



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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

ADELAIDE, THURSDAY, 6 DECEMBER 2012

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GOVERNMENT GAZETTE NOTICES

ALL poundkeepers' and private advertisements forwarded for publication in the *South Australian Government Gazette* must be PAID FOR PRIOR TO INSERTION; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to **Government Publishing SA** so as to be *received no later than 4 p.m. on the Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: governmentgazette@dpc.sa.gov.au*. Send as attachments in Word format and please confirm your transmission with a faxed copy of your document, including the date the notice is to be published and to whom the notice will be charged. The *Government Gazette* is available online at: www.governmentgazette.sa.gov.au

Department of the Premier and Cabinet
Adelaide, 6 December 2012

HIS Excellency the Governor directs it to be notified for general information that he has in the name and on behalf of Her Majesty The Queen, this day assented to the undermentioned Acts passed by the Legislative Council and House of Assembly in Parliament assembled, viz.:

No. 48 of 2012—Construction Industry Long Service Leave (Miscellaneous) Amendment Act 2012. An Act to amend the Construction Industry Long Service Leave Act 1987.

No. 49 of 2012—Criminal Law (Sentencing) (Guilty Pleas) Amendment Act 2012. An Act to amend the Criminal Law (Sentencing) Act 1988.

No. 50 of 2012—Payroll Tax (Miscellaneous) Amendment Act 2012. An Act to amend the Payroll Tax Act 2009.

No. 51 of 2012—Criminal Law (Sentencing) (Supergrass) Amendment Act 2012. An Act to amend the Criminal Law (Sentencing) Act 1988.

No. 52 of 2012—Independent Commissioner Against Corruption Act 2012. An Act to establish the Independent Commissioner Against Corruption and the Office for Public Integrity; to make related amendments to the Australian Crime Commission (South Australia) Act 2004, the Child Sex Offenders Registration Act 2006, the City of Adelaide Act 1998, the Correctional Services Act 1982, the Criminal Investigation (Covert Operations) Act 2009, the Criminal Law Consolidation Act 1935, the Criminal Law (Forensic Procedures) Act 2007, the Defamation Act 2005, the Freedom of Information Act 1991, the Legal Practitioners Act 1981, the Listening and Surveillance Devices Act 1972, the Local Government Act 1999, the Ombudsman Act 1972, the Parliamentary Committees Act 1991, the Police Act 1998, the Police (Complaints and Disciplinary Proceedings) Act 1985, the Protective Security Act 2007, the Public Finance and Audit Act 1987, the Public Sector Act 2009, the Shop Theft (Alternative Enforcement) Act 2000, the Summary Offences Act 1953, the Terrorism (Preventative Detention) Act 2005, the Whistle-blowers Protection Act 1993 and the Witness Protection Act 1996; and for other purposes.

No. 53 of 2012—Development (Private Certification) Amendment Act 2012. An Act to amend the Development Act 1993.

No. 54 of 2012—Statutes Amendment and Repeal (Budget 2012) Act 2012. An Act to amend the Education Act 1972; the Electricity Corporations Act 1994; the Electricity Corporations (Restructuring and Disposal) Act 1999; the Highways Act 1926; the Local Government Act 1999; the Parliament (Joint Services) Act 1985; the Payroll Tax Act 2009; the Public Finance and Audit Act 1987; the Public Sector Act 2009; the Residential Tenancies Act 1995; and the Stamp Duties Act 1923; and to repeal the State Bank of South Australia Act 1983.

By command,

GRACE PORTOLESI, for Premier

DPC06/0875

Department of the Premier and Cabinet
Adelaide, 6 December 2012

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Supported Residential Facilities Advisory Committee, pursuant to the provisions of the Supported Residential Facilities Act 1992:

Member: (from 6 December 2012 until 5 December 2014)

Barbara Jane Chapman
Shaunee Fox
Frances Ellen Anderson
Alister Lyndon Armstrong
Sylvia Marga Maria Brideoake
Peter David Hans Heysen
Adrian Hill
Neville Edward Kitchin
Mariann Rose McNamara

Melissa Joy Richards
Debra Anne Whetstone
Susan Margaret Whittington
Jillian Yvonne Whittaker

Deputy Member: (from 6 December 2012 until 5 December 2014)

Jennifer Sue Boisvert (Deputy to Whetstone)
Kevin John Duke (Deputy to Whittington)
Debra Ruth Petrys (Deputy to Chapman)
Evanne Margaret Megaw (Deputy to Anderson)
Devon Anne Mellows (Deputy to Hill)
Kirin Louise Moat (Deputy to Brideoake)
Gary Lynn Wilson (Deputy to McNamara)
Helen Wright (Deputy to Whittaker)

By command,

GRACE PORTOLESI, for Premier

DCSICS/12/026

Department of the Premier and Cabinet
Adelaide, 6 December 2012

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Legal Services Commission, pursuant to the provisions of the Legal Services Commission Act 1977:

Member: (from 6 December 2012 until 5 December 2015)

Alan Henry Herald

By command,

GRACE PORTOLESI, for Premier

AGO0249/02CS

Department of the Premier and Cabinet
Adelaide, 6 December 2012

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Guardianship Board, pursuant to the provisions of the Guardianship and Administration Act 1993:

Section 8 (1) Panel Member: (from 17 December 2012 until 16 December 2015)

Gregory Bernard Box

Section 8 (2) Panel Member: (from 17 December 2012 until 16 December 2015)

Kaaren Mary Jean Dahl
Dianne Elizabeth Gursansky

Section 8 (1) Panel Member: (from 25 January 2013 until 24 January 2015)

Linley Alice Denson
Janece Maree Petrie
Lucy Victoria Sheppard

By command,

GRACE PORTOLESI, for Premier

AGO0217/04CS

Department of the Premier and Cabinet
Adelaide, 6 December 2012

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Patrick Frederick Conlon, MP, Minister for Transport and Infrastructure and Minister for Housing and Urban Development to be also Acting Deputy Premier, Acting Attorney-General, Acting Minister for Planning and Acting Minister for Business Services and Consumers for the period from 13 December 2012 to 20 December 2012 inclusive, during the absence of the Honourable John Robert Rau, MP.

By command,

GRACE PORTOLESI, for Premier

DPC12/056CS

Department of the Premier and Cabinet
Adelaide, 6 December 2012

HIS Excellency the Governor in Executive Council has revoked the appointment of Ann-Marie Pratt as a Justice of the Peace for South Australia, effective from 6 December 2012, pursuant to the provisions of the Justices of the Peace Act 2005 and Section 36 of the Acts Interpretation Act 1915.

By command,

GRACE PORTOLESI, for Premier

JP12/061CS

Russell Jeffrey Sharrock
Anthony Grayham Smith
Donald Arthur Snow
Eleonore Stephan
Brian Edward Stopp
Keith James Timmins
Debra Weir
Trevor David Wenzel
Dinu Hiran Wijesinha
Michael Wohltmann
Keryn Marie Yorke

By command,

GRACE PORTOLESI, for Premier

JP12/047CS

Department of the Premier and Cabinet
Adelaide, 6 December 2012

HIS Excellency the Governor in Executive Council has been pleased to appoint Ann-Marie O'Connor as a Justice of the Peace for South Australia for a period of ten years commencing from 6 December 2012 and expiring on 5 December 2022, it being a condition of appointment that the Justice of the Peace must take the oath required of a Justice under the Oaths Act 1936 and return the oaths form to the Justice of the Peace Services within 3 months of the date of appointment, pursuant to Section 4 of the Justices of the Peace Act 2005.

By command,

GRACE PORTOLESI, for Premier

JP12/061CS

Department of the Premier and Cabinet
Adelaide, 6 December 2012

HIS Excellency the Governor directs it to be notified that he has been pleased to approve retention of the title *Honourable* by:

The Honourable Robert Sneath.

Dated 13 November 2012.

By command,

JAY WEATHERILL, Premier

ASSOCIATIONS INCORPORATION ACT 1985

ORDER PURSUANT TO SECTION 42 (2)

Dissolution of Association

Department of the Premier and Cabinet
Adelaide, 6 December 2012

HIS Excellency the Governor in Executive Council has been pleased to appoint the people listed as Justices of the Peace for South Australia for a period of ten years commencing from 6 December 2012 and expiring on 5 December 2022, it being a condition of appointment that the Justices of the Peace must take the oaths required of a Justice under the Oaths Act 1936 and return the oaths form to the Justice of the Peace Services within 3 months of the date of appointment, pursuant to Section 4 of the Justices of the Peace Act 2005:

Anne Lorraine Anshan
Dennis Dan Beager
Henry Charles Brown
Chad Robert Cambell Buchanan
Sharyn May Burgemeister
John William Callary
Peter George Christopher
Martyn Bruce Codrington
Robert Douglas Coupland
Patricia Ann Crook
Robert John Cruse
Jonathon Davis
Christina Downing
Gregory Paul Evans
Deborah Jane Fenton
Hallam Bagshaw Gray
Matthew Lesel Hinds
Graeme John Hodge
Anthony Michael Holder
Leslie Leon Hull
Meredith Andrea Hutton
Patrick David Johnstone
Christine Ann Jones
Gloria Margaret Jones
Natasha Jane Koch
Ian Stuart Law
Roger Keith Leal
Peter Wayne Lorimer
Yvonne Beryl McLaren
Arthur Michaloudakis
Andrew David Muir
Raymond Allan Murphy
David Allen Plumridge
Joanne Rice
June Ruby Roache
Damien Troy Ross
Robert John Ryan
Robert Roy Sadleir
Noel Patrick Scanlon

WHEREAS the Corporate Affairs Commission ('the Commission'), pursuant to Section 42 (1) of the Associations Incorporation Act 1985 ('the Act'), is of the opinion that the undertaking or operations of The Australian Lung Foundation Incorporated ('the Association') being an incorporated association under the Act are being carried on, or would more appropriately be carried on by a company limited by guarantee incorporated under the Corporations Act 2001 (Commonwealth) and whereas the Commission was on 26 November 2012, requested by the Association to transfer its undertaking to Lung Foundation Australia Limited (ACN 160505671), the Commission pursuant to Section 42 (2) of the Act does hereby order that on 31 December 2012, the Association will be dissolved, the property of the Association becomes the property of Lung Foundation Australia Limited and the rights and liabilities of the Association become the rights and liabilities of Lung Foundation Australia Limited.

Given under the seal of the Commission at Adelaide, 3 December 2012.

S. D. AITCHISON, A Delegate of the Corporate Affairs Commission

ASSOCIATIONS INCORPORATION ACT 1985

ORDER PURSUANT TO SECTION 42 (2)

Dissolution of Association

WHEREAS the Corporate Affairs Commission ('the Commission') pursuant to Section 42 (1) of the Associations Incorporation Act 1985 ('the Act'), is of the opinion that the undertaking or operations of The Assemblies of God in Australia—South Australian Conference Incorporated ('the Association') being an incorporated association under the Act are being carried on, or would more appropriately be carried on by a company limited by guarantee incorporated under the Corporations Act 2001 (Commonwealth) and whereas the Commission was on 9 November 2012, requested by the Association to transfer its undertaking to Australian Christian Churches South Australia Ltd (ACN 169985035), the Commission pursuant to Section 42 (2) of the Act does hereby order that on 6 December 2012, the Association will be dissolved, the property of the Association becomes the property of Australian Christian Churches South Australia Ltd and the rights and liabilities of the Association become the rights and liabilities of Australian Christian Churches South Australia Ltd.

Given under the seal of the Commission at Adelaide, 3 December 2012.

S. D. AITCHISON, A Delegate of the Corporate Affairs Commission

DEVELOPMENT ACT 1993, SECTION 29 (2) (b) (ii): AMENDMENT TO THE MID MURRAY COUNCIL DEVELOPMENT PLAN

Preamble

It is necessary to amend the Mid Murray Council Development Plan consolidated on 18 October 2012.

NOTICE

PURSUANT to Section 29 (2) (b) (ii) of the Development Act 1993, I, amend the Mid Murray Council Development Plan dated 18 October 2012 as follows:

1. Within the Rural Zone of the Development Plan:

- (a) insert the following into the list of developments exempt from non-complying designation within the Marne Watercourse Policy Area 13 and the Hills Policy Area 14 in Principle of Development Control 45:

‘wind farm and ancillary development such as substations, maintenance sheds, access roads and connecting power lines (including to the National Electricity Grid) located outside of the Barossa Valley Character Preservation District as defined by Character Preservation legislation’.

‘wind monitoring mast located outside of the Barossa Valley Character Preservation District as defined by Character Preservation legislation’.

2. Fix the day on which this notice is published in the *Gazette* as the day on which the Amendment will come into operation.

JOHN RAU, Deputy Premier, Minister for Planning

ELECTORAL ACT 1985

Part 6—Registration of Political Parties

NOTICE is hereby given that I have on this day de-registered the following political parties for failing to lodge an annual return under the provision of Section 43A of the Act:

Name of Party: Australian Democrats (South Australian Division Inc.)
Democratic Labor Party of Australia
Stormy Summers Reform Party

Notice is hereby given that I have on this day de-registered the political parties named below following application for de-registration made under the provision of Section 44 of the Act:

Name of Party: One Nation SA Division
Royalties for Regions
Save RAH Party
Shooters Party
United Party—Water, Housing, Health Care

Dated 6 December 2012.

K. MOUSLEY, Electoral Commissioner

ELECTRICITY ACT 1996

*Default Contract Prices—Small Business Customers***Background**

This is a notice published by Alinta Energy Retail Sales Pty Ltd (ABN 22 149 658 300) trading as Alinta Energy (**Alinta Energy**) under Section 36AB of the Electricity Act 1996 (SA).

Default Contract Prices for Small Business Customers

With effect from 20 December 2012, Alinta Energy fixes the following prices as its small business customer default contract prices:

Small Business Tariff Categories	GST Exclusive	GST Inclusive
General Supply 126		
* Summer period applies from 1 January to 31 March inclusive. Winter peak applies all other times.		
<i>Winter*</i>		
First 27.3973 kWh/day (c/kWh)	31.75	34.925
Next 246.5753 kWh/day (c/kWh)	33.97	37.367
Next 273.9726 kWh/day (c/kWh)	34.96	38.456
Thereafter (c/kWh)	34.96	38.456
Supply Charge (c/day)	64.02	70.422
<i>Summer*</i>		
First 27.3973 kWh/day (c/kWh)	33.67	37.037
Next 246.5753 kWh/day (c/kWh)	35.88	39.468
Next 273.9726 kWh/day (c/kWh)	36.88	40.568
Thereafter (c/kWh)	36.88	40.568
Supply Charge (c/day)	64.02	70.422
General Supply 126M (Monthly Meter Read)		
* Summer period applies from 1 January to 31 March inclusive. Winter peak applies all other times.		
<i>Winter*</i>		
First 27.3973 kWh/day (c/kWh)	31.75	34.925
Next 246.5753 kWh/day (c/kWh)	33.97	37.367
Next 273.9726 kWh/day (c/kWh)	34.96	38.456
Thereafter (c/kWh)	34.96	38.456
Supply Charge (c/day)	64.02	70.422
<i>Summer*</i>		
First 27.3973 kWh/day (c/kWh)	33.67	37.037
Next 246.5753 kWh/day (c/kWh)	35.90	39.490
Next 273.9726 kWh/day (c/kWh)	36.88	40.568
Thereafter (c/kWh)	36.88	40.568
Supply Charge (c/day)	64.02	70.422

General Supply Time Of Use 128

* Summer period applies from 1 January to 31 March inclusive. Winter peak applies all other times.

Winter*

First 54.7945 kWh/day (c/kWh)	38.27	42.097
Next 219.1781 kWh/day (c/kWh)	35.42	38.962
Next 273.9726 kWh/day (c/kWh)	35.42	38.962
Thereafter (c/kWh)	35.42	38.962
Supply Charge (c/day)	64.02	70.422

Summer*

First 54.7945 kWh/day (c/kWh)	41.35	45.485
Next 219.1781 kWh/day (c/kWh)	40.13	44.143
Next 273.9726 kWh/day (c/kWh)	40.19	44.209
Thereafter (c/kWh)	40.19	44.209
Supply Charge (c/day)	64.02	70.422

Off Peak - 9pm to 7am weekdays and all weekend ACST

For all consumption (c/kWh)	18.97	20.867
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General Supply Time Of Use 128M

* Summer period applies from 1 January to 31 March inclusive. Winter peak applies all other times.

Winter*

First 54.7945 kWh/day (c/kWh)	38.41	42.251
Next 219.1781 kWh/day (c/kWh)	35.42	38.962
Next 273.9726 kWh/day (c/kWh)	35.42	38.962
Thereafter (c/kWh)	35.42	38.962
Supply Charge (c/day)	64.02	70.422

Summer*

First 54.7945 kWh/day (c/kWh)	41.18	45.298
Next 219.1781 kWh/day (c/kWh)	39.98	43.978
Next 273.9726 kWh/day (c/kWh)	40.01	44.011
Thereafter (c/kWh)	40.01	44.011
Supply Charge (c/day)	64.02	70.422

Off Peak - 9pm to 7am weekdays and all weekend ACST

For all consumption (c/kWh)	18.97	20.867
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Notes:

- Daily consumption is the total electricity consumption for the period to which an account relates, divided by the number of days in that period;
- General Supply 126 – only available to non-residential customers;
- General Supply 126M (Monthly Meter Reading)
 - Available only to non-residential customers
 - Applies to customers whose meters are scheduled to be read monthly, and who are billed monthly;
 - A monthly meter reading fee applies to this tariff in addition to the above prices
- General Supply Time of Use 128
 - Available only to non-residential customers with appropriate metering;
 - Includes customers previously on tariffs 120 + 121 and 130 + 131 who were taking supply under those tariffs, or who had applied to do so, as at 30 June 1997. Those customers are subject to the conditions which were applicable to those tariffs at that date, in addition to the current conditions;
- General Supply Time of Use 128M (Monthly Meter Reading)
 - Available only to non-residential customers with appropriate metering;
 - Includes customers previously on tariffs 120 + 121 and 130 + 131 who were taking supply under those tariffs, or who had applied to do so, as at 30 June 1997. Those customers are subject to the conditions which were applicable to those tariffs at that date, in addition to the current conditions;
 - Applies to customers whose meters are scheduled to be read monthly, and who are billed monthly;
 - A monthly meter reading fee applies to this tariff in addition to the above prices.
- This notice does not vary Alinta Energy's default contract prices for non-business small customers published on 27 June 2012.

Justification Statement

The default contract prices for small business customers fixed by Alinta Energy in this notice are the same as the standing contract prices for small business customers on the corresponding tariff types that apply as fixed in accordance with the Electricity Standing Contract Price Determination made by the Essential Services Commission of South Australia (**ESCOSA**) under Section 35A of the Electricity Act 1996 (SA) on 14 December 2010 and subsequently varied by ESCOSA to apply from 1 July 2012.

For further information please call Alinta Energy on 133 702.

MICHAEL RICHES,
Company Secretary,
Alinta Energy Retail Sales Pty Ltd

ENVIRONMENT PROTECTION ACT 1993

Approval of Category B Containers

I, ANDREA KAYE WOODS, Team Leader, Container Deposit Legislation and Delegate of the Environment Protection Authority ('the Authority'), pursuant to Section 68 of the Environment Protection Act 1993 (SA) ('the Act') hereby:

Approval of Category B Containers

Approve as Category B Containers, subject to the conditions in subclauses (1), (2), (3) and (4) below, each of the classes of containers identified by reference to the following matters described in the first 4 columns of Schedule 1 of this Notice which are sold in South Australia:

- (a) the product which each class of containers shall contain;
 - (b) the size of the containers;
 - (c) the type of containers; and
 - (d) the name of the holders of these approvals.
- (1) That containers of the class to which the approval relates must bear the refund marking specified by the Authority for containers of that class. The Authority specifies the following refund markings for Category B containers:
 - (i) '10c refund at collection depots when sold in SA';
 - or
 - (ii) '10c refund at SA/NT collection depots in State/Territory of purchase'.
 - (2) The holder of the approval must have in place an effective and appropriate waste management arrangement in relation to containers of that class. For the purpose of this approval notice the company named in Column 5 of Schedule 1 of this Notice is the nominated super collector.
 - (3) In the case of an approval in relation to Category B containers that the waste management arrangement must require the holder of the approval to provide specified super collectors with a declaration in the form determined by the Authority in relation to each sale of such containers by the holder of the approval as soon as practicable after the sale.
 - (4) The holder of these approvals must ensure that if a sticker bearing the refund marking has been approved, and is applied to the container, then the sticker must not be placed on any portion of the opening mechanism or in any other place that would require complete or partial removal of the sticker before the contents may be consumed.

SCHEDULE 1

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size (mL)	Container Type	Approval Holder	Collection Arrangements
BLU Pure Australian Water Stereosonic	600	PET	BLU Australia	Statewide Recycling
Coca Cola	450	Glass	Coca Cola Amatil (Aust.) Pty Ltd	Statewide Recycling
Coca Cola	385	Glass	Coca Cola Amatil (Aust.) Pty Ltd	Statewide Recycling
Coca Cola Zero	385	Glass	Coca Cola Amatil (Aust.) Pty Ltd	Statewide Recycling
Coca Cola Zero	450	Glass	Coca Cola Amatil (Aust.) Pty Ltd	Statewide Recycling
Diet Coca Cola	450	Glass	Coca Cola Amatil (Aust.) Pty Ltd	Statewide Recycling
Lift Mello Yello	1 250	PET	Coca Cola Amatil (Aust.) Pty Ltd	Statewide Recycling
Lift Mello Yello	1 500	PET	Coca Cola Amatil (Aust.) Pty Ltd	Statewide Recycling
Lift Mello Yello	450	PET	Coca Cola Amatil (Aust.) Pty Ltd	Statewide Recycling
Lift Mello Yello	375	Can—Aluminium	Coca Cola Amatil (Aust.) Pty Ltd	Statewide Recycling
Lift Mello Yello	600	PET	Coca Cola Amatil (Aust.) Pty Ltd	Statewide Recycling
Brew Moon Amberley Pale Ale	500	Glass	Decant Beer Pty Ltd	Marine Stores Ltd
Brew Moon Broomfield Brown Ale	500	Glass	Decant Beer Pty Ltd	Marine Stores Ltd
Brew Moon Dark Side	500	Glass	Decant Beer Pty Ltd	Marine Stores Ltd
Brew Moon Hophead Organic IPA	500	Glass	Decant Beer Pty Ltd	Marine Stores Ltd
Brew Moon Ole Mole	500	Glass	Decant Beer Pty Ltd	Marine Stores Ltd
Dales Brewing Co American Amber	500	Glass	Decant Beer Pty Ltd	Marine Stores Ltd
Dales Brewing Co Belgian Pale Ale	500	Glass	Decant Beer Pty Ltd	Marine Stores Ltd
Dales Brewing Co Doppelbock	500	Glass	Decant Beer Pty Ltd	Marine Stores Ltd
Enlightenment San Diego Pale Ale	500	Glass	Decant Beer Pty Ltd	Marine Stores Ltd
Renaissance Brewing Company Craftsman Chocolate Oatmeal Stout	500	Glass	Decant Beer Pty Ltd	Marine Stores Ltd
Renaissance Brewing Company Discovery American Pale Ale	500	Glass	Decant Beer Pty Ltd	Marine Stores Ltd
Renaissance Brewing Company Elemental Porter Ale	500	Glass	Decant Beer Pty Ltd	Marine Stores Ltd
Renaissance Brewing Company Imperial India Pale Ale	500	Glass	Decant Beer Pty Ltd	Marine Stores Ltd
Renaissance Brewing Company Paradox Pilsner	330	Glass	Decant Beer Pty Ltd	Marine Stores Ltd
Renaissance Brewing Company Perfection Pale Ale	500	Glass	Decant Beer Pty Ltd	Marine Stores Ltd

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size (mL)	Container Type	Approval Holder	Collection Arrangements
Renaissance Brewing Company Stonecutter Scotch Ale	500	Glass	Decant Beer Pty Ltd	Marine Stores Ltd
Renaissance Brewing Company Tribute Barley Wine	330	Glass	Decant Beer Pty Ltd	Marine Stores Ltd
Renaissance Brewing Company Voyager India Pale Ale	500	Glass	Decant Beer Pty Ltd	Marine Stores Ltd
Yakima Monster	500	Glass	Decant Beer Pty Ltd	Marine Stores Ltd
Yakima Scarlet	500	Glass	Decant Beer Pty Ltd	Marine Stores Ltd
Bundaberg Up	50	PET	Diageo Australia Pty Ltd	Statewide Recycling
Gordons Dry Gin	50	PET	Diageo Australia Pty Ltd	Statewide Recycling
Johnnie Walker Black Label	50	PET	Diageo Australia Pty Ltd	Statewide Recycling
Johnnie Walker Red Label	50	PET	Diageo Australia Pty Ltd	Statewide Recycling
Smirnoff Red Triple Distilled Premium Vodka	50	PET	Diageo Australia Pty Ltd	Statewide Recycling
Emma & Toms Quencher with Benefits Cloudy Apple Fibre	1 000	LPB—Aseptic	Emma & Tom Foods Pty Ltd	Statewide Recycling
Emma & Toms Quencher with Benefits Lemon Metabolism	1 000	LPB—Aseptic	Emma & Tom Foods Pty Ltd	Statewide Recycling
Emma & Toms Quencher with Benefits Orange Immunity	1 000	LPB—Aseptic	Emma & Tom Foods Pty Ltd	Statewide Recycling
Emma & Toms Quencher with Benefits Raspberry Antioxidant	1 000	LPB—Aseptic	Emma & Tom Foods Pty Ltd	Statewide Recycling
Konrad Black Czech Lager	500	Glass	Empire Liquor	Statewide Recycling
Konrad Premium Czech Lager	500	Glass	Empire Liquor	Statewide Recycling
Moa 5 Hop	375	Glass	Empire Liquor	Statewide Recycling
Moa Blanc	330	Glass	Empire Liquor	Statewide Recycling
Moa Blanc	750	Glass	Empire Liquor	Statewide Recycling
Moa Blanc Evolution	375	Glass	Empire Liquor	Statewide Recycling
Moa Breakfast	375	Glass	Empire Liquor	Statewide Recycling
Moa Imperial Stout	375	Glass	Empire Liquor	Statewide Recycling
Moa Methode	1 500	Glass	Empire Liquor	Statewide Recycling
Moa Methode	330	Glass	Empire Liquor	Statewide Recycling
Moa Methode	750	Glass	Empire Liquor	Statewide Recycling
Moa Noir	330	Glass	Empire Liquor	Statewide Recycling
Moa Noir	750	Glass	Empire Liquor	Statewide Recycling
Moa Original Pilsner Lager	330	Glass	Empire Liquor	Statewide Recycling
Moa Pale Ale	330	Glass	Empire Liquor	Statewide Recycling
Moa Pale Ale	750	Glass	Empire Liquor	Statewide Recycling
Moa St Joseph	375	Glass	Empire Liquor	Statewide Recycling
Moa St Joseph	1 500	Glass	Empire Liquor	Statewide Recycling
Moa Weka Apple Cider	330	Glass	Empire Liquor	Statewide Recycling
Moa Weka Pear Cider	330	Glass	Empire Liquor	Statewide Recycling
Nastro Azzurro	330	Glass	Festival City Wines & Spirits Pty Ltd	Statewide Recycling
Rockstar Super Sours Energy Drink Bubbleberry Flavour	500	Can—Aluminium	Frucor Beverages Australia Pty Ltd	Statewide Recycling
V Green Guarana Energy Drink	710	Can—Aluminium	Frucor Beverages Australia Pty Ltd	Statewide Recycling
V Not Orange Double Hit Guarana Energy Drink	500	Can—Aluminium	Frucor Beverages Australia Pty Ltd	Statewide Recycling
V Not Orange Guarana Energy Drink	250	Can—Aluminium	Frucor Beverages Australia Pty Ltd	Statewide Recycling
V Not Orange Guarana Energy Drink	350	Glass	Frucor Beverages Australia Pty Ltd	Statewide Recycling
Maxs Muscle Bomb Chocolate Blast	250	LPB—Aseptic	Hi Performance Health trading as AminoActive Australia	Statewide Recycling
Maxs Muscle Bomb Cookies N Cream	250	LPB—Aseptic	Hi Performance Health trading as AminoActive Australia	Statewide Recycling
Twisted Shotz Cowboy Butterscotch & Cream	25	PET	Independent Distillers (Aust.) Pty Ltd	Statewide Recycling
Twisted Shotz Miami Vice Strawberry Daiquiri & Pina Colada	25	PET	Independent Distillers (Aust.) Pty Ltd	Statewide Recycling
Twisted Shotz Sid Duce Raspberry Liqueur & Blue Curacao Shot	25	PET	Independent Distillers (Aust.) Pty Ltd	Statewide Recycling
Becks	500	Can—Aluminium	Kollaras & Co Pty Ltd	Marine Stores Ltd
Heineken	500	Can—Aluminium	Kollaras & Co Pty Ltd	Marine Stores Ltd
San Miguel	500	Can—Aluminium	Kollaras & Co Pty Ltd	Marine Stores Ltd
Stella Artois	500	Can—Aluminium	Kollaras & Co Pty Ltd	Marine Stores Ltd
Lobo Cloudy Cider Norman	750	Glass	Lobo Juice & Cider Pty Ltd	Marine Stores Ltd
Lobo Dry Pear Cider	750	Glass	Lobo Juice & Cider Pty Ltd	Marine Stores Ltd
Coles Pro B Fermented Drink	61	Polystyrene	Manassen Foods Australia Pty Ltd	Statewide Recycling
Sanitarium Up & Go Energize Iced Coffee Flavour	250	LPB—Aseptic	Sanitarium Health Food Company	Statewide Recycling
Sanitarium Up & Go Energize Iced Coffee Flavour	350	LPB—Aseptic	Sanitarium Health Food Company	Statewide Recycling

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size (mL)	Container Type	Approval Holder	Collection Arrangements
Sunraysia Apple & Pomegranate 100% Juice	750	Glass	Sunraysia Natural Beverage Company	Statewide Recycling
Dyma Burn Thermo + Energy Shot Mixed Berry	58	PET	Superior Supplements Pty Ltd	Statewide Recycling
Dyma Burn Thermo + Energy Shot Orange	58	PET	Superior Supplements Pty Ltd	Statewide Recycling
Teza Feijoa & Limeblossom	325	Glass	The Greenstone Drinks Company Ltd	Statewide Recycling
Teza Lemon & Mandarin	325	Glass	The Greenstone Drinks Company Ltd	Statewide Recycling
Teza Mango & Ginger	325	Glass	The Greenstone Drinks Company Ltd	Statewide Recycling
Teza Peach & Passionflower	325	Glass	The Greenstone Drinks Company Ltd	Statewide Recycling
Teza Velvetberry	325	Glass	The Greenstone Drinks Company Ltd	Statewide Recycling
Lipton Ice Tea Virgin Daiquiri Strawberry & Dragonfruit	1 250	PET	Unilever Australia Ltd	Statewide Recycling
Lipton Ice Tea Virgin Daiquiri Strawberry & Dragonfruit	325	Glass	Unilever Australia Ltd	Statewide Recycling
Lipton Ice Tea Virgin Mojito Green Tea Lime & Mint	325	Glass	Unilever Australia Ltd	Statewide Recycling
Lipton Ice Tea Virgin Mojito Green Tea Lime & Mint	1 250	PET	Unilever Australia Ltd	Statewide Recycling
Lipton Ice Tea Virgin Pina Colada Pineapple & Coconut	1 250	PET	Unilever Australia Ltd	Statewide Recycling
Lipton Ice Tea Virgin Pina Colada Pineapple & Coconut	325	Glass	Unilever Australia Ltd	Statewide Recycling
Maria Ole Sangria Red	1 500	PET	Wow Brands	Marine Stores Ltd
Maria Ole Sangria White	1 500	PET	Wow Brands	Marine Stores Ltd
Mishka Freeze Citrus Vodka Daiquiri	220	Flexible Pouch—PE/PET	Wow Brands	Marine Stores Ltd
Mishka Freeze Strawberry Daiquiri	220	Flexible Pouch—PE/PET	Wow Brands	Marine Stores Ltd
Mishka Vodka Pear & Honey	2 000	Cask—cardboard box and PE/Metal/ Polyester bag	Wow Brands	Marine Stores Ltd

ENVIRONMENT PROTECTION ACT 1993

Approval of Category A Containers

I, ANDREA KAYE WOODS, Team Leader, Container Deposit Legislation and Delegate of the Environment Protection Authority ('the Authority'), pursuant to Section 68 of the Environment Protection Act 1993 (SA) ('the Act') hereby:

Approval of Category A Containers

Approve as Category A Containers, subject to the conditions in subclauses (1), (2) and (3) below, each of the classes of containers identified by reference to the following matters described in the first 4 columns of Schedule 1 of this Notice which are sold in South Australia:

- (a) the product which each class of containers shall contain;
- (b) the size of the containers;
- (c) the type of containers; and
- (d) the name of the holders of these approvals.

- (1) That containers of the class to which the approval relates must bear the refund marking specified by the Authority for containers of that class.
- (2) The holder of the approval must have in place an effective and appropriate waste management arrangement in relation to containers of that class.
- (3) The holder of these approvals must ensure that if a sticker bearing the refund marking has been approved, and is applied to the container, then the sticker must not be placed on any portion of the opening mechanism or in any other place that would require complete or partial removal of the sticker before the contents may be consumed.

SCHEDULE 1

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size (mL)	Container Type	Approval Holder	Collection Arrangements
Delster Apple	330	Glass	Persian Grocery	N/A—see notes
Delster Orange	330	Glass	Persian Grocery	N/A—see notes
Delster Peach	330	Glass	Persian Grocery	N/A—see notes
Delster Pomegranate	330	Glass	Persian Grocery	N/A—see notes
Delster Tropical	330	Glass	Persian Grocery	N/A—see notes

ENVIRONMENT PROTECTION AUTHORITY

Granting of the Following Exemptions

THE ENVIRONMENT PROTECTION AUTHORITY has issued to Coffey Environments Australia Pty Ltd an exemption from Section 34 of the Environment Protection Act 1993, in respect of the requirements of Clause 17 of the Environment Protection (Water Quality) Policy 2010.

In carrying out the specified activity of 'Petroleum Hydrocarbon Remediation, where remediation of petroleum hydrocarbons in groundwater is to be undertaken in the form of *in-situ* chemical oxidation, Coffey Environments Australia Pty Ltd is exempted from Clause 17 of the Environment Protection (Water Quality) Policy 2003, with respect to the discharge or disposal of listed pollutants as set out in Schedule 4, subject to specific operating conditions imposed in this Authorisation.

The Environment Protection Authority has issued to Southern Waste Resourceco Pty Ltd an exemption from Section 34 of the Environment Protection Act 1993, in respect of the requirements of Clause 11 (4) of the Environment Protection (Waste to Resources) Policy 2010 (the Policy).

Southern Waste Resourceco Pty Ltd is granted an extension of 12 months to comply with the requirements of Clause 11 of the Policy, specifically to establish a Resource Recovery Facility at the Premises in accordance with Clause 11 (4) of the Policy.

In carrying out the Prescribed Activity of a Waste or Recycling Depot, Southern Waste Resourceco is authorised to receive waste to which Clause 11 of the Policy applies for disposal without the waste resulting from, or being subject to, resource recovery processes.

This exemption is granted subject to the situations described above and general condition(s) imposed in this Authorisation.

The Environment Protection Authority has issued to Adchem (Australia) Pty Ltd an exemption from Section 34 of the Environment Protection Act 1993, in respect of the requirements of Clause 17 of the Environment Protection (Water Quality) Policy 2003, in particular as it applies to the discharge of wastewater to the un-lined evaporation pond on the Premises.

This exemption is issued subject to compliance with Condition 400-248 (Groundwater Monitoring) of EPA Authorisation 20 (Licence) and conditions of this Authorisation.

The Environment Protection Authority has issued to Liberty Oil South Australia Pty Ltd an exemption from Section 34 of the Environment Protection Act 1993, in respect of the requirements of Clause 10 of the Environment Protection (Motor Vehicle Fuel Quality) Policy 2002.

The Environment Protection Authority has issued to Nyrstar Port Pirie Pty Ltd an exemption from Section 34 of the Environment Protection Act 1993, in respect of the requirements of Clause 4 (1) of the Environment Protection (Air Quality) Policy 1994.

In carrying out the prescribed activities of:

- 1 (2) (a)— Chemicals Works: Inorganic;
- 2 (7)— Ferrous and Non-ferrous Metal Melting; and
- 2 (8)— Metallurgical Works,

Nyrstar Port Pirie Pty Ltd is authorised to exceed the emission limits of carbon monoxide gases from the Tall Stack and the Acid Plant Tail Gas Stack, as set out in Item 13 of Schedule 1 of the Air Quality Policy for the specified activity of metal smelting and refining and sulphuric acid production, subject to conditions of this Authorisation.

Dated 4 December 2012.

K. VOGELANG, Delegate, Environment Protection Authority

ESSENTIAL SERVICES COMMISSION ACT 2002

Water Retail Code—Major Retailers

NOTICE is hereby given that:

1. Pursuant to Section 28 (1) of the Essential Services Commission Act 2002, the Essential Services Commission has made the Water Retail Code—Major Retailers (designated as WRC-MR/01) to apply to the water supply industry, a regulated industry under the Water Industry Act 2012, to have effect on and from Tuesday, 1 January 2013.

2. A copy of the Water Retail Code—Major Retailers may be inspected or obtained from the Essential Services Commission, Level 8, 50 Pirie Street, Adelaide and is also available at www.escosa.sa.gov.au.

3. Queries in relation to the Water Retail Code—Major Retailers may be directed to the Essential Services Commission, Level 8, 50 Pirie Street, Adelaide. Telephone (08) 8463 4444 or Freecall 1800 633 592.

Execution

The seal of the Essential Services Commission was affixed with due Authority by the Chairperson of the Essential Services Commission.

Dated 28 November 2012.

P. WALSH, Chairperson, Essential Services Commission

FIRE AND EMERGENCY SERVICES ACT 2005

SECTION 79 (2)

Variation of Restrictions on Lighting of Fires during the Fire Danger Season—Regulation 32A—Fires Permitted under Section 79 (2) of Act

I, GREG NETTLETON, the Chief Officer of the South Australian Country Fire Service in accordance with Regulation 32A (3), hereby vary the restriction on lighting and maintaining of fires to allow the lighting of candles on 16 December 2012, within the part of the State bounded by the roads from the corner of Morphett Street and War Memorial Drive, to the corner of War Memorial Drive and King William Street, to the corner of King William Street and North Terrace, to the corner of North Terrace and Morphett Street to the corner of Morphett Street and War Memorial Drive, Adelaide, S.A.

Dated 30 November 2012.

GREG NETTLETON, Chief Officer, SA Country Fire Service

FISHERIES MANAGEMENT ACT 2007

SECTION 78 (2)

Permit to Release Fish—No. 9902571

ISSUED under the authority of the Minister for Agriculture, Food and Fisheries.

Pursuant to Section 78 (2) of the Fisheries Management Act 2007, this permit is issued to allow the holder to release fish into the River Murray floodplain area and the River Murray Tributaries area, subject to the conditions of this permit.

Permit holder:

Adam Watt,
Department of Environment and Natural Resources,
91–97 Grenfell Street,
Adelaide, S.A. 5000

Specified waters:

Hindmarsh Island, Goolwa Channel, Lake Alexandrina between Milang and Wellington, Finnis River downstream of Goolwa Road.

Conditions

1. The permitted activity must be completed on or before 1 September 2013.

2. The permit holder must undertake a minimum of one follow up survey of each stocked population including an investigation for any signs of disease by 1 October 2013.

3. The permit holder or his agents may only release fish into waters specified in this permit during the time allowed under this permit.

4. The permit holder must hold all fish separate from their surrogate sites and place them in quarantine for a minimum time period of seven days prior to release.

5. The permit holder must calcein mark all fish prior to release.

6. The permit holder may only release at each site approximately:

- 600 Southern Purple-spotted Gudgeons (*Mogurnda adspersa*),
- 7 000 Yarra Pygmy Perch (*Nannoperca obscura*),
- 7 000 Murray Hardyhead, (*Craterocephalus fluviatilis*).

7. The permit holder must provide a written disease free certificate from an independent veterinary authority at least 48 hour prior to the releasing of any fish pursuant to this notice to the Executive Director Fisheries and Aquaculture: Facsimile (08) 8226 0434 and marked attention to Jonathan McPhail.

8. While engaged in the permitted activity, the permit holder or his agents must be in possession of a copy of this permit. It must be produced to a Fisheries Officer if requested.

9. The permit holder must provide a brief written report detailing the date; time and place of each release of fish, the species released and approximate numbers of each species. The report must be submitted to the Executive Director Fisheries and Aquaculture, G.P.O. Box 1625, Adelaide, S.A. 5001, within 14 days of the expiry of this permit (1 September 2013).

10. The permit holder must not contravene or fail to comply with the Fisheries Management Act 2007, or any regulations made under that Act, except where specifically permitted by this notice.

Dated 11 November 2012.

PROFESSOR M. DOROUDI, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the period specified in Schedule 2.

SCHEDULE 1

The act of taking or an act preparatory to or involved in the taking of Snapper (*Pagrus auratus*) in all waters of the State.

SCHEDULE 2

1200 hours on 1 November 2012 until 1200 hours on 30 November 2012.

Dated 9 October 2012.

PROFESSOR M. DOROUDI, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE note that the notice made under Section 79 of the Fisheries Management Act 2007, dated 29 June 2012, and published in the *South Australian Government Gazette* dated 5 July 2012, on page 2978, being the fifth notice on that page, referring to the taking or possession of Snapper (*Pagrus auratus*) is hereby varied such that the date range under Schedule 4 concludes at 1200 hours on 1 November 2012.

Take notice that it is hereby declared that it shall be unlawful for a person fishing pursuant to the following fishery licences: Marine Scalefish Fishery; Restricted Marine Scalefish Fishery, Lakes and Coorong Fishery, Southern Zone Rock Lobster Fishery or Northern Zone Rock Lobster Fishery; to engage in the class of fishing activity or have possession or control of aquatic resources specified in Schedule 1, 2 3, 4 or 5 during the period specified in Schedule 6.

SCHEDULE 1

The act of taking more than 500 kg of Snapper (*Pagrus auratus*) in any one day in the waters of the State.

The act of possessing more than 500 kg of Snapper (*Pagrus auratus*) in any one day in the waters of the State in circumstance other than those found in Schedule 3.

SCHEDULE 2

The act of taking fish using more than 200 hooks attached to a set line or set lines in the following waters:

- In the waters contained within Spencer Gulf north of the geodesic from the location on Mean High Water Springs closest to latitude 34°59'07.15"S and longitude 136°00'11.06"E (Cape Catastrophe, Eyre Peninsula) to the location on Mean High Water Springs closest to latitude 35°17'59.60"S and longitude 136°52'50.11"E (Cape Spencer, Yorke Peninsula).
- In the waters contained within Gulf St Vincent north of the geodesic from the location on Mean High Water Springs closest to latitude 35°10'04.74"S and longitude 137°40'38.64"E (Troubridge Point, Yorke Peninsula) to the location on Mean High Water Springs closest to latitude 35°36'48.51"S and longitude 138°05'44.01"E (Cape Jervis, Fleurieu Peninsula).

SCHEDULE 3

In all waters of the State the act of taking or possessing Snapper (*Pagrus auratus*) from a fishing trip of more than one day and less than three days, where there has been no prior report made to PIRSA Fishwatch (1800 065 522):

- 1 hour before leaving port;
- 1 hour before midday for every day of fishing; and
- 1 hour before returning to port.

SCHEDULE 4

In all waters of the State the act of taking or possessing of Snapper (*Pagrus auratus*) from a fishing trip of more than three days.

SCHEDULE 5

In all waters of the State the act of moving Snapper (*Pagrus auratus*) taken in accordance with this notice from one fishing vessel to another fishing vessel while at sea.

SCHEDULE 6

1200 hours on 15 December 2012 until 1200 hours on 1 November 2013.

- For the purpose of this notice in any one day means during the period commencing at midday and ending at the midday next following.
- For the purpose of this notice set line means any device using hooks and known as a long line or drop line.

Dated 9 October 2012.

PROFESSOR M. DOROUDI, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, Doctor Guido Parra, of the School of Biological Sciences, Flinders University, G.P.O. Box 2100, Adelaide S.A. 5001 (the 'exemption holder'), is exempt from Section 71 of the Fisheries Management Act 2007, but only insofar as the activities specified in Schedule 1, subject to the conditions set out in Schedule 2, from 4 December 2012 until 4 December 2013, unless varied or revoked earlier.

SCHEDULE 1

The tagging of short-beaked common dolphins (*Delphinus delphis*) in South Australian waters including South Australian Marine Parks.

SCHEDULE 2

1. No dolphin of any species may be removed from the water, and must remain supported in a sling while being tagged.
2. A maximum of 10 dolphins may be tagged.

3. Before undertaking the exempted activity, the exemption holder or a person acting as an agent must contact PIRSA Fishwatch on 1800 065 522 and answer a series of questions about the exempted activity. The exemption holder will need to have a copy of the exemption at the time of making the call and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of dolphins tagged and the conditions of dolphins upon release, the number of agents undertaking the exempted activity and other related questions. Exemption No. 9902575.

4. While engaging in the exempted activity, the exemption holder or agent must be in possession of a copy of this notice. Such notice must be produced to a Fisheries Officer immediately upon request.

Dated 29 November 2012

PROFESSOR M. DOROUDI, Executive Director,
Fisheries and Aquaculture

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, Oisin Sweeney of the Department of Environment, Water and Natural Resources, 11 Helen Street, Mount Gambier, S.A. 5290, (the 'exemption holder') or his agents are exempt from the provision of Sections 70 and 71 of the Fisheries Management Act 2007 and Regulations 7 and 10, Clauses 21, 96 and 114 of Schedule 6 of the Fisheries Management (General) Regulations 2007, but only insofar as he may engage in the collection of native and non-native fish (the 'exempted activity') from waters as specified in Schedule 1, using the gear specified in Schedule 2, subject to the conditions specified in Schedule 3, from 1 November 2012 until 1 November 2013, unless varied or revoked earlier.

SCHEDULE 1

The South East region of South Australia excluding marine parks but including wetlands, streams, drains, coastal waters, and permanent water pools within Mosquito Creek Catchments.

SCHEDULE 2

- 2 seine nets with maximum length of 25 m and minimum mesh size of 6 mm.
- 100 fish traps with maximum dimension of 1 m, maximum entrance size 10 cm—including underwater lights with each trap.
- 1 dip net per person if using a net with a diameter and depth greater than 100 cm.
- 20 fyke nets with maximum width of 10 m and minimum mesh size of 3 mm.
- 2 dive torches.
- 20 munyana nets with 60 mm stretch mesh, 0.76 m diameter steel hoops with two eye shaped 0.18 x 0.12 m flexible entrances—for sampling of Glenelg Spiny Crayfish only.
- 12 bait nets with maximum length of 150 m, minimum mesh size 30 mm and maximum mesh size 150 mm.
- 6 Opera House nets with a maximum dimension of 1 m, minimum funnel diameter 7.5 mm with no more than two fixed entrances.
- Electrofishing equipment (bank mounted) for removal of *Gambusia* only.
- Electrofishing equipment (backpack) to sample juvenile Glenelg Spiny Crayfish only.
- Underwater lights used within traps as a trial in removing *Gambusia* only.

SCHEDULE 3

1. All native fish be returned alive to the water on completion of scientific evaluation.
2. All non-native fish species targeted for collection must be destroyed and disposed off appropriately.
3. All electrofishing gear used must be in accordance with the Australian Code of Electrofishing Practice.

4. The specimens collected by the exemption holders are for scientific and research purposes only and must not be sold.

5. The exempted activity may only be conducted on the exemption holder's behalf by the following people—Tania Rajic, Kath Bell, Steve Clarke, Toby Read, Natasha Dawson, Abigail Goodman, Dave Mossop, Kate Rhook, Ross Anderson and Nick Whiterod. All activity is to be conducted in the presence of a Department of Environment, Water and Natural Resources Employee (DEWNR) employee.

6. While engaged in the exempted activity, the exemption holder must be in possession of a copy of this notice. Such notice must be produced to a Fisheries Officer, if requested.

7. Before conducting the exempted activity, the exemption holder must contact PIRSA Fishwatch on 1800 065 522 and answer a series of questions about the exempted activity. You will need to have a copy of your exemption with you at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of agents undertaking the exempted activity and other related questions. Exemption No. 9902565.

8. The exemption holder must provide a report in writing detailing the outcomes of the collection of fish pursuant to this notice to the Executive Director, Fisheries and Aquaculture, (G.P.O. Box 1625, Adelaide, S.A. 5001) within 14 days of any collection, giving the following details:

- the date and time of collection;
- location of collection site;
- the description of all species collected;
- the number of each species collected; and
- the number of each species retained for *ex-situ* maintenance.

9. The exemption holder must not contravene or fail to comply with the Fisheries Management Act 2007, or any regulations made under that Act, except where specifically exempted by this notice.

Dated 1 November 2012.

PROFESSOR M. DOROUDI, Executive Director,
Fisheries and Aquaculture

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, David Cunningham of Department of Environment, Water & Natural Resources (DEWNR), 75 Liverpool Street, Port Lincoln S.A. 5606 (the 'exemption holder'), or Seb Drewer (DEWNR) acting as his agent, are exempt from Sections 70 and 71 of the Fisheries Management Act 2007 and Regulation 7 and 10, Clauses 21, 96 and 114 of Schedule 6 of the Fisheries Management (General) Regulations 2007, but only insofar as the exemption holder may take fish species specified in Schedule 1 using the gear specified in Schedule 2 (the 'exempted activity'), subject to the conditions specified in Schedule 3, from 1 November 2012 until 1 November 2013, unless varied or revoked earlier.

SCHEDULE 1

The survey of native and non native fish from inland waters of South Australia contained within and surrounding the Eyre Peninsula.

SCHEDULE 2

All gear under this Schedule must be marked with the permit holders' name and Exemption No. 9902574.

- 10 bait traps (maximum dimension 1 m, maximum entrance size 3.5 cm).
- 10 dab nets.
- 2 seine nets (maximum length 5 m, minimum mesh 3 mm).
- 6 fyke nets (maximum width 1.5 m, minimum mesh size 6mm).

SCHEDULE 3

1. The specimens collected by the exemption holders are for scientific and research purposes and must not be sold.

2. All native fish that are not being retained as voucher specimens for the South Australian Museum must be returned alive to the water on completion of scientific evaluation.

3. A maximum of five native fish per specimen, per scientific evaluation may be taken and lodged with the South Australian Museum.

4. All non-native fish that are not being retained for Museum voucher specimens, must be destroyed and disposed of appropriately.

5. Before conducting the exempted activity, the exemption holder must contact PIRSA Fishwatch on 1800 065 522 and answer a series of questions about the exempted activity. You will need to have a copy of your exemption with you at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of agents undertaking the exempted activity and other related issues. Exemption No. 9902574.

6. The exemption holder must provide a report in writing detailing the outcomes of the research and the collection of organisms pursuant to this notice to the Director of Fisheries, G.P.O. Box 1625, Adelaide S.A. 5001 within three months of the expiry of this notice, giving the following details:

- the date, soak time and location of collection;
- the number of nets used;
- the description of all species collected (fish, invertebrates, turtles);
- the number of each species collected; and
- any other information regarding size, breeding or anything deemed relevant or of interest that is able to be volunteered.

7. While engaging in the exempted activity, the exemption holder must be in possession of a copy of this notice. Such notice must be produced to a Fisheries Officer if requested.

8. The exemption holder must not contravene or fail to comply with the Fisheries Management Act 2007, or any regulations made under that Act, except where specifically exempted by this notice.

Dated 1 November 2012.

PROFESSOR M. DOROUDI, Executive Director,
Fisheries and Aquaculture

FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the period specified in Schedule 2 but limited to the class of persons as specified in Schedule 3.

SCHEDULE 1

The act of taking or an act preparatory to or involved in the taking of Snapper (*Pagrus auratus*) in all waters of the State.

SCHEDULE 2

1200 hours on 30 November 2012 until 1200 hours on 15 December 2012.

SCHEDULE 3

Person fishing pursuant to a Charter Boat Fishery Licence are exempt from the provisions specified in Schedule 1 and 2 where the number of fish taken or possessed is no more than as follows:

Location	Size Limit (cm)	Individual Catch Limit up to 3 Passengers	Charter Boat Limit 4-6 Passengers	Individual Catch Limit 7 or more Passengers
In the waters of Gulf St Vincent, Investigator Strait, Backstairs Passage	38-60 cm	2	2	1
	>60 cm	1	3	1
Other waters	38-60 cm	5	15	2
	>60 cm	1	3	1

Recreational fishers are exempt from the provision specified in Schedule 1 and 2 where the number of fish taken or possessed is no more than as follows:

Location	Size Limit (cm)	Bag Limit (per person)	Boat Limit (per boat)
In the waters of Gulf St Vincent, Investigator Strait, Backstairs Passage	38-60 cm	2	6
	>60 cm	1	3
Other waters	38-60 cm	5	15
	>60 cm	1	3

Dated 9 October 2012.

PROFESSOR M. DOROUDI, Director of Fisheries

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee

THE State Crewing Committee convened on 25 September 2012 and made the following determination, pursuant to Part 6, Section 45 of the Harbors and Navigation Act 1993.

PATRICK CONLON, Minister for Transport

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee in respect of the 'Kurutai'

THE following determination is made by the State Crewing Committee pursuant to Part 6, Section 45 of the Harbors and Navigation Act 1993, in respect of the *Kurutai*:

Operational Limits

Limit 1—Sheltered/Partially Smooth Waters.

Limit 2—Up to 30 nautical miles off the Coast of South Australia.

Limit 3—Up to 100 nautical miles off the Coast of South Australia.

Limit 4—Up to 200 nautical miles off the Coast of South Australia.

Minimum Crew and Qualifications

Limit 1—Minimum 3 crew—Master, Engineer and a General Purpose Hand.

Limit 2—Minimum 4 crew—Master, Engineer and 2 General Purpose Hands.

Limit 3—Minimum 5 crew—Master, Mate, Engineer and 2 General Purpose Hands.

Limit 4—Minimum 6 crew—Master, Mate, Chief Engineer, Engineer and two General Purpose Hands.

Limit 1—Master is to hold a Master 5 Certificate of Competency; Engineer to hold a Marine Engine Driver 1 Certificate of Competency.

Limit 2—Master is to hold a Master 5 Certificate of Competency; Engineer to hold a Marine Engine Driver 1 Certificate of Competency.

Limit 3—Master is to hold a Master 4 Certificate of Competency; Mate is to hold a Master 5 Certificate of Competency; Engineer to hold an Engineer Class 3 Certificate of Competency.

Limit 4—Master is to hold a Master 4 Certificate of Competency; Mate is to hold a Master 5 Certificate of Competency; Chief Engineer is to hold an Engineer Class 3 Certificate of Competency; Engineer is to hold a Marine Engine Driver 1 Certificate of Competency.

A General Purpose Hand is to be a person, who is at least 16 years of age, is medically fit for the duties employed, holds a certificate for Elements of Shipboard Safety and has at least three months experience.

CAPT. W. FERRAO, Presiding Member, State Crewing Committee

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee

THE State Crewing Committee convened on 25 September 2012 and made the following determination, pursuant to Part 6, Section 45 of the Harbors and Navigation Act 1993.

PATRICK CONLON, Minister for Transport

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee in respect of the 'Muyannarra Wortanna'

THE following determination is made by the State Crewing Committee pursuant to Part 6, Section 45 of the Harbors and Navigation Act 1993, in respect of the *Muyannarra Wortanna*.

Operational Limits

Limit 1—Up to 15 nautical miles off the Coast of South Australia.

Limit 2—Up to 30 nautical miles off the Coast of South Australia.

Minimum Crew and Qualifications

Limit 1—Minimum 1 crew—Master who holds a Coxswain Certificate of Competency.

Limit 2—Minimum 2 crew—Master who holds a Master 5 Certificate of Competency and a Marine Engine Driver 3 Certificate of Competency.

For Limit 2, if the Master does not hold a Marine Engine Driver 3 Certificate of Competency, another person holding that certificate must also be on board.

CAPT. W. FERRAO, Presiding Member, State Crewing Committee

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee

THE State Crewing Committee convened on 25 September 2012 and made the following determination, pursuant to Part 6, Section 45 of the Harbors and Navigation Act 1993.

PATRICK CONLON, Minister for Transport

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee in respect of the 'Disco Gambler III'

THE following determination is made by the State Crewing Committee pursuant to Part 6, Section 45 of the Harbors and Navigation Act 1993, in respect of the *Disco Gambler III*.

Operational Limits

Limit 1—Up to 30 nautical miles off the Coast of South Australia.

Minimum Crew and Qualifications

Limit 1—Minimum 2 crew—Master who holds a Master 5 Certificate of Competency and a General Purpose Hand. Either person to also hold a Marine Engine Driver 3 Certificate of Competency.

If either the Master or the GP does not hold a Marine Engine Driver 3 Certificate of Competency, another person holding that certificate must also be on board.

A General Purpose Hand is to be a person, who is at least 16 years of age, is medically fit for the duties employed, holds a certificate for Elements of Shipboard Safety and has at least three months experience.

CAPT. W. FERRAO, Presiding Member, State Crewing Committee

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee

THE State Crewing Committee convened on 25 September 2012 and made the following determination, pursuant to Part 6, Section 45 of the Harbors and Navigation Act 1993.

PATRICK CONLON, Minister for Transport

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee in respect of the 'Minnow'

THE following determination is made by the State Crewing Committee pursuant to Part 6, Section 45 of the Harbors and Navigation Act 1993, in respect of the *Minnow*.

Operational Limits

Limit 1—Smooth Waters.

Minimum Crew and Qualifications

Limit 1—Minimum 1 Crew—Master who holds a Coxswain Certificate of Competency.

CAPT. W. FERRAO, Presiding Member, State Crewing Committee

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee

THE State Crewing Committee convened on 25 September 2012 and made the following determination, pursuant to Part 6, Section 45 of the Harbors and Navigation Act 1993.

PATRICK CONLON, Minister for Transport

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee in respect of the 'FPV Nautilus'

THE following determination is made by the State Crewing Committee pursuant to Part 6, Section 45 of the Harbors and Navigation Act 1993, in respect of the *FPV Nautilus*.

Operational Limits

Limit 1—Up to 30 nautical miles off the Coast of South Australia.

Minimum Crew and Qualifications

Limit 1—Minimum 2 crew—Master to hold a Master 5 Certificate of Competency; General Purpose Hand. Either to hold a Marine Engine Driver 3 Certificate of Competency.

If neither holds a Marine Engine Driver 3 Certificate of Competency, another crew member holding that certificate must also be on board.

A General Purpose Hand is to be a person, who is at least 16 years of age, is medically fit for the duties employed, holds a certificate for Elements of Shipboard Safety and has at least three months experience.

CAPT. W. FERRAO, Presiding Member, State Crewing Committee

HOUSING IMPROVEMENT ACT 1940

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

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published	Maximum rental per week payable in respect of each house \$
		Volume	Folio		
10 Ashley Street, Elizabeth North	Allotment 725 in Deposited Plan 6448, Hundred of Adelaide	5285	576	11.10.12, page 4619	160.00
Lot 102, Bagshaw Road, Kersbrook	Allotment 102 in Filed Plan 161456, Hundred of Para Wirra	5350	815	26.3.98, page 1567	5.00 (not fit for human habitation) 190.00
200 Bethany (previously known as Section 657) Road, Bethany	Allotment 593 in Filed Plan 172854, Hundred of Moorooroo	5832	107	3.8.95, page 351	
32 (also known as 30) Crabb Road, Smithfield Plains	Allotment 626 in Deposited Plan 9100, Hundred of Munno Para	5492	709	25.10.12, page 4718	75.00
14A Eighth Street, Port Pirie West	Allotment 278 in Deposited Plan 622, Hundred of Pirie	6053	732	13.9.12, page 4472	92.00
Unit 2, 23 Gray Street, Norwood	Unit 2, Strata Plan 5050, Hundred of Adelaide	5037	90	11.10.12, page 4619	234.00
48 Gunn Street, Eudunda	Allotment 16 in Deposited Plan 561, Hundred of Neales	5841	191	28.1.93, page 485	5.00 (not fit for human habitation)
50 Gunn Street, Eudunda	Allotment 744 in Filed Plan 176816, Hundred of Neales	5772	699	28.1.93, page 485	5.00 (not fit for human habitation)
48 Hereford Avenue, Trinity Gardens	Allotment 36 in Deposited Plan 2666, Hundred of Adelaide	5789	303	17.3.11, page 781	331.00
17020 (previously known as 59A) Karoonda Road, Murray Bridge East	Allotment 51 in Deposited Plan 46799, Hundred of Burdett	5404	77	25.3.93, page 1081	5.00 (not fit for human habitation)
605 Main North Road, Elizabeth North	Allotment 846 in Deposited Plan 6449, Hundred of Munno Para	5313	60	13.9.12, page 4472	180.00
12 Mansom Street, Port Pirie West	Allotment 70 in Deposited Plan 928, Hundred of Pirie	5342	10	5.8.10, page 3966	145.00
9 (also known as 9-11) Nineteenth Street, Gawler South	Allotment 51 in Filed Plan 154152, Hundred of Mudla Wirra	5740	956	11.10.12, page 4619	145.00
1 Pearson Street, Thebarton	Allotment 14 in Deposited Plan 1234, Hundred of Adelaide	5724	119	24.1.80, page 173	230.00
Lot 77 (previously known as P/Lot D Section 3050) Penfield Road, Virginia	Allotment 77 in Filed Plan 114891, Hundred of Munno Para	5498	597	30.7.92, page 760	5.00 (not fit for human habitation)
Unit 8, 12 (also known as 12-16) Pibroch Avenue, Windsor Gardens	Unit 8, Strata Plan 1841, Hundred of Yatala	5057	778	27.7.00, page 309	188.00
32 Randall Street, Port Mannum	Allotment 43 in Towns Plan 170302, Hundred of Finnis	5312	873	27.4.06, page 1157	85.00
54 Rellum Road, Greenacres	Allotment 89 in Filed Plan 127223, Hundred of Yatala	5692	5	11.10.12, page 4619	155.00
68-72 (also known as Lot 1) St Kilda, Waterloo Corner	Allotment 1 in Filed Plan 10763, Hundred of Port Adelaide	5494	557	30.1.86, page 231	5.00 (not fit for human habitation)
Flat 1, 52 (also known as 52B) Victoria Road, Clare	Allotment 12 in Deposited Plan 43730, Hundred of Clare	5291	952	14.5.81, page 1486	165.00
Flat 2, 52 (also known as 52A) Victoria Road, Clare	Allotment 12 in Deposited Plan 43730, Hundred of Clare	5291	952	14.5.81, page 1486	165.00

HOUSING IMPROVEMENT ACT 1940

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

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published
		Volume	Folio	
35 Ellis (also known as Lot 11) (previously known as Section 70) Road, Two Wells	Allotment 11 in Filed Plan 105635, Hundred of Port Gawler	5163	731	25.3.93, page 1081
Lot 448 (previously known as Lot 6) Robert Road, Virginia	Allotment 448 in Filed Plan 162797, Hundred of Munno Para	5806	147	8.11.84, page 1530
4 Sampson Road, Elizabeth Grove	Allotment 487 in Deposited Plan 6243, Hundred of Munno Para	5262	559	1.3.12, page 872
8050 (Lot 3, St Vincent Highway/Edithburgh Road) St Vincent Highway, Yorketown	Allotment 3 in Deposited Plan 18570, Hundred of Melville	5463	205	4.5.95, page 1714
72 (also known as Section 126) Thelma Road, Barmera	Section 126, Hundred 740900, Hundred of Cobdogla Irrigation Area (Nook)	5983	586	26.1.89, page 227
27 (also known as Lot 9) (previously known as Lot 25) Tiver Road, Evanston South	Allotment 9 in Filed Plan 7110, Hundred of Munno Para	5505	797	16.9.10, page 4841
25 Union Street, Stepney	Allotment 45 in Filed Plan 134796, Hundred of Adelaide	5309	300	26.6.97, page 3078

Dated at Adelaide, 6 December 2012.

R. HULM, Director, Corporate Services, Housing SA

HOUSING IMPROVEMENT ACT 1940

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

No. of House and Street	Locality	Allotment, Section, etc.	Certificate of Title	
			Volume	Folio
Lot 1, Keyneton Road,	Eden Valley	Allotment 1 in Deposited Plan 67971, Hundred of Jutland	5949	867
22 Robbie Drive,	Reynella East	Allotment 61 in Deposited Plan 9294, Hundred of Noarlunga	5572	402
47 Shipster Street,	Torrensville	Allotment 48 in Deposited Plan 1959, Hundred of Adelaide	5836	682

Dated at Adelaide, 6 December 2012.

R. HULM, Director, Corporate Services, Housing SA

HOUSING IMPROVEMENT ACT 1940

Erratum

In *Government Gazette No. 76* dated 22 November 2012, on page 5170, Twelfth entry below, was printed incorrectly. It described the land as being a filed plan when in fact it is a deposited plan. It should read as below.

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published
		Volume	Folio	
14 Woodbrook Avenue, Windsor Gardens	Allotment 188 in Deposited Plan 6702, Hundred of Yatala	5536	855	26.5.11, page 1523

Dated at Adelaide, 6 December 2012.

R. HULM, Director, Corporate Services, Housing SA

Legislative Council Office, 28 November 2012

FORWARDED to the Honourable the Premier the following Resolution, passed by the Legislative Council on 28 November 2012:

That the Regulations made under the Development Act 1993 concerning the Riverbank Footbridge, made on 12 July 2012 and laid on the table of this Council on 17 July 2012, be disallowed.

J. M. DAVIS, Clerk

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that Tijuana Showgirls Pty Ltd as trustee for Sarah Howell Family Trust and Ventura Business Trust has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at Basement, 9-11 Hindley Street, Adelaide, S.A. 5000 and known as 9 Below Night Club.

The application has been set down for hearing on 15 January 2013 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 8 January 2013).

The applicant's address for service is c/o Sara Howell, 142 Tynte Street, North Adelaide, S.A. 5006.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 29 November 2012.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that Cantina Sociale Pty Ltd has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 108 Sturt Street, Adelaide, S.A. 5000 and known as Cantina Sociale.

The application has been set down for hearing on 22 January 2013 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 15 January 2013).

The applicant's address for service is c/o Angie Bignell, 17 Fourth Road, Belair, S.A. 5052.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 3 December 2012.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that Sorby Adams Wines Pty Ltd has applied to the Licensing Authority for a Wholesale Liquor Merchant's Licence in respect of premises situated at 51 Murray Street, Angaston, S.A. 5353 and known as Sorby Adams Wines.

The application has been set down for hearing on 17 January 2013 at 11.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 10 January 2013).

The applicant's address for service is c/o Simon Adams, 51 Murray Street, Angaston, S.A. 5353.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 30 November 2012.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that 3 Ways Commodity Pty Ltd has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 49 Peacock North Road, Lenswood, S.A. 5240 and known as 3 Ways Commodity Pty Ltd.

The application has been set down for hearing on 17 January 2013 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 10 January 2013).

The applicant's address for service is c/o Michael Francis Raidis, 1 Main Terrace, Richmond, S.A. 5033.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 30 November 2012.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that Swire and Noble Estates Pty Ltd has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 15 Beach Road, Christies Beach, S.A. 5165 and known as Swire and Noble Estates Pty Ltd.

The application has been set down for hearing on 17 January 2013 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 10 January 2013).

The applicant's address for service is c/o Adam Parkinson, 15 Beach Road, Christies Beach, S.A. 5165.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 30 November 2012.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that Hoyts Multi-Plex Cinemas Pty Ltd has applied to the Licensing Authority for Redefinition and variation to Extended Trading Authorisation in respect of premises situated at the corner of George Street and The Parade, Norwood, S.A. 5067 and known as Hoyts Norwood Cinema Complex.

The application has been set down for hearing on 22 January 2013 at 10 a.m.

Conditions

The following licence conditions are sought:

- Redefinition to include the whole of the premises as per plans lodged with this office.
- Variation to the current Extended Trading Authorisation to include the abovementioned areas as per plans lodged with this office.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 15 January 2013).

The applicant's address for service is c/o Paul Colreavy, P.O. Box 3134, Norwood, S.A. 5067.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 3 December 2012.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that Ral Ral Creek Wines Pty Ltd has applied to the Licensing Authority for the removal of a Producer's Licence and a Wholesale Liquor Merchant's Licence in respect of premises situated at 7 Renmark Avenue, Renmark, S.A. 5341, to be situated at 980 Sturt Highway, Monash, S.A. 5342 and known as Ral Ral Creek Wines.

The application has been set down for hearing on 15 January 2013 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 8 January 2013).

The applicant's address for service is c/o Graeme Hollidge, P.O. Box 3066, Port Adelaide, S.A. 5015.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 27 November 2012.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that Pike River Developments Pty Ltd as trustee for Caire Family Trust has applied to the Licensing Authority for a Restaurant Licence with Section 34 (1) (c) and Extension of Trading Area in respect of premises situated at 12 Pike Creek Road, Lyrup, S.A. 5343 and known as Pike River Function Centre.

The application has been set down for hearing on 15 January 2013 at 9.30 a.m.

Conditions

The following licence conditions are sought:

- Extension of Trading Area to include an outdoor area as per plans lodged with this office.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 8 January 2013).

The applicant's address for service is c/o Andrew Caire, P.O. Box 66, Lyrup, S.A. 5343.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 27 November 2012.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that Chelwood Farming Pty Ltd as trustee for the Chelwood Farming Trust has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 32 King Street, Mintaro, S.A. 5415 and to be known as Chelwood Wines.

The application has been set down for hearing on 15 January 2013 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 8 January 2013).

The applicant's address for service is c/o Jenkins Anderson Lawyers, P.O. Box 118, Auburn, S.A. 5451 (Attention: Greg Anderson).

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 27 November 2012.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that K Illusion Pty Ltd has applied to the Licensing Authority for the Redefinition of an Entertainment Venue Licence with variation to an Extended Trading Authorisation in respect of premises situated at 84 Hindley Street, Adelaide, S.A. 5000 and known as Kartini Karaoke Lounge.

The application has been set down for hearing on 19 December 2012 at 11 a.m.

Conditions

The following licence conditions are sought:

- Redefinition of licensed premises to incorporate the premises at 82 Hindley Street to become one venue.
- Variation to the current Extended Trading Authorisation to include the abovementioned area, and the outdoor licensed area as per plans lodged with this office.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 12 December 2012).

The applicant's address for service is c/o Griffin Lawyers, G.P.O. Box 2077, Adelaide, S.A. 5001 (Attention: Ian Rice).

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 29 November 2012.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that Ayaz Hussain has applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at 438 Henley Beach Road, Lockleys, S.A. 5032 and known as Topz Shopz Curry Corner.

The application has been set down for hearing on 15 January 2013 at 11.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 8 January 2013).

The applicant's address for service is c/o Ayaz Hussain, 438 Henley Beach Road, Lockleys, S.A. 5032.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 29 November 2012.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that Garage Wine Group Pty Ltd as trustee for the Hill Family Trust has applied to the Licensing Authority for a Direct Sales Licence in respect of the business to be known as Garage Wines.

The application has been set down for hearing on 16 January 2013 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 9 January 2013).

The applicant's address for service is c/o Finlaysons, G.P.O. Box 1244, Adelaide, S.A. 5001 (Attention: Phillip Richardson).

The application and certain documents and material relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 29 November 2012.

Applicant

LOCAL GOVERNMENT ACT 1999
 NOTICE OF WINDING-UP OF A SUBSIDIARY
Flinders Mobile Library

Preamble

The Flinders Mobile Library was established as a Regional subsidiary pursuant to Clause 17 of Schedule 2 of the Local Government Act 1999, with the constituent councils being the District Council of Mount Remarkable, the Northern Areas Council and the Port Pirie Council.

NOTICE

PURSUANT to Clause 33 of Schedule 2 of the Local Government Act 1999, at the request of the constituent councils I have determined to wind up the Flinders Mobile Library as of the date of this notice.

Dated 21 November 2012.

RUSSELL WORTLEY, Minister for State/
 Local Government Relations

MINING ACT 1971

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

Applicants: James Nicholas Said (25%), Matthew Reilly (25%), Roger Jackson (25%) and Paul Christopher Jenner (25%).

Location: North Booborowie area—Approximately 35 km north-west of Burra.

Term: 1 year

Area in km²: 129

Ref.: 2012/00106

Plan and co-ordinates can be found on the DMITRE website: http://www.minerals.dmitre.sa.gov.au/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

MINING ACT 1971

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

Applicant: Goldus Pty Ltd

Location: Tiverton Outstation area—Approximately 70 km south-west of Olary.

Pastoral Leases: Manunda, Ti Tree Well, Faraway Hill, Lilydale, Tiverton and Netley Gap.

Term: 3 years

Area in km²: 614

Ref.: 2012/00242

Plan and co-ordinates can be found on the DMITRE website: http://www.minerals.dmitre.sa.gov.au/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

MINING ACT 1971

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

Applicant: Range River Gold Limited
 Location: Lyons area—Approximately 40 km north-west of Tarcoola.
 Pastoral Leases: Wilgena and Mulgathing.
 Term: 2 years
 Area in km²: 242
 Ref.: 2012/00243

Plan and co-ordinates can be found on the DMITRE website: http://www.minerals.dmitre.sa.gov.au/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

MINING ACT 1971

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

Applicant: Hiltaba Gold Pty Ltd
 Location: Cowell area—Approximately 100 km south-west of Whyalla.
 Term: 2 years
 Area in km²: 840
 Ref.: 2012/00245

Plan and co-ordinates can be found on the DMITRE website: http://www.minerals.dmitre.sa.gov.au/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

MINING ACT 1971

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

Applicant: Marmota Energy Limited
 Location: Melton area—Approximately 110 km north-west of Adelaide.
 Term: 2 years
 Area in km²: 137
 Ref.: 2012/00251

Plan and co-ordinates can be found on the DMITRE website: http://www.minerals.dmitre.sa.gov.au/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

MINING ACT 1971

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

Applicant: Eagles Camp Mining Pty Ltd
 Location: Kate Hill area—Approximately 20 km north-east of Leigh Creek.
 Pastoral Leases: Burr Well and Leigh Creek.
 Term: 1 year
 Area in km²: 130
 Ref.: 2012/00252

Plan and co-ordinates can be found on the DMITRE website: http://www.minerals.dmitre.sa.gov.au/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

MINING ACT 1971

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

Applicant: Musgrave Minerals Limited
 Location: Bryson Hill area—Approximately 400 km west-north-west of Marla.
 Term: 2 years
 Area in km²: 1 533
 Ref.: 2012/00259

Plan and co-ordinates can be found on the DMITRE website: http://www.minerals.dmitre.sa.gov.au/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

MINING ACT 1971

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

Applicant: Murray Zircon Pty Ltd
 Location: Karoonda area—Approximately 140 km east-south-east of Adelaide.
 Term: 2 years
 Area in km²: 1 054
 Ref.: 2012/00267

Plan and co-ordinates can be found on the DMITRE website: http://www.minerals.dmitre.sa.gov.au/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

MINING ACT 1971

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

Applicant: Murray Zircon Pty Ltd
 Location: Halidon area—Approximately 140 km east of Adelaide.
 Term: 2 years
 Area in km²: 2 144
 Ref.: 2012/00268

Plan and co-ordinates can be found on the DMITRE website: http://www.minerals.dmitre.sa.gov.au/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

MINING ACT 1971

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

Applicant: Murray Zircon Pty Ltd
 Location: Mantung area—Approximately 160 km east-north-east of Adelaide.
 Term: 2 years

Area in km²: 2 514

Ref.: 2012/00269

Plan and co-ordinates can be found on the DMITRE website: http://www.minerals.dmitre.sa.gov.au/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

MINING ACT 1971

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

Applicant: Dominion Gold Operations Pty Ltd

Location: Mulgathing area—Approximately 80 km north-west of Tarcoola.

Pastoral Leases: Mulgathing and Mobella.

Term: 2 years

Area in km²: 1 420

Ref.: 2012/00272

Plan and co-ordinates can be found on the DMITRE website: http://www.minerals.dmitre.sa.gov.au/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

MINING ACT 1971

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

Applicant: Olary Magnetite Pty Ltd

Location: Devonborough Downs area—Approximately 20 km south-east of Olary.

Pastoral Leases: Oulnina, Devonborough Downs and Mutooroo

Term: 3 years

Area in km²: 359

Ref.: 2012/00289

Plan and co-ordinates can be found on the DMITRE website: http://www.minerals.dmitre.sa.gov.au/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

MINING ACT 1971

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

Applicant: ERO Mining Limited

Location: Welbourn Hill 1 area—Approximately 50 km east-north-east of Marla.

Pastoral Leases: Lambina and Todmorden.

Term: 2 years

Area in km²: 726

Ref.: 2012/00296

Plan and co-ordinates can be found on the DMITRE website: http://www.minerals.dmitre.sa.gov.au/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

MINING ACT 1971

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

Applicant: ERO Mining Limited

Location: Welbourn Hill 2 area—Approximately 50 km east of Marla.

Pastoral Leases: Lambina and Welbourn Hill.

Term: 2 years

Area in km²: 201

Ref.: 2012/00297

Plan and co-ordinates can be found on the DMITRE website: http://www.minerals.dmitre.sa.gov.au/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

MINING ACT 1971

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

Applicant: OZ Minerals Prominent Hill Operations Pty Ltd

Location: Painted Hill area—Approximately 120 km south-east of Coober Pedy.

Pastoral Leases: Mount Eba, McDouall Peak, Millers Creek and Anna Creek.

Term: 3 years

Area in km²: 1 634

Ref.: 2012/00302

Plan and co-ordinates can be found on the DMITRE website: http://www.minerals.dmitre.sa.gov.au/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with Section 35A (1) of the Mining Act 1971, that an application for a mining lease over the undermentioned mineral claim has been received. Details of the proposal may be inspected at the Department for Manufacturing, Innovation, Trade, Resources and Energy, Mineral Resources Group, Level 7, 101 Grenfell Street, Adelaide, S.A. 5000:

Applicant: Chesimi House Pty Ltd

Claim No.: 4268

Location: Section 22, Hundred of Koongawa, approximately 28 km north-east of Warramboo.

Area: 6.42 hectares

Purpose: Mining Granite for Dimension Stone.

Reference: T02826

A copy of the proposal has been provided to the District Council of Wudinna.

Written submissions in relation to the granting of the mining lease are invited to be received at the Department for Manufacturing, Innovation, Trade, Resources and Energy, Mineral Resources Group, Level 7, 101 Grenfell Street, Adelaide, S.A. 5000 or G.P.O. Box 1671, Adelaide, S.A. 5001 no later than 27 December 2012.

Copies of all submissions will be forwarded to the applicant and may be made available for public inspection unless confidentiality is requested.

J. MARTIN, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with Section 35A (1) of the Mining Act 1971, that an application for a mining lease over the undermentioned mineral claim has been received. Details of the proposal may be inspected at the Department for Manufacturing, Innovation, Trade, Resources and Energy, Mineral Resources Group, Level 7, 101 Grenfell Street, Adelaide, S.A. 5000:

Applicant: Clay & Mineral Sales Pty Ltd

Claim No.: 4337

Location: Allotment 701 in Filed Plan 176021 and Allotment 91 in Filed Plan 205379, approximately 10 km north-east of Port Wakefield.

Area: 9.4 Hectares

Purpose: Sand dune extraction.

Reference: T02937

A copy of the proposal has been provided to the Wakefield Regional Council.

Written submissions in relation to the granting of the mining lease are invited to be received at the Department for Manufacturing, Innovation, Trade, Resources and Energy, Mineral Resources Group, Level 7, 101 Grenfell Street, Adelaide, S.A. 5000 or G.P.O. Box 1671, Adelaide, S.A. 5001 no later than 27 December 2012

Copies of all submissions will be forwarded to the applicant and may be made available for public inspection unless confidentiality is requested.

J. MARTIN, Mining Registrar

MINING ACT 1971

Determination of a Statutory Online Form under the Mining Act 1971

NOTICE is hereby given of the determined Form 29 ERA—Online, for use pursuant to Section 29 (1) of the Mining Act 1971.

Form 29 ERA—Online is for use in the DMITRE SARIG web application only. The form has been determined to enable online applications for Exploration Release Areas in accordance with Section 29 (1) of the Mining Act 1971.

Form 29 ERA—Online became effective from 30 November 2012.

P. FREEMAN, Deputy Executive Director, Mineral Resources

Exploration Release Area: Application

ERA Application (form 29ERA)

Reference Number:



GPO Box 1264, Adelaide 5001
Phone: +61 8 8463 3103
Fax: +61 8 8463 3101

Back Next View Checklist

Section A: Applicant(s)

View an example completed form

Applicant 1

Are you a Company or an Individual? [Company selected] Individual

Company Name [input field]

Percentage Share * [input] and [input] / [input] Expressed as a fraction. (Percentage share(s) must total 100%)

Add another applicant

Trust / Subsidiary Company Is the application being made on behalf of a trust or a subsidiary? [No selected] Yes

Application Details

Exploration Release Area (ERA)

Opening date for applications

Closing date for applications

Licence term 2 Year(s) (fixed) Area size

Section B: Location of Application

Location of Application

250K Mapsheet Location

Attach a plan of the ERA area * [Choose File] No file chosen ?

Section C: Exploration target and geological and mineralisation model(s)

Principal mineral(s) sought / exploration target * [input field] Select from pop-up list

Exploration model *

Provide details of the exploration model for the mineral(s) sought, together with geoscientific reasoning for targeting the area, and an indication of the priority target areas based on existing geoscientific data.

Specific criteria to be assessed:

- Documented regional and local geological context and deposit model
• Sufficient discussion/review of currently available geoscientific data
• Immediate drill targets identified

(Max 4000 characters) [Large text area for exploration model details]

Attach a file [Choose File] No file chosen ?

Section D: Proposed Exploration Program

[View an example completed form](#)

Exploration Expenditure Details

Area

Licence Term 2 Years

Minimum statutory expenditure per annum - \$30,000 plus \$97 per km² rounded (up or down) to the nearest \$5000.

Minimum statutory expenditure for 2 year term AUD \$

Proposed total expenditure for 2 year term* AUD \$

Provide a phased program of exploration with a breakdown of activities and expenditure proposed for the first 2 years of tenure. Proposed expenditure must meet the minimum expenditure requirement for the 2-year term. Specific criteria to be assessed:

- Program is clear logical and achievable with a phased and costed breakdown of activities
- Program is consistent with, and will effectively test the geological model
- Total expenditure commitment for the 2-year period
- Area of ERA covered by proposed exploration plan

Activity *	Description	Expenditure (AUD\$) *	View Example Activities
<input type="text"/>	<input type="text"/>	<input type="text" value="\$0"/>	

Total Term Expenditure AUD \$ \$0 total term expenditure is below the minimum expenditure amount

Additional Details/Information (Max: 4000 characters)

Provide additional details in relation to the proposed exploration program, i.e. a phased program (year 1 and year 2) of exploration with a breakdown of activities planned over the 2 year term

Attach a file No file chosen

Section E: Financial Resources

Provide Statement of financial capability *

Provide a statement, and evidence, of the financial resources available to the applicant to undertake the proposed exploration program (including current cash position).

Acceptable financial evidence includes relevant extracts from the latest mining exploration entity quarterly report, annual report, or a statement of capability from a bank manager or accountant.

The availability of cash funds to meet the proposed 2 year work program must be demonstrated.

OR Attach a file No file chosen

Supporting Evidence *

This can be from the following:
 Mining Exploration Entity Quarterly Report
 Or Annual Report (relevant extracts)
 Or Bank Manager Statement
 Or Account Statement

Attach a file No file chosen

Section F: Technical and operational capability/resources

Provide a statement, and details, of the technical and operational resources available to the applicant to undertake the proposed exploration program and satisfy technical reporting and environmental requirements. Include the names, qualifications and prior experience of personnel managing and implementing the exploration program. (Provide below or attach a file)

Specific criteria to be assessed:

- Expertise – appropriately qualified and knowledgeable resources to implement the proposed program, including geoscientific, environmental, and social aspects
- Experience – relevant operational experience

Name *

Position held and Technical / Professional Qualifications * (Max: 2000 characters)

Previous Experience * (Max: 2000 characters)

Attach a file No file chosen

Section G: Current SA Exploration Licences and Applications

[View an example completed form](#)

Provide a summary of the ELs and EL Applications held or being explored by the applicant within South Australia.

Type	Total Number	Total Area km ²	Total Annual Expenditure Commitment/Requirement
ELs	<input type="text"/>	<input type="text"/>	AUD\$ <input type="text"/>
ELAs	<input type="text"/>	<input type="text"/>	AUD\$ <input type="text"/>

(Max: 1000 characters)

Provide information on the location of the ERA in relation to existing EL/ELA's held (ie adjacency), and major project areas. Specific criteria to be assessed:

- Tenements and/or major project areas close to or adjacent to the ERA
- Manageability of tenement package, considering current financial and technical capability/resources

Attach an appropriate map if required No file chosen ?

Section H: Past Performance and Regulatory Compliance

List any current or previous (within the last 5 years) non-compliance in relation to ERA's or Departmental Instructions/Directions/Orders. Indicate the status of these and rectification timelines. List any currently overdue EL reports. Specific criteria to be assessed:

- ERA compliance – any Departmental enforcement actions undertaken as a result of the applicant not meeting the financial commitment of a previously successful ERA bid
- Departmental Instructions / Directions / Orders – any previous (last 5 years) or current
- Rectification - timely and efficient rectification of previous non-compliances
- Reporting – any currently overdue reporting (including exploration six-monthly, annual technical, surrender or rehabilitation/compliance reports)

Any current or previous (past 5 years) DMITRE Instructions / Directions or Orders?
 Yes No

Any currently overdue reporting (including exploration six-monthly, annual technical, surrender or rehabilitation/compliance reports)?
 Yes No

Attach additional information if required No file chosen ?

Section I: ERA specific criteria

(Max: 4000 characters)

For certain ERAs, the Department may request that additional aspects be specifically addressed as part of the ERA application. For example, this may relate to the location of the ERA in a Park, Aboriginal Land or artesian groundwater basin, or a specific technical aspect considered important by the Department.

The requirement for any ERA specific criteria to be addressed will be indicated at the time of ERA publication.
[Exploration Release Area specific criteria information](#)

Attach a file No file chosen ?

Section J: Other considerations/comments

(Max: 4000 characters)

Provide any other considerations or comments that may support the application.

Attach a file No file chosen ?

Applicant Details

Applicant 1

Are you a Company or an Individual? Company Individual

Company Name ACN *

Registered address

Postal address *
Same as registered address above

Phone number * Facsimile Mobile

Email address

Company website

Certification No file chosen ?
(attach appropriate certificate(s) of company registration)

Percentage Share * and / Expressed as a fraction. (Percentage share(s) must total 100%)

Contact details (for all correspondence)

Nominate one contact person for this application. May be an authorised agent or tenement manager if written authority is provided. Provide one postal address for all correspondence regarding this application

Contact name * Position held

Contact Company name

Copy other details below as per Applicant 1 above

Postal Address *

Phone number * Fax Mobile

Email *


Role *
(eg. company representative, tenement manager, JV operator)

Where the application is being made on behalf of another party, written authorisation to act on behalf of that party must be provided

No file chosen ?

Finalise and Submit Application

ERA Application (form 29ERA) Reference Number:



Government of South Australia
Department for Manufacturing,
Innovation, Trade, Resources and Energy

GPO Box 1264, Adelaide 5001
Phone: +61 8 8463 3103
Fax: +61 8 8463 3101

Application confirmation, printing and submission

Your application for an ERA Application has been completed. Please use the following steps as a check list for your application. After successful submission you will receive an email to the address provided during the application containing a reference number for you to quote in all correspondence with DMITRE

Check list prior to submission

- [Review & print your application](#)
- To change the details of your application, use the back button

Submit

Selecting the submit button below will action the following

- For new applications, subsequent licences, and ERAs submitting proceeds to the payment screen and lodges your application electronically with DMITRE. Payment is made via the secure South Australian Government's eBusiness environment on VISA or Mastercard
- For renewals, no application fee applies and your application is submitted to DMITRE electronically

Application submission not available outside of the application period.

NATIONAL GAS LAW

THE Australian Energy Market Commission (AEMC) gives notice under the National Gas Law of the following matters.

Under Sections 303, the AER has requested the *Pipeline operator cost recovery processes* Rule proposal (Project Ref. GRC0017). The proposal seeks to amend the rules to improve the efficiency and operation for the recovery of costs incurred by pipeline operators in relation to the market operator service allocation service and bulletin board aggregation and information service. Submissions must be received by **24 January 2013**.

Submissions on this proposal can be lodged online via the AEMC's website www.aemc.gov.au. Before submitting your submission, you must review the AEMC's privacy statement on its website. Submissions should be submitted in accordance with the AEMC's *Guidelines for making written submissions on Rule change proposals*. The AEMC publishes all submissions on its website subject to confidentiality.

Under Section 317, the period of time for the making of the draft Rule determination on the *Pipeline operator cost recovery processes* Rule proposal has been extended to **4 April 2013**.

All documents in relation to the above matters are published on the AEMC's website and are available for inspection at the offices of the AEMC.

Australian Energy Market Commission

Level 5, 201 Elizabeth Street
Sydney, N.S.W. 2000

Telephone: (02) 8296 7800
Facsimile: (02) 8296 7899

6 December 2012.

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Prohibition on Taking Water from Wells in the Central Adelaide Prescribed Wells Area

PURSUANT to Section 132 (1) of the Natural Resources Management Act 2004 (the Act), I, Paul Caica, Minister for Sustainability, Environment and Conservation in the State of South Australia, and Minister to whom the administration of the Act is committed, being of the opinion that the rate at which water is being taken from wells in the Central Adelaide Prescribed Wells Area is likely to affect the quality of the water in the underground aquifer, hereby prohibit the taking of water from wells in the Central Adelaide Prescribed Wells Area except in the circumstances specified in Schedule 1.

This notice does not apply:

- (a) if a person is taking water as part of a water allocation that relates to the Central Adelaide Prescribed Wells Area;
- (b) to the taking of water from a prescribed well that is authorised by a notice published in the *Government Gazette* pursuant to Section 128 of the Act (including such an authorisation in force by virtue of the operation of Schedule 4 of the Act); or
- (c) to the taking of water from a well pursuant to Section 124 (4) of the Act for domestic purposes or for watering stock (other than stock subject to intensive farming).

SCHEDULE 1

1. A person may take water from wells in the Central Adelaide Prescribed Wells Area in accordance with the terms of a written authorisation granted by me or my authorised agent pursuant to:

- (a) this notice; or
- (b) any previous Notice of Prohibition of Taking Water from Wells in the Central Adelaide Prescribed Wells Area (as varied) published in the *Government Gazette* pursuant to Section 132 of the Act.

2. An authorisation under this notice may be granted to:

- (a) a person (a current user), who has been taking water from a well in the Central Adelaide Prescribed Wells Area during the period 1 July 2002 to 30 November 2005 inclusive (the Relevant Period), entitling that person to take from the water resource or water resources specified in the authorisation:
 - (i) where the water taken during the Relevant Period was to water a crop or crops, the amount of water that, in my opinion or in the opinion of my authorised agent, would have been reasonably required annually to water that crop or those crops, taking into account the maximum area of each crop or crops grown, the water requirements of the respective crop or crops and the irrigation capacity of the irrigation equipment used to water the crop or crops; or
 - (ii) where the water taken during the Relevant Period was used for any other purpose, the amount of water that, in my opinion or in the opinion of my authorised agent, would have been reasonably required annually to continue that purpose in the manner in which it had been undertaken during the Relevant Period.

- (b) the transferee of an interest in land (including under a contract of sale or grant of a lease) ('the new interest-holder') where:
 - (i) the transferor or prior holder of an interest in the land (including as registered proprietor or lessee) ('the prior interest-holder') is the holder of an authorisation under a notice referred to in Clause 1; and
 - (ii) the prior interest-holder and the new interest-holder apply to the Minister (or his authorised agent) for the cancellation (in whole or in part) of the prior interest-holder's authorisation under this notice and grant of an authorisation for the same purpose and on the same land as the cancelled authorisation (or cancelled part of the authorisation) to the new interest-holder;

entitling the new interest-holder to take the same (or a lesser) quantity of water from the same resource or resources as the prior interest-holder was authorised to take under the cancelled authorisation (or cancelled part of the authorisation).

- (c) subject to Clause 3, a person (a Prospective User) who did not take any water from a well in the Central Adelaide Prescribed Wells Area, but who needs water for a development, project or undertaking:
 - (i) to which that person was legally committed during the Relevant Period; or
 - (ii) in respect of which that person had, in my opinion or the opinion of my authorised agent, committed significant financial or other resources during the Relevant Period;

entitling that person to take the amount of water from a well in the Central Adelaide Prescribed Wells Area, which in my opinion or the opinion of my authorised agent, is reasonably necessary to undertake the development, project or undertaking to which that person was committed during the Relevant Period.

3. A Prospective User may not be granted an authorisation or may only be granted an authorisation subject to conditions relating to the manner of taking water where, in my opinion or the opinion of my authorised agent:

- (a) the taking of water from wells will detrimentally affect the ability of other persons to take water from any watercourse, well or dam for domestic purposes or for watering of stock (other than stock subject to intensive farming); or
- (b) the taking of water from wells will detrimentally affect the capacity of surface water or any watercourse or well to meet the current or future demand, including the demands of ecosystems dependent on that water resource.

4. Until authorised under this notice, a current user may continue to take an amount of water equivalent to the maximum amount taken in any one financial year during the Relevant Period, from the same water resource or water resources and for the same purpose or purposes as that person took during the Relevant Period without a written authorisation.

5. Any authorisation to take water from the wells in the Central Adelaide Prescribed Wells Area may be varied by further written authorisation issued by me or my authorised agent.

6. An authorisation granted under a notice referred to in Clause 1 will be subject to the condition that water may only be taken through a meter which accurately measures the quantity of water taken and is at all times in good working condition.

In this notice:

‘Central Adelaide Prescribed Wells Area’ means the area bounded by the bold solid line in GRO Plan No. 327/2005.

‘Irrigation capacity’ of irrigation equipment means the amount of water that can be applied by the usual operation of that equipment in good condition at 30 November 2005, under usual pumping rates, hours of operation and seasonal fluctuations.

‘Maximum area’ for a particular crop means the maximum area of land planted to a particular crop in any one financial year during the Relevant Period.

‘Water requirement’ of a crop means the reasonable rate of irrigation (expressed as a volume of water per hectare) to properly produce that crop.

This notice will have effect at the expiration of seven days from publication of this notice in the *Gazette* and in a newspaper circulating in that part of the State in which the above mentioned prescribed water resource is situated and will remain in effect for two years unless earlier varied or revoked.

Dated 26 November 2012.

PAUL CAICA, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Prohibition on Taking Water from Wells in the Polda Basin in the Musgrave Prescribed Wells Area

PURSUANT to Section 132 (1) (a) (i) of the Natural Resources Management Act 2004 (the Act), I, Paul Caica, Minister for Sustainability, Environment and Conservation in the State of South Australia and Minister to whom the administration of the Act is committed, being of the opinion that the rate at which water is taken from wells that access underground water in the Quaternary Limestone aquifer in the Polda Basin in the Musgrave Prescribed Wells Area is such that the quantity of water available can no longer meet the demand, hereby prohibit the taking of water from wells in the area within the Musgrave Prescribed Wells Area labelled ‘Polda’ on the attached map, except in the circumstances specified in Schedule 1.

SCHEDULE 1

1. This Notice does not apply to the taking of water from a well or wells pursuant to Section 124 (4) of the Act for domestic purposes or for watering stock (other than stock subject to intensive farming).

2. Subject to Clause 3, a person may take water from a well or wells if the person is authorised to take the water as part of a water allocation under the terms of Water Licence 9603, 9604 or 9606.

3. The maximum volume of water that may be taken under the terms of the water licences specified in Clause 1 is:

- 3.1 Water Licence 9603—613 kL.
- 3.2 Water Licence 9604—997 kL.
- 3.3 Water Licence 9606—3 000 kL.

4. Any water taken in accordance with Water Licence 9606 must:

- 4.1 only be used for the purposes of maintenance of public water supply infrastructure; and
- 4.2 subject to any reasonable loss of water, be returned to the quaternary aquifer pursuant to a permit granted under Section 127 (3) (c) of the Act and in accordance with the Environment Protection (Water Quality) Policy 2003.

In this Notice:

Words used in this Notice that are defined in the Act shall have the same meanings as set out in the Act.

This Notice will have effect at the expiration of seven days from publication of this notice in the *Gazette* and in a newspaper circulating in that part of the State in which the abovementioned prescribed water resource is situated and will remain in effect for two years unless earlier varied or revoked.

Dated 3 December 2012.

PAUL CAICA, Minister for Sustainability,
Environment and Conservation

ROADS (OPENING AND CLOSING) ACT 1991: SECTION 24

NOTICE OF CONFIRMATION OF ROAD PROCESS ORDER

Road Opening and Closing—Tabernacle Road, Encounter Bay

BY Road Process Order made on 13 September 2011, the City of Victor Harbor ordered that:

1. Portion of allotment 43 in Deposited Plan 51476, portion of allotment 100 in Deposited Plan 58599 and portion of allotment 15 in Deposited Plan 51887, more particularly delineated and numbered ‘1’, ‘2’ and ‘3’ respectively on Preliminary Plan No. 09/0035 be opened as road forming a realignment of the adjoining Tabernacle Road.

2. Portions of Tabernacle Road situate between Bay and Mill Roads adjoining allotment 100 in Deposited Plan 58599 and allotment 15 in Deposited Plan 51887, more particularly delineated and lettered ‘A’, ‘B’ and ‘C’ on Preliminary Plan No. 09/0035 be closed.

3. The whole of the land subject to closure lettered ‘A’ and ‘C’ be transferred to Richard Leslie Wood in accordance with agreement to exchange dated 5 March 2010 entered into between the City of Victor Harbor and R. L. Wood.

4. The whole of the land subject to closure lettered ‘B’ be transferred to Trevor John Schwartz and Joyce Raelene Schwartz in accordance with agreement to exchange dated 5 March 2010 entered into between the City of Victor Harbor and T. J. and J. R. Schwartz.

On 19 September 2011 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 87121 being the authority for the new boundaries.

Pursuant to section 24 (5) of the Roads (Opening and Closing) Act 1991, NOTICE of the order referred to above and its confirmation is hereby given.

Dated 6 December 2012.

M. P. BURDETT, Surveyor-General

PROOF OF SUNRISE AND SUNSET ACT 1923—ALMANAC FOR JANUARY, FEBRUARY AND MARCH 2013

PURSUANT to the requirements of the Proof of Sunrise and Sunset Act 1923, I, Rodney George Hook, Chief Executive, Department of Planning, Transport and Infrastructure, at the direction of the Honourable the Minister for Transport and Urban Planning, publish in the Schedule hereto an almanac setting out the times of sunrise and sunset on every day for the three calendar months of January, February and March 2013.

Dated at Adelaide, 3 December 2012.

R. G. HOOK, Chief Executive, Department of Planning,
Transport and Infrastructure

2011/19413

THE SCHEDULE

Times of sunrise and sunset during the months of January, February and March 2013 for Adelaide: latitude 34°56'S, longitude 138°36'E, GMT + 9.50 hours (Daylight saving GMT + 10.50).

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

*Note: Daylight saving time is subject to change.

Sunrise and Sunset times calculated on 21 November 2012.

STATE LOTTERIES ACT 1966
LOTTERIES (GENERAL) RULES

1. *Preliminary*

- 1.1 These Rules may be cited as the Lotteries (General) Amendment Rules 2012 (No. 2).
- 1.2 The Lotteries (General) Rules made under the State Lotteries Act 1966 and published in the *Government Gazette* on 16 August 2012 are hereinafter referred to as the 'Principal Rules'.
- 1.3 The Principal Rules are hereby amended effective from 11 December 2012 and these Rules will take effect immediately thereafter, except as provided in these Rules.

2. *Amendment of Rules*

The Principal Rules are deleted and the Rules as annexed are to be substituted therefor.

The Common Seal of the Lotteries Commission of South Australia was affixed pursuant to a resolution of the Commission in the presence of:

Dated 3 December 2012.

(LS) SUZANNE MACKENZIE, Commission Member

H. J. OHFF, Commission Member

Approved,

MICHAEL O'BRIEN, Minister for Finance

STATE LOTTERIES ACT 1966
LOTTERIES (GENERAL) RULES

*This consolidation includes amendments as at 11 December 2012.
It is provided for convenient reference only and regard should be had to the full text of
the Lottery Rules and amendments as published in the South Australian Government
Gazette from time to time.*

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1. *Preliminary*

- 1.1 These Rules may be cited as the Lotteries (General) Rules.
- 1.2 The Rules made under the State Lotteries Act 1966, and published in the *Government Gazette* 29 November 2012 are hereinafter referred to as ‘the Existing Rules’.
- 1.3 The Existing Rules are hereby revoked effective from the end of the day preceding the date of operation of these rules as specified in the Schedule to these Rules. These Rules will take effect immediately thereafter, except as provided in these Rules.
- 1.4 All current lotteries conducted by SA Lotteries at the date of these Rules will be conducted pursuant to the Existing Rules as if these Rules had not been made. For this purpose each draw in each type of lottery will be regarded as a separate lottery conducted by SA Lotteries.
- 1.5 These Rules are to be read in conjunction with the Rules applicable to each type of lottery conducted by SA Lotteries from time to time.

2. *Interpretation*

- 2.1 In these Rules and in each part of these Rules unless the contrary intention appears:

‘Act’ means the State Lotteries Act 1966 as amended;

‘Agent’ means a person (other than a Master Agent) authorised by SA Lotteries pursuant to the Act to sell entries to the public in lotteries offered by SA Lotteries from time to time;

‘Agent’s Commission’ means a charge determined by SA Lotteries to be paid by a player to an Agent and included in the price of each ticket in a lottery and the charge may vary between each type of lottery conducted by SA Lotteries from time to time;

‘application form’ means an application form for the issue of an Easiplay Club membership card;

‘Autopay period’ in relation to any online lottery means the period nominated in writing by an Easiplay Club player (being within such period as SA Lotteries determines), commencing at midnight on the day of determination of the results of the draw.

‘bearer’ means:

(a) in relation to a ticket, the holder of that ticket; or

(b) in relation to an electronic entry, the registered player to whom an electronic ticket is issued;

‘Bloc Agreement’ means an agreement between different lottery operators for the purpose of promoting and conducting a nominated game;

‘cancelled’ in relation to an entry means cancelled in accordance with Rule 13 or as otherwise determined by SA Lotteries to be cancelled and incapable of winning a prize;

‘conditions’ means the conditions to which an issued ticket is subject and includes instructions printed on a coupon or a ticket in any type of lottery or available through any form of electronic media;

‘Consumer Syndicate’ in relation to the Easiplay Club means a group of two (2) or more members, one of whom must be nominated and recorded as the Syndicate Manager;

‘coupon’ means a printed form for requesting an entry in an online lottery;

‘Draw’ includes a draw, determination or series;

‘Easiplay Club member’ means a player whose personal details have been provided to SA Lotteries and have been recorded for the purpose of providing a player registration service to the player;

‘electronic request’ means a request for an entry in an online lottery placed via a selling point of an internet site;

‘electronic ticket’ means a ticket or confirmation of order in an online lottery generated at the selling point of an internet site that is linked to a central computer system used in the SA Lotteries’ business to generate and/or validate tickets upon acceptance of an electronic request for entry.

‘entry’ means an entitlement to participate in a lottery on payment of its price as evidenced by the issue of a ticket(s) for that lottery;

‘entry fee’ means the cost of an entry in a lottery as determined by SA Lotteries, excluding the Agent’s Commission and any handling fee charged for an electronic request, and SA Lotteries may determine different entry fees for different lotteries;

‘game’ means:

- (a) any one of the game panels of a coupon or other request for entry on which number selections may be made;
- (b) any one of the game panels of a ticket or electronic record of entry on which number selections are recorded; or
- (c) any one of the game panels on an Instant Scratchies ticket,

as the case may be (and ‘panel’ has a corresponding meaning);

‘Head Office’ means SA Lotteries’ principal place of business;

‘House Syndicate’ in relation to the Easiplay Club means an Agent acting as a Syndicate Manager on behalf of a group of 2 or more players;

‘lottery’ means a lottery as defined by the Act and conducted by SA Lotteries from time to time;

‘Lottery Rules’ means these Rules and the Rules applicable to the different types of lotteries conducted by SA Lotteries from time to time;

‘Master Agent’ means a person appointed by SA Lotteries pursuant to the Act as exclusive master agent of SA Lotteries, to:

- (a) sell entries and pay prizes associated with those entries in lotteries offered by SA Lotteries from time to time;
- (b) appoint Agents; and
- (c) authorise the premises at which Agents may sell tickets for the purposes of Section 19 (10) of the Act.

‘minor’ means a minor as defined by the Act;

‘Network Syndicate’ means SA Lotteries acting as a Syndicate Manager, with tickets in each syndicate being available from any Agent in the network;

‘online lottery’ means a lottery in which SA Lotteries generates a ticket through a selling point terminal;

‘player’ means, in relation to a lottery, a person who purchases and receives a ticket;

‘price’ in relation to an entry or a gift voucher means the entry fee or purchase price, the Agent’s Commission and any handling fee for an electronic request paid on request of an entry or purchase of a gift voucher. In the case of a share entry, the price of each share entry will be rounded up to the nearest 5 cents that would otherwise be payable;

‘printed ticket’ means a ticket in an online lottery generated by a selling point terminal upon acceptance of a coupon or verbal request for entry.

‘SA Lotteries’ means the Lotteries Commission of South Australia and includes the Master Agent acting in its capacity as agent of the Lotteries Commission of South Australia (except where expressly stated otherwise or the context requires);

‘selling point’ means SA Lotteries’ Head Office, an Agent’s place of business or an internet site that is linked to a central computer system, or any other computer system used in the SA Lotteries’ business to process requests for entries, where the price may be paid or received, or such other place as determined by SA Lotteries;

‘selling point terminal’ means the computer equipment located at the Head Office of the SA Lotteries’ business, an Agent’s place of business, an internet site that is linked to a central computer system used in the SA Lotteries’ business to generate and/or validate tickets, or such other place as determined by SA Lotteries;

‘share entry’ means one of a number of separate tickets of equal value, each evidencing an equal part of the one entry in the same draw as requested at the time of purchase;

‘sports lottery’ means a sports lottery as defined by the Act;

‘symbol’ includes an amount, number, picture, word or any other representation (but excludes any security code) appearing on an entry;

‘ticket’ means either:

- (a) a printed ticket;
- (b) an electronic ticket; or
- (c) a ticket in an Instant Scratchies lottery, as defined in the Lotteries (Instant Scratchies) Rules.

‘ticket checker’ means a reading device provided at an agency to allow players to determine the prize status of a printed ticket or an Instant Scratchies ticket.

‘Ticket Packs’ means a selection of tickets promoted from time to time that includes tickets from a variety of lotteries.

‘traditional lottery’ means a lottery in which a maximum number of entries is offered for sale and the prize winning entries are ascertained at such time and in such manner as SA Lotteries determines.

2.2 Unless the contrary intention appears:

2.2.1 headings are for convenient reference only and do not limit or extend the meaning of the language of the provisions to which they refer;

2.2.2 words in the singular number include the plural and *vice versa*; and

2.2.3 words importing a gender include any other gender.

2.3 SA Lotteries may at any time and from time to time make or vary any determination under these Rules.

3. *General*

3.1 SA Lotteries may at any time amend or abrogate all or part of the Lottery Rules, whether or not an entry has been accepted or prize winning entries have been determined.

3.2 The Lottery Rules will be available for perusal upon request at all selling points and may be made public by any other means as determined by SA Lotteries.

3.3 By submitting a request for an entry (whether by coupon, verbal or electronic), a player will be deemed to agree to be bound by the Lottery Rules. If a ticket is issued, it will be on the basis that the player is so bound.

3.4 Where applicable, the Lottery Rules are to be read in conjunction with and as part of any Bloc Agreement entered into by SA Lotteries for the conduct of any Bloc lottery. If there is any inconsistency between a Bloc Agreement and the Lottery Rules, the provisions of the Lottery Rules will prevail.

4. *Agents*

4.1 Subject to the terms of any agreement between the Master Agent and SA Lotteries, the Master Agent:

4.1.1 may receive an application in such form as it determines from a party interested in being appointed an Agent for the purpose of selling tickets in lotteries conducted by SA Lotteries;

4.1.2 will consider and accept or reject such application without being liable to give any reason for its decision;

4.1.3 may appoint an Agent on such terms as the Master Agent determines; and

- 4.1.4 may terminate the appointment summarily, notwithstanding the provisions of any agreement, if the application is subsequently found to have been completed dishonestly, incorrectly or inadequately.
- 4.2 An Agent:
 - 4.2.1 will be an Agent only for the purpose of selling tickets in lotteries conducted by SA Lotteries and will not have the power to pledge SA Lotteries' credit;
 - 4.2.2 must sign an agreement as specified by SA Lotteries;
 - 4.2.3 must comply with any directions or requirements issued by SA Lotteries (in writing or otherwise) concerning conduct of the Agent's business, including sale and return of tickets, selling point terminal operation, and provision of such details or returns of information or money or compliance with such performance criteria as SA Lotteries requires; and
 - 4.2.4 who breaches the said agreement or the Lottery Rules may at any time;
 - 4.2.4.1 have its appointment terminated by SA Lotteries; or
 - 4.2.4.2 be suspended for such period and on such terms and conditions as SA Lotteries determines.
- 4.3 A player who requests an entry in a lottery must pay the price at the time of purchase of the ticket.
- 4.4 Principal and Agent
 - 4.4.1 An Agent who is paid an Agent's Commission will be the player's agent for the purpose of submitting a request for entry to SA Lotteries.
 - 4.4.2 SA Lotteries (excluding the Master Agent) may deal with a player as principal. A player who uses an Agent will be bound by all the Agent's acts or omissions.
 - 4.4.3 Use of an Agent does not exempt a player from observing these Rules.
 - 4.4.4 If SA Lotteries sells an entry or issues a ticket to a player it will be deemed to be acting as an Agent for the purpose of these Rules in determining its relationship to the player.
- 5. *Liability*
 - 5.1 The player:
 - 5.1.1 will accept all risks, losses, delays, errors or omissions that might occur in the course of delivery to SA Lotteries of any request for entry, whether by post, electronically, through an Agent or by any other means; and
 - 5.1.2 must ensure that any coupon or electronic request submitted for entry is completed in accordance with these Rules and acknowledges that neither SA Lotteries or the Agent has any responsibility to check the same when accepting it.
 - 5.2 Receipt of a ticket (whether issued as a result of a coupon, verbal or electronic request) by a player constitutes an acknowledgment that the symbols and other details it contains are the player's selections. A player who does not immediately notify the selling point terminal operator of any error will be deemed to have accepted that the symbols and other details are their selections. No coupon or other evidence will thereafter be valid for the purposes of proving an entry in a draw.
 - 5.3 If details on a ticket in a lottery differ from the central computer record of that ticket, the central computer record will be the sole determinant in identifying what prize (if any) is payable in respect of the ticket.
 - 5.4 SA Lotteries will not be liable where an Agent has altered a coupon in any way without the player's authority.
 - 5.5 Neither SA Lotteries nor an Agent, nor an employee or agent of either, will be liable:
 - 5.5.1 if a selling point terminal fails to read a coupon and operator intervention is required to correctly process the coupon or if an operator incorrectly keys into the selling point terminal from the player's verbal or coupon selections any number(s) not selected by the player; or

- 5.5.2 for any loss, damage, injury or expense sustained by a player by reason of any act, neglect, omission, delay or failure:
 - 5.5.2.1 to forward to SA Lotteries any request for entry in any lottery;
 - 5.5.2.2 to properly validate, process or enter a request for entry in any particular draw;
 - 5.5.2.3 for any assistance given in completing an application form, coupon or other form; or
 - 5.5.2.4 to properly or accurately process any request by a player to participate in any lottery conducted by SA Lotteries,

and this Rule may be pleaded as a bar to any legal proceedings brought by any player alleging breach, default or non-performance of any contract or duty by SA Lotteries or such Agent, or an employee or agent of either.

5.6 In respect of:

- 5.6.1 any representation made by an employee or any other person on SA Lotteries' behalf;
- 5.6.2 loss or damage arising from an unlawful act by an employee or agent of SA Lotteries or a third party;
- 5.6.3 fire, flood, tempest, storm, riot, civil commotion, lockouts or strikes in respect of which a claim is made;
- 5.6.4 any failure of or malfunction in any selling point terminal or central computer system used in the SA Lotteries' business, an Agent or any person on either's behalf, in respect of which a claim is made; or
- 5.6.5 subject to Rule 6.6 a cancelled entry.

SA Lotteries' liability (if any) and at SA Lotteries' discretion will be limited to the refund of the price of the ticket, on which the player is claiming a prize, in full and final settlement of any claim.

- 5.7 SA Lotteries will use its best endeavours to respect any request by a prize winning player for Not For Publication (NFP) status and will not reveal any details of the prize that will identify the player without their consent. If SA Lotteries releases a prize winning player's name and address contrary to their instructions it will not be liable for any inconvenience, loss, damage or injury thereby suffered by any person unless otherwise required by law.
- 5.8 Any decision made by SA Lotteries concerning any lottery conducted by it (including but without limiting the generality thereof eligibility of entries, determination of prize winners, the amount and distribution of prize money and the meaning and effect of these Rules) will be final and binding on all players participating in that lottery and on every person making a claim in respect of that lottery.

6. *Entry and Tickets*

- 6.1 A coupon or verbal or electronic request for an entry may be delivered or forwarded to SA Lotteries by a player or an Agent.
- 6.2 The price of an entry must be paid in either Australian currency, by bank cheque, by credit card, by funds transfer from a player's account or by redemption of an SA Lotteries gift voucher or such other means as SA Lotteries determines. Payment must accompany or be made with transmission of a coupon or other request for entry. In the case of payment by bank cheque, SA Lotteries may decline to issue an entry until the cheque has been cleared by the bank on which it is drawn.
- 6.3 SA Lotteries or an Agent will refuse to accept, or reject after acceptance, any coupon or other request for entry that has not been duly completed or is not accompanied by full payment of the price for the number of games to be played.
- 6.4 Subject to Rule 6.3 the issue of a ticket by a selling point terminal will constitute acknowledgment by SA Lotteries of acceptance of the request for entry in the online lottery referred to on the ticket.
- 6.5 Subject to Rule 6.3 the scanning of an Instant Scratchies ticket by the selling point terminal at the time of sale will constitute acknowledgement by SA Lotteries of acceptance of the request for entry into the series referred to on the Instant Scratchies ticket.

- 6.6 If SA Lotteries or an Agent decides that an issued online lottery ticket is defective and the prize winners in the draw to which it relates have not been determined, SA Lotteries or an Agent may cancel the ticket and at its discretion either:
 - 6.6.1 replace the ticket with another ticket, in which event the player will be taken to have authorised an employee of SA Lotteries or an Agent to determine their selections and, if necessary, to complete a request for entry on their behalf that will then be accepted for participation in the appropriate draw for the appropriate lottery; or
 - 6.6.2 refund the price of the ticket to its bearer or the player.
 - 6.7 If a player considers that an issued ticket is illegible or defective in any way, the ticket may be cancelled. No duplicate ticket will be provided.
 - 6.8 A player who requests to return a ticket in an online lottery for any other reason may apply to SA Lotteries or an Agent within the selling period for the draw(s) to which the ticket relates. SA Lotteries or an Agent may at its absolute discretion accept or reject the return of the ticket. On return of a ticket, a player will be entitled at their option to:
 - 6.8.1 a full refund of the price of the ticket or, in the case of a multi-week entry, the price of the undrawn portion of the ticket; or
 - 6.8.2 a further ticket in exchange for the returned ticket.
 - 6.9 A player who requests to return an Instant Scratchies ticket must apply to the selling Agent at the time of purchase. The selling Agent may at its absolute discretion accept or reject the return of the Instant Scratchies ticket. On return of an Instant Scratchies ticket, a player will be entitled at their option to:
 - 6.9.1 a full refund of the price of the Instant Scratchies ticket; or
 - 6.9.2 a further Instant Scratchies ticket in exchange for the returned Instant Scratchies ticket.
 - 6.10 A ticket must not be altered. Any alteration will have no validity for any purpose.
 - 6.11 No cash refund will be made except as provided under these Rules.
 - 6.12 A printed ticket in an online lottery used in a previous draw(s) may be replicated for entry in the next occurring draw(s) by presenting the printed ticket to an Agent and allowing the selling point terminal to read the 'play it again' barcode, thereby generating a printed ticket with the same number selection and games for the next occurring draw(s).
 - 6.13 A player may be entitled to purchase a 'best pick' entry, as determined by SA Lotteries, whereby the selling point terminal will select and optimise the mix of standard entries based on the amount and games specified by the player across the lotteries conducted by SA Lotteries, equivalent or as close as possible to the nominated dollar amount. SA Lotteries will determine the minimum dollar value required for the game options selected.
7. *Postal or Electronic Request for Entry*
- 7.1 A player who sends a request for entry to SA Lotteries or an Agent by post or electronically must:
 - 7.1.1 do so in time for it to be processed for participation in the draw of the lottery to which it relates;
 - 7.1.2 comply with all laws of any applicable jurisdiction regulating lotteries of the type in which the player seeks to participate;
 - 7.1.3 in the case of a coupon sent by post, ensure that it is not bent, creased or marked so that the selling point terminal is unable to determine the player's selections; and
 - 7.1.4 in the case of an electronic request for entry:
 - 7.1.4.1 first establish an account for use in connection with the player's participation in the lottery; and
 - 7.1.4.2 have sufficient funds held in credit in the account to pay the price of any entry requested.

- 7.2 SA Lotteries or an Agent may refuse to accept a request for entry received by post or electronically that:
 - 7.2.1 does not comply with the Lottery Rules; or
 - 7.2.2 is not accompanied by full payment of the price.
 - 7.3 A request for entry received by post or electronically may, at the absolute discretion of SA Lotteries or an Agent;
 - 7.3.1 be entered in the draw(s) nominated by the player;
 - 7.3.2 if not received in time for it to be processed for participation in a particular draw(s), be entered in the next draw(s) of the same lottery;
 - 7.3.3 if accompanied by payment other than in cash or equivalent by bank cheque, be entered in the next available draw(s) of the lottery for which it is intended after full payment is credited to the account of SA Lotteries or an Agent, as the case may be; or
 - 7.3.4 in any other case, be entered in the draw(s) current at the date on which SA Lotteries or an Agent processes the entry.
 - 7.4 If:
 - 7.4.1 a coupon received by post is bent, creased or marked so that the selling point terminal is unable to determine the player's selections;
 - 7.4.2 a posted request for entry is not accompanied by a coupon; or
 - 7.4.3 a request for entry received by post or electronically is incomplete or indecipherable,

the player will be taken to have authorised an employee of SA Lotteries or an Agent to determine their selections and, if necessary, to complete a request for entry on their behalf that will then be accepted for participation in the appropriate lottery.
 - 7.5 If a request for entry received by post is accompanied by less than the full payment of the price, tickets to the equivalent value of the amount paid will be issued, provided that at least the relevant minimum sum is paid. Any balance money will be refunded to the player.
8. *Easiplay Club*
- 8.1 To become an Easiplay Club member, an applicant must complete a current application form and forward it to SA Lotteries either directly or through any Agent's place of business.
 - 8.2 An applicant who completes an application form must specify whether the membership applied for is to be:
 - 8.2.1 Personal—to the applicant; or
 - 8.2.2 Consumer Syndicate—whereby up to two members are nominated on behalf of the full syndicate membership.
 - 8.3 SA Lotteries may impose membership charges as it determines at any time. Prior to the imposition or any change to such a charge, SA Lotteries will provide notification to players.
 - 8.4 Subject to SA Lotteries' discretion every Easiplay Club membership in existence at the commencement date of these Rules, will be deemed to be a Consumer Syndicate with the exception of personal memberships.
 - 8.5 In the case of a Consumer Syndicate membership, the person's details that appear first (member 1) on the application form will be deemed to be the syndicate manager.
 - 8.6 SA Lotteries will be entitled to assume that any Easiplay Club member or any applicant for Easiplay Club membership is not a minor. An Easiplay Club member or an applicant for Easiplay Club membership must provide such evidence of their age as SA Lotteries requires. If SA Lotteries subsequently ascertains that Easiplay Club membership has been issued to a minor, SA Lotteries will cancel such membership and, in accordance with these Rules, decline to pay any prize that would otherwise have been payable.

- 8.7 An Agent, to whom a duly completed application form is submitted, together with such evidence of the applicant's age as the Agent may require, will forthwith issue an Easiplay Club temporary membership slip to the applicant for immediate use. The autopay facility will be activated once the Easiplay Club application form is processed and accepted by SA Lotteries.
- 8.8 Once a duly completed application form has been processed and accepted by SA Lotteries, the member's personal details will be included in the Easiplay Club database and an Easiplay Club card will be issued and forwarded to the member. Subject to the conditions printed on it, the card will be evidence of Easiplay Club membership.
- 8.9 An Easiplay Club member must ensure that SA Lotteries is advised of any changes to details held in the Easiplay Club database. When requested by SA Lotteries, an Easiplay Club member must sign and send a change of details form through any selling point or directly to Head Office. Neither SA Lotteries nor any agent will be liable to make good any loss incurred in respect of any prize forwarded to an address shown in the Easiplay Club database at the time of expiration of the relevant claim period.
- 8.10 SA Lotteries will maintain a record of the information provided by each Easiplay Club member and will be permitted to use that information for the purpose of distributing advertising material and similar information. An Easiplay Club member who does not want to receive such material or information must advise SA Lotteries in writing. SA Lotteries will use its best endeavours to protect each member's personal information and maintain the highest level of confidentiality.
- 8.11 SA Lotteries shall be entitled to refuse a new membership or cancel an existing membership, for whatever reason, without the requirement to outline the reasons for such refusal or cancellation.
- 8.12 Once SA Lotteries has paid a prize won on a ticket purchased on presentation of an Easiplay Club membership card, there will be no further claim to that prize.
- 8.13 If a player who complies with the requirements of these Rules reports that a winning ticket is lost, SA Lotteries may decline to pay the prize to the ticket's bearer.
- 8.14 If a person ('the bearer') lodges a printed ticket that bears the name of an Easiplay Club member ('the member') with SA Lotteries for payment of a prize, but the bearer fails to produce the corresponding Easiplay Club membership card, SA Lotteries will invite the bearer to provide a statutory declaration and such other documentation as SA Lotteries requires to determine the rightful owner of the printed ticket.
- 8.14.1 If SA Lotteries is satisfied that the bearer is the rightful owner of the printed ticket, and the prize has not been autopaid to the member in accordance with Rule 11.16, SA Lotteries will pay the prize to the bearer and neither the member nor any other person will have any claim in respect of the printed ticket.
- 8.14.2 A decision by SA Lotteries under this Rule is final and without appeal. SA Lotteries has no obligation beyond the strict requirements of this Rule to provide a right to be heard in relation to its decision.
- 8.15 The procedure under Rule 8.14 is not available to a ticket's bearer after expiration of the minimum Autopay period as determined by SA Lotteries. After expiration of that period any prize payable in respect of the ticket will only be paid to the member whose name first appears on the application form.
- 8.16 If:
- 8.16.1 a prize is won on a ticket purchased on presentation of an Easiplay Club membership card in respect of which an Autopay period has been nominated; and
- 8.16.2 the ticket's bearer has not claimed the prize at the expiration of the Autopay period,

SA Lotteries will pay the prize into the bank account nominated by the member or by such other means as determined by SA Lotteries. Thereafter, the ticket's bearer will have no claim to the prize.

9. *Gift Vouchers*

- 9.1 SA Lotteries may make available to players the purchase of gift vouchers for such defined value(s) as determined by SA Lotteries from time to time.
- 9.2 The price of a gift voucher must be paid in Australian currency, by credit card, by funds transfer from a player's account or by such other means as SA Lotteries determines. Payment must be made at the time of requesting the gift voucher.
- 9.3 SA Lotteries may include a security code on any part of the gift voucher for the purpose of identifying counterfeit or reconstituted gift vouchers.
- 9.4 A security code may be:
- 9.4.1 symbols or other markings; and
 - 9.4.2 printed, stamped, embossed or otherwise shown on the gift voucher.
- 9.5 A gift voucher can only be presented once for redemption unless otherwise determined by SA Lotteries.
- 9.6 Gift vouchers must be redeemed within twelve months of their date of issue or such other period as determined by SA Lotteries.
- 9.7 A gift voucher will not be redeemable for cash.
- 9.8 Any player who claims to be entitled to redeem a gift voucher but:
- 9.8.1 whose gift voucher has not been identified by a central computer system used in the SA Lotteries' business as a validly issued gift voucher; or
 - 9.8.2 considers that their gift voucher has been incorrectly evaluated by SA Lotteries;
- may lodge a claim with SA Lotteries.
- 9.9 A claim under Rule 9.8:
- 9.9.1 may be lodged with SA Lotteries either personally or by registered mail;
 - 9.9.2 must reach SA Lotteries within the period specified for the redemption of a gift voucher;
 - 9.9.3 must be accompanied by the gift voucher in question and proof of purchase, clearly endorsed with the claimant's full name and address; and
 - 9.9.4 if posted, must be accompanied by a self-addressed envelope bearing the correct postage.
- 9.10 SA Lotteries:
- 9.10.1 will not be obliged to recognise any claim not identified by a central computer system used in the SA Lotteries' business within the period specified for the redemption of a gift voucher; and
 - 9.10.2 may in its absolute discretion accept or refuse to accept a claim in whole or in part.

10. *Disqualifications*

- 10.1 Notwithstanding that:
- 10.1.1 acceptance of entries into a lottery has closed;
 - 10.1.2 a ticket may have issued; or
 - 10.1.3 the draw has occurred in respect of which the ticket is entered
- an entry in a lottery may be disqualified and no prize claim shall be made in respect of it, if SA Lotteries is of the opinion that it should be so disqualified. Any ticket which has issued in respect of an entry in a lottery which is disqualified shall automatically be cancelled.
- 10.2 The reasons for disqualification may include but are not limited to:
- 10.2.1 failure to pay the full price of entry;
 - 10.2.2 reasonable suspicion of fraud or attempted fraud (whether computer related or otherwise);

- 10.2.3 reasonable suspicion of unauthorised use of a selling point terminal or central computer system used in the SA Lotteries' business; or
 - 10.2.4 any other breach of these Rules which justifies disqualification.
 - 10.3 SA Lotteries shall use its best endeavours to notify a player whose name and address is known to SA Lotteries that an entry has been disqualified and the reason therefor and SA Lotteries shall refund to the player any price paid. Where SA Lotteries does not know the name and address of a player, SA Lotteries shall publicise, in a manner determined by SA Lotteries, the disqualification of such an entry.
 - 10.4 If an entry which would otherwise be eligible for a prize, is disqualified during the claim period then the value of the remaining prizes shall be varied to take into account such disqualification.
11. *Payment of Prizes*
- 11.1 SA Lotteries' records as to payment of prizes in respect of a ticket shall be conclusive.
 - 11.2 No prize will bear interest as against SA Lotteries.
 - 11.3 Any prize won on a share entry will be payable to the bearer of the share entry to the extent of the bearer's entitlement as appears on the share entry, rounded down in each division to the nearest 5 cents below the bearer's share of the actual prize otherwise payable, with any resulting surplus being paid into the Prize Reserve Fund.
 - 11.4 Payment of prizes won on printed tickets or Instant Scratchies tickets:
 - 11.4.1 greater than \$5 000 or such other amount as SA Lotteries determines may be made by electronic funds transfer or by such other means as SA Lotteries determines. Such prizes must be claimed at SA Lotteries' Head Office (unless an Agent has obtained prior approval from SA Lotteries to make a cash payment) and except for prizes that have been autopaid each claimant for such a prize must complete a statutory declaration as provided by SA Lotteries.
 - 11.4.2 greater than \$500 but equal to or less than \$5 000 or such other amount as SA Lotteries determines (either generally or in relation to a particular lottery) may be made in cash, by electronic funds transfer or by such other means as SA Lotteries determines. Such prizes may be claimed at SA Lotteries' Head Office or at an agency with the means to make a cash payment.
 - 11.4.3 equal to or less than \$500 or such other amount as SA Lotteries determines shall be payable in cash or by electronic funds transfer by SA Lotteries' Head Office or in cash by any Agent.
 - 11.5 Payment of prizes won on an electronic ticket will be paid by electronic funds transfer directly into the account established for use in connection with the player's participation in electronic requests.
 - 11.6 A handling fee (which may include postage costs and a processing fee) will be charged in each case as SA Lotteries determines for payment of prizes won on printed tickets or Instant Scratchies tickets by electronic funds transfer or such other manner as SA Lotteries determines. The handling fee will be deducted from the prize.
 - 11.7 A non-refundable claim administration fee as determined by SA Lotteries may be required to accompany a claim for an ex gratia payment under section 16D of the Act.
 - 11.8 The applicant for payment of a prize must provide their name and address:
 - 11.8.1 for payment of a prize greater than \$5 000 (or such other amount as provided by law) in any online lottery;
 - 11.8.2 for payment of any prize to be paid by electronic funds transfer; or
 - 11.8.3 in any other case as required by SA Lotteries.
 - 11.9 A printed ticket or Instant Scratchies ticket forwarded by post for payment of a prize must:

- 11.9.1 have the winner's name and address completed on its reverse; and
- 11.9.2 be accompanied by a self-addressed envelope bearing the correct postage.
- 11.10 A prize claim incomplete in any detail required by SA Lotteries may be rejected.
- 11.11 SA Lotteries may decline to pay a prize in respect of any ticket presented as evidence of a winning entry if, in SA Lotteries' opinion:
 - 11.11.1 the ticket was purchased by a minor or an Easiplay Club membership card issued to a minor was submitted at the time of purchase of the ticket;
 - 11.11.2 any number or security marking on the ticket has been tampered with in any way; or
 - 11.11.3 the ticket has been stolen, mutilated, altered, defaced or is counterfeit, misprinted, illegible, incomplete or defective in any way; or
 - 11.11.4 the ticket was found to have been purchased fraudulently,and furthermore, SA Lotteries shall retain such a ticket for such period as SA Lotteries determines.
- 11.12 A ticket that has been recorded as cancelled on a central computer system used in the SA Lotteries' business will be of no validity in claiming a prize. The player will have no claim against SA Lotteries (whether such cancelled recording is at the player's request or due to a computer system malfunction, operator error or otherwise). A ticket incorrectly recorded on a central computer system used in the SA Lotteries' business will be deemed cancelled. SA Lotteries will determine whether a ticket has been correctly recorded.
- 11.13 A ticket identified by a central computer used in the SA Lotteries' business system as a prize winning ticket must, after evaluation by a selling point terminal and payment of the prize, be retained by SA Lotteries or an Agent for such period as SA Lotteries determines.
- 11.14 Where a prize winning ticket processed in accordance with these Rules is acknowledged by a central computer system used in the SA Lotteries' business to contain an entry in any online lottery that has not yet been drawn or conducted, the selling point terminal operator will issue an exchange ticket to the bearer. The exchange ticket will contain the same selections and specify the remaining draw numbers in which it will be entered.
- 11.15 Subject to Rule 8.14, an Easiplay Club member who has not claimed a prize within the nominated Autopay period will be paid by electronic funds transfer for the prize in favour of the name and details on the Easiplay Club database at the time of issue, provided that:
 - 11.15.1 in SA Lotteries' opinion, the name and details are adequate to ensure safe delivery; and
 - 11.15.2 the net amount of the payment payable to the player exceeds the handling fee as determined by SA Lotteries.
- 11.16 A claim for a prize already paid by SA Lotteries will not be considered.
- 11.17 Subject to the provisions of the Act, a claim for a prize received by SA Lotteries outside the relevant claim period will not be considered, nor will SA Lotteries accept or recognise any reason for late lodgement or receipt of a claim.
- 11.18 (a) Prizes in a lottery, other than a special appeal lottery, not collected or taken delivery of within 12 months of the date of the draw or such other date as SA Lotteries determines, will be forfeited in accordance with the Act.
 - (b) Prizes in a special appeal lottery not collected or taken delivery of within the period specified by the Minister will be payable to the beneficiary or beneficiaries of the net proceeds of the special appeal lottery, in the proportions specified by the Minister.

12. *Syndicates and Payment of Prizes to Bearer*

- 12.1 Except as otherwise provided by these Rules, the bearer of a ticket that is evidence of a winning entry will be regarded as its owner and will be paid the prize upon the ticket's redemption, notwithstanding:
- 12.1.1 any name on the ticket;
 - 12.1.2 any name on an application form for an Easiplay Club membership card submitted at the time of purchase of the ticket;
 - 12.1.3 any name and address in the database for an Easiplay Club membership card submitted at the time of purchase of the ticket;
 - 12.1.4 that a person has reported the ticket's loss to SA Lotteries;
 - 12.1.5 that SA Lotteries has had notice that someone other than the ticket's bearer may have a claim in respect of the prize won by the ticket; or
 - 12.1.6 that payment is made to a person not named on an application form for an Easiplay Club membership card submitted at the time of purchase of the ticket.

Payment of any prize to the bearer of the ticket will be deemed a full and final discharge of SA Lotteries' liability in respect of the ticket.

- 12.2 If an Easiplay Club membership card in the name of a Consumer Syndicate is submitted at the time of purchase of a ticket in any online lottery:
- 12.2.1 during the nominated Autopay period, any prize will be payable to the bearer of the ticket or share ticket to the extent of that member's entitlement as appears on the share ticket and when accompanied by the corresponding Easiplay Club membership card; and
 - 12.2.2 at the expiry of the nominated Autopay period any prize or unclaimed part thereof will be paid to the Easiplay Club member whose name appears first (member 1) on the application form, and if it is posted it will be sent to the address stated on the application form.
- 12.3 If a membership card in the name of a House Syndicate is submitted at the time of purchase of a ticket in any online lottery:
- 12.3.1 any prize will be payable to the bearer of the ticket or share ticket to the extent of that member's entitlement as appears on the share ticket; and
 - 12.3.2 any prize or part thereof not collected within 12 months of the date of the draw or such other date as SA Lotteries determines will be paid into the Unclaimed Prizes Reserve in accordance with the Act.
- 12.4 SA Lotteries will not be bound:
- 12.4.1 by any agreement made between any syndicate or group participants other than an agreement between SA Lotteries and a player in a Network Syndicate; or
 - 12.4.2 to take notice or to see to the execution of any trust whether express, implied or constructive to which a ticket may be subject

13. *Cancellation of Lottery or Ticket*

- 13.1 SA Lotteries may in respect of any lottery conducted by it:
- 13.1.1 cancel the lottery;
 - 13.1.2 cancel any ticket without cancelling the lottery to which it relates; or
 - 13.1.3 recall any Instant Scratchies ticket(s) and cancel the remainder of the series of which they are part,

if it considers that doing so is necessary for the fair conduct of the lottery or for such other reason as SA Lotteries in its absolute discretion determines. Such cancellation may be effected either before or after the draw or payment of prizes in any lottery.

- 13.2 If SA Lotteries cancels a lottery it may:
- 13.2.1 pay anyone who has purchased a ticket in the lottery the price of the ticket;
 - 13.2.2 conduct another lottery ('the second lottery') and issue to anyone who purchased a ticket in the cancelled lottery a ticket in the second lottery. The price of a ticket and the value and number of prizes in the second lottery will not differ from the price of a ticket and the value and number of prizes in the cancelled lottery; or
 - 13.2.3 deal with the tickets in the cancelled lottery in such manner as SA Lotteries considers fair and reasonable in all the circumstances.
- 13.3 If SA Lotteries cancels a ticket in a lottery it may:
- 13.3.1 repay the price of the ticket; or
 - 13.3.2 issue another ticket with a different serial number in the same lottery, and in either case the cancelled ticket will not be included with other tickets in determining the prizes of the lottery to be won.

SCHEDULE

Date of operation of these Rules:

Dated 11 December 2012.

© The Crown in right of the State of South Australia 2012

SEWERAGE ACT 1929

Addition of Land to Port Lincoln Country Drainage Area

PURSUANT to Section 18 of the Sewerage Act 1929, the South Australian Water Corporation:

- (a) adds to the Port Lincoln Country Drainage Area all the land contained in Community Title 24659; and
- (b) declares that this notice has effect from the commencement of the financial year in which it is published in the *Government Gazette*.

Dated 3 December 2012.

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

D. BURGESS, Acting Manager Billing and Collection

In the presence of:

N. HUDSON, Team Leader Rating

SAWATER 12/05145 D1512

NOTICE TO MARINERS

NO. 38 OF 2012

South Australia—Spencer Gulf—Port Bonython—Restricted Areas

MARINERS are advised that new light structures for restricted areas off Port Bonython jetty have been installed. The light sequence has also been amended as follows:

ZONE 1— All vessels prohibited at all times.

ZONE 2—All vessels are prohibited when either a ship is in berth and/or the red lights are flashing at the rate of 1 flash every 2 secs.

ZONE 3—Where an emergency exists, all vessels are prohibited as indicated by either an audible and/or the red lights are flashing at the rate of 2 flashes per second.

The signage boards have also been updated.

Maximum penalty: \$1 250.

Harbors and Navigation Act 1993.

Charts affected: Aus 135 and 136.

Adelaide, 4 December 2012.

PATRICK CONLON, Minister for Transport

DPTI 2012/00765

NOTICE TO MARINERS

NO. 39 OF 2012

South Australia—River Murray—Bookpurnong—Pump Installed

MARINERS are advised that a submersible pump installation consisting of a 350 mm polypipe submerged from the river bank edge and extending 3 to 4 metres will be installed in position:

Latitude 34°21'17.56"S, longitude 140°34'30.32"E.

A yellow special marker with a St Andrew's Cross topmark will be attached to the end of the polypipe.

Work is scheduled to commence on 5 December 2012 for a period of two years. Mariners are advised to exercise caution when navigating in the vicinity.

Adelaide, 3 December 2012.

PATRICK CONLON, Minister for Transport

DPTI 2012/00765

WORKERS REHABILITATION AND COMPENSATION ACT 1986

*Notice of Travel Allowance**Preamble*

Section 32 (7) of the Workers Rehabilitation and Compensation Act 1986 (the Act) states that:

'Where a worker travels in a private vehicle to or from any place for the purpose of receiving medical services, hospitalisation or approved rehabilitation, and the travel is reasonably necessary in the circumstances of the case, the worker is entitled to a travel allowance at rates fixed by a scale published by the Minister under this section.'

NOTICE

I DECLARE that the rate for travel allowance in 2013 is hereby fixed for the purposes of Section 32 (7) of the Act at 40.8 cents per kilometre, and this notice supersedes all previous notices of the travel allowance rate published under Section 32 (7) of the Act.

This Notice is effective for travel on or after 1 January 2013.

Dated 3 December 2012.

JACK SNELLING, Minister for Workers' Rehabilitation

WATERWORKS ACT 1932

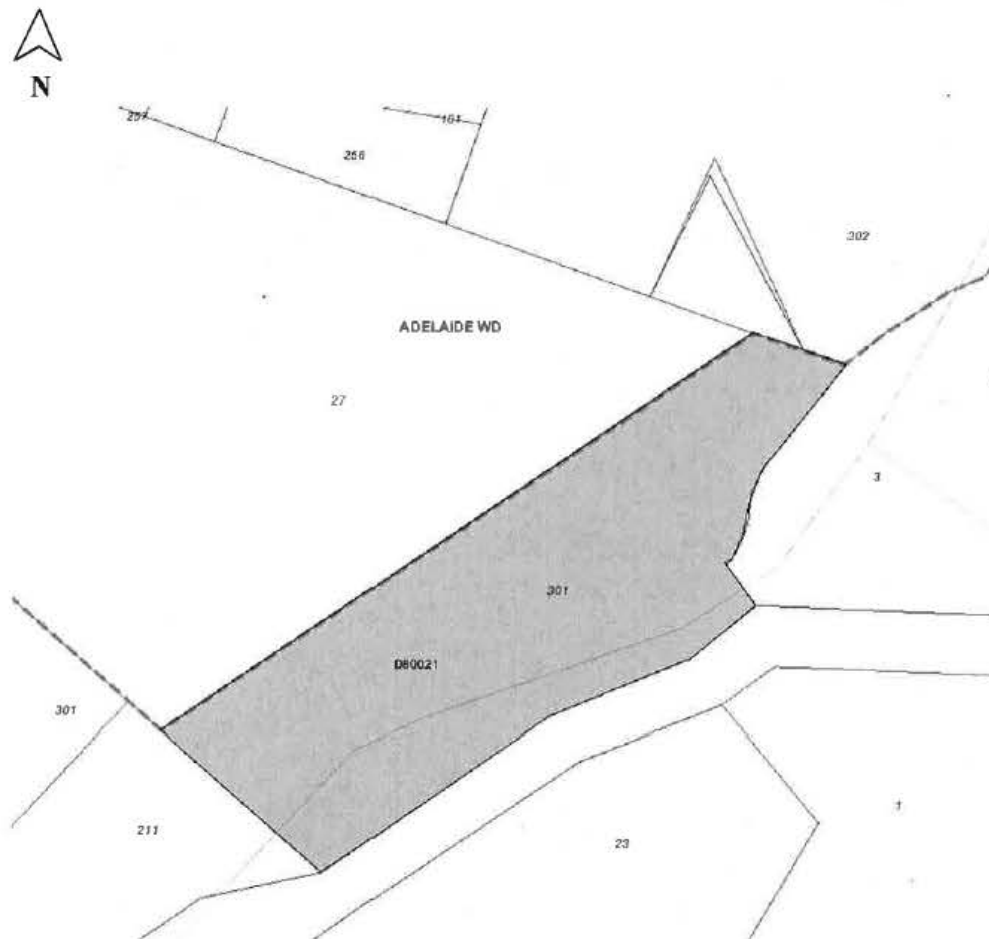
Addition of Land to Adelaide Water District

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

- (a) adds to the Adelaide Water District all the land shown on the plan in the schedule; and
- (b) declares that this notice will have effect from 1 July 2012.

W1513
SA Water 12/05146
Mapsheets: 662702E

SCHEDULE
UPPER STURT
HUNDRED OF ADELAIDE



NOT TO SCALE

**BOUNDARY OF ADELAIDE WATER DISTRICT PREVIOUSLY PROCLAIMED
AS DASHED LINES**

**ADDITION OF LAND TO BE ADDED TO ADELAIDE WATER DISTRICT
SHOWN AS SHADED AREA**

Dated 3 December 2012.

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

D. BURGESS, Acting Manager Billing and Collection

In the presence of:

N. HUDSON, Team Leader Rating

WATERWORKS ACT 1932

Addition of Land to Port Victor Water District

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

- (a) adds to the Port Victor Water District all the land shown on the plan in the schedule; and
- (b) declares that this notice will have effect from 1 July 2013.

W1510
SA Water 12/05140
Mapsheets: 662602R

SCHEDULE
VICTOR HARBOR
HUNDRED OF ENCOUNTER BAY



NOT TO SCALE

BOUNDARY OF PORT VICTOR WATER DISTRICT PREVIOUSLY
PROCLAIMED AS DASHED LINES

ADDITION OF LAND TO BE ADDED TO PORT VICTOR WATER DISTRICT
SHOWN AS SHADED AREA

Dated 3 December 2012.

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

D. BURGESS, Acting Manager Billing and Collection

In the presence of:

N. HUDSON, Team Leader Rating

WATERWORKS ACT 1932

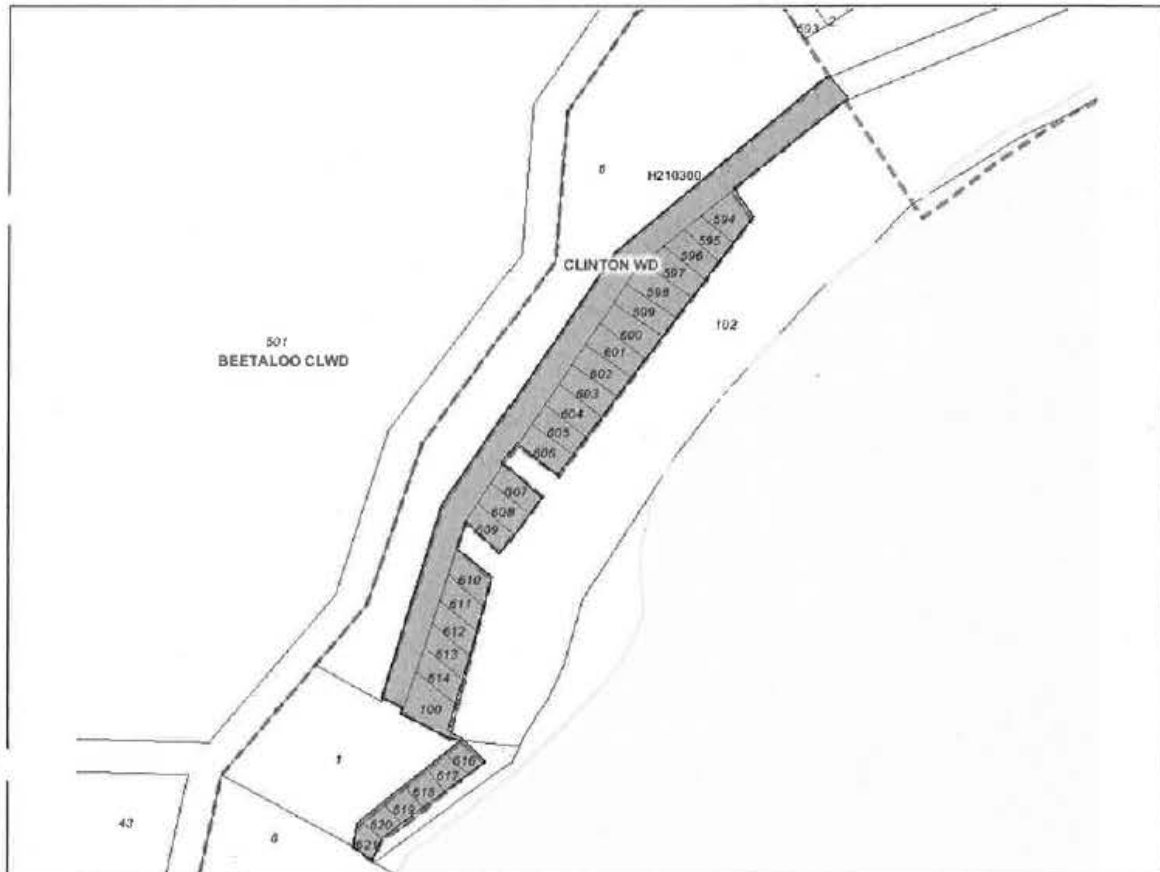
Removal of Land from Clinton Water District and Addition to Beetaloo Country Land Water District

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

- (a) removes from the Clinton Water District and adds to the Beetaloo Country Land Water District all the land shown on the plan in the schedule; and
- (b) declares that this notice has effect from the commencement of the financial year in which it is published in the *Gazette*.

W1509
SA Water 12/05143
Mapsheet: 652121J

SCHEDULE
CLINTON
HUNDRED OF CLINTON



NOT TO SCALE

BOUNDARY OF CLINTON WATER DISTRICT AND BEETALOO COUNTRY
LANDS WATER DISTRICT PREVIOUSLY PROCLAIMED SHOWN AS
DASHED LINES

ADDITION OF LAND TO BE ADDED TO BEETALOO COUNTRY LANDS
WATER DISTRICT SHOWN AS SHADED AREA

Dated 3 December 2012.

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

D. BURGESS, Acting Manager Billing and Collection

In the presence of:

N. HUDSON, Team Leader Rating



Christmas/New Year Holiday Publishing Information

Last Gazette for 2012 will be Thursday, 20 December 2012

Closing date for notices for publication will be
4 p.m. Tuesday, 18 December 2012

First Gazette for 2013 will be Thursday, 3 January 2013

Closing date for notices for publication will be
4 p.m. Monday, 31 December 2012

(There will not be a Gazette in the period between these two dates)

Email address for *Government Gazette* notices:

governmentgazette@dpc.sa.gov.au

Facsimile transmission of notices:

(08) 8207 1040
Attention: *Government Gazette* Section

Inquiries telephone: (08) 8207 1045



GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2012

	\$		\$
Agents, Ceasing to Act as.....	47.00	Firms:	
Associations:		Ceasing to Carry on Business (each insertion)	31.25
Incorporation	23.80	Discontinuance Place of Business	31.25
Intention of Incorporation	59.00	Land—Real Property Act:	
Transfer of Properties	59.00	Intention to Sell, Notice of.....	59.00
Attorney, Appointment of.....	47.00	Lost Certificate of Title Notices	59.00
Bailiff's Sale	59.00	Cancellation, Notice of (Strata Plan).....	59.00
Cemetery Curator Appointed.....	34.75	Mortgages:	
Companies:		Caveat Lodgement	23.80
Alteration to Constitution	47.00	Discharge of	24.90
Capital, Increase or Decrease of	59.00	Foreclosures.....	23.80
Ceasing to Carry on Business	34.75	Transfer of	23.80
Declaration of Dividend.....	34.75	Sublet.....	12.00
Incorporation	47.00	Leases—Application for Transfer (2 insertions) each.....	12.00
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each.....	34.75
First Name.....	34.75	Licensing.....	69.50
Each Subsequent Name.....	12.00	Municipal or District Councils:	
Meeting Final.....	39.25	Annual Financial Statement—Forms 1 and 2	657.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	467.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name	93.50
First Name.....	47.00	Each Subsequent Name.....	12.00
Each Subsequent Name.....	12.00	Noxious Trade	34.75
Notices:		Partnership, Dissolution of.....	34.75
Call.....	59.00	Petitions (small)	23.80
Change of Name.....	23.80	Registered Building Societies (from Registrar-General)	23.80
Creditors.....	47.00	Register of Unclaimed Moneys—First Name	34.75
Creditors Compromise of Arrangement	47.00	Each Subsequent Name	12.00
Creditors (extraordinary resolution that 'the Com-		Registers of Members—Three pages and over:	
pany be wound up voluntarily and that a liquidator		Rate per page (in 8pt)	299.00
be appointed').....	59.00	Rate per page (in 6pt)	395.00
Release of Liquidator—Application—Large Ad	93.50	Sale of Land by Public Auction.....	59.50
—Release Granted	59.00	Advertisements	3.30
Receiver and Manager Appointed	54.00	¼ page advertisement	139.00
Receiver and Manager Ceasing to Act	47.00	½ page advertisement	279.00
Restored Name	44.00	Full page advertisement.....	546.00
Petition to Supreme Court for Winding Up.....	81.50	Advertisements, other than those listed are charged at \$3.30 per	
Summons in Action.....	69.50	column line, tabular one-third extra.	
Order of Supreme Court for Winding Up Action	47.00	Notices by Colleges, Universities, Corporations and District	
Register of Interests—Section 84 (1) Exempt.....	105.00	Councils to be charged at \$3.30 per line.	
Removal of Office.....	23.80	Where the notice inserted varies significantly in length from	
Proof of Debts	47.00	that which is usually published a charge of \$3.30 per column line	
Sales of Shares and Forfeiture.....	47.00	will be applied in lieu of advertisement rates listed.	
Estates:		South Australian Government publications are sold on the	
Assigned	34.75	condition that they will not be reproduced without prior	
Deceased Persons—Notice to Creditors, etc.....	59.00	permission from the Government Printer.	
Each Subsequent Name.....	12.00		
Deceased Persons—Closed Estates	34.75		
Each Subsequent Estate.....	1.55		
Probate, Selling of	47.00		
Public Trustee, each Estate.....	12.00		

All the above prices include GST

GOVERNMENT GAZETTE NOTICES

ALL private advertisements forwarded for publication in the *South Australian Government Gazette* must be PAID FOR PRIOR TO INSERTION; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to **Government Publishing SA** so as to be *received no later than 4 p.m. Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: governmentgazette@dpc.sa.gov.au*. Send as attachments in Word format. Please include date the notice is to be published and to whom the notice will be charged. **The Government Gazette is available online at: www.governmentgazette.sa.gov.au**.

MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2012

Acts, Bills, Rules, Parliamentary Papers and Regulations

Pages	Main	Amends	Pages	Main	Amends
1-16	2.90	1.35	497-512	39.75	38.75
17-32	3.80	2.40	513-528	40.75	39.50
33-48	5.00	3.55	529-544	42.25	40.75
49-64	6.30	4.85	545-560	43.50	42.25
65-80	7.35	6.10	561-576	44.50	43.50
81-96	8.55	7.10	577-592	46.00	44.00
97-112	9.75	8.35	593-608	47.25	45.50
113-128	10.90	9.60	609-624	48.00	47.00
129-144	12.20	10.80	625-640	49.25	47.50
145-160	13.40	12.00	641-656	50.50	49.25
161-176	14.60	13.20	657-672	51.50	49.75
177-192	15.90	14.40	673-688	53.00	51.50
193-208	17.10	15.80	689-704	54.00	52.00
209-224	18.10	16.70	705-720	55.50	53.50
225-240	19.30	17.90	721-736	57.00	54.50
241-257	20.80	18.90	737-752	57.50	56.00
258-272	21.90	20.00	753-768	59.00	57.00
273-288	23.00	21.70	769-784	60.00	59.00
289-304	24.10	22.60	785-800	61.00	60.00
305-320	25.50	24.00	801-816	62.50	60.50
321-336	26.50	25.10	817-832	63.50	62.50
337-352	27.90	26.25	833-848	65.00	63.50
353-368	28.75	27.75	849-864	66.00	64.50
369-384	30.25	28.75	865-880	67.50	66.00
385-400	31.50	30.00	881-896	68.00	66.50
401-416	32.75	31.00	897-912	69.50	68.00
417-432	34.00	32.50	913-928	70.00	69.50
433-448	35.00	33.75	929-944	71.50	70.00
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SOUTH AUSTRALIA

SUPREME COURT CRIMINAL
RULES 2013

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SOUTH AUSTRALIA

SUPREME COURT CRIMINAL RULES 2013**CHAPTER 1—PRELIMINARY****Citation**

- 1.01 These rules may be cited as the “*Supreme Court Criminal Rules 2013*”. These rules apply to the exercise by the Court of its criminal jurisdiction.
- 1.02 In these rules and forms, unless the contrary intention appears:
the Act means the *Criminal Law Consolidation Act 1935*;
the Criminal Rules means these rules;
the Civil Rules means the *Supreme Court Civil Rules 2006*;
the Director means the Director of Public Prosecutions for the State or Commonwealth (as the context requires).
- 1.03 These rules commence on 1 January 2013 (**the commencement date**).
- 1.04 The *Supreme Court Criminal Rules 1992* are repealed. Unless the Court otherwise directs, the *Supreme Court Criminal Rules 2013* apply to:
- (a) proceedings commenced on or after the commencement date; and
 - (b) steps taken or required to be taken or matters occurring on or after the commencement date in proceedings commenced before the commencement date.

Jurisdiction, powers and sittings

- 2.01 Subject to rule 2.02, the sittings of the Court in its criminal jurisdiction will be at such times and places as the Chief Justice shall from time to time direct.
- 2.02 The sittings of the Court in its criminal jurisdiction at Adelaide shall be continuous throughout the year except for the period from Christmas Day until the day preceding the second Monday in the month of January.
- 2.03 The Court may at any time dispense with compliance with all or any part of these rules including a rule relating to or governing powers that the Court may exercise of its own motion.
- 2.04 The Masters of the Court have the power, authority and jurisdiction to make interlocutory orders in criminal proceedings governed by these rules only in respect of:
- (a) the listing and de-listing of matters for trial;
 - (b) the taxation of costs; and
 - (c) any matter referred to them by a Judge.

Time

- 3.01 When anything is by these rules or any order or direction of the Court directed to be done within a fixed period of time, that period of time shall be calculated in accordance with the criteria in rule 5 of the *Civil Rules*.

- 3.02 When any period of time prescribed by these rules or any order or direction of the Court expires on or after 24 December in any year and before the second Monday in January of the following year, that period of time is hereby extended to that second Monday in January.

Caseflow management

- 4.01 These rules are made for the purpose of establishing orderly procedures for the conduct of the business of the Court in its criminal jurisdiction and of promoting the just and efficient determination of such business. They are not intended to defeat a proper prosecution or to frustrate a proper defence of a person who is genuinely endeavouring to comply with the procedures of the Court and they are to be interpreted and applied with the above purpose in view.

- 4.02 With the object of—

- (a) promoting the just determination of the business of the Court;
- (b) disposing efficiently of the business of the Court;
- (c) maximising the efficient use of the available judicial and administrative resources; and
- (d) facilitating the timely disposal of business at a cost affordable by the parties and the community generally;

proceedings in the Court will be managed and supervised in accordance with a system of positive caseflow management. These rules are to be construed and applied and the processes and procedures of the Court conducted so as best to ensure the attainment of the above objects.

CHAPTER 2 –INITIATION OF CRIMINAL PROCEEDINGS

Informations

- 5.01 The rules contained in Schedule 3 to the Act are revoked.

- 5.02 An information presented under s 275(1) of the Act is:

- (a) to be in form 3;
- (b) to contain in a separate numbered paragraph, called a count, a description of each offence charged;
- (c) to have endorsed on the back the names of the witnesses who the Director intends to call at the trial;
- (d) to comply with the remaining provisions of rule 5 and with rule 6;
- (e) not open to objection by reason only of any failure to comply with rule 5.

- 5.03 Each count in an information is:

- (a) to describe the offence briefly in ordinary language, avoiding as far as possible technical terms, and without necessarily stating all the essential elements of the offence;
- (b) if applicable, to state the section of the statute creating the offence or fixing the penalty for the offence; and

- (c) to contain in ordinary language particulars of the offence, avoiding as far as possible the use of technical terms. If any rule of law or any enactment limits the particulars required to be given, rule 5 does not require more detailed particulars than those so required by that rule or enactment.
- 5.04 If an enactment states an offence to be the doing or the omission to do any one of any different acts, or the doing or the omission to do any act in any one of any different capacities, or with any one of any different intentions, or states any other part of the offence in the alternative, the acts, omissions, capacities or intentions, or other matters stated in the alternative in the enactment, may be stated in the alternative in the count charging the offence.
- 5.05 It is not necessary, in a count charging a statutory offence, to negative any exception or exemption from, or qualification of, the operation of the statute creating the offence.
- 5.06 (1) Subject to subrule (2), the description or designation of the accused person, or of any other person to whom reference is made, should be sufficient to identify the person, without necessarily stating his or her correct name, address or occupation.
- (2) If it is impracticable to give a description or designation which identifies a person in accordance with subrule (1), such description or designation as can best be provided should be given, or the person may be described as “a person unknown”.
- 5.07 (1) The description of property should be sufficient to identify the property. It is not necessary (unless an offence depends on any special ownership of property or special value of property) to name the owner or value of the property.
- (2) When reference is to be made to a property with multiple owners, it is sufficient to describe the property as owned by one of those named persons “with others”. If the persons owning the property are a body of persons with a collective name, such as “Trustees”, “Commissioners” or “Club”, it is sufficient to use the collective name without naming any individual.
- 5.08 The description of a document or instrument should be sufficient to identify the document or instrument. It is sufficient to describe a document or instrument by any name or designation by which it is usually known, or by its effect, without setting out any copy of it.
- 5.09 The description of a place, time, thing, matter, act or omission should be sufficient to identify the place, time, thing, matter, act or omission.
- 5.10 Figures and abbreviations may be used to express anything which is commonly expressed in that manner.

Serious and organised crime offences

- 6.01 If proceedings are, or will be, prescribed proceedings under s 275 of the Act or a bail authority has determined under s 3A of the *Bail Act 1985* that an accused person is a serious and organised crime suspect:
- (a) the Director is to include an endorsement to that effect on any information filed in the Court charging the person with the offence or offences relied upon for the determination or concerning such proceedings; and
- (b) if the determination that a person is a serious and organised crime suspect is made after an information has been filed, the Director is to apply as soon as practicable to amend the information to add an endorsement to the same effect.

- 6.02 An endorsement under rule 6.01 is also to include a statement informing the accused that the proceedings may be expedited in accordance with s 275(3) of the Act and the rules made by the Court under that provision.
- 6.03 If there has not been any information filed in the Court to which rule 6.01 may apply, the Director is to inform the Court at the first arraignment that the proceedings are prescribed proceedings under s 275 of the Act, or that the accused person is a serious and organised crime suspect, as the case may be.

CHAPTER 3—ARRAIGNMENT, APPEARANCE AND REPRESENTATION

Arraignment of persons committed for trial or sentence

- 7.01 Persons committed for trial or sentence in Adelaide, whether in custody or on bail, are to appear before the Court on the first working day of the first week after the expiration of 28 days from their committal for trial or sentence.
- 7.02 Persons committed for trial or sentence at a place other than Adelaide, whether in custody or on bail, are to appear before the Court on the first working day of the first week of the sittings next after the expiration of 28 days from their committal for trial or sentence.
- 7.03 Despite rules 7.01 and 7.02, a Judge may direct a person committed for trial or sentence, whether in custody or on bail, to appear before the Court at an earlier or later date than that provided for in such rules.
- 7.04 A person may be presented for trial before the date fixed in accordance with rules 7.01 or 7.02 respectively if a Judge shall so order.

Arraignment of persons committed for trial on more than one charge

- 8.01 If:
- (a) a person committed for trial is to be arraigned on an information which charges that person with more than one offence; and
 - (b) the Judge before whom that person stands to be arraigned is satisfied the person is literate;
- the Judge may allow that person to be arraigned in the manner provided by rule 8.02.
- 8.02 An arraignment under rule 8 will proceed in the following manner:
- (a) a true copy of the information must be provided to the person either prior to or at the time of arraignment;
 - (b) a summary of the offences charged will be read to the person by a person directed by the Judge;
 - (c) the person is, either prior to or at the time of arraignment, to write against each charge on a true copy of the information his or her plea to such charge;
 - (d) at the time of arraignment, the person is to sign his or her name at the foot of that true copy of the information and that signature is to be witnessed by the person's solicitor or counsel or, if the person is not represented, by a person directed by the Judge;

- (e) the Judge before whom the person has been so arraigned will, in accordance with the signed copy of the information, record the respective pleas; and
- (f) if the arraignment is in the presence of the jury panel or a jury, a copy of the information bearing the plea of the accused may be given to the jury empanelled for the trial of the accused.

Court of trial

- 9.01 If upon arraignment a person committed for trial pleads not guilty to an offence which is not within the exclusive jurisdiction of the Court, the Director and the defence may make submissions under s 110 of the *Summary Procedure Act 1921* as to the appropriate court of trial.
- 9.02 A decision as to whether any matter referred to in rule 9.01 is to be removed for trial in the District Court may be made by a Judge at any time prior to trial.
- 9.03 When consideration is being given to the making of any decision referred to in rule 9.02, regard will be had to the matters set out in s 110(5) of the *Summary Procedure Act 1921*. The availability of Judges of both the Supreme Court and the District Court to preside over criminal trials is a matter which will be taken into account under that section.

Other appearances

- 10.01 Subject to rule 10.02, a person who has appeared before the Court under rule 7.01 or rule 7.02 and been remanded in custody for trial or sentence is to be brought before the Court on a subsequent occasion:
- (a) for the trial or sentence, as the case may be, and directions hearings relating to the trial or sentence;
 - (b) if a Judge so directs;
 - (c) for the purpose of any application to be made by that person to the Court, if the person so requests.
- 10.02 Subject to s 59IQ of the *Evidence Act 1929* and to any contrary direction by the Court, persons in custody are to appear in the Court for the following hearings by audio visual link:
- (a) directions hearings;
 - (b) bail applications and bail reviews;
 - (c) pre-trial conferences;
 - (d) applications for permission to appeal;
 - (e) such other applications as the Court may order.
- 10.03 A party may object to the use of an audio visual link for a hearing to which rule 10.02 refers by:
- (a) an oral submission made at the time of arraignment or on any other occasion on which the person in custody is present in Court; or

- (b) at least three business days before the hearing, filing a notice of objection using form 4. A notice of objection may be determined at the discretion of the Court by a Judge at a hearing in Court at which the person in custody is present, or in chambers without the Judge hearing from any party, or at a hearing using an audio visual link (whether that be a hearing to which rule 10.02 refers, or otherwise).
- 10.04 It may be necessary for counsel during the course of a hearing by audio visual link to take instructions on a matter which could not reasonably have been anticipated. In that event, counsel will be provided with access to a private telephone which will link directly to the audio visual link facility at the custodial institution in which the person in custody is held.

Representation of defendants

- 11.01 A solicitor instructed to act for any person committed for trial or sentence is, not less than seven days prior to that person's first appearance in the Court, to give notice in writing to the Registrar that the solicitor is so acting, whereupon such solicitor becomes the solicitor on the record for such person and service of any document, notice or proceeding authorised by the *Supreme Court Act 1935* or these rules to be served by or upon a solicitor so acting may be served by or upon that solicitor.
- 11.02 A legal practitioner instructed by a solicitor to appear in court to represent any person committed for trial or sentence is to announce to the Court the name of the solicitor who has instructed the practitioner. If such solicitor has not previously given notice under rule 11.01, the solicitor will thereafter be deemed to have done so.
- 11.03 A solicitor who has given notice in accordance with rule 11.01, or who is deemed to have given such notice by virtue of rule 11.02, will be deemed to be the solicitor acting for the person on whose behalf the solicitor has given or been deemed to have given notice until notice of change of solicitor is duly given under rule 11.04 or an order has been made under rule 11.05.
- 11.04 Any person committed for trial or sentence who has instructed a solicitor is at liberty to change solicitor without any order for that purpose, but when any such change is made the person or the new solicitor must file a notice in the Registry of the change and include the name and place of business of the new solicitor.
- 11.05 If a solicitor who has acted for any person committed for trial or sentence wishes to cease to so act and notice of change has not been given in accordance with the provisions of rule 11.04, the solicitor may make an application in writing for an order that he or she cease to be the solicitor on the record for that person. Unless a Judge otherwise directs, a copy of such application is to be served upon the person committed for trial or sentence. The Court may make such order on the application as it considers appropriate.
- 11.06 Subject to rule 11.05, unless and until the solicitor on the record for a person committed for trial or sentence has obtained an order that the solicitor has ceased to be the solicitor on the record for that person, he or she will be considered the solicitor of that person until the final conclusion of the proceedings before the Court.
- 11.07 (1) The certificate required by s 8(2) of the *Criminal Law (Legal Representation) Act 2001* is to be in form 5.
- (2) The assurance to be given by an unrepresented defendant pursuant to s 8(3) of the *Criminal Law (Legal Representation) Act 2001* is to be in form 6.

CHAPTER 4—PRE-TRIAL APPLICATIONS AND HEARINGS**Directions hearings**

- 12.01 If upon arraignment or attendance for arraignment:
- (a) a person committed for trial pleads not guilty to an offence;
 - (b) an issue of fitness to stand trial is raised and no plea is entered;
 - (c) a person committed for trial pleads guilty to all offences with which the person is charged but it appears that there is a dispute as to the facts upon which the person is to be sentenced; or
 - (d) it appears that there will be a dispute as to the facts in respect of a person committed for sentence;
- a directions hearing will be held as directed by the Court.
- 12.02 Unless the Court otherwise orders:
- (a) a directions hearing will be presided over by a Judge of the Court;
 - (b) only the persons involved in the directions hearing, and legal practitioners whether involved in the hearing or not, are permitted to be present;
 - (c) the accused must attend but that attendance may be by audio visual link under rule 10.02;
 - (d) the directions hearing will be held in court as in chambers.
- 12.03 On a directions hearing under rule 12, the Court may without the need for any written application under rule 15:
- (a) adjourn the hearing from time to time;
 - (b) give directions and set time limits for steps in the proceeding;
 - (c) set or alter the date for the commencement of the trial;
 - (d) record the entry of a nolle prosequi except where the accused person requests that it be entered in open court;
 - (e) hear and determine any application for:
 - (i) the making of special arrangements for the protection of a witness under s 13 of the *Evidence Act 1929*;
 - (ii) bail or a variation in the conditions of bail;
 - (iii) making a subpoena for documents returnable before the commencement of the trial;
 - (iv) abridgment or extension of the time for service of a subpoena;
 - (v) permitting inspection of documents produced on subpoena prior to the commencement of the trial;
 - (vi) dispensation from compliance with the rules relating to election for trial by Judge alone;
 - (vii) amending the Information;
 - (viii) abridging the time for service of a subpoena interstate under s 30 of the *Service and Execution of Process Act 1992* (Cth);

- (ix) orders under Parts 6 and 6C of the *Evidence Act 1929* relating to obtaining evidence out of the State;
 - (x) issuing a bench warrant;
 - (xi) the making of orders under ss 285BA(1), 285BB(1) and 285BB(4) of the Act.
 - (xii) any other matter concerning the conduct of the case and of the trial.
- 12.04 When any application under rule 12.03(e) is contested, the Court may direct that it be heard in open court.
- 12.05 Nothing contained in rule 12.03:
- (a) restricts the power of a Judge at any time of his or her own motion or at the request of any party to the proceedings to set aside or vary by administrative direction any listing of any trial;
 - (b) restricts the power of a Judge once a person committed for trial has been arraigned for trial to adjourn the trial or to give any other necessary directions as to how it is to proceed thereafter.
- 12.06 (1) In any case in which it is proposed that any party will or may tender substantial numbers of documentary exhibits, a Judge may, by order made at any stage of the proceedings (including during any pre-trial conference) either of the Judge's own motion or on application of a party, direct that, by such date as may be nominated for that purpose, the party proposing or likely to tender such exhibits supply to the Court and serve on all other parties a list of all such documents.
- (2) Any such list may be directed to be numbered or marked to correspond with the marking of the documents to be tendered at the trial, and include such ancillary details as to the documents as may reasonably be required for trial management purposes.
- (3) Any such list and copies of the documents referred to therein may be ordered to be filed and served either in hard copy form or in such electronic form as the Judge may specify, or both.
- 12.07 A Judge of the Court may convene a directions hearing in a matter which has been committed for trial to a Circuit Court at any time prior to the commencement of the circuit.
- 12.08 Any directions hearing required in relation to prescribed proceedings as defined in s 275(3) of the Act or in relation to proceedings in which an accused person is a serious and organised crime suspect will be held as soon as possible and, in any event, within four weeks of the arraignment.
- 12.09 Subject to rule 12.10, at the first directions hearing the Director and accused persons are to address the means by which:
- (a) proceedings which are prescribed proceedings may be expedited; and
 - (b) the trial of proceedings involving an accused person who is a serious and organised crime suspect may commence within six months after the making of the determination that an accused is such a suspect.
- 12.10 Any application by the Director or an accused for a determination under s 275(3) of the Act that exceptional circumstances exist justifying the trial not commencing within six months of the determination that an accused is a serious and organised crime suspect is to be filed and served at least seven days before the first directions hearing.

- 12.11 Any application by the Director for a determination under s 7(3a) of the *Juries Act 1927* that a trial be heard by Judge alone is to be made in form 7 not later than 7 days after the date on which the trial date is fixed.

Pre-trial conferences

- 13.01 When a criminal trial is pending, a pre-trial conference may be held before a Judge on the Judge's own motion or on the application of a party.
- 13.02 A pre-trial conference may be convened or conducted by a Judge supervising the listing of trials for hearing, a Judge before whom a person committed for trial appears for arraignment, a Judge presiding over a directions hearing or a Judge to whom a trial has been assigned in accordance with the regular procedures of the Court.
- 13.03 A Judge may, after hearing the parties or their counsel, order the conduct of a pre-trial conference then and there or at a time and on a day specified in the order.
- 13.04 Except by permission of a Judge, no affidavit is to be filed in relation to any pre-trial conference.
- 13.05 Counsel briefed to appear at the trial (or, if the attendance of any party's counsel is not practicable, that party's solicitor) and, subject to rule 10.02, the person committed for trial are to attend at the pre-trial conference, which will be held not later than 24 hours before the day set for the commencement of the trial unless, in the opinion of the Judge, it is just and expedient to hold the conference at a later time.
- 13.06 At a pre-trial conference, the Judge will discuss with counsel and any unrepresented party such matters (including any arising by virtue of s 59J of the *Evidence Act 1929*) with respect to the trial of the person committed for trial which the Judge considers necessary to ensure that the trial will be conducted in an expeditious and fair manner.
- 13.07 Nothing said by or on behalf of a person committed for trial at a pre-trial conference and no failure by a person committed for trial or his solicitor or counsel to answer a question at a pre-trial conference may be used in any subsequent trial or be made the subject of any comment at that trial.
- 13.08 For the purpose of giving effect to any agreement arrived at between the parties in the course of a pre-trial conference, the Judge may by order direct that, for the purposes of a trial:
- (a) a specified fact may be proved in a specified manner which is not in accordance with the rules of evidence;
 - (b) a specified fact is to be treated as admitted or established without proof;
 - (c) a specified exhibit is to be admitted in evidence without proof of its authenticity;
 - (d) specified evidence may be read or a specified statement may be tendered without a witness being called;
 - (e) with respect to any specified matter or topic, the usual and regular course of practice and procedure at the trial may be modified or varied in order to facilitate proof of facts.
- 13.09 In the course of a pre-trial conference, a Judge may consider any submissions as to any proposal to produce and use, in the course of the trial, such summaries, diagrams, charts, illustrations, graphs, photographs, films, documents, models or other audio, video, or visual media as an aid to illustrating, or assisting to explain, the evidence. After hearing counsel or any unrepresented party, a Judge may, by order, give such directions or rulings,

- not inconsistent with the rules of evidence, as may be considered just and expedient in the same manner as may otherwise have been done after the commencement of a trial. Any such order may be made subject to such terms and conditions specified therein as the Judge shall consider proper.
- 13.10 Directions given at a pre-trial conference may be supplemented or varied at an adjourned or subsequent pre-trial conference.
- 13.11 An order made under rule 13 is to be drawn up at the direction of and signed by the Judge.
- 13.12 Subject to these rules and despite any rule of evidence or normal practice to the contrary, the trial of a person committed for trial is to be conducted in conformity with the provisions of any such order.
- 13.13 Despite any order made under rule 13, a party may, by permission of the trial Judge, withdraw agreement to any provision contained in that order whereupon that provision shall cease to have effect and the trial shall thereafter with respect to the subject matter of that provision be conducted in accordance with the law generally and regularly applicable thereto.
- 13.14 Nothing in these rules, or any order made under them, precludes a trial Judge from making any order or giving any direction at the trial which, in the opinion of the Judge, ought to be made in the interest of justice, and in order to ensure that there is a fair trial according to law.

Applications to quash or stay proceedings

- 14.01 Any application to quash any proceedings before the Court in its criminal jurisdiction or to stay any such proceedings (including an application made on the ground of an abuse of process) is to be made by filing and serving an application in form 7.
- 14.02 Unless a Judge otherwise directs, such application is to be:
- (a) filed in the Court and made returnable before the person committed for trial has pleaded to the charges which are to be the subject of the application;
 - (b) supported by any affidavit upon which the person committed for trial relies in support of the application, which affidavit is to be filed with the notice of the application;
 - (c) served with copies of any supporting affidavit upon all other interested parties as soon as possible after it has been filed;
 - (d) returnable before a Judge in open court whether that Judge is to be the Judge upon the trial of the accused or not.

Preliminary hearings

- 15.01 When in the course of any criminal proceedings:
- (a) a person committed for trial seeks separate trials of different charges alleged against him in the same information;
 - (b) a person committed for trial seeks a separate trial from that of another person committed for trial and charged in the same information;
 - (c) a party seeks to raise any question relating to the admissibility of evidence or any other question of law affecting the conduct of the trial prior to the opening of the case for the prosecution or the calling of witnesses;

- (d) a party desires to make an application which, if granted, would have the effect of postponing or delaying a trial which has been listed for hearing;
 - (e) a party desires to make some other application which can not reasonably be made without notice to the other party or parties;
 - (f) a Judge directs that a written application should be made;
- the application is to be made by issuing and serving an application in form 7.
- 15.02 When an application is made under rule 15.01, it is to state:
- (a) the order or orders sought;
 - (b) sufficient particulars of the grounds relied upon to enable each other party to consider whether evidence will be necessary in order to resolve the issues raised;
 - (c) the nature of any question of law sought to be raised.
- 15.03 An application under rule 15.01 is to be filed and served on all other parties not less than 14 days prior to the date fixed for the hearing of the trial in such proceedings.
- 15.04 The Registrar is to endorse the application with the date, time and place of its hearing.
- 15.05 If a date for trial has already been fixed, the Registrar may endorse the application that it is to be heard by the trial Judge at or immediately prior to the commencement of the trial.
- 15.06 No question or matter of a kind referred to in rule 15.01 is to be raised at the trial of the proceedings unless an application has been made in accordance with rule 15 or unless the trial Judge considers that there are circumstances which justify waiving compliance with the rule.
- 15.07 Applications by the Crown under s 3A(1) of the *Bail Act 1985* for a determination that a person is a serious and organised crime suspect or under s 19A of the *Bail Act 1985* for the cancellation of bail are to be in form 8 and are to be supported by an affidavit in which the deponent deposes to the matters relied upon by the Crown for the application.
- 15.08 The applicant is to serve the application and supporting affidavit filed under rule 15.07 on the person who is the subject of the application.

CHAPTER 5—NOTICE OF EVIDENCE AND ADMISSIONS

Notice of intention to adduce evidence of discreditable conduct

- 16.01 The notice required by s 34P(4) of the *Evidence Act 1929* of an intention to adduce evidence of discreditable conduct is:
- (a) in the case of a notice being given by the Director, to be in form 9;
 - (b) in all other cases, and whether the evidence is to be led in evidence-in-chief or adduced in cross-examination, to be in form 10.
- 16.02 The notice must be filed in the Court and served on all other parties to the proceedings:
- (a) in the case of a notice by the Director, no later than 21 days after the date on which the proceedings are listed for trial;
 - (b) in all other cases, not less than 21 days before the listed trial date.
- 16.03 Any party who intends to object to the admission of proposed evidence of discreditable conduct must file in the Court and serve on all other parties to the proceedings a written notice of objection using form 11.

- 16.04 The notice of objection under rule 16.03 must be filed in the Court and served on all other parties to the proceedings:
- (a) in the case of an objection to evidence proposed to be led by the Director, no later than 28 days after the filing of the Director's Notice;
 - (b) in all other cases, not less than seven days before the listed trial date.
- 16.05 The Court may enlarge or shorten the time within which any notice under rule 16 may be filed and served.

Notice by the defence advising whether it consents to dispensing with calling certain prosecution witnesses

- 17.01 An application by the Director under s 285BB(4) of the Act for an order requiring the defence to notify the Director in writing whether it consents to dispensing with the calling of certain prosecution witnesses is to be in form 7.
- 17.02 Unless the Court otherwise orders, the application must be filed in the Court and served on the defence no later than 14 days prior to the first directions hearing or in a matter committed for trial to a Circuit Court no later than 14 days prior to the date appointed for the commencement of the circuit.
- 17.03 An order made under s 285BB(4) of the Act requiring the defence to give notification pursuant to that section is to be in form 12, and is to state the time within which it is proposed the defence must respond.
- 17.04 The defence response to an order made under s 285BB(4) of the Act is to be in form 13.

Admission of facts by the defence

- 18.01 An application by the Director for permission to serve on an unrepresented defendant a notice under s 285BA of the Act to admit specified facts is to be in form 7.
- 18.02 Unless the Court otherwise orders, an application must be filed in the Court and served on the defendant no later than 14 days prior to the first directions hearing, or in a matter committed for trial to a Circuit Court no later than 14 days prior to the date appointed for the commencement of the circuit.
- 18.03 A notice to the defendant or the defendant's solicitor to admit specified facts under s 285BA of the Act is to be in form 14.
- 18.04 The defence response to a notice to admit specified facts is to be in form 15.

Notice of intention by the defence to adduce certain kinds of evidence

- 19.01 An application by the Director to serve on the defendant or the defendant's solicitor a notice requiring the defence to give written notice of an intention to introduce any of the kinds of evidence set out in s 285BB(1) of the Act is to be in form 7, and is to state the time within which it is proposed the defence must respond.
- 19.02 Unless the Court otherwise orders, an application is to be filed in the Court and served on the defence no later than 14 days prior to the first directions hearing or, in a matter committed for trial to a Circuit Court, no later than 14 days before the date appointed for the commencement of the circuit.

- 19.03 An order made under s 285BB(1) requiring the defence to give to the Director notice of an intention to adduce evidence is to be in form 16.
- 19.04 A notice of intention to adduce evidence in response to an order made under s 285BB(1) is to be in form 17.

Notice of intention by the defence to call expert evidence

- 20.01 Notice required by s 285BC of the Act of an intention by the defence to call expert evidence is to be in form 18.

CHAPTER 6—EVIDENCE AND SUBPOENAS

Evidence out of the State

- 21.01 Rule 21 applies to proceedings under Part 6B of the *Evidence Act 1929*, which for the purpose of rule 21 only is referred to as *the Act*.
- 21.02 A party seeking that evidence be taken under the Act out of the State, may file an application seeking such an order. The application is to be in form 7.
- 21.03 A request pursuant to s 59E(1)(c) of the Act is to be in form 19.
- 21.04 The party obtaining the order is to:
- (a) be responsible for all expenses incurred by the Court, or by any person at the request of the Court, in respect of the letter of request
 - (b) file a draft letter of request (form 19).

Audio visual evidence

- 22.01 Rule 22 applies to proceedings under Part 6C of the *Evidence Act 1929*, which for the purpose of rule 22 only is referred to as *the Act*.
- 22.02 Notice of an application or a direction under s 59IE or s 59IQ of the Act is to be in form 20.
- 22.03 The applicant is to file the notice at least 14 days before the commencement of the hearing or trial at which the person, the subject of the application, is due to appear to give evidence or to make a submission to the Court.
- 22.04 As soon as practicable after the filing of the notice, the applicant is to serve a copy on every other party.
- 22.05 An applicant who no longer requires the person, the subject of the application, to appear before or give evidence or make a submission to the Court by audio visual link or audio link, is to notify the Registrar forthwith.
- 22.06 Unless the Court otherwise orders, the appropriate amount, as fixed by the Court in respect of an application under s 59IE, is to be paid in the first instance by the applicant for the order.
- 22.07 (1) A party to proceedings who has obtained an order of a recognised court (as defined in s 59IA of the Act) under the provisions of Division 3 of Part 6C of the Act, and who wishes to enforce the order, is to file with the Registrar a sealed copy of the order.

- (2) The Registrar will maintain a register of orders made by a recognised court which are filed under subrule (1). Such register may be maintained in electronic format.
- (3) After the filing of the order of the recognised court, the party seeking to enforce the same may do so in accordance with the provisions of s 59IL(2) of the Act.

Evidence by vulnerable witnesses

- 23.01 An application for special arrangements for the giving of evidence by a vulnerable witness is to be made by issuing and serving on the other party (*the respondent*) an application in form 21.
- 23.02 The application is to be filed in the Court not less than 28 days before the commencement of the trial, or at such earlier time as may be directed by the Court at a directions hearing, and must be served on the respondent within seven days of being filed.
- 23.03 When the respondent objects to the application, a notice of objection is to be made in form 22.
- 23.04 The notice of objection must be filed in the Court and served on the applicant within 14 days of the service of the application on the respondent.

Subpoenas

- 24.01 (1) In rule 24, unless the contrary intention appears -
 - addressee* means a person who is the subject of the order expressed in a subpoena;
 - business day* means a day on which the Registry is ordinarily open for business;
 - conduct money* means a sum of money or its equivalent, such as pre-paid travel, sufficient to meet the reasonable expenses of the addressee of attending court as required by the subpoena and returning after so attending;
 - issuing party* means the party at whose request a subpoena is issued;
 - subpoena* means an order in writing requiring a person (an *addressee*) -
 - (a) to attend to give evidence; or
 - (b) to produce the subpoena or a copy of it and a document or thing; or
 - (c) to do both those things.
- (2) To the extent that a subpoena requires an addressee to attend to give evidence, it is called a *subpoena to attend to give evidence*.
- (3) To the extent that a subpoena requires an addressee to produce the subpoena or a copy of it and a document or thing, it is called a *subpoena to produce*.
- 24.02 (1) The Court may, in any proceeding, by subpoena order an addressee:
 - (a) to attend to give evidence as directed by the subpoena; or
 - (b) to produce the subpoena or a copy of it and any document or thing as directed by the subpoena; or
 - (c) to do both those things.
- (2) The Registrar is empowered to issue subpoenas on the Court's behalf.

- (3) The Registrar:
 - (a) may issue a subpoena if requested by a party to a proceeding to do so;
 - (b) may refuse to issue a subpoena which is vexatious, oppressive or an abuse of the process of the Court;
 - (c) may refer to a Judge for consideration any subpoena which the Registrar considers may be vexatious, oppressive or an abuse of the process of the Court;
 - (d) must issue a subpoena if directed by the Court to do so.
 - (4) A subpoena which is vexatious, oppressive or an abuse of the process of the Court may be set aside by a Judge.
 - (5) A subpoena is not to issue:
 - (a) if the Court has made an order, or there is a rule of the Court, having the effect of requiring that the proposed subpoena:
 - (i) not be issued; or
 - (ii) not be issued without permission of the Court and that permission has not been given; or
 - (b) requiring the production of a document or thing in the custody of the Court or another court.
 - (6) A subpoena is not to issue to compel the production of a public document, unless a Judge authorises the issue of the subpoena.
 - (7) On issuing a subpoena, the Court will authenticate it by affixing its seal or in some other appropriate manner.
- 24.03
- (1) A subpoena must be in form 23.
 - (2) A subpoena:
 - (a) may be addressed to one or more persons; and
 - (b) must, unless the Court otherwise orders, identify the addressee or addressees by name, or by description of office or position.
 - (3) A subpoena to produce must:
 - (a) identify the document or thing to be produced; and
 - (b) specify the date, time and place for production.
 - (4) A subpoena to attend to give evidence must specify, for each addressee who is required to attend, the date, time and place for attendance.
 - (5) If a subpoena requires an addressee's personal attendance at a particular date, time and place to produce a document or thing, or to give evidence (or both):
 - (a) the date, time and place for attendance must be the date, time and place at which the trial is scheduled to commence or some other date, time and place permitted by the Court; but
 - (b) if the course of the Court's business makes it necessary or expedient to change the date, time or place for attendance:
 - (i) the issuing party may amend the date, time or place by serving notice of the amendment in an approved form on the addressee personally and tendering any additional conduct money that may be reasonable in the light of the amendment; and
 - (ii) the subpoena then operates in its amended form.

- (6) The last date for service of a subpoena:
 - (a) is the date falling 14 days before the earliest date on which an addressee is required to comply with the subpoena or an earlier or later date fixed by a Judge; and
 - (b) must be specified in the subpoena.
 - (7) If an addressee is a company, the company must comply with the subpoena by its appropriate or proper officer.
 - (8) If there is a mistake in the terms in which a subpoena is issued, and the mistake is discovered before the subpoena is served, the issuing party may correct the mistake and, after filing a corrected copy of the subpoena in the Court, proceed with service of the subpoena in its corrected form.
- 24.04
- (1) The issuing party may give notice to the addressee of a date or time later than the date or time specified in a subpoena as the date or time for attendance or for production or for both.
 - (2) When notice is given under subrule (1), the subpoena has the effect as if the date or time notified appeared in the subpoena instead of the date or time which appeared in the subpoena.
- 24.05
- (1) The Court may, on the application of a party or any person having a sufficient interest, set aside a subpoena in whole or in part, or grant other relief in respect of it.
 - (2) Any application under subrule (1) must be made on notice to the issuing party.
 - (3) The Court may order that the applicant give notice of the application to any other party or to any other person having a sufficient interest.
- 24.06
- (1) A subpoena must be served personally on the addressee on or before the last day for service specified in the subpoena.
 - (2) The issuing party must serve a copy of a subpoena to produce on each other party as soon as practicable after the subpoena has been served on the addressee or addressees.
- 24.07
- (1) An addressee need not comply with the requirements of a subpoena to attend to give evidence unless conduct money has been handed or tendered to the addressee a reasonable time before the date on which attendance is required.
 - (2) An addressee need not comply with the requirements of a subpoena unless it is served on or before the date specified in the subpoena as the last date for service of the subpoena.
 - (3) Despite rule 24.06(1), an addressee must comply with the requirements of a subpoena even if it has not been served personally on that addressee if the addressee has, by the last date for service of the subpoena, actual knowledge of the subpoena and of its requirements.
 - (4) Subject to subrules (7) and (8), the addressee must comply with a subpoena to produce:
 - (a) by attending at the date, time and place specified for production or, if the addressee has received notice of a later date or time from the issuing party, at that later date or time and producing the subpoena or a copy of it and the document or thing to the Court or to the person authorised to take evidence in the proceeding as permitted by the Court; or

- (b) by delivering or sending the subpoena or a copy of it and the document or thing to the Registrar at the address specified for the purpose in the subpoena, or, if more than one address is so specified, at any one of those addresses, so that they are received not less than two clear days before the date specified in the subpoena for attendance and production or, if the addressee has received notice of a later date or time from the issuing party, before that later date.
 - (5) In the case of a subpoena that is both a subpoena to attend to give evidence and a subpoena to produce, production of the subpoena or a copy of it and of the document or thing in any of the ways permitted by subrule (4) does not discharge an addressee from the obligation to attend to give evidence.
 - (6) The Registrar must take custody of documents and things produced to the Court in response to a subpoena, and of all exhibits tendered in proceedings before the Court, and deal with them -
 - (i) if they have not become, and it is apparent that they will not become, exhibits in proceedings – as authorised by these rules; or
 - (ii) if they have become exhibits in proceedings – as required by rule 25.
 - (7) Unless a subpoena specifically requires the production of the original, the addressee may produce a copy of any document required to be produced by the subpoena.
 - (8) The copy of a document may be:
 - (a) a photocopy; or
 - (b) in PDF format on CD-ROM.
- 24.08 (1) This rule applies if an addressee produces a document or thing in accordance with rule 24.07(4)(b).
- (2) The Registrar must, if requested by the addressee, give a receipt for the document or thing to the addressee.
- (3) If the addressee produces more than one document or thing, the addressee must, if requested by the Registrar, provide a list of the documents or things produced.
- 24.09 The Court may give directions in relation to the removal from and return to the Court, and the inspection, copying and disposal, of any document or thing that has been produced to the Court in response to a subpoena.
- 24.10 (1) On request in writing of a party, the Registrar must inform the party whether production in response to a subpoena has occurred in accordance with rule 24.07(4)(b) and, if so, include a description, in general terms, of the documents and things produced.
- (2) The following provisions of this rule apply if an addressee produces a document or thing in accordance with rule 24.07(4)(b).
- (3) Subject to this rule, no person may inspect a document or thing produced unless the Court has granted permission and the inspection is in accordance with that permission.
- (4) Unless the Court otherwise orders, the Registrar may permit the parties to inspect at the Registry any document or thing produced if:
 - (a) the Registrar is satisfied that a copy of the subpoena to produce was served on each other party in accordance with rule 24.06(2); and
 - (b) there has been no objection to inspection under this rule by a party or any person having a sufficient interest.

- (5) If the addressee objects to a document or thing being inspected by any party to the proceeding, the addressee must, at the time of production, notify the Registrar in writing of the objection and of the grounds of the objection.
 - (6) If a party or person having a sufficient interest objects to a document or thing being inspected by a party to the proceeding, the objector may notify the Registrar in writing of the objection and of the grounds of the objection.
 - (7) On receiving notice of an objection under this rule, the Registrar:
 - (a) must not permit any, or any further, inspection of the document or thing the subject of the objection; and
 - (b) must refer the objection to the Court for hearing and determination.
 - (8) The Registrar must notify the issuing party of the objection and of the date, time and place at which the objection will be heard, and the issuing party must notify the addressee, the objector and each other party accordingly.
 - (9) The Registrar must not permit any document or thing produced to be removed from the Registry except on application in writing signed by the solicitor for a party.
 - (10) A solicitor who signs an application under subrule (9) and removes a document or thing from the Registry undertakes to the Court by force of this rule that:
 - (a) the document or thing will be kept in the personal custody of the solicitor or a barrister briefed by the solicitor in the proceeding; and
 - (b) the document or thing will be returned to the Registry in the same condition, order and packaging in which it was removed, as and when directed by the Registrar.
 - (11) The Registrar may, in the Registrar's discretion, grant an application under subrule (9) subject to conditions or refuse to grant the application.
- 24.11 (1) Unless the Court otherwise orders, the Registrar may, in the Registrar's discretion, return to an addressee any document or thing produced in response to the subpoena.

Note—

It should be noted however that, if the document or thing has been tendered as an exhibit, the Registrar is to deal with the exhibit as required by rule 25.

- (2) Unless the Court otherwise orders, the Registrar must not return any document or thing under subrule (1) unless the Registrar has given to the issuing party at least 14 days' notice of the intention to do so and that period has expired.
- (3) The issuing party must attach, to the front of a subpoena to produce to be served on the addressee, a notice and declaration in the form of form 24.
- (4) The addressee must complete the notice and declaration and attach it to the subpoena or copy of the document which accompanies the documents produced to the Court under the subpoena.
- (5) Subject to subrule (6), the Registrar may, on the expiry of four months from the conclusion of the proceeding, cause to be destroyed all the documents produced in the proceedings in compliance with a subpoena which were declared by the addressee to be copies.
- (6) The Registrar may cause to be destroyed those documents declared by the addressee to be copies which have become exhibits in the proceeding when they are no longer required in connection with the proceeding, including on any appeal.

- 24.12 (1) The Court may order the issuing party to pay the amount of any reasonable loss or expense incurred in complying with the subpoena.
- (2) If an order is made under subrule (1), the Court must fix the amount or direct that it be fixed in accordance with the Court's usual procedure in relation to costs.
- (3) An amount referred to in this rule is separate from and in addition to:
- (a) any conduct money paid to the addressee; or
 - (b) any witness expenses payable to the addressee.
- 24.13 (1) An addressee who fails to comply with a subpoena without lawful excuse is in contempt of court and may be dealt with accordingly.
- (2) Despite rule 24.06(1), if a subpoena has not been served personally on an addressee, the addressee may be dealt with for contempt of court as if the addressee had been so served if it is proved that the addressee had, by the last date for service of the subpoena, actual knowledge of the subpoena and its requirements.
- (3) Subrules (1) and (2) are without prejudice to any power of the Court under any rules of the Court (including any rules of the Court providing for the arrest of an addressee who defaults in attendance in accordance with a subpoena) or otherwise, to enforce compliance with a subpoena.
- 24.14 (1) A party who seeks production of a document or thing in the custody of the Court or of another court, may inform the Registrar in writing accordingly, identifying the document or thing.
- (2) If the document or thing is in the custody of the Court, the Registrar must produce the document or thing:
- (a) in court; or
 - (b) as the Court directs.
- (3) If the document or thing is in the custody of another court, the Registrar must, unless the Court has otherwise ordered:
- (a) request the other court to send the document or thing to the Registrar; and
 - (b) after receiving it, produce the document or thing:
 - (i) in court; or
 - (ii) as the Court directs.

Exhibits

- 25.01 The Registrar will appoint an officer of the Court to take charge of every document or object put in as an exhibit during a trial and such officer will mark or label every exhibit with a letter or letters indicating the party by whom the exhibit is put in and with a number so that all of the exhibits put in by a party are numbered in one consecutive series unless otherwise ordered by the Judge at the trial.
- 25.02 The Registrar will keep a record of any order or direction of the trial Judge given under rule 25.01.
- 25.03 The Registrar will cause a list of all of the exhibits put in during the trial to be made.
- 25.04 The list of exhibits when completed is to form part of the record of proceedings.
- 25.05 For the purposes of rule 25, a bundle of documents may be treated and counted as one exhibit.

- 25.06 Subject to s 131 of the *Supreme Court Act 1935*, a Judge may at any time make such order as he or she thinks fit for the custody, disposal or production at the conclusion of the trial of any exhibit.
- 25.07 Subject to any order made under rule 25.06 and subject to the Registrar not having received any notice of appeal, the Registrar may, at the expiration of 21 days from the conclusion of the trial, return the exhibits to the custody of the person producing the same or of the solicitor for the party tendering the same, as may be appropriate, and the person to whose custody any exhibit is returned is liable for any costs incurred by the Registrar in so returning such exhibit.
- 25.08 If a notice of appeal is received by the Registrar prior to returning the exhibits, then subject to any order made by the trial Judge under rule 25.06, the Registrar will retain the exhibits in custody until required to transmit them to the Court of Criminal Appeal or until such time as it shall appear that the person who has given notice of appeal has not prosecuted the appeal in accordance with the *Supreme Court Criminal Appeal Rules 1996*.
- 25.09 Upon the exhibits being returned to the Registrar on the determination of an appeal or upon it appearing to the Registrar that a party who has given notice of appeal has not prosecuted the appeal in accordance with the *Supreme Court Criminal Appeal Rules 1996*, the Registrar will return the exhibits in like manner to that prescribed and with similar consequences to those contained in rule 25.07.
- 25.10 If an exhibit is returned at a time when the due prosecution of an appeal is pending or authorised by law, the person to whom any exhibit is returned is, so far as it is practicable having regard to the nature of the exhibit, to keep it marked and labelled as before so that in the event of the prosecution of an appeal, the person may be able to produce the exhibit so marked and labelled at the hearing of the appeal if required to do so.
- 25.11 Any party to a trial may apply for, and on payment of the prescribed fee obtain, an office copy of the list of exhibits for the purpose of an appeal or otherwise.
- 25.12 If there is an appeal, the Registrar shall include the list of exhibits amongst the documents supplied to the proper officer of the Court of Criminal Appeal for the purposes of the appeal.

Material containing child pornography

- 26.01 In rule 26 “child pornography” means child pornography as defined in s 62 of the Act and, in relation to a Commonwealth prosecution, child pornography material as defined in s 473.1 of the *Criminal Code (Cth)*.
- Note:** Child pornography is sensitive material as defined in s 67H of the *Evidence Act 1929*.
- 26.02 The procedures in rule 26 apply in relation to the tender of material, including exhibits, containing child pornography in proceedings in the criminal jurisdiction of the Court, and are intended to ensure that the handling and storing of such exhibits is lawful, safe and efficient.
- 26.03 A party who proposes tendering material containing child pornography in the form of a compact disc, DVD or other electronic medium must, in a reasonable time before the tender, inform the Registrar of the computer software or operating system which is required for access to the material.

- 26.04 A party tendering material comprising an encrypted compact disc, DVD or other electronic medium containing child pornography must, at the same time, tender in a sealed envelope marked with the title and file number of the proceedings and a description of the material, the code or password enabling access to the material and, if the Court does not have that means of access, provide at the time of the tender the equipment which will enable the system to be viewed.
- 26.05 Subject to s 131 of the *Supreme Court Act 1935*, other than during a hearing to which the material relates, tendered material containing child pornography and codes may be viewed only by order of a Judge, and then only for the purposes of the proceedings in which the material is tendered and, if in electronic format, only on the computer or computers maintained by the Registrar or provided by the tendering party for that purpose.
- 26.06 Subject to rule 26.07, the Registrar will keep all tendered material containing child pornography and any relevant codes or passwords in secure storage.
- 26.07 The Judges' staff will, during the course of proceedings, keep any tendered material containing child pornography in secure storage or, alternatively, deliver the material to the Registrar for it to be kept in secure storage.
- 26.08 The Registrar will maintain a computer or computers especially designated for the viewing of tendered material in the form of compact discs, DVDs or other electronic medium containing child pornography and, except when the computers are being used in accordance with rule 26, will keep them in safe storage.
- 26.09 On the completion of the viewing of any compact disc, DVD or other electronic medium containing child pornography, the disc, DVD, other medium, computer and any code or password necessary for the viewing of the material are to be returned to the Registrar and the Registrar will:
- (a) cause all images to be erased from all drives of the computer;
 - (b) place the disc, DVD or other electronic medium and the code in a sealed envelope marked "Not to be opened except by order of a Judge"; and
 - (c) keep the envelope containing the disc, DVD or other electronic medium and the code in secure storage.
- 26.10 If copies of exhibits containing child pornography are provided during a trial for the assistance of the jury, the Sheriff will, at the conclusion of the trial, ensure that all copies are retrieved from the jury and deliver them to the Registrar for secure storage in accordance with rule 26.06 and, provided that no marks have been made by the jury on the material, for return to the party who tendered it, in accordance with rule 26.12.
- 26.11 If any exhibit copy has been marked by a jury member, the Registrar will, immediately upon delivery by the Sheriff, destroy the copy by an appropriate means.
- 26.12 Subject to any contrary order of the Court, the Registrar will, no later than six months after the finalisation of proceedings (including any appeal), return any material containing child pornography, and any codes relating to such material, to the party who tendered them and, for this purpose, may open the sealed envelope in which they are contained.

CHAPTER 7—SENTENCING

Victim impact statements

- 27.01 A person wishing to furnish the Court with a victim impact statement under s 7(2a) or s 7A of the *Criminal Law (Sentencing) Act 1988* or s 269R(3) of the Act is to provide such statement in writing to the Director.
- 27.02 A copy of the statement is to be provided to the presiding Judge and the defence upon the defendant pleading guilty to, or being found guilty of, the offence or offences or upon the Court declaring that the defendant is liable to supervision under Part 8A of the Act.
- 27.03 The Director may request to the Court to:
- (a) allow an audio or audio visual record of the person reading the statement to be played to the Court;
 - (b) exercise, in relation to the person making the statement, any of the powers that it has with regard to a vulnerable witness;
 - (c) order that the defendant or, if the defendant is a body corporate, a director or some other representative of the body corporate satisfactory to the Court, be present when the statement is read or played to the Court.
- 27.04 The presiding Judge may appoint the time at which the statement will be read or played to the Court and may refuse to postpone the reading or playing of the statement if the resulting delay would be unreasonable in the circumstances.
- 27.05 If the person providing the statement is not in the Court when the presiding Judge gives directions under rule 27.04, the Director will advise the person of the time fixed by the Court for the reading or playing of the statement.
- 27.06 The person making the statement may amend it at any time prior to the time at which it is read or played to the Court.
- 27.07 The presiding Judge may direct that irrelevant material in the statement not be read or played to the Court.
- 27.08 A person who has furnished a statement in accordance with s 7A(1) of the *Criminal Law (Sentencing) Act 1988* may at any time withdraw the statement, in which event the statement will not be read or played to the Court or be taken into account by the Court.

Community impact statements

- 28.01 In rule 28, **community impact statement** means “a neighbour impact statement” or a “social impact statement” as defined in s 7B of the *Criminal Law (Sentencing) Act 1988*.
- 28.02 If the Director or the Commissioner for Victims’ Rights wishes to furnish the Court with a community impact statement in proceedings to determine sentence or to fix a limiting term, he or she is to provide a copy of the statement to the presiding Judge and the defence upon the accused pleading guilty to, or being found guilty of, an offence or upon the Court declaring that the defendant is liable to supervision under Part 8A of the Act.

- 28.03 Subject to rule 28.04, the presiding Judge is to appoint the time at which the statement will be read to the Court and may refuse to postpone the reading of the statement if the resulting delay would be unreasonable in the circumstances.
- 28.04 The statement will not be read out in court if the Court determines that it is inappropriate or if it would be unduly time consuming to do so.
- 28.05 The presiding Judge may direct that irrelevant material in the statement not be read out to, or taken into account by, the Court.

CHAPTER 8—STATUTORY APPLICATIONS

Mental impairment applications and warrants

- 29.01 An application under ss 269P or 269U of the Act (other than a telephone application under s 269U(1)) is to be in form 7.
- 29.02 When an order is made by the Court under s 269O or s 269U of the Act, the warrant to be issued by the Court may be in form 25.
- 29.03 When an order is made by the Court under s 269X(1)(b) of the Act, the warrant to be issued by the Court may be in form 26.
- 29.04 When an order is made by the Court under s 269X(2)(b) of the Act, the warrant to be issued by the Court may be in form 27.

Applications for proceeds of crime orders

- 30.01 Rule 30 applies to proceedings, insofar as they provide for or permit applications to be made in the criminal jurisdiction of the Court and which are so instituted, under the *Proceeds of Crime Act 2002* (Cth) or the *Criminal Assets Confiscation Act 2005* which for the purposes of rule 30 only is referred to as *the Acts*.
- 30.02 Any party may initiate proceedings under the Acts which are permitted by the Acts to be so instituted in the Court's criminal jurisdiction by an application under rule 15.
- 30.03 An application under rule 30.02 is to proceed in accordance with such directions as are given by a Judge in open court or on a directions hearing under rule 12.
- 30.04 Without prejudice to the right of any party to adduce further evidence, the Court may receive any evidence given in criminal proceedings concerning the person to whom the application relates and may give such weight to that evidence as it sees fit.
- 30.05 A Judge may direct that an application under the Acts in the criminal jurisdiction of the Court be transferred to the civil jurisdiction of the Court, and in that event the application will thereafter be governed by the *Civil Rules*.

Applications for detention of persons unable or unwilling to control sexual instincts

- 31.01 An application by the Attorney-General under s 23(2a) of the *Criminal Law (Sentencing) Act 1988* to have a person dealt with under that section is to be made by filing in the Court a notice in form 7.
- 31.02 An application under rule 31.01 is to be served on the person to whom it relates within seven days of its filing in the Court.

- 31.03 An application under rule 31.01 is, in the first instance, to be listed in an arraignment list and is to proceed in accordance with such directions as are given by a Judge.
- 31.04 Without prejudice to the right of any party to adduce further evidence, the Court may receive any evidence given in criminal proceedings concerning the person to whom the application relates and may give such weight to that evidence as it sees fit.

Applications for dangerous offender declarations

- 32.01 An application by the Attorney-General under s 33A(1) of the *Criminal Law (Sentencing) Act 1988* to have a person declared to be a dangerous offender is to be made by filing an application in form 28.
- 32.02 An application under rule 32.01 is to be served within seven days of its filing in the Court on the person to whom the application relates, the Director (if the Director is not representing the Attorney-General) and on the Commissioner for Victims' Rights.
- 32.03 An application under rule 32.01 is, in the first instance, to be listed in an arraignment list and will proceed in accordance with such directions as are given by a Judge.
- 32.04 The written notice of the date upon which the proceedings to determine the application are to be conducted which is required by s 33A of the *Criminal Law (Sentencing) Act 1988* is to be in form 29.
- 32.05 Without prejudice to the right of any party to adduce further relevant evidence, the Court may receive any evidence given in criminal proceedings concerning the person to whom the application relates and may give such weight to that evidence as it sees fit.

Applications to suspend reporting obligations

- 33.01 An application under s 37 of the *Child Sex Offenders Registration Act 2006*:
- (a) is to be in form 7;
 - (b) is to be accompanied by an affidavit of the applicant which:
 - (i) specifies the child sex offender registration order, if any, to which the applicant is subject, including the date upon which it was made, the Court which made it, the offence or offences for which the applicant was sentenced at the time the order was made and, in the case of an applicant who is subject to a restraining order under s 99AA of the *Summary Procedure Act 1921*, the terms of that order;
 - (ii) specifies, in the event that the applicant is not subject to a child sex offender registration order, each sentence imposed on the applicant which has the effect that the applicant is a registrable offender;
 - (iii) sets out, so far as is known to the applicant, details of the applicant's antecedent criminal history;
 - (v) has exhibited to it the report of any expert upon which the applicant proposes to rely;
 - (vi) has exhibited to it a copy of any other documentary evidence upon which the applicant proposes to rely;
 - (vii) identifies any evidence other than that referred to in (d) or (e) upon which the applicant proposes to rely; and

- (viii) insofar as it has not already been covered by sub-paragraphs (a)-(e), sets out the facts and grounds upon which the application is made.
- (c) is, with the applicant's affidavit, to be served within two working days of being filed upon the Commissioner of Police.
- 33.02 An application under s 37 will be listed in an arraignment list for initial directions.
- 33.03 The Court may, on the application of the Commissioner of Police, direct that the applicant submit to examination by such legally qualified medical practitioners or other persons as the Court shall direct, and may obtain from any such practitioner, or any other person, such report relating to an issue arising in relation to the application as the Court thinks fit.
- 33.04 If the applicant fails to comply with a direction to submit to an examination ordered pursuant to rule 33.03, the Court may stay the hearing of the application until the applicant complies with that direction.

Applications for orders relating to assumed identities

- 34.01 An application under s 12 or s 13 of the *Criminal Investigation (Covert Operations) Act 2009* is to be made using form 7.
- 34.02 The application is to be supported by an affidavit or affidavits sworn by the applicant or some other person authorised by the applicant to make the affidavit, setting out the relevant facts and circumstances.
- 34.03 Upon receiving oral notification by or on behalf of the applicant that an application is to be made, the Registrar will appoint a time for the hearing of the application by a Judge.
- 34.04 The application and any affidavit or affidavits are not to be filed in the Registry but are to be tendered to the Judge on the hearing of the application, together with minutes of the order or orders sought.
- 34.05 The Judge may make such order or orders under the *Criminal Investigation (Covert Operations) Act 2009* as may be appropriate and may give such consequential directions to give effect to those orders and to ensure the confidentiality of the proceedings as the Judge thinks fit.
- 34.06 When the Judge makes an order, the Judge will arrange for the seal of the Court to be affixed to the formal order and will provide a copy of the sealed order to the applicant.
- 34.07 At the conclusion of the hearing of the application, the application, the order (if made), the affidavit or affidavits in support and any other documents relating to the application will be placed in a sealed envelope which is to be retained by the Registrar in a secure repository. Such envelope is not to be opened without the written direction of a Judge.

CHAPTER 9—MISCELLANEOUS

Contempt of Court

- 35.01 The provisions of Chapter 14 (Contempt of Court) of the *Civil Rules* apply, with any necessary changes, in the criminal jurisdiction of the Court.

Court records

- 36.01 The records of the Court in its criminal jurisdiction are to be in the custody and under the control of the Registrar.
- 36.02 Any party to a proceeding in the Court or that party's solicitor may search or inspect any such record in the said proceeding or take a copy thereof on payment of the appropriate copying fee except to the extent that the same would be contrary to any Act, rule or order of the Court.
- 36.03 No such record may be taken out of the Court without the order of a Judge.
- 36.04 Subject to the provisions of s 131 of the *Supreme Court Act 1935* and subject to rules 36.02 and 36.03, no person is entitled to search or inspect any such record or to take any copy thereof without first having obtained the permission of a Judge.
- 36.05 When any such record is required to be produced to any Court or Tribunal (including an umpire or arbitrator), the following procedure may be adopted in lieu of an officer of the Court being served with a subpoena to attend for the purpose of producing the record:
- (a) Upon receipt of a request in writing for such production, a Judge may direct that such request be complied with subject to such conditions (if any) as the Judge may direct.
 - (b) Subject to compliance with any such conditions, the proper officer will thereupon send the record to the Court or Tribunal indicated in the request, together with a certificate signed by the Registrar certifying that such record is filed in or in the custody of the Court and specifying the date upon which and the matter in which it was filed or lodged.
 - (c) Subject to paragraph (f) of this rule, it will not be necessary for an officer of the Court to attend for the purpose of producing the record, but the record may be sent to such Court or Tribunal by messenger or by registered post.
 - (d) The Court or Tribunal to which any record is sent under this rule is to keep it in safe custody and is to return it by registered post to the Registrar as soon as such Court or Tribunal no longer requires it.
 - (e) The Registrar will keep a register containing a description of each record sent, the date upon which it is sent, the Court or Tribunal to which it is sent and the date of its return. The proper officer will ensure that each record is duly returned within a reasonable time and make enquiries and report to the Registrar if it is not so returned.
 - (f) In any case in which the Registrar considers it proper so to do, the Registrar may require that an officer of the Court attend the Court or Tribunal for the purpose of producing the record.
 - (g) Despite the foregoing provisions of this rule, unless the Registrar is satisfied that there is a good reason why the original of any record should be produced in any other Court or Tribunal, the Registrar may answer a request for the production of that record by sending a copy of it certified by him to be a true copy for which the person seeking the production of the record is to be liable to pay the charges prescribed by regulation. In such a case, the copy of the record need not be returned to the Court.

THE SCHEDULE

Form 1

ACTION HEADING

**IN THE SUPREME COURT OF SOUTH AUSTRALIA
IN THE CRIMINAL JURISDICTION**

SCCRM-__ - ____

THE QUEEN

v.

**[NAME(S) OF DEFENDANT(S)]
Defendant(s)**

[OR]

[NAME(S)]

Applicant(s)

and

[NAME(S)]

Respondent(s)

Form 2**FRONT SHEET**

**IN THE SUPREME COURT OF SOUTH AUSTRALIA
IN THE CRIMINAL JURISDICTION
SCCRM-__ - ____**

THE QUEEN

v.

**[NAME(S) OF DEFENDANT(S)]
Defendant(s)**

[OR]

[NAME(S)]

Applicant(s)

and

[NAME(S)]

Respondent(s)

[Document type, eg Application, Notice, etc.]

Filed on behalf of *[Name of Party/Parties]* by *[Solicitor]*

[OR]

Filed by *[Name of Party/Parties]*

[Address]

[Telephone]

[Mobile]

[Email]

Form 3

(Rule 5.02)

[Action Heading]

INFORMATION

For arraignment on.....

Information of the Director

[*insert name(s)*] is charged with the following offence (offences):

Form 4

(Rule 10.03)

[Front Sheet]

NOTICE OF OBJECTION TO APPEARANCE BY AUDIO VISUAL LINK

.....
.....[insert name and address of person objecting]

objects to..... [insert full name of person in custody] appearing
by audio visual link in the Court on the following hearing(s)

.....
[insert details of the hearing or hearings which are the subject of the objection]

The grounds of the objection are as follows:

.....
.....
.....

[insert a brief statement of the grounds of objection]

Dated the day of 20

.....
[Signed by the objector or the objector's solicitor]

.....
.....
[Insert objector's address for service]

Form 5

(Rule 11.07)

[Front Sheet]

CERTIFICATE BY LAWYER CONCERNING LEGAL REPRESENTATION

Criminal Law (Legal Representation) 2001 Act s 8(2)

1. I, of
act for the above named defendant.

2. I certify that the defendant is an assisted person.

or

I undertake that the defendant will be provided with legal representation for the duration of the trial.

or

I certify that the defendant is not an assisted person and I am not prepared to give an undertaking that the defendant will be provided with legal representation for the duration of the trial.

[Delete whichever is inapplicable]

Dated this day of20

.....
[Signed]

Form 6

(Rule 11.07)

[Action Heading]

ASSURANCE THAT DEFENDANT DOES NOT WANT LEGAL REPRESENTATION

Criminal Law (Legal Representation) Act 2001 s 8(3)

I, of

.....
[insert name and address]

HEREBY STATE:

- 1. I am the defendant in these proceedings.
- 2. I am charged with [set out charge/charges]:

.....

.....

.....

.....

.....

- 3. I do not want to be legally represented at the trial of the above charge/charges.

Dated this day of 20 ..

.....
[Signature of defendant]

Form 8

(Rule 15.07)

[Front Sheet]

**APPLICATION FOR SERIOUS AND ORGANISED CRIME SUSPECT
DETERMINATION***Bail Act 1985 s 3A(1)*

No of 20

*R v (insert name of accused(s))*The *(insert name of applicant)* of *(insert address)*

hereby applies to the Court for:

- (1) a determination that *(insert name and address)* is a serious and organised crime suspect for the purposes of the *Bail Act 1985*;
- (2) an order cancelling the right of *(insert name)* to be at liberty under the bail agreement entered into on *(insert date)*.*

*Delete (1) or (2) if either is inapplicable.

Particulars of the grounds relied upon are as follows:

(Set out sufficient particulars so as to give proper notice of the matters relied upon)

Dated theday of20....

.....
(Signature of Applicant)

TO:

(Insert name(s) and address(es) of the other parties to whom notice of the application is to be given)

TAKE NOTICE that the above application will be heard on theday of 20..... atam/pm. The Applicant and all persons served with this application are required then to attend if they wish to be heard on the application and, in their absence, the Court may make such order as it sees fit.

Dated theday of.....20.....

.....
Deputy Registrar (Criminal)

Form 9

(Rule 16.01)

[Front Sheet]

NOTICE OF INTENTION BY THE DIRECTOR OF PUBLIC PROSECUTIONS TO ADDUCE EVIDENCE OF DISCREDITABLE CONDUCT

Evidence Act 1929 s 34P(4)

To: [*insert name(s) of defendant(s)*]

The Director of Public Prosecutions gives notice of the intention of the Director at trial to seek to adduce evidence of discreditable conduct of..... [*insert name*] and provides the following particulars:

1. the nature of the discreditable conduct:

2. the witness or witnesses from whom the evidence is to be led:

.....

3. the use or uses of the evidence which are said to be permissible uses under s 34P(2):

.....

.....

4. if the evidence is to be adduced as circumstantial evidence of a fact in issue, the fact or facts in issue to which the evidence relates:

.....

Dated theday of20

[*signed*].....

Director of Public Prosecutions

NOTE: If you wish to object to the admission of the evidence of discreditable conduct proposed to be adduced by the Director of Public Prosecutions you must, within 28 days of the filing of this Notice, file in the Court and serve on all other parties to the proceedings a Notice using form 11 which sets out the grounds of your objection.

Form 10

(Rule 16.01)

[Front Sheet]

NOTICE OF INTENTION BY A DEFENDANT TO ADDUCE EVIDENCE OF DISCREDITABLE CONDUCT

Evidence Act 1929 s 34P(4)

To: the Director of Public Prosecutions:

And to:[*insert name of any other defendant(s)*]

The defendant [*insert name*]gives notice of the intention of the defendant at the trial to seek to adduce evidence of discreditable conduct of [*insert name of co-defendant*]and gives the following particulars:

- 1. the nature of the discreditable conduct is
- 2. the witness or witnesses from whom the evidence is to be led, whether in examination-in-chief or in cross-examination, is/are
- 3. the use or uses of the evidence which are said to be permissible under s 34P(2) is/are

Dated theday of 20

Signed.....
Defendant

NOTE: This Notice must be filed in the Court and served on all other parties to the proceedings at least 21 days before the listed trial date.

Form 11

(Rule 16.03)

[Front Sheet]

NOTICE OF OBJECTION TO PROPOSED EVIDENCE OF DISCREDITABLE CONDUCT

Evidence Act 1929 s 34P(4)

Take notice that [*insert name or title of party objecting*]
will object to the evidence of discreditable conduct proposed to be adduced by [*insert name of relevant party*]

The grounds of objection are: [*set out the grounds of objection*]

.....
.....
.....

Dated theday of20

.....
Director of Public Prosecutions* Defendant*

[*delete whichever is inapplicable]

NOTE: This Notice must be filed in the Court and served on all other parties to the proceedings at least 7 days before the listed trial date, unless the objection is to evidence proposed to be led by the Director of Public Prosecutions, in which case the notice must be filed and served no later than 28 days after the Director of Public Prosecutions filed his or her Notice of Intention to Adduce Discreditable Conduct.

Form 12

(Rule 17.03)

[Action Heading]

ORDER REQUIRING DEFENCE TO NOTIFY WHETHER IT CONSENTS TO DISPENSING WITH CALLING CERTAIN PROSECUTION WITNESSES

Criminal Law Consolidation Act 1935 s 285BB(4)

TO _____ (*name of defendant*)

The Court requires you to notify the Director of Public Prosecutions for the State/ Commonwealth* whether you consent to dispensing with the calling of prosecution witnesses to establish the admissibility of evidence of the following:

(Set out a description of the evidence and the names of the witnesses)

You are required to give a written reply to this Notice in form 13 of the *Criminal Rules 2013* within ____ days of the service of this order on you or your solicitor.

If you fail to reply within this time your consent to the tender of the evidence specified in this Notice will be conclusively presumed.

Dated the _____ day of _____ 20 .

.....
Justice [*name*]

* *Cross out whichever is inapplicable.*

Form 13

(Rule 17.04)

[Front Sheet]

**RESPONSE TO ORDER REQUIRING DEFENCE TO NOTIFY WHETHER IT
CONSENTS TO DISPENSING WITH CALLING CERTAIN PROSECUTION
WITNESSES**

Criminal Law Consolidation Act 1935 s 285BB(4)

TO THE DIRECTOR OF PUBLIC PROSECUTIONS FOR THE
STATE/COMMONWEALTH.*

In response to the order dated _____

The defendant _____ (*name of defendant*) consents to the prosecution
dispensing with the need to call witnesses to establish the admissibility of the following:

The defendant does not consent to the prosecution dispensing with the need to call witnesses to
establish the admissibility of the other evidence identified in the order.

Dated the _____ day of _____ 20 .

.....
Defendant/Defendant's solicitor

* *Cross out whichever is inapplicable.*

Form 14

(Rule 18.03)

[Front Sheet]

NOTICE TO ADMIT FACTS

Criminal Law Consolidation Act 1935 s 285BA

To _____ (*name of defendant*).

The Director of Public Prosecutions seeks that you admit the following facts:

(Each fact is to be set out in a separate numbered paragraph)

NOTE:

- 1 You must provide your response to this Notice within _____ days of the service of the Notice upon you (as fixed by the Court) unless the Court has extended the time for your response on an application by you.
- 2 Your response to the notice is to be in form 15 of the *Criminal Rules 2013*.
- 3 You are not required to admit these facts, but if you are convicted, the Court is required to take an unreasonable failure to make an admission in response to this notice into account in fixing sentence.

You would unreasonably fail to admit facts if, for example, you claimed privilege against incriminating yourself as a reason for not making the admission and thus made the prosecution prove facts which were not seriously contested at your trial.

Dated the _____ day of _____ 20 .

.....
Director of Public Prosecutions for the State/Commonwealth

Form 15

(Rule 18.04)

[Front Sheet]

RESPONSE TO NOTICE TO ADMIT FACTS

Criminal Law Consolidation Act 1935 s 285BA

TO THE DIRECTOR OF PUBLIC PROSECUTIONS FOR THE STATE/COMMONWEALTH*

In response to the Notice to Admit Facts dated the _____ day of _____ 20 :

The defendant _____ (*name of defendant*) admits the facts set out in*

The defendant does not admit the facts set out in the remaining paragraphs of the Notice to Admit Facts.

Dated the _____ day of _____ 20 .

.....
Defendant/Defendant's solicitor

* *Delete whichever is inapplicable*

* *Refer to paragraphs in the notice to admit facts.*

Form 16

(Rule 19.03)

[Action Heading]

**ORDER REQUIRING DEFENCE TO GIVE PROSECUTION NOTICE OF INTENTION
TO ADDUCE EVIDENCE***Criminal Law Consolidation Act 1935 s 285BB(1)*

TO _____ (name of defendant)

The Court requires you to give the Director of Public Prosecutions for the State/
Commonwealth* notice of an intention to introduce evidence of the following kind(s):

[Set out a description of the kind(s) of evidence]

You are required to give written notice in form 17 of the *Criminal Rules 2013* of your intention to call evidence of the kind(s) set out above within _____ days of the service of this order on you or your solicitor.

NOTE: Non-compliance with this order does not render evidence inadmissible, but the prosecutor or the judge (or both) may comment on the non-compliance to the jury.

Dated the _____ day of _____ 20 .

.....
Justice [*name*]

* Delete whichever is inapplicable

Form 17

(Rule 19.04)

[Front Sheet]

NOTICE OF INTENTION TO ADDUCE EVIDENCE

Criminal Law Consolidation Act 1935 s 285BB(1)

TO THE DIRECTOR OF PUBLIC PROSECUTIONS FOR THE STATE/COMMONWEALTH*

In response to the order dated

The defendant _____ (*name of defendant*) intends to introduce at the trial evidence of the following kind(s):

Dated the _____ day of _____ 20 .

* *Delete whichever is inapplicable*

.....
Defendant/Defendant's solicitor

Form 18**(Rule 20.01)**

[Front Sheet]

NOTICE OF INTENTION TO INTRODUCE EXPERT EVIDENCE***Criminal Law Consolidation Act 1935 s 285BC***

To The Director of Public Prosecutions for the State/Commonwealth.*

The defendant _____ (*name of defendant*) intends to introduce at the trial/during submissions on sentence*, expert evidence from

[*Set out name(s) and qualifications of the expert(s)*]

The witness(es) will give the following evidence:

[*Set out the general nature of the evidence and what it tends to establish*]

Dated the _____ day of _____ 20 .

.....
 Defendant/Defendant's Solicitor

NOTE: If the Director of Public Prosecutions does not receive notice of intention to introduce expert evidence:

- (a) in the case of trial, on or before the date of the first directions hearing, and, in the case of sentence, at least 28 days before the date appointed for submissions on sentence; or
- (b) if the evidence does not become available to the defence until later—as soon as practicable after it becomes available to the defence;

unless exempted by the Court, the evidence cannot be adduced without the Court's permission.

NOTE: If the Director of Public Prosecutions receives notice of intention to introduce expert evidence less than 28 days before the date of trial or the date appointed for submissions on sentence, the Court may, on application by the prosecutor, adjourn the case to allow the prosecution a reasonable opportunity to obtain evidence on the proposed evidence.

* *Cross out whichever is inapplicable.*

Form 19**(Rule 21.03)**

[Action Heading]

LETTER OF REQUEST***Evidence Act 1929 s 59E***

To the Competent Judicial Authority of [*Place*],
in [*Country*].

An action has been commenced in the [*Court*] Court of South Australia, in which [*name(s)*] of [*address(es)*] [*is/are*] the [*role of party(ies)*] and [*name(s)*] of [*address(es)*] [*is/are*] the [*role of party(ies)*].

It is necessary, for the determination of the matters in dispute, that the following persons, resident within your jurisdiction, be examined as witnesses upon oath concerning those matters:

[*Insert names and addresses of proposed witnesses*]

I [*name*], the Registrar of the [*Court*] Court of South Australia, request pursuant to s 59E of the *Evidence Act 1929* (SA) that, for the assistance of such Court, you summon the said witnesses to attend, at such time and place as you shall appoint, before such person as, according your procedure, is competent to take examination of witnesses, and that you cause such witnesses to be examined orally with regard to the matters in question, in the presence of the agents of the party(s), or such of them as shall, on due notice given, attend the examination.

I further request that you permit the agents of [*name of party seeking that witness be called*], to examine such witnesses, and permit any other party to cross examine the witnesses and the party producing any witness for examination to re-examine that witness orally.

I also request that the evidence of all witnesses be reduced into writing and all books, letters, papers and documents produced upon the examination be duly marked for identification, and that you further authenticate such examination by the seal of your Court or in such other way as is in accordance with your procedure, and return the same to me together with a note of the charges and expenses payable in respect of this request through the Attorney-General from whom the same was received, for transmission to the [*Court*] Court of South Australia.

I finally request that you cause me, or the agents of the parties, if appointed, to be informed of the date and place where the examination is to take place.

[*Facsimile Seal*]

[*Name*]

For Registrar

Form 20

(Rule 22.02)

[Front Sheet]

APPLICATION TO ADDUCE AUDIO VISUAL EVIDENCE***Evidence Act 1929 s 59IE/59IQ****To the [*Nature of Party / Parties*], [*Name(s)*].

The [*Nature of Party / Parties*], [*Name(s)*] intend/s to apply to the Court for specific directions that the [*specify whether “the hearing of the application for.....” or “the trial of this action”*] be conducted with the aid of an [*specify either “audio” or “audio visual”*] link.

The following information is provided in support of the application for directions:

1. It is proposed that such link be utilised in relation to [*specify whether “the whole of the proceeding” or “portion only of the proceeding, namely.....”*].
2. The link is required from [*originating City/town*] to [*receiving City/town*].
3. Details of the persons to appear before the Court, or give evidence by the proposed link are as follows:

[*Set out names and roles*]

4. The suggested time for the commencement of the link is [*time and date*].
5. The estimated duration of the link is [*period*].
6. The application is made [*with/without*] the consent of all parties to the proceedings.
[*If all parties do not consent indicate who are dissenting parties and the nature of the objection raised by them*]
7. [*If a hearing date has been fixed, indicate time and place*].

[*Signed*]
[*Solicitor for the [Nature of Party / Parties]*]

[*OR*]

[*Name(s)*],[*Nature of the Party / Parties*]

* *Delete whichever is inapplicable*

Form 21**(Rule 23.01)**

[Front Sheet]

APPLICATION FOR A VULNERABLE WITNESS PROTECTION ORDER***Evidence Act 1929 s 13A***

[*Insert name of party*] applies to the Court for an order that special arrangements be made for taking the evidence of [*insert name of witness*].

The applicant seeks the following order:

[*Set out the special arrangements which are sought*]

The application is made on the following grounds:

[*Set out the nature of the vulnerability of the witness and the reasons for the special arrangements which are sought*]

Dated the day of , 20 .

.....
[Signed by the applicant/applicant's solicitor]

NOTE: This application must be filed in the Court not less than 28 days before the commencement of the trial, or at such earlier time as may be directed by the Court at a directions hearing, and served on the respondent within 7 days of being filed.

The respondent may file a notice in form 22 objecting to the application on the ground that the witness is not a vulnerable witness as defined in s 4 of the *Evidence Act 1929*. The notice must be filed within 14 days of the service of the application.

Form 22

(Rule 23.03)

[Front Sheet]

**OBJECTION TO APPLICATION FOR A VULNERABLE WITNESS
PROTECTION ORDER**

Evidence Act 1929 s 13A

[*Insert name of respondent*] objects to the application of [*insert name of applicant*] for an order that special arrangements be made for taking the evidence of [*insert name of witness*].

The grounds of the objection are as follows:

[*Set out the grounds of objection*]

Dated the day of , 20 .

.....
[Signed by the respondent/respondent's solicitor]

NOTE: This notice of objection must be filed in the Court and served on the applicant within 14 days of the service of the application on the respondent.

Form 23

(Rule 24.03)

[Action Heading]

SUBPOENA

To: [name]
[address]

YOU ARE ORDERED:

- *to attend to give evidence—see Section A of this form; or
- *to produce this subpoena or a copy of it and the documents or things specified in the Schedule—see Section B of this form; or
- *to attend to give evidence and to produce this subpoena or a copy of it and the documents or things specified in the Schedule—see Section C of this form

* *Select one only of these three options.*

Failure to comply with this subpoena without lawful excuse is a contempt of Court and may result in your arrest.

The last date for service of this subpoena is: *(See Note 1)*

[*Insert only if applicable*]: The last date for service was fixed by order made by Justice [name] dated [date].

Please read Notes 1 to 15 at the end of this subpoena.

[Seal or authentication]

Date:

Issued at the request of [*name of party*], whose address for service is:

A. Details of subpoena to attend to give evidence only

Date, time and place at which you must attend to give evidence unless you receive notice of a later date or time from the issuing party, in which case the later date or time is substituted:

Date:

Time

Place:

You must continue to attend from day to day unless excused by the Court or the person authorised to take evidence in this proceeding or until the hearing of the matter is completed.

B. Details of subpoena to produce only

You must comply with this subpoena:

- (a) by attending to produce this subpoena or a copy of it and the documents or things specified in the Schedule below at the date, time and place specified for attendance and production; or
- (b) by delivering or sending this subpoena or a copy of it and the documents or things specified in the Schedule below to the Registrar at the address below, or if there is more than one address below, at any one of those addresses, so that they are received not less than two clear days before the date specified for attendance and production.
(See Notes 5-11)

Date, time and place at which you must attend to produce the subpoena or a copy of it and documents or things unless you receive notice of a later date or time from the issuing party, in which case the later date or time is substituted:

Date:

Time:

Place:

Address, or any address, to which the subpoena (or copy) and documents or things may be delivered or posted:

The Registrar
[Name of Courtetc as the case may be]

Schedule

The documents and things you must produce are as follows:

[If insufficient space attach list]

C. Details of subpoena both to attend to give evidence and to produce

In so far as you are required by this subpoena to attend to give evidence, you must attend as follows unless you receive notice of a later date or time from the issuing party, in which case the later date or time is substituted:

Date:

Time:

Place:

You must continue to attend from day to day unless excused by the Court or the person authorised to take evidence in this proceeding or until the hearing of the matter is completed.

In so far as you are required by this subpoena to produce the subpoena or a copy of it and documents or things, you must comply with this subpoena:

- (a) by attending to produce this subpoena or a copy of it and the documents or things specified in the Schedule below at the date, time and place specified for attendance and production; or
- (b) by delivering or sending this subpoena or a copy of it and the documents or things specified in the Schedule below to the Registrar at the address below, or if there is more than one address below, at any one of those addresses, so that they are received not less than two clear days before the date specified for attendance and production.
(See Notes 5-11)

Date, time and place at which you must attend to produce the subpoena or a copy of it and documents or things unless you receive notice of a later date or time from the issuing party, in which case the later date or time is substituted:

Date:

Time:

Place:

Address, or any address, to which the subpoena (or copy) and documents or things may be delivered or posted:

The Registrar
[Name of Court ... etc as the case may be]'

Schedule

The documents and things you must produce are as follows:

[If insufficient space attach list]

NOTES**Last day for service**

1. You need not comply with the subpoena unless it is served on you on or before the date specified in the subpoena as the last date for service of the subpoena.

Informal service

2. Even if this subpoena has not been served personally on you, you must, nevertheless, comply with its requirements, if you have, by the last date for service of the subpoena, actual knowledge of the subpoena and of its requirements.

Addressee a corporation

3. If the subpoena is addressed to a corporation, the corporation must comply with the subpoena by its appropriate or proper officer.

Conduct money

4. You need not comply with the subpoena in so far as it requires you to attend to give evidence unless conduct money sufficient to meet your reasonable expenses of attending as required by the subpoena is handed or tendered to you a reasonable time before the date on which your attendance is required.

Production of subpoena or copy of it and documents or things by delivery or post

5. In so far as this subpoena requires production of the subpoena or a copy of it and a document or thing, instead of attending to produce the subpoena or a copy of it and the document or thing, you may comply with the subpoena by delivering or sending the subpoena or a copy of it and the document or thing to the Registrar at the address specified in the subpoena for the purpose, or if more than one address is so specified, at any one of those addresses, so that they are received not less than two clear days before the date specified in the subpoena for attendance and production or, if you receive notice of a later date or time from the issuing party, before that later date or time.
6. If you object to a document or thing produced in response to this subpoena being inspected by a party to the proceeding or any other person, you must, at the time of production, notify the Registrar in writing of your objection and of the grounds of your objection.
7. Unless the Court otherwise orders, if you do not object to a document or thing produced by you in response to the subpoena being inspected by any party to the proceeding, the Registrar may permit the parties to the proceeding to inspect the document or thing.

Production of a number of documents or things

8. If you produce more than one document or thing, you must, if requested by the Registrar, produce a list of the documents or things produced.

Production of copy instead of original

9. If the subpoena requires you to produce a document, you may produce a copy of the document unless the subpoena specifically requires you to produce the original.
- 9A. The copy of a document may be:
- (i) a photocopy; or
 - (ii) in PDF format on a CD-ROM.

Return or destruction of documents or copies

10. You may, at the time of production, inform the Court that any document or copy of a document produced need not be returned and may be destroyed.
11. If you have so informed the Court, the Registrar may destroy the document or copy instead of returning it to you.

Applications in relation to subpoena

12. You have the right to apply to the Court:
- (a) for an order setting aside the subpoena (or a part of it) or for relief in respect of the subpoena; and
 - (b) for an order with respect to your claim for privilege, public interest immunity or confidentiality in relation to any document or thing the subject of the subpoena.

Loss or expense of compliance

13. If you are not a party to the proceeding, you may apply to the Court for an order that the issuing party pay an amount (in addition to conduct money and any witness's expenses) in respect of the loss or expense, including legal costs, reasonably incurred in complying with the subpoena.

Contempt of court—arrest

14. Failure to comply with a subpoena without lawful excuse is a contempt of court and may be dealt with accordingly.
15. Note 14 is without prejudice to any power of the Court under any rules of the Court (including any rules of the Court providing for the arrest of an addressee who defaults in attendance in accordance with a subpoena) or otherwise, to enforce compliance with a subpoena.

Form 24

(Rule 24.11)

[Action Heading]

SUBPOENA—DECLARATION BY ADDRESSEE

The **Addressee** is the person to whom the subpoena is addressed and who will be the recipient of the subpoena.

You may produce copies of any subpoenaed documents, unless the subpoena specifically requires you to produce originals. A copy of a document may be:

- (a) a photocopy; or
- (b) in PDF format on a CD-ROM.

You must complete the Declaration below, attach it to the subpoena or a copy of the subpoena, and return them with the documents or things you provide to the Court under the subpoena.

If you declare that the materials you produce are copies of documents, the Registrar may, without further notice to you, destroy the copies after the expiry of four months from the conclusion of the proceeding or, if the documents become exhibits in the proceeding, when they are no longer required in connection with the proceeding, including on any appeal.

If the material you produce to the Court is or includes any original document, the Court will return all of the material to you at the address specified by you in the Declaration below.

Declaration by Addressee (Subpoena Recipient)

[Tick the relevant option below, provide your address as appropriate, sign and date]

I of the material I am providing to the Court in compliance with the attached subpoena is copies of documents. I acknowledge that the Court will destroy the copies once they are no longer required, without further notice to me.

me or all of the material I am providing to the Court in compliance with the attached subpoena is an **original** document. Once the material is no longer required, all of the material should be returned to me at the following address:

.....
[Signature of addressee]

.....
[Name of addressee]

.....
[Date].....

Form 25**(Rule 29.02)**

[Action Heading]

WARRANT FOR DETENTION*Criminal Law Consolidation Act 1935 s 269O/269U****Particulars of Defendant**

Name:

Date of Birth:

Address:

Other Details

Offence/s charged:

Section and Act under which offence/s charged:

Court which made order:

Terms of Supervision Order:

Date of Supervision Order:

Period of limiting term:

Date Warrant issued:

To the Sheriff, the Commissioner of Police and Members of the Police Force and the Minister of Health.

*The defendant named in this warrant has been dealt with by the Court and, having been declared liable to supervision, committed to detention with a limiting term pursuant to Part 8A of the *Criminal Law Consolidation Act 1935*. Particulars of the charge/s against the defendant, the Court which made the supervision order and the limiting term which was fixed appear on this warrant.

*The defendant named in this warrant was committed to detention with a limiting term pursuant to Part 8A of the *Criminal Law Consolidation Act 1935*. The defendant was subsequently released on licence but on the day of , the Court cancelled the release.

You, the Sheriff, and you, the Commissioner of Police and Members of the Police Force, are directed to convey the defendant to James Nash House and you, the Minister of Health are directed to detain the defendant in accordance with the supervision order.

.....
Justice [name]

* Delete whichever is inapplicable.

Form 26**(Rule 29.03)**

[Action Heading]

WARRANT OF REMAND IN CUSTODY PENDING INVESTIGATION*Criminal Law Consolidation Act 1935 s 269X(1)***Particulars of Defendant**

Name:

Date of Birth:

Address:

Other Details

Offence/s charged:

Section and Act under which offence/s charged:

Date Warrant issued:

Institution to be taken to:

To the Sheriff, the Commissioner of Police and Members of the Police Force and the Chief Executive, Department of Correctional Services.

The Court has ordered an investigation into:

The mental competence of the defendant named in this warrant to commit the offence(s) charged.*

The mental fitness of the defendant named in this warrant to stand trial on the offence(s) charged.*

You, the Sheriff, and you, the Commissioner of Police and Members of the Police Force, are directed to convey the defendant to the institution referred to above.

The defendant is to be taken to the institution referred to above until a placement at a secure mental health facility is available and then the defendant is to be transferred to the care of the Minister of Health.

You, the Minister of Health/the Chief Executive, Department of Correctional Services*, are directed to detain the defendant until the conclusion of the investigation.

.....
Justice [*name*]

* *Delete whichever is inapplicable.*

Form 27**(Rule 29.04)**

[Action Heading]

WARRANT OF REMAND IN CUSTODY AFTER DECLARED LIABLE TO SUPERVISION*Criminal Law Consolidation Act 1935 s 269X(2)***Particulars of Defendant**

Name:

Date of Birth:

Address:

Other Details

Offence/s charged:

Section and Act under which offence/s charged:

Date Warrant issued:

Institution to be taken to:

To the Sheriff, the Commissioner of Police and Members of the Police Force and the Chief Executive, Department of Correctional Services.

The defendant named in this warrant has been declared liable to supervision under Part 8A of the *Criminal Law Consolidation Act 1935* (SA) ("the Act").

You, the Sheriff, and you, the Commissioner of Police and Members of the Police Force, are directed to convey the defendant to the correctional institution referred to above.

*The defendant is to be taken to the institution referred to above until a placement at a secure mental health facility is available and then the defendant is to be transferred to the care of the Minister of Health.

You, the Minister of Health/the Chief Executive, Department of Correctional Services, are directed to detain the defendant in that institution until such time as the Court makes all orders which are required to be made pursuant to s 269O of the Act.

.....
Justice [*name*]

* Delete whichever is inapplicable.

Form 28

(Rule 32.01)

[Front Sheet]

APPLICATION FOR DANGEROUS OFFENDER DECLARATION***Criminal Law (Sentencing) Act 1988 s 33A***

To : *[insert name of person to whom the application relates]*
 : the Director of Public Prosecutions (if not representing the Attorney-General)
 : the Commissioner for Victims' Rights

Take notice that the Attorney-General of the State of South Australia applies to the Supreme Court under s 33A(1) of the *Criminal Law (Sentencing) Act 1988* for a declaration that *[insert name of person to whom the application relates]* is a dangerous offender and for an order that his/her non-parole period be negated.

The grounds upon which the application is made are: *[set out the grounds upon which the application is made]*.

Dated theday of20.....

.....
 [Signed by the Attorney-General/Solicitor for the Attorney-General]

The above application is listed for initial directions on theday of 20.... atam/pm *[insert date and time of hearing]* in a courtroom in the Sir Samuel Way Building, Victoria Square, Adelaide.

Dated theday of20.....

.....
 Registrar

Form 29**(Rule 32.04)**

[Action Heading]

**NOTICE OF HEARING OF APPLICATION FOR DANGEROUS OFFENDER
DECLARATION*****Criminal Law (Sentencing Act) 1988 s 33A***

To : the Attorney-General
: [insert name of person to whom the application relates]
: the Director of Public Prosecutions (if not representing the Attorney-General)
: the Commissioner of Victims' Rights

Take notice that the Supreme Court intends to conduct the proceedings for the determination of the application of the Attorney-General on theday of 20..... atam/pm in the Sir Samuel Way Building, Victoria Square, Adelaide, and thereafter on such further dates and times as will be fixed by the Court.

Dated theday of 20

.....
Registrar

NOTE: Section 33A(3) of the *Criminal Law (Sentencing) Act 1988* requires that the person to whom the application under s 33A relates must be given at least 14 days written notice of the day on which the Court intends to conduct the proceedings to determine the application.

GIVEN under our hands and the Seal of the Supreme Court of South Australia

this ...29th..... day ofOctober.....2012.

C. KOURAKIS, CJ
M. J. NYLAND, J
T. A. GRAY, J
J. R. SULAN, J
R. C. WHITE, J
M. DAVID, J
D. H. PEEK, J
M. F. BLUE, J
T. L. STANLEY, J
K. G. NICHOLSON, J

South Australia

Classification (Publications, Films and Computer Games) (R18+ Computer Games) Amendment Act (Commencement) Proclