part of the global Laureate International Education brand and ensures the University is recognised in South Australia alongside other universities.

Trustee Companies (Transfers) Amendment

In 2010, South Australia amended the Trustee Companies Act, by way of the Trustee Companies (Commonwealth Regulation) Amendment Act 2010, to provide for the transfer of entity-level regulation of trustee companies to the Commonwealth. Enactment of the legislation was necessary to fulfil South Australia's obligations under the National Partnership Agreement to Deliver a Seamless National Economy (the NPA) to transfer to the Commonwealth the responsibility for entity-level regulation of trustee companies.

Under the Commonwealth trustee company provisions, traditional functions of trustee companies (administering charitable and other trusts, obtaining probate, acting as the executor of a deceased estate or under power of attorney) are deemed to be financial services for the purposes of the Corporations Act. This means a trustee company providing traditional trustee company services must hold an Australian Financial Services Licence and...
be subject to the conduct, disclosure, compensation and dispute resolution obligations in Chapter 7 of the Commonwealth Corporations Act.

For trustee companies that did not hold an Australian Financial Services Licence at the commencement of the Commonwealth legislation, transitional arrangements provided that such trustee companies are deemed to hold an Australian Financial Services Licence with authorisation to provide traditional trustee company services until the end of the transitional period. The transitional period expires on 31 December 2012.

In April 2011, further Commonwealth amendments to the trustee company provisions of the Corporations Act came into effect which included, among other things, provisions allowing the voluntary transfer of trustee business between companies.

The Commonwealth has recently advised South Australia that the provisions in South Australia’s Trustee Companies Act to support the voluntary transfer of trustee company business from one entity to another (such as from a company with a deemed Australian Financial Services Licence to a company holding an Australian Financial Services Licence) do not operate as required by the Corporations Act following amendment by the Commonwealth. After 31 December 2012, companies operating under a deemed Australian Financial Services Licence will cease to be deemed licence holders and must apply for their own Australian Financial Services Licence or apply to ASIC for a transfer determination. These companies will be unable to apply for a transfer determination without South Australian supporting legislation in place.

This Act makes the necessary amendments to facilitate the voluntary transfer requirements in the Corporations Act.

House of Assembly - Wednesday, 17 October 2012, Page 3256.

Act No. 45 of 2012.

Vocational Education and Training (Commonwealth Powers)

In 2011, the Commonwealth Parliament passed the National Vocational Education and Training Regulator Act 2011 and the National Vocational Education and Training Regulator (Transitional Provisions) Act 2011. These Commonwealth Acts provide for the establishment of a national regulator (the National VET Regulator) which will provide quality standards and regulation across the Australian VET sector. The National VET Regulator will also regulate services to overseas students by VET providers under the Education Services for Overseas Students Act 2000 of the Commonwealth.

This legislation allows for the transfer of South Australian powers through the adoption of the abovementioned commonwealth acts enabling the National VET Regulator to be responsible for registering training organisations and accrediting courses in the State.

It is envisaged that this referral will provide a nationally consistent and rigorous registration, accreditation and monitoring of courses and providers which will enforce performance standards in the vocational, education and training sector.

House of Assembly - Wednesday, 19 October 2011, Page 5496.

Act No. 2 of 2012.

Water Industry

This Act repeals the outmoded Waterworks Act 1932, Water Conservation Act 1936 and Sewerage Act 1929. It enshrines in legislation a framework for open, transparent and collaborative water demand and supply planning, one that provides for:

- an assessment of South Australia’s water resources;
- an assessment of current and future demand for water, including for the environment; and
- policies, plans and strategies to ensure the state’s water supplies are secure, reliable and sustainable.

The Act provides an appropriate legislative foundation for an efficient, competitive and innovative water industry. A key element of this is the introduction of independent economic regulation for the industry, with the appointment of the Essential Services Commission of
South Australia (or ESCOSA). Independent economic regulation provides a transparent means of setting service standards and prices protecting the long-term interests of customers and encouraging efficient investment in infrastructure. Consistent with these aims, from 1 July 2012 the legislation will require the provision of retail water services or sewerage services to be licensed by ESCOSA. Licensees will be required to comply with industry codes to be developed by ESCOSA, related to matters such as standard contractual terms and conditions, minimum standards of service and limitations on disconnection. ESCOSA will also be empowered to make final price determinations on retail prices for water and sewerage services, with the first determination for SA Water to be applied from 1 July 2013. To encourage participation by alternative providers ESCOSA will have a range of options for regulating prices and service standards. The Act also provides:

- to minimise the regulatory burden and costs. This means the cost of a licence will not be onerous and will be proportionate to the size and scale of the operator;
- to include a number of pathways for exemptions from licensing to be granted either by ESCOSA, the Minister or through regulations;
- exemption from this legislation by irrigation service providers;
- for the appointment of an independent technical regulator responsible for the enforcement of technical and safety standards for plumbing. SA Water will cease to be responsible for the technical regulation of plumbing;
- requires water industry entities to participate in an ombudsman scheme determined or approved by ESCOSA; the existing energy ombudsman scheme be extended for this purpose;
- for the Minister to direct ESCOSA to ensure that domestic sewer services can be disconnected only in emergency situations, but not for non-payment. More generally, a water industry entity would have the power to restrict flow or disconnect water services for non-payment, but only in highly restricted circumstances;
- an exemption scheme, to be approved and funded by the Minister, to cover those charitable or community organisations who currently receive statutory exemptions from paying rates. Licence conditions will require water industry entities to comply with any concession scheme approved and funded by the Minister;
- the Minister will retain the power to require the relevant industry codes to include hardship provisions to assist customers who may be suffering specified types of hardship. In this respect, it will be critical for customers to have a range of accessible payment options, irrespective of location;
- ESCOSA to comply with the requirements of any pricing order issued by the Treasurer.

This Act represents significant reform for South Australia’s water industry. It has been the subject of extensive consultation with industry and with community and environmental organisations.

Wilderness Protection (Miscellaneous) Amendment

This Act provides for important amendments to the Wilderness Protection Act 1992. The area of land forming wilderness protection areas has increased significantly in recent years to what will be 1.8 million hectares following the proclamation of the Nullarbor Wilderness Protection Area in late 2012. This achievement has highlighted some practical matters that are not adequately addressed by the present Act. The principal amendment addresses the previous lack of provision for co-operative management of wilderness protection areas between traditional owners and the Minister.

Provisions enabling the co-management of National Parks and Conservation Parks were introduced into the National Parks and Wildlife Act 1972 in 2004. Since then the State has
entered into 10 Co-Management Agreements providing for co-management arrangements over 18 parks and reserves. To facilitate co-management of wilderness protection areas, and ensure consistency of process, this Act incorporates the co-management provisions of the National Parks and Wildlife Act 1972 into the Wilderness Protection Act 1992, with consequential amendments to tailor the provisions to the Wilderness Protection Act 1992. The increased number of wilderness protection areas in South Australia has also highlighted two other practical issues which this Act seeks to address. The first is an amendment that recognises that there may be some circumstances where it is appropriate and necessary to preserve existing leases or licences over land on proclamation of a wilderness protection area. Under subsection 28(2) of the Wilderness Protection Act 1992, all leases and licences are voided upon constitution of a wilderness protection area or zone. While this has not created any issues to date, the proposed Nullarbor Wilderness Protection Area includes infrastructure for the Government Radio Network and other purposes that will need to be retained and licensed into the future. This Act allows for leases or licences existing prior to constitution of a wilderness protection area to be preserved by the proclamation constituting the wilderness protection area. Only those leases or licences specifically referenced in the proclamation will be preserved, all others are voided upon constitution of the wilderness protection area in line with the existing provisions of the Act. This will ensure that existing critical infrastructure is not adversely affected by the constitution of a wilderness protection area whilst ensuring that wilderness protection areas are not 'opened up' for development of commercial infrastructure, which is inconsistent with the objects of the Act. Finally, the Act provides that entrance and camping fees for wilderness protection areas and zones are administered in the same manner as for National Parks and Wildlife Act 1972 reserves, that is set by the Director of National Parks and Wildlife and payable into the General Reserves Trust Fund under that Act.

Wills (International Wills) Amendment

This Act amends the Wills Act 1936 to adopt the uniform law contained in the UNIDROIT Convention providing a Uniform Law on the Form of an International Will 1973 (the Wills Convention). UNIDROIT, the International Institute for the Unification of Private Law, is an intergovernmental organisation that formulates uniform law instruments aimed at harmonising and coordinating private laws between countries. The Wills Convention is one such instrument. The Wills Convention establishes an additional form of will, the 'international will'. The international will's use is optional and will not replace existing forms of wills. Its key benefit is to provide greater legal certainty for testators and beneficiaries where assets or beneficiaries are located in several foreign jurisdictions. The international will is valid as regards form, irrespective of the place where it is made, the location of the assets and of the nationality, domicile or residence of the testator, if it is made in compliance with the provisions set out in the Articles in the Annex to the Wills Convention. Although Australia has been a member of UNIDROIT since 1973 it is not a signatory to the convention. In July 2010 the Standing Committee of Attorneys-General agreed to adopt the uniform law into local legislation to allow Australia to formally accede to the convention. This Act is based on a model bill which reproduces the text of the uniform law. By adopting the uniform law, the State's laws will not be effected. The legislation simply allows a testator to choose to have an international will, and will eventually allow Australia's accession to the Wills Convention.
WorkCover Corporation (Governance) Amendment

This Act builds upon the amendments made to the WorkCover Corporation Act 1994 in 2008 which replicated part of the governance arrangements used for other statutory authorities subject to the Public Corporations Act 1993. This Act will provide for a professionally focussed Board of management which, as far as practicable, reflects the competencies of a publicly listed corporation. Changes to the WorkCover Board will:

- Reduce the required number of members from nine to seven and the quorum threshold from six to four to streamline and focus the Board.
- Provide for the Minister to recommend suitable Board member and Chairperson appointments to the Governor.
- Remove the existing rehabilitation and occupational health and safety representation requirements and the requirement to consult with employee and employer stakeholder associations for four of the positions on the Board.
- Increase Board member accountability by enabling the Minister to recommend to the Governor the removal of a Board member for any reasonable cause.
- Require the Minister to approve the formation of any remunerated Board Committees.
- Dissolve the existing Board membership upon commencement of the relevant transitional provisions to enable the recommendation of a new Board to the Governor based on these new provisions.

Other key changes within this Act will:

- Bring WorkCover closer in line with other public corporations by applying sections 7 and 8 of the Public Corporations Act 1993 to it.
- Require WorkCover’s Chief Executive Officer to be available directly to the Minister as well as the Board.

House of Assembly - Wednesday, 11 September 2013, Page 6799.
Act No. 55 of 2013.

Workers Rehabilitation and Compensation (Firefighters) Amendment

The Workers Rehabilitation and Compensation (SAMFS Firefighters) Amendment Bill 2013 gives additional protection to firefighters exposed to higher cancer risk as a result of their work. Career firefighters are at a greater risk of developing certain types of cancer due to their direct exposure to carcinogens released by combusting materials. This measure will ensure that, as from 1 July 2013, South Australian MFS firefighters, including retained firefighters, who contract any of the 12 specified cancers will, subject to qualifying periods and in the absence of proof to the contrary (but subject to other provisions of the act), be entitled to workers compensation without having to prove that the cancer arose specifically from their employment with SAMFS.

The Act also provides qualified entitlements to CFS volunteers.

House of Assembly - Wednesday, 19 June 2013, Page 6164.
Act No.91 of 2013.

Work Health and Safety

This Act meets South Australia’s commitment to the national agreement to enact consistent occupational health and safety laws across all Australian jurisdictions. This legislation enacts the nationally agreed Model Work Health and Safety Act in this jurisdiction. It will be supplemented by Model Regulations and Model Codes of Practice.

National harmonisation of occupational health and safety laws has been on the agenda of successive governments for over 20 years. The Bill represents the culmination of many years of multilateral and tripartite engagement and discussion between the Commonwealth, State and Territory governments, business, and union and employer groups. Compromises were made by all parties involved to ensure that the overall objective of enacting harmonized laws by 2012 could be achieved.
Key South Australian stakeholders have been involved at every step in the process towards harmonisation through the SafeWork SA Advisory Committee, and through other consultative forums. Harmonisation of work health and safety laws will bring many benefits to South Australian businesses, employers, workers and unions through the creation of a single, nationally consistent and modernised legislative regime. Research and modelling by Access Economics has identified that the most significant cost to business from the previous occupational health and safety system arose from the duplication required to comply with regulatory differences across multiple jurisdictions. With the implementation of a nationally harmonised system, this duplication has been removed, and consistent regulations will exist across the country. Business will benefit from a national system through reduced complexity and red tape. Employers will also benefit from greater certainty and a simplified system of legislation. Workers will benefit from the enhanced protection provided by modernised laws and rights that are easier to understand and apply. For example, the Act recognises the changing face of the workplace, and does not rely on the traditional concepts of employer and employee. This means greater fairness, as all workers to have access to the same rigorous system of workplace health and safety regulation, wherever they are in Australia, and irrespective of whether they are employees, labour - hire workers or contractors. The new system will improve transferability of permits, licences and training qualifications across State and Territory borders.

House of Assembly - Thursday, 19 May 2011, Page 3819.
Act No.40 of 2012.

**Work Health and Safety (Self-Incrimination) Amendment**

This Act amends section 172 of the Work Health and Safety Act of 2012 which commenced operation on 1 January 2013. This amendment is a minor technical amendment which provides certainty in relation to a provision that currently is arguably open to an unintended interpretation. Section 172 provides for a natural person's privilege against self-incrimination, in other words, the right to silence. However, section 172 has been interpreted as providing a privilege against self-incrimination to corporations as well as natural persons, which was not the intention. Corporations, at common law, do not enjoy the protection against self-incrimination. If corporations were to be granted the privilege against self-incrimination, it would seriously compromise future investigations into workplace fatalities and serious incidents. The intention of this Act is to provide certainty section 172 providing that the privilege against self-incrimination to natural persons only.

House of Assembly - Wednesday, 6 February 2013, Page 4235.
Act No.24 of 2013.

**Zero Waste SA (Miscellaneous) Amendment**

This Act clarifies that the Public Finance and Audit Act 1987 applies when Zero Waste SA is performing or exercising its functions or powers, including in connection with the management, investment and application of the Waste to Resources Fund. This measure resolves the uncertainty that has arisen in recent times as to whether or not the Treasurer's instructions apply in those circumstances and will ensure that Zero Waste SA's financial management practices are consistent with financial management practices across the state. The Act also introduces a power of delegation for Zero Waste SA. It has come to light recently that the absence in the act of such a power of delegation is resulting in a degree of inefficiency in the administration of that Act. Powers of delegation may be found in the legislation of many other statutory boards and authorities and it is now considered appropriate to include one in this Act. This legislation provides Zero Waste SA with the power to delegate any of its functions or powers to a person or committee. It enables a function or power to be delegated to the Chief
Executive of Zero Waste SA and further delegated to a Public Service employee should the need arise. It is anticipated that this measure will result in the streamlining of Zero Waste SA’s administrative practices.

House of Assembly - Wednesday, 14 September 2011, Page 4896.
Act No.7 of 2012.
# BILLS WHICH DID NOT PASS INTO LAW

Sixty nine Bills considered by the House of Assembly were not passed by both Houses during the session. Forty one of these were current at adjournment and therefore lapsed owing to prorogation.

The Bills are listed below showing the status of the Bill at prorogation and the date of the second reading speech, if moved in the House of Assembly.

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<td>PMB</td>
<td>Civil Partnerships</td>
<td>Adj 2nd reading</td>
<td>18/10/2012</td>
</tr>
<tr>
<td>HA</td>
<td>PMB</td>
<td>Constitution (Casual Vacancies) Amendment</td>
<td>Negatived HA</td>
<td>29/03/2012</td>
</tr>
<tr>
<td>LC</td>
<td>PMB</td>
<td>Controlled Substances (Simple Cannabis Offences) Amendment</td>
<td>Adj 2nd reading</td>
<td>31/10/2013</td>
</tr>
<tr>
<td>LC</td>
<td>PMB</td>
<td>Coroners (Recommendations) Amendment</td>
<td>Negatived (HA)</td>
<td>17/05/2012</td>
</tr>
<tr>
<td>LC</td>
<td>PMB</td>
<td>Correctional Services (GPS Tracking for Child Sex Offenders) Amendment</td>
<td>2nd reading</td>
<td></td>
</tr>
<tr>
<td>HA</td>
<td>GOV</td>
<td>Criminal Assets Confiscation (Prescribed Drug Offender Assets) Amendment</td>
<td>Withdrawn LC</td>
<td>16/10/2012</td>
</tr>
<tr>
<td>HA</td>
<td>GOV</td>
<td>Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment</td>
<td>Withdrawn LC</td>
<td>14/02/2012</td>
</tr>
<tr>
<td>HA</td>
<td>PMB</td>
<td>Criminal Law (Sentencing) (No Conviction on Election to be Prosecuted) Amendment</td>
<td>Negatived HA</td>
<td>29/03/2012</td>
</tr>
<tr>
<td>HA</td>
<td>PMB</td>
<td>Criminal Law Consolidation (Aggravated Offences) Amendment</td>
<td>Negatived HA</td>
<td>29/11/2012</td>
</tr>
<tr>
<td>Origin</td>
<td>Type</td>
<td>Title</td>
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<td>LC</td>
<td>PMB</td>
<td>Crown Land Management (Life Lease Sites) Amendment</td>
<td>2nd reading</td>
<td></td>
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<tr>
<td>LC</td>
<td>PMB</td>
<td>Development (Development Plan Amendments) (Notification) Amendment</td>
<td>Negatived HA</td>
<td>12/11/2013</td>
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<tr>
<td>LC</td>
<td>PMB</td>
<td>Development (Interim Development Control) Amendment</td>
<td>Negatived HA</td>
<td>12/11/2013</td>
</tr>
<tr>
<td>HA</td>
<td>PMB</td>
<td>Education and Early Childhood Services (Registration and Standards)</td>
<td>Adj 2nd reading</td>
<td>21/02/2013</td>
</tr>
<tr>
<td>HA</td>
<td>PMB</td>
<td>(Modification of National Law) Amendment</td>
<td></td>
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<tr>
<td>HA</td>
<td>PMB</td>
<td>Electoral (Optional Preferential Voting) Amendment</td>
<td>Negatived HA</td>
<td>05/04/2012</td>
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<tr>
<td>HA</td>
<td>PMB</td>
<td>Electoral (Voting Age) Amendment</td>
<td>Negatived HA</td>
<td>05/04/2012</td>
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<tr>
<td>HA</td>
<td>PMB</td>
<td>Electricity (Early Termination) Amendment</td>
<td>Discharged HA</td>
<td>01/11/2012</td>
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<tr>
<td>HA</td>
<td>PMB</td>
<td>End Life with Dignity</td>
<td>Adj 2nd reading</td>
<td>07/02/2013</td>
</tr>
<tr>
<td>HA</td>
<td>PMB</td>
<td>End Life with Dignity (No 2)</td>
<td>Adj 2nd reading</td>
<td>31/10/2013</td>
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<tr>
<td>LC</td>
<td>PMB</td>
<td>Evidence (Identification) (No 2) Amendment</td>
<td>Discharged HA</td>
<td></td>
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<tr>
<td>HA</td>
<td>Gov</td>
<td>Evidence (Identification) Amendment</td>
<td>Negatived LC</td>
<td>29/11/2012</td>
</tr>
<tr>
<td>HA</td>
<td>PMB</td>
<td>Expiation of Offences (Speeding Offences) Amendment</td>
<td>Negatived HA</td>
<td>01/03/2012</td>
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<tr>
<td>HA</td>
<td>PMB</td>
<td>Fire and Emergency Services (Volunteer Charters) Amendment</td>
<td>Adj 2nd reading</td>
<td>29/11/2012</td>
</tr>
<tr>
<td>LC</td>
<td>PMB</td>
<td>Food (Labelling of Free-range Eggs) (No 2) Amendment</td>
<td>Negatived HA</td>
<td>31/10/2013</td>
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<tr>
<td>HA</td>
<td>PMB</td>
<td>Food (Labelling of Free-range Eggs) Amendment</td>
<td>Negatived HA</td>
<td>29/03/2012</td>
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<tr>
<td>LC</td>
<td>GOV</td>
<td>Foreign Ownership of Land</td>
<td>2nd reading</td>
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<td>HA</td>
<td>PMB</td>
<td>Government Election Financial Responsibility</td>
<td>Adj 2nd reading</td>
<td>17/10/2013</td>
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<tr>
<td>HA</td>
<td>GOV</td>
<td>Health Care (Administration) Amendment</td>
<td>Adj 2nd reading</td>
<td>16/10/2013</td>
</tr>
<tr>
<td>HA</td>
<td>GOV</td>
<td>Housing and Improvement</td>
<td>Adj 2nd reading</td>
<td>05/06/2013</td>
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<tr>
<td>HA</td>
<td>GOV</td>
<td>Lady Kintore Cottages (Trust Property) Amendment</td>
<td>Adj 2nd reading</td>
<td>12/09/2013</td>
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<td>Origin</td>
<td>Type</td>
<td>Title</td>
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<td>HA</td>
<td>PMB</td>
<td>Liquor Licensing (Supply to Minors) Amendment</td>
<td>Adj 2nd reading</td>
<td>20/09/2012</td>
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<tr>
<td>HA</td>
<td>PMB</td>
<td>Local Government (Boundary Reform) Amendment</td>
<td>Negatived HA</td>
<td>05/04/2012</td>
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<tr>
<td>HA</td>
<td>PMB</td>
<td>Local Government (Elections) (Voting Age) Amendment</td>
<td>Negatived HA</td>
<td>18/10/2012</td>
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<tr>
<td>HA</td>
<td>PMB</td>
<td>Local Government (Internment of Human Remains) Amendment</td>
<td>Negatived HA</td>
<td>15/03/2012</td>
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<tr>
<td>HA</td>
<td>PMB</td>
<td>Local Government (Road Closures – 1934 Act) Amendment</td>
<td>Adj 2nd reading LC</td>
<td>31/05/2012</td>
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<td>HA</td>
<td>PMB</td>
<td>Motor Vehicles (Historic Number Plates) Amendment</td>
<td>Negatived HA</td>
<td>14/06/2012</td>
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<tr>
<td>HA</td>
<td>PMB</td>
<td>Native Vegetation (Road Verges) Amendment</td>
<td>Negatived HA</td>
<td>29/11/2012</td>
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<tr>
<td>HA</td>
<td>PMB</td>
<td>Parliamentary Committees (Natural Disasters Committee) (No 2) Amendment</td>
<td>Negatived HA</td>
<td>20/09/2012</td>
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<tr>
<td>LC</td>
<td>PMB</td>
<td>Parliamentary Committees (Natural Disasters Committee) (No 3) Amendment</td>
<td>Adj 2nd reading</td>
<td>17/10/2013</td>
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<tr>
<td>HA</td>
<td>PMB</td>
<td>Parliamentary Committees (Natural Disasters Committee) Amendment</td>
<td>Negatived HA</td>
<td>15/03/2012</td>
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<tr>
<td>LC</td>
<td>PMB</td>
<td>Right to Farm</td>
<td>2nd reading</td>
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<tr>
<td>LC</td>
<td>PMB</td>
<td>Road or Ferry Closure (Consultation and Review)</td>
<td>Negatived HA</td>
<td>28/11/2013</td>
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<tr>
<td>HA</td>
<td>PMB</td>
<td>Road Traffic (Traffic Speed Analysers) Amendment</td>
<td>Negatived HA</td>
<td>01/03/2012</td>
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<td>HA</td>
<td>PMB</td>
<td>Same Sex Marriages</td>
<td>Negatived HA</td>
<td>20/06/2013</td>
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<td>HA</td>
<td>GOV</td>
<td>Second-hand Goods</td>
<td>Negatived LC</td>
<td>15/11/2012</td>
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<tr>
<td>HA</td>
<td>GOV</td>
<td>South East Drainage System Operation and Management</td>
<td>Adj 2nd reading</td>
<td>31/10/2013</td>
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<tr>
<td>HA</td>
<td>GOV</td>
<td>Stamp Duties (Off-the plan Apartments) Amendment</td>
<td>Adj 2nd reading LC</td>
<td>30/10/2013</td>
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<tr>
<td>HA</td>
<td>PMB</td>
<td>Statutes Amendment (Anti-bullying)</td>
<td>Negatived HA</td>
<td>05/04/2012</td>
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<tr>
<td>HA</td>
<td>PMB</td>
<td>Statutes Amendment (Decriminalisation of Sex Work)</td>
<td>Adj 2nd reading</td>
<td>16/05/2013</td>
</tr>
<tr>
<td>HA</td>
<td>GOV</td>
<td>Statutes Amendment (Health Information)</td>
<td>Adj 2nd reading</td>
<td>16/10/2013</td>
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<tr>
<td>HA</td>
<td>PMB</td>
<td>Statutes Amendment (Sex Work Reform)</td>
<td>Negatived HA</td>
<td>31/05/2012</td>
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<td>House</td>
<td>Bill Type</td>
<td>Title</td>
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<tr>
<td>HA</td>
<td>GOV</td>
<td>Statutes Amendment and Repeal (Budget 2012)</td>
<td>Laid aside</td>
<td>31/05/2012</td>
</tr>
<tr>
<td>HA</td>
<td>GOV</td>
<td>Statutes Amendment and Repeal (TAFE SA Consequential Provisions)</td>
<td>Laid aside</td>
<td>05/04/2012</td>
</tr>
<tr>
<td>HA</td>
<td>PMB</td>
<td>Statutes Amendment (Cheltenham Park and Related Amendments)</td>
<td>Adj 2nd reading</td>
<td>26/09/2013</td>
</tr>
<tr>
<td>LC</td>
<td>PMB</td>
<td>Subordinate Legislation (Miscellaneous) Amendment</td>
<td>2nd reading</td>
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<tr>
<td>HA</td>
<td>PMB</td>
<td>Subordinate Legislation (Proposal to Vary Regulations) Amendment</td>
<td>Negatived</td>
<td>05/04/2012</td>
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<tr>
<td>HA</td>
<td>GOV</td>
<td>Surveillance Devices</td>
<td>In committee</td>
<td>05/09/2012</td>
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<tr>
<td>HA</td>
<td>GOV</td>
<td>TAFE SA (Prescribed Employees) Amendment</td>
<td>Negatived</td>
<td>09/04/2013</td>
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<tr>
<td>HA</td>
<td>GOV</td>
<td>Upper South East Dryland Salinity and Flood Management (Postponement of Expiry) Amendment</td>
<td>Negatived</td>
<td>31/10/2012</td>
</tr>
<tr>
<td>LC</td>
<td>PMB</td>
<td>Victims of Crime (Miscellaneous) Amendment</td>
<td>2nd reading</td>
<td></td>
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<tr>
<td>HA</td>
<td>PMB</td>
<td>Voluntary Euthanasia</td>
<td>Negatived</td>
<td>01/03/2012</td>
</tr>
<tr>
<td>LC</td>
<td>PMB</td>
<td>Workers Rehabilitation and Compensation (Protection for Firefighters) Amendment</td>
<td>2nd reading</td>
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</tr>
</tbody>
</table>

Legend:

HA – House of Assembly
LC – Legislative Council
GOV – Government Bill
PMB – Private Members Bill
MOTIONS AND RESOLUTIONS

Motion – a proposition by a Member or Minister for the consideration of the House.

Resolution – a motion that has been adopted by the House.

Private Members’ motions upon adoption as a resolution do not have the force of law but represent an opinion of the House, which may or may not be acted upon by the Government.

Government resolutions pursuant to statute come into effect following action by Executive Council.

Motions carried for the disallowance of regulations pursuant to section 10(5a) of the Subordinate Legislation Act strike out the regulation immediately.

ADDRESS IN REPLY
GOVERNMENT MOTIONS
SESSIONAL ORDERS
OTHER MOTIONS
PRIVATE MEMBERS’ MOTIONS

MOTIONS FOR STANDING COMMITTEES
MOTIONS FOR PRIVILEGES COMMITTEES
MOTIONS FOR JOINT COMMITTEES
MOTIONS FOR SELECT COMMITTEES
OTHER PRIVATE MEMBERS’ MOTIONS

ADDRESS – IN - REPLY

Address in Reply to the Opening Speech of His Excellency the Governor
Moved – Mr Odenwalder, 15 February 2012. Adopted – 28 February 2012 – Presented to His Excellency, 27 March 2012.

GOVERNMENT MOTIONS

General Motors Holden
Moved - Premier (Hon. J W Weatherill), 28 March 2012, Agreed to 28 March 2012.

River Murray
Moved - Premier (Hon. J W Weatherill), 4 April 2012, Agreed to 4 April 2012.

Apology - Past Adoption Practices

Nomination to Employee Ombudsman Selection Panel

Nomination to Industrial Relations Commissioner Selection Panel

Murray Darling Basin

National Parks and Wildlife Act 1972 - Proclamation

Future Submarine Project
Moved – Premier (Hon. J W Weatherill), 5 March 2013, Agreed 5 March 2013.

Wind Farms

Marino Conservation Park
Moved – Minister for Tourism (Hon. L W Bignell), 24 September 2013, Agreed 24 September 2013.

Flinders Ranges National Park
Moved – Minister for Tourism (Hon. L W Bignell), 24 September 2013, Agreed 24 September 2013.

Lake Eyre Basin

Holden’s Continued Operation in South Australia

CONDOLENCES –

Death of Mr D S Baker

Death of Corporal S J Smith

Death of Mr M J Brown

Death of Mr D M Ferguson

Death of Mrs Nancy Joy Baluch

Death of Sir Keith Douglas KCVO OBE

Death of Hon. Frank Trevor Blevins

Death of Hon. Robert John Ritson
Death of Mr Edward Connelly

Death of Mr Ivon Alfred Wardle OAM

STANDING AND SESSIONAL ORDERS

Sessional Orders – Sitting Times and Right of Reply
Moved – Attorney General (Hon. J R Rau), 14 February 2012. Agreed to 14 February 2012.

Sessional Orders – Private Members Business
Moved – Attorney General (Hon. J R Rau), 14 February 2012. Agreed to 14 February 2012.

PRIVATE MEMBER’S MOTIONS

REGULATIONS – Motion for disallowance –

Adelaide and Mt Lofty Ranges Region Natural Resources Management Plan Levy

Development Act 1993 – Regulations – Riverbank Footbridge
Moved – Ms Sanderson, 14 November 2012, Discharged 6 February 2013.

Development Act 1993 – Regulations – Fisheries Management Act

Work Health and Safety Act 2012 - Codes of Practice – Construction Work Code of Practices; Preventing Falls in Housing Construction Code of Practice, Safe Design of Structures Code of Practice
Moved – Mr Williams, 1 May 2013, Adjourned 1 May 2013, Negativated 5 June 2013.

MOTIONS – STANDING COMMITTEES

Aboriginal Lands Parliamentary
Reports – Motion to note –

Annual Report 2011/12
Moved – Ms Breuer, 20 February 2013, Agreed 20 February 2013.

Inquiry into the Stolen Generations Reparations Tribunal Bill 2010 Report
Economic and Finance
Referral –

Efficiency Audit of Government Agencies

Reports – Motion to note -

77th Report – Emergency Services Levy 2012/13

78th Report – Annual Report 2011/12
Moved – Ms Breuer, 6 March 2013, Agreed 6 March 2013.

Moved – Mrs Geraghty, 5 June 2013, Agreed 5 June 2013.

80th Report – Workforce and Education Participation

81st Report – Annual Report 2012-13

82nd Report – Compulsory Third Party Insurance

83rd Report – South Australian Taxation System

Environment Resources and Development
Reports – Motion to note –

71st Report – Small Bars and Live Music
Moved – Ms Thompson, 24 July 2013, Agreed 24 July 2013.

73rd Report – Urban Density
Moved – Ms Thompson, 26 November 2013, Adjourned 26 November 2013.

Legislative Review Committee
Reports – Motion to note –

Report - Criminal Case Review Commission Bill 2010
Moved – Mr Sibbons, 17 October 2012, Agreed 17 October 2012.

Report – Issues Relating to Surveillance Devices
Moved – Mr Odenwalder, 27 November 2013, Adjourned 27 November 2013.
Natural Resources Committee

Reports – Motion to note –


Moved – Hon. S W Key, 4 April 2012, Agreed 4 April 2012.

67th, 68th, 69th, 70th, 71st, 72nd Reports – Natural Resource Management Board Levy Proposals 2012/2013

49th Report – Review of Natural Resources Management Levy Arrangements


75th Report – Upper South East Dryland Salinity and Flood Management
Moved – Hon. S W Key, 6 February 2013, Agreed 6 February 2013.

74th Report – Annual Report 2011/12
Moved – Hon. S W Key, 6 February 2013, Agreed 6 February 2013.

77th Report – Foxes – Hunting for the Right Solution
Moved – Hon. S W Key, 6 March 2013, Agreed 6 March 2013.


78th to 84th Reports – Natural Resources Management Board Levy Proposals 2013/14


86th Report – Alinytjara Wilurara APY Ranges Sub-Region Fact-Finding Visit “Camelot”

88th Report – Annual Report 2012-13

89th Report – Prescribed Burning Fire Management in Mount Lofty Ranges – Fact Finding Visit 7 June 2013

90th Report – Bushfire Preparedness of Properties in Bushfire Risk Areas


Occupational Safety, Rehabilitation and Compensation Committee
Reports – Motion to note –

13th Report – Inquiry into Vocational Rehabilitation and Return to Work Practices for Injured Workers in South Australia

13th Report – Erratum Inquiry into Vocational Rehabilitation and Return to Work Practices for Injured Workers in South Australia

14th Report – Annual Report 2011/12

15th Report – Briefing Report into South Australia’s Ageing Workforce: Implications for Work Health and Safety, Rehabilitation and Compensation
Moved – Hon. S W Key, 10 April 2013, Agreed 10 April 2013.

2012/13 Annual Report

Report – Safework SA

Public Works
Reports – Motion to note -

430th Report – Ceduna Aboriginal Children and Family Centre

431st Report – Christies Beach Aboriginal Children and Family Centre

432nd Report – Whyalla Aboriginal Children and Family Centre

433rd Report – Old Parliament House Redevelopment
Moved – Mr Odenwalder, 28 March 2012, Agreed 28 March 2012.

434th Report – Northern LeFevre Peninsula Open Space
Moved – Mr Odenwalder, 28 March 2012, Agreed 28 March 2012.

Moved – Mr Odenwalder, 28 March 2012, Agreed 28 March 2012.
436th Report – Renmark Intersection Upgrades
Moved – Mr Odenwalder, 28 March 2012, Agreed 28 March 2012.

437th Report – Main North Road Realignment
Moved – Mr Odenwalder, 28 March 2012, Agreed 28 March 2012.

438th Report – Lake Windemere School CPC-7 Redevelopment
Moved – Mr Odenwalder, 28 March 2012, Agreed 28 March 2012.

440th Report – Port Augusta Special School Redevelopment
Moved – Mr Odenwalder, 28 March 2012, Agreed 28 March 2012.

439th Report – Port Noarlunga Primary School Redevelopment
Moved – Mr Odenwalder, 16 May 2012, Agreed 16 May 2012.

442nd Report – Ashford Special School Relocation
Moved – Mr Odenwalder, 30 May 2012, Agreed 30 May 2012.

443rd Report – Kensington Special School Relocation
Moved – Mr Odenwalder, 30 May 2012, Agreed 30 May 2012.

444th Report – Glenunga International High School Redevelopment
Moved – Mr Odenwalder, 30 May 2012, Agreed 30 May 2012.

445th Report – Marryatville High School Redevelopment
Moved – Mr Odenwalder, 30 May 2012, Agreed 30 May 2012.

446th Report – Mount Gambier Prison Expansion
Moved – Mr Odenwalder, 30 May 2012, Agreed 30 May 2012.

447th Report – Tonsley Park Master Plan Development
Moved – Mr Odenwalder, 30 May 2012, Agreed 30 May 2012.

441st Report – James Nash House Redevelopment
Moved – Mr Odenwalder, 11 July 2012, Agreed 11 July 2012.

448th Report – Elizabeth Special School New School
Moved – Mr Odenwalder, 11 July 2012, Agreed 11 July 2012.

449th Report – Riverland Special School Redevelopment
Moved – Mr Odenwalder, 11 July 2012, Agreed 11 July 2012.

450th Report – Port Pirie GP Plus Health Care
Moved – Mr Odenwalder, 11 July 2012, Agreed 11 July 2012.

451st Report – Adelaide Entertainment Centre Multideck Car Park
Moved – Mr Odenwalder, 5 September 2012, Agreed 5 September 2012.

452nd Report – Whyalla Special School New School
Moved – Mr Odenwalder, 19 September 2012, Agreed 19 September 2012.

453rd Report – Brighton Secondary School Redevelopment
Moved – Mr Odenwalder, 19 September 2012, Agreed 19 September 2012.
454th Report – Hope Valley and Happy Valley WTP Cryptosporidium Management
Moved – Mr Odenwalder, 19 September 2012, Agreed 19 September 2012.

455th Report – Evanston Land Release – Main North and Tiver Road Intersection
Moved – Mr Odenwalder, 17 October 2012, Agreed 17 October 2012.

456th Report – Modbury Hospital Redevelopment
Moved – Mr Odenwalder, 17 October 2012, Agreed 17 October 2012.

457th Report – Swan Reach to Paskeville Pipeline High Voltage Switchboard Replacements
Moved – Mr Odenwalder, 31 October 2012, Agreed 31 October 2012.

458th Report – Mining and Engineering Centre TAFE SA
Moved – Mr Odenwalder, 31 October 2012, Agreed 31 October 2012.

459th Report – Mount Gambier and District Health Service Redevelopment
Moved – Mr Odenwalder, 31 October 2012, Agreed 31 October 2012.

460th Report – Queensbury Waste Water Pump Upgrade
Moved – Mr Odenwalder, 20 February 2013, Agreed 20 February 2013.

461st Report – Paralowie, Bolivar Road, Salisbury Wastewater Trunk Main Rehabilitation
Moved – Mr Odenwalder, 20 February 2013, Agreed 20 February 2013.

462nd Report – Rail Revitalisation - Electrification of Seaford and Tonsley Lines
Moved – Mr Odenwalder, 20 February 2013, Adjourned 20 February 2013, Agreed 10 April 2013.

463rd Report – Goodwood Junction Rail Grade Separation
Moved – Mr Sibbons, 20 March 2013, Agreed 20 March 2013.

469th Report – Legal Services Commission Head Office Relocation
Moved – Mr Sibbons, 20 March 2013, Agreed 20 March 2013.

470th Report – Riverbank Precinct Pedestrian Bridge
Moved – Mr Sibbons, 20 March 2013, Agreed 20 March 2013.

471st Report – Tea Tree Plaza O-Bahn Interchange Commuter Car Park
Moved – Mr Sibbons, 10 April 2013, Agreed 10 April 2013.

472nd Report – St Clair Railway Station Project
Moved – Mr Sibbons, 10 April 2013, Agreed 10 April 2013.

473rd Report – Port Augusta Central Oval Redevelopment
Moved – Mr Sibbons, 10 April 2013, Agreed 10 April 2013.

474th Report – Port Wakefield Water Supply Update
Moved – Mr Sibbons, 10 April 2013, Agreed 10 April 2013.

475th Report – Wayville Railway Station Project
Moved – Mr Sibbons, 1 May 2013, Agreed 1 May 2013.
476th Report – Adelaide Festival Centre and Her Majesty’s Theatre Sustainment Works

477th Report – Hawker Desalination Project

478th Report – Mount Barker Water Development Water Supply Scheme Stage 1

479th Report – Patawalonga Lake System and Sediment Management Project
Moved – Mr Sibbons, 11 September 2013, Agreed 11 September 2013.

480th Report – Tonsley Public Transport Project
Moved – Mr Sibbons, 11 September 2013, Agreed 11 September 2013.

481st Report – South Coast Primary Health Care Precinct
Moved – Mr Sibbons, 25 September 2013, Agreed 25 September 2013.

482nd Report – Salisbury Metro Fire Station
Moved – Mr Sibbons, 25 September 2013, Agreed 25 September 2013.

483rd Report – Eastern Fleurieu School Strathalbyn
Moved – Mr Sibbons, 25 September 2013, Agreed 25 September 2013.

484th Report – Windsor Gardens Vocational College Redevelopment
Moved – Mr Sibbons, 25 September 2013, Agreed 25 September 2013.

485th Report – Riverine Recovery Project Wetlands Phase 1B
Moved – Mr Sibbons, 25 September 2013, Agreed 25 September 2013.

486th Report – South Road Upgrade Torrens Road to Torrens River Early and Associated Works
Moved – Mr Sibbons, 30 October 2013, Agreed 30 October 2013.

487th Report – Ethelton Wastewater Pump Station Renewal Project
Moved – Mr Sibbons, 30 October 2013, Agreed 30 October 2013.

488th Report – Bolivar Waste Water Treatment Plant (Primary Grit, Pre-Aeration and Sedimentation Tanks Concrete Rehabilitation) Project C Number C1467
Moved – Mr Sibbons, 30 October 2013, Agreed 30 October 2013.

Social Development
Reports – Motion to note –

33rd Report – Inquiry into Food Safety Programs

34th Report – Inquiry into New Migrants
Moved – Ms Bedford, 24 July 2013, Agreed 24 July 2013.

35th Report - Inquiry into the Sale and Consumption of Alcohol, Interim Report
MOTIONS – SELECT COMMITTEES

MOTION TO ESTABLISH – Motion re
Select Committee on Farmer’s Right to Farm (Sustainable Farming Practices)
Moved – Mr Venning, 14 March 2012, Adjourned 14 March 2012, Amended and Agreed 4 April 2012.

Select Committee on Anti-Social and Criminal Behaviour

Select Committee on Port Augusta Power Stations
Moved – Mr van Holst Pellekaan, 17 October 2012, Agreed 17 October 2012.

Select Committee on Dogs and Cats as Companion Animals
Moved – Mr Bignell, 28 November 2012, Agreed to 28 November 2012.

Select Committee on Childcare Services
Moved – Mr Hamilton-Smith, 20 February 2013, Adjourned 20 February 2013.

Select Committee on a Review of the Retirement Villages Act 1987

Select Committee on Adelaide Worker’s Homes Bill
Moved – Minister for Social Housing (Hon. A Piccolo) 11 April 2013, Agreed to 11 April 2013.

Select Committee on Port Pirie Smelting Facility (Lead-in-Air Concentration) Bill
Moved – Minister for Manufacturing, Innovation and Trade (Hon. T R Kenyon) 23 July 2013, Agreed to 23 July 2013.

Motion to Note – Motion re

Select Committee on Road Traffic (Emergency Vehicles) Amendment Bill

Report - Select Committee on the Grain Handling Industry
Moved – Mr Brock, 19 September 2012, Agreed to 5 June 2013.

Report - Select Committee on Dogs and Cats as Companion Animals
Moved – Dr Close, 24 July 2013, Agreed to 11 September 2013.

Report - Select Committee on Sustainable Farming Practices

Report - Select Committee on a Review of the Retirement Villages
OTHER MOTIONS – PRIVATE MEMBERS

Aboriginal Lands review

Affordable Public Housing - Motion re

Amalgamation of Junior Primary and Primary Schools – Motion re

Amy Levai - Motion re

Apology – Past Adoption Practices – Motion re

Appreciation of Service – John Doyle, Mal Hyde and Stephen Pallaras – Motion re

Aung San Suu Kyi – Motion re

Auslan - Motion re
Moved – Mr Brock, 6 June 2013, Adjourned 6 June 2013.

Australian Constitution Recognition of Councils - Motion re

Australian Paralympic Team 2012 - Motion re
Moved – Minister for Recreation and Sport (Hon. T R Kenyon), 29 November 2012, Agreed to 29 November 2012.

Australian Year of the Farmer – Motion re
Moved – Mr Venning, 1 March 2012, Agreed 1 March 2012.

Bali Bombings – 10th Anniversary - Motion re
Moved – Mr Odenwalder, 18 October 2012, Agreed to 18 October 2012.

Barossa Valley Tourism and Transport - Motion re
Moved – Mr Venning, 18 October 2012, Amended and Agreed to 18 October 2012.

Barossa Wine Train – Motion re

Battle of Long Tan – 45th Anniversary – Motion re

Blue Gum Forestry
Moved – Mr Pengilly, 12 September 2013, Adjourned 12 September 2013.

Carbon Tax - Motion re
City of Adelaide Clipper Ship

Code of Conduct for Members of Parliament – Motion re

Condolence His Majesty King George Tupou V of Tonga – Motion re

Cost of Living - Motion re

Council Rates Concession Review
Moved – Mr Brock, 17 October 2013, Adjourned 17 October 2013.

Country Hospitals - Motion re
Moved – Mr van Holst Pellekaan, 11 April 2013, Adjourned 11 April 2013.

Da Vinci Surgical Robot - Motion re

Diabetes Awareness - Motion re

Dialysis Services in Country Areas - Motion re
Moved – Mr Venning, 1 November 2012, Adjourned 1 November 2012.

DECD School Transport Policy

Elizabeth Beare – Motion re
Moved – Ms Chapman, 17 May 2012, Amended and Agreed to 17 May 2012.

Emergency Services Funding – Motion re
Moved – Mr Venning, 5 April 2012, Adjourned 5 April 2012.

Eugene McGee - Motion re

Flagstaff Road – Safety Improvements – Motion re

Foetal Alcohol Syndrome - Motion re

FV Margiris (Abel Tasmin) Supertrawler - Motion re
Moved – Mr Bignell, 20 September 2012, Agreed to 20 September 2012.

Gonski Report - Motion re
Impact of Menopause - Motion re

Integrated Museum for SA - Motion re

John McDouall Stuart – Motion re

Judicial Commission – Motion re

Legend in Mining Award – Motion re
Proceeding to move – Ms Bettison, 28 November 2013.

Local Councils Review – Motion re

Life Skills Education – Motion re

Life in South Australia Tapestries – Motion re

Liquor Usage

Litter Reduction Strategies - Motion re

Mental Health Professionals in Schools – Motion re

Metropolitan Fire Service – 150th Anniversary – Motion re

Morgan to Whyalla Pipeline - Motion re
Moved – Mr Venning, 2 May 2013, Adjourned 2 May 2013.

National Police Remembrance Day
Moved – Mr van Holst Pellekaan, 26 September 2013, Agreed 26 September 2013.

New Zealand Fur Seals – Motion re
Moved – Mr Pederick, 29 March 2012, Adjourned 29 March 2012.

New Zealand Same Sex Marriage Laws - Motion re

Nursing Officers and Physiotherapists in ADF - Motion re
Moved – Mrs Vlahos, 20 September 2012, Agreed to 20 September 2012.

Parole Laws and Practices
Patience Assistance Transport Scheme – Motion re

Pastoral Leases - Motion re
Moved – Mr van Holst Pellekaan, 15 November 2012, Negatived 15 November 2012

Pedestrian Safety
Moved – Hon. R B Such, 26 September 2013, Adjourned 26 September 2013.

Police Complaints Authority (Police Ombudsman) Annual Report 2011/12 - Motion re

Queen Elizabeth II – Diamond Jubilee – Motion re

Queensland State Election – Motion re
Moved – Ms Chapman, 17 May 2012, Amended and Agreed to 17 May 2012.

Regional Development Australia – Motion re
Moved – Mr Van Holst Pellekaan, 12 July 2012, Amended and Agreed to 12 July 2012.

Road Signage

Robin Bridge – Nuriootpa - Motion re
Moved – Mr Venning, 6 September 2012, Amended and Agreed to 6 September 2012.

Same Sex Marriage – Motion re

SAPOL Local Service Area – Woodforde and Teringie – Motion re
Moved – Mr Gardner, 3 May 2012, Negatived 3 May 2012.

School Children Health Checks – Motion re

Schools in Country Towns - Motion re
Moved – Mr Van Holst Pellekaan, 7 March 2013, Adjourned 7 March 2013.

School Transport Policy – Non-Government Schools

Science Centre

Sleaford Mere and Coomunga Bushfires - Motion re
Moved – Mr Treloar, 29 November 2012, Agreed to 29 November 2012.

Speeding Penalties – Motion re

South Australian Olympic and Paralympic Athletes – Motion re
Moved – Mr van Holst Pellekaan, 6 September 2012, Agreed 6 September 2012.
South Australian Police Force – 175 years - Motion re
Moved – Mr van Holst Pellekaan, 2 May 2013, Agreed 2 May 2013.

South Australian Smoking Rates

Sporting and Recreational Facilities - Motion re
Moved – Mr van Holst Pellekaan, 20 June 2013, Agreed 20 June 2013.

Suicide Prevention - Motion re

Supreme Court Buildings – Motion re

Traffic Management Reforms - Motion re

Transport Infrastructure
Moved – Mr van Holst Pellekaan, 28 November 2013, Agreed 28 November 2013.

USA President Barack Obama re-election - Motion re
Moved – Mr Sibbons, 29 November 2012, Agreed to 29 November 2012.

Western Front Study Tours - Motion re
Moved – Hon. R B Such, 1 November 2012, Agreed to 1 November 2012.

Woman’s Christian Temperance Union – 125th Anniversary – Motion re

Women's Electoral Lobby - Motion re

WorkCover
Moved – Mr Venning, 12 September 2013, Adjourned 12 September 2013.

Yarnell Wildfires

Young People Leaving South Australia – Motion re
SUBORDINATE LEGISLATION

Laid before Parliament during the Session

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There were four motions for disallowance of subordinate legislation moved and debated during the Session. The motions concerned were:

- Two sets of regulations made under the Development Act 1993 entitled:
  - Riverbank Footbridge; and,
  - Fisheries Management Act
- Codes of Practice made under the Work Health and Safety Act 2012 entitled
  - Construction Work Code of Practices; Preventing Falls in Housing Construction Code of Practice, Safe Design of Structures Code of Practice; and
- A proposed levy made under the Adelaide and Mt Lofty Ranges Region Integrated Natural Resources Management Plan.

None of the motions were passed.
PETITIONS

The following petitions were presented during the Second Session Fifty Second Parliament.

**Acute Referral Unit - Repatriation General Hospital**
Requesting the House to urge the Government to cease any plans or investigations into closure of the Acute Referral Unit and instead invest in supporting and enhancing its work.

No. 44  Presented by Mr Hamilton-Smith from 103 Residents of South Australia  27-11-12

**Adelaide Metro Bus Route No. 300**
Requesting the House to urge the Government to take action to provide an extended service on Metro Bus Route No. 300 on Sundays and Public Holidays.

No. 68  Presented by Mr Pisoni from 74 Residents of South Australia  19-06-13

**Assisted Reproduction Treatment (Assistance for Lesbians and Single Women) Amendment Bill 2011**
Requesting the House to pass the Assisted Reproduction Treatment (Assistance for Lesbians and Single Women) Amendment Bill 2011.

No. 22  Presented by Hon J D Hill from 294 Residents of South Australia  29-05-12

**Auslan - Sign Language**
Requesting the House to urge the Government to take action to call for Auslan, which is the sign language of the Australian deaf community, to become part of the school curriculum; be given equal status with English as an academic subject and become a second language for all students from pre-school onward.

No. 37  Presented by Mr Brock from 1937 Residents of Port Pirie and the greater South Australia  16-10-12

**Bike Lanes**
Requesting the House to urge the Government to undertake steps to widen bike lanes throughout South Australia and to allow mobility scooters to ride on the road while requiring them to have a higher standard of visibility.

No. 11  Presented by Dr McFetridge from 556 Residents of South Australia  15-03-12

**Burra Rail Services**
Requesting the House to urge the Government to reopen country passenger rail service to Burra to provide for the future growth and development in the township; in other towns along the line and surrounding regions.

No. 30  Presented by Mr van Holst Pellekaan from 2826 Residents of South Australia  04-09-12

**Bus Passenger Service Contracts**
Requesting the House to urge the Government to ensure that future Government tenders called for the Adelaide Metropolitan Bus Contracts include a full and total transmission of business for all employees.

No. 6  Presented by Hon T R Kenyon from 314 Adelaide Metropolitan Bus Operators  28-02-12
Car Parking at Paradise Interchange
Requesting the House to urge the Government to provide funding for improved car parking facilities at the Paradise Interchange.

No. 18  Presented by Mr Gardner from 1088 Residents of South Australia 01-05-12

Ceres Project - Windfarm - Yorke Peninsula
Requesting the House to urge the Government to place a moratorium on the approval of any windfarm development until the Parliamentary Committee releases its findings and that the Ceres Project be scrutinised under Major Development status to ensure that the health, safety and financial position of residents and property owners are not negatively impacted.

No. 52 Presented by Mr S P Griffiths from 38 Residents of Yorke Peninsula and South Australia 06-03-13

Childcare Affordability Select Committee
Requesting the House to urge the Government to support the establishment of a Select Committee to investigate the availability and affordability of child care services in South Australia.

No. 54  Presented by Mr Hamilton-Smith from 1223 Residents of South Australia 20-03-13

Closure of Warrawong Wildlife Sanctuary
Requesting the House to urge the Government to take immediate action against the closure of Warrawong Wildlife Sanctuary

No. 65 Presented by Ms Chapman from 3567 Residents of Mylor and greater South Australia 04-06-13

Community Foodie Program
Requesting the House to urge the Government to reject a recommendation in the 'Review of Non-Hospital based services' and continue to fund the Community Foodie Program.

No. 49  Presented by Mr I H Venning from 309 Community Foodies, Community Foodie Recipients and residents of South Australia 20-02-13

Conyngham Street Dog Park
Requesting the House to urge the Government not to proceed with changing the use of, and/or, selling the Burnside Council Conyngham Street Dog Park at Glenside.

No. 82  Presented by Mr Pisoni from 698 Residents of Burnside and greater South Australia 12-11-13

Country Fire Service Volunteers
Requesting the House to urge the Government to recognise and value Country Fire Service volunteers and extend to them the same workers compensation provisions for cancer cover as are being offered to Metropolitan Fire Service firefighters

No. 86  Presented by Dr McFetridge from 10559 Residents of South Australia 27-11-13

Deep Mining
Requesting the House to urge the Government to take immediate action to make the Lower Eyre Peninsula exempt from deep mining to protect the water supply.
No. 33 Presented by Mr Treloar from 493 Residents of Port Lincoln and Lower Eyre Peninsula 06-09-12

**Diagonal Road - Oaklands Park Railway Crossing**
Requesting the House to urge the Government to construct an overpass at the Diagonal Road, Oaklands Park railway crossing to improve traffic flow and increase the safety of pedestrians.

No. 28 Presented by Dr McFetridge from 91 Residents of South Australia 11-07-12
No. 85 Presented by Dr McFetridge from 48 Residents of South Australia 27-11-13

**Don’t Privatise SA Forests**
Requesting the House to urge the Government to take immediate action to stop the forward sale of harvesting rights of Forestry SA plantations.

No. 2 Presented by Mr Pegler from 84 Residents of Mount Gambier and greater South Australia 15-02-12

**Ending of Life with Dignity Bill**
Requesting the House to urge the Parliament to support the Ending of Life with Dignity Bill to provide for the administration of medical procedures to assist with the death of terminally ill persons who have expressed a desire for the procedure.

No. 71 Presented by Hon R B Such from 154 Residents of South Australia 23-07-13

**Flagstaff Road Dual Carriageway**
Requesting the House to urge the Government to retain access to the SA Water land on eastern side of Flagstaff Road for the construction of a permanent two-way dual carriageway.

No. 1 Presented by Hon R B Such from 369 Residents of South Australia 14-02-12
No. 27 Presented by Hon R B Such from 238 Residents of South Australia 11-07-12

**Forestry SA - Sale and Job Security**
Requesting the House to urge the Government to take immediate action to protect regional job security by suspending the forward sale of harvesting rotations and direct Forestry SA to implement a log pricing policy that reflects market conditions and come to terms with Carter Holt Harvey.

No. 38 Presented by Mr Pegler from 2293 Members of the Construction Forestry Mining and Energy Union and residents of the South East of South Australia 16-10-12

**Glenelg Bus Routes**
Requesting the House to urge the Government to undertake community consultation before considering any changes to bus routes in Glenelg.

No. 24 Presented by Dr McFetridge from 38 Residents of South Australia 31-05-12

**Hospital Car Parking Fees**
Requesting the House to urge the Government to reverse its decision by removing car parking fees from public hospitals.

No. 7 Presented by Hon T R Kenyon from 37 Residents of South Australia 28-02-12
No. 12 Presented by Dr McFetridge from 12 Residents of South Australia 05-03-12
**Hospital Car Parking Fees - Modbury**
Requesting the House to urge the Government to remove car parking fees from Modbury Hospital.

No. 8  Presented by Hon T R Kenyon from 60 Residents of the Northern Suburbs  
28-02-12

**Increases in essential services- Gas and Electricity.**
Requesting the House to urge the Government to require energy companies to stop the practice of charging non-solar households the subsidies for solar customers, to provide better transparency and accountability on the energy industry to prevent further exploitation of energy consumers. To develop a program that will allow installation of renewable energy source but not limited to solar panels and solar water heaters feasible and accessible to low-income Australians including those in rental properties, public and community housing, and to investigate the energy industry in regard to increasing variable and fixed components of gas supply.

No. 89  Presented by Mr Sibbons from 38 Residents of South Australia  
27-11-13

**Industrial Wind Turbine Installations**
Requesting the House to urge the Government to take immediate action to call a Moratorium on the installation of any further Industrial Wind Turbines until full independent Australian research has been conducted and assessed with resulting national regulations and guidelines established.

No. 39  Presented by Mr M R Williams from 8 Residents of Millicent  
30-10-12
No. 41  Presented by Dr McFetridge from 877 Residents of South Australia  
31-10-12
No. 43  Presented by Dr McFetridge from 25 Residents of South Australia  
15-11-12
No. 55  Presented by Dr McFetridge from 19 Residents of South Australia  
21-03-13

**Inner-Metropolitan Development**
Requesting the House to urge the Government to consult with affected residents concerning mixed-use, medium-to-high density multi-storey buildings on Fullarton Road, Greenhill Road and Tudor Street.

No. 48  Presented by Ms Chapman from 77 Residents of Dulwich, Rose Park and greater South Australia  
20-02-13
No. 53  Presented by Ms Chapman from 459 Residents of Dulwich, Rose Park and greater South Australia  
19-03-13
No. 56  Presented by Ms Chapman from 22 Residents of Dulwich, Rose Park and greater South Australia  
09-04-13
No. 58  Presented by Ms Chapman from 445 Residents of Dulwich, Rose Park and greater South Australia  
10-04-13
No. 60  Presented by Ms Chapman from 95 Residents of Dulwich, Rose Park and greater South Australia  
11-04-13
No. 62  Presented by Ms Chapman from 27 Residents of Dulwich, Rose Park and greater South Australia  
30-04-13

**Italian Consulate of South Australia**
Requesting the House to urge the Government to take action to ensure the Italian Consulate of South Australia remains open in Adelaide.

No. 80  Presented by Mr Brock from 106 Residents of Frome  
26-09-13
Jayden’s Law Support
Requesting the House to urge the Government to support an initiative to give mothers and fathers of babies delivered between 12 and 20 weeks gestation the right to obtain a birth certificate as would be the case in a live birth.

No. 34 Presented by Mr Treloar from 38 Residents of South Australia 06-09-12

Junction of St Kilda Road and Port Wakefield Road, Waterloo Corner.
Requesting the House to urge the Government to ask the Department for Transport and Infrastructure to investigate options to address the serious safety issues that have arisen at the junction of St Kilda Road and Port Wakefield Road, Waterloo Corner.

No. 87 Presented by Mrs Vlahos from 577 Residents of St Kilda and greater South Australia 27-11-13

Lawn Bowls in South Australia - Equal Opportunities Act
Requesting the House to urge the Government to amend the Equal Opportunities Act to ensure that the future of Lawn Bowls in South Australia is sound and members can compete in both Single and Open Gender Competitions according to the demographics of the particular area and to amend section 48 of the Equal Opportunities Act to remove references relating to strength, stamina or physique of the competitor.

No. 67 Presented by Hon M J Wright from 25 Residents of South Australia 18-06-13
No. 69 Presented by Mr Pengilly from 5267 Residents of South Australia 20-06-13

Maintaining the 24-hour Paediatric Ward at Modbury Hospital
Requesting the House to urge the Government to maintain the 24-hour Paediatric Ward at the Modbury Hospital.

No. 79 Presented by Dr McFetridge from 779 Residents of South Australia 25-09-13
No. 84 Presented by Dr McFetridge from 34 Residents of South Australia 27-11-13

Mr Eugene McGee - Legal Practitioners Disciplinary Tribunal
Requesting the House to urge the Attorney-General to refer the conduct of Mr Eugene McGee in relation to the death of Mr Ian Humphrey on 30 November 2003 to the Legal Practitioners Disciplinary Tribunal.

No. 10 Presented by Ms Chapman from 25 Residents of South Australia 14-03-12
No. 16 Presented by Mr Pengilly from 600 Residents of South Australia 04-04-12
No. 19 Presented by Mr Pengilly from 261 Residents of South Australia 01-05-12
No. 35 Presented by Mr Pengilly from 186 Residents of South Australia 06-09-12
No. 50 Presented by Mr Marshall from 7192 Residents of South Australia 21-02-13

O’Halloran Hill Childcare Centre Closure
Requesting the House to urge the Government to ensure that the O’Halloran Hill Childcare Centre is relocated locally under current management and staff and that the Centre remains open until the new facilities are ready.

No. 57 Presented by Mr Sibbons from 732 Residents of South Australia 09-04-13

Police Presence Strathalbyn
Requesting the House to urge the Government to take immediate action to increase the Police presence in Strathalbyn to 24 hour coverage.

No. 4 Presented by Ms Redmond from 253 Residents of Strathalbyn 28-02-12
Port Germein Primary School Bus Service
Requesting the House to urge the Government and Minister for Education to take immediate action to keep the Port Germein Primary School Bus in service to collect and deliver students to school and home.

No. 47  
Presented by Mr van Holst Pellekaan from 311 Residents of Port Germein and District  
29-11-12

Preserving St. Clair Reserve as a Memorial Park
Requesting the House to urge the Government to take immediate action to ensure that the St. Clair Reserve is preserved as a Memorial Park and not rezoned for development, and the petition of 1072 residents in 1942 to create the park in honour of our brave service men and women is fulfilled.

No. 66  
Presented by Ms Chapman from 3055 Residents of Charles Sturt and Greater South Australia  
05-06-13

Public Transport - Barossa Valley
Requesting the House to urge the Government to reinstate a regular passenger rail service between Gawler and Nuriootpa.

No. 83  
Presented by Hon A Piccolo from 990 Residents of South Australia  
14-11-13

Puppy Factories Abolishment
Requesting the House to support legislation to abolish puppy factories and ban the sale of factory farmed companion animals from pet shops and on-line.

No. 3  
Presented by Dr McFetridge from 82 Residents of South Australia  
16-02-12

Retention of the Allenby Gardens Primary School Counsellor from 2013
Requesting the House to urge the Government to support the retention of the Allenby Gardens Primary School Counsellor from 2013.

No. 63  
Presented by Mr Pisoni from 279 Residents of South Australia  
04-06-13

Review of proposed rezoning of the Elizabeth Residential Village
Requesting the House to urge the Government to consult with the affected residents at Elizabeth Residential Village and amend the proposed rezoning of the land to remain zoned Residential Park.

No. 75  
Presented by Ms Chapman from 970 Residents of Penfield and Greater South Australia  
10-09-13

Rex Minerals proposal for a mine at Hillside on Yorke Peninsula
Requesting the House to urge the Government to reject Rex Minerals application for a mining lease at Hillside on Yorke Peninsula.

No. 88  
Presented by Mr S P Griffiths from 680 Residents of Yorke Peninsula and greater South Australia  
27-11-13
Richmond Primary School South Road Crossing
Requesting the House to urge the Government to take immediate action to install a red light camera at the Richmond Primary School crossing on South Road.

No. 40  Presented by Hon S W Key from 809 Citizens of the Richmond Primary School and greater South Australia  30-10-12

River Torrens - Relocation of Horses
Requesting the House to urge the Government to take immediate action to remove horses from the River Torrens and replace the area with wetlands.

No. 46  Presented by Hon P Caica from 250 Residents of South Australia  28-11-12

Roundabout at Glenloth Drive and Chandlers Hill Road, Happy Valley
Requesting the House to urge the Government to construct a roundabout at Glenloth Drive and Chandlers Hill Road, Happy Valley.

No. 23  Presented by Hon R B Such from 414 Residents of City of Onkaparinga and greater South Australia  29-05-12

SA Blood Service
Requesting the House to urge the Government to immediately appeal to the Australian Red Cross to reverse its decision to close testing and processing facilities at the SA Blood Service and provide an independent impact statement on the provision of blood services in South Australia.

No. 32  Presented by Mr Hamilton-Smith from 42 Residents of South Australia  06-09-12

SA Lotteries Agency at Swan Reach Hotel
Requesting the House to urge the Government to take immediate action to reinstate the SA Lotteries Agency at the Swan Reach Hotel.

No. 81  Presented by Mr Whetstone from 190 Residents of Swan Reach and greater South Australia  17-10-13

Say NO to high density housing in the City of Prospect
Requesting the House to urge to Government to overturn any plans to create higher density living in the City of Prospect and oppose any re-zoning for such development

No. 36  Presented by Ms Sanderson from 539 Residents of South Australia  19-09-12
No. 59  Presented by Ms Sanderson from 280 Residents of South Australia  10-04-13

School Amalgamations - Mitcham
Requesting the House to urge the Government to stop the proposed amalgamation of Mitcham Junior Primary School and Mitcham Primary School and maintain each campus at current funding levels.

No. 15  Presented by Mr Hamilton-Smith from 113 Residents of Mitcham and greater South Australia  03-04-12
School Transport Policy
Requesting the House to urge the Government to take action to review the Department for Education and Child Development's 'School Transport Policy', specifically the restrictions placed on government and non-government students in accessing the department's school buses.

No. 64  Presented by Mr Pisoni from 146 Residents of South Australia  04-06-13
No. 70  Presented by Mr Pisoni from 117 Residents of South Australia  04-07-13

Services at the Millicent and Penola Hospitals
Requesting the House to urge the Government to reinstate obstetric services at the Millicent Hospital and to guarantee health services will not be further reduced at both the Millicent and Penola hospitals.

No. 78  Presented by Mr M R Williams from 3913 Residents of Millicent, Penola and the Wattle Range District  25-09-13

Shack Leases
Requesting the House to urge the Government to enable local councils to take effective care, control and management of shack sites to allow shack lessees to sub-lease shacks from the local government authority rather than directly from the State Government.

No. 26  Presented by Mr Pederick from 1950 Residents of South Australia  26-06-12
No. 31  Presented by Mr Pederick from 1481 Residents of South Australia  05-09-12

Sheringa Speed Limits
Requesting the House to urge the Government to reduce the speed limit through the Township of Sheringa.

No. 45  Presented by Mr Treloar from 247 Residents of South Australia  28-11-12

Significant Trees Regulations
Requesting the House to urge the Government to take immediate action to reopen the consultative process with appropriate industry and community bodies with the intention of rewriting the Development (Regulated Trees) Variation Regulations 2011.

No. 17  Presented by Mr Marshall from 72 Residents of Adelaide and the greater metropolitan area  05-04-12
No. 25  Presented by Mr Marshall from 114 Residents of Adelaide and the greater metropolitan area  31-05-12
No. 29  Presented by Dr McFetridge from 15 Residents of South Australia  11-07-12

Speed limit on Kitchener Terrace (Flinders Highway) through Mount Hope
Requesting the House to urge the Government to take immediate action to reduce the speed limit on Kitchener Terrace (Flinders Highway) through the town of Mount Hope to 80kmh.

No. 51  Presented by Mr Treloar from 84 Residents of Eyre Peninsula  21-02-13
Stationery purchases South Australian Schools
Requesting the House to urge the Government to take immediate action to ensure that Government purchases of stationery requirements for South Australian schools are opened up to all stationery suppliers.

No. 73  Presented by Mrs Vlahos  from 2000 Residents of South Australia  25-07-13
No. 74  Presented by Ms Bedford from 2000 Residents of South Australia  25-07-13
No. 76  Presented by Ms Bedford from 4033 Residents of South Australia  11-09-13
No. 77  Presented by Mrs Vlahos  from 4032 Residents of South Australia  11-09-13

Teringie - Police Zones
Requesting the House to urge the Minister for Police to change SAPOL’s Local Service Areas so that Teringie falls within the Eastern Adelaide Local services Area or the Holden Hill Local Service Area.

No. 21  Presented by Mr Gardner from 74 Residents of South Australia  15-05-12

Todd Highway Upgrade
Requesting the House to urge the Government to take immediate action to widen and upgrade the Todd Highway between Karkoo and Kyanoutta

No. 14  Presented by Mr Treloar from 630 Residents of Eyre Peninsula  27-03-12

Tonsley Railway Line Closure
Requesting the House to urge the Government to take immediate action by reversing its original decision to ensure that the Tonsley Railway Line will remain open.

No. 9  Presented by Mr Sibbons  from 993 Residents living along the Tonsley Railway Line and greater South Australia  28-02-12

Umoona Aged Care Aboriginal Corporation Facility
Requesting the House to urge the Government to transfer the land on which the Coober Pedy aboriginal aged care facility is located to the Umoona Aged Care Aboriginal Corporation and cease further negotiations of the lease with Country Health SA.

No. 5  Presented by Mrs Geraghty from 80 Residents of Coober Pedy and greater South Australia  28-02-12

Waste Water Treatment Plant Callington
Requesting the House to urge the Government to take immediate action to dismiss the proposal by Alano Water Pty Ltd for a wastewater treatment plant near Callington until a more suitable site can be found following community consultation.

No. 61  Presented by Mr Goldsworthy from 565 Residents of Callington and greater South Australia  30-04-13

Weight Disorder Unit at Flinders Medical Centre
Requesting the House to urge the Government to provide a dedicated medical team and facility to provide eating disorder services, maintain funding and facilities for the Weight Disorder Unit at the Flinders Medical Centre and to keep the Weight Disorder Unit completely separate from general psychiatric facilities.

No. 13  Presented by Dr McFetridge from 12 Residents of South Australia  15-03-12
No. 42  Presented by Hon J D Hill from 37 Residents of South Australia  13-11-12
West Lakes (AAMI Stadium Precinct) rezoning
Residents of Charles Sturt and Greater South Australia requesting the House to urge the Government to take immediate action to ensure that West Lakes (AAMI Stadium Precinct) is not rezoned as Urban Core Zone so as to permit high-rise high-density buildings and loss of open space, but that any new development follow the existing ambience, amenity and dwelling style characteristic of West Lakes.

No. 72   Presented by Ms Chapman from 1217 Residents of Charles Sturt and Greater South Australia 23-07-13

Woodforde - Police Zones
Requesting the House to urge the Minister for Police to change SAPOL’s Local Service Areas so that Woodforde falls within the Eastern Adelaide Local services Area or the Holden Hill Local Service Area.

No. 20   Presented by Mr Gardner from 166 Residents of South Australia 15-05-12
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CHAMBER

Clerk
Deputy Clerk
Clerk Assistant/Serjeant-at-Arms
Parliamentary Officers

Malcolm Lehman
Richard Crump
Paul Collett
David Pegram
Lauren Tester

Parliamentary Assistant
Shannon Riggs (from 27/2/2012)

STANDING COMMITTEES

Economic and Finance Committee
Executive Officer
Research Officer
Lisa Baxter (until 19/7/2013)
Susie Barber (acting from 19/7/2013)
Susie Barber (16/7/2012 to 19/7/2013)
Simon Altus (from 16/5/2013)

Environment, Resources and Development Committee
Executive Officer
Research Officer
Phillip Frensham
Debbie Bletsas (30/4/2012 to 5/4/2013)
Leah Skrzypiec (13/5/2013 to 15/11/2013)

Natural Resources Committee
Executive Officer
Research Officer
Patrick Dupont
David Trebilcock

Occupational Safety, Rehabilitation and Compensation
Executive Officer
Richard Crump (until 13/6/2012)
Carren Walker (16/6/2012 to 17/8/2012)
Sue Sedivy (from 5/11/2012)

Public Works Committee
Executive Officer
Paul Lobban (until 20/9/2013)
Alison Meeks (from 28/10/2013)
Administrative Officer
Amanda Sheeky (until 17/5/2013)
Toby Gajewski (acting from 17/6/2013)

Administrative Services Officer
Janine Roberts
– Committees Office

OTHER OFFICERS OF THE ASSEMBLY

Personal Assistant to the Clerk
Shane Hilton

Project Officer, Procedure Office
Laura De Cesare (from 16/7/2013)

Manager Corporate Services
Pauline Thomson

Senior Administrative Officer
Michelle Martin

Administrative Services Officers
Aleksandra Mitrovic
Diane Treccasi (until 26/10/2012)
Debra Morris (temporary from 3/12/2012)

Senior House Services Officer
Shannon Riggs (until 24/2/2012)
Kane Murray (from 23/4/2012)

House Services Officers
Nicolle Bradley
Kane Murray (until 20/4/2012)
Joy Cole (until 25/10/2013)
Alix Harrigan (from 29/10/2012)
Diane Treccasi (acting from 29/10/2012)

Chamber Attendant
John Moylan

Business Applications Officer
Philip Rundle (from 19/11/2012)

Community Engagement Officer
Brigid Tipping (until 23/3/2012)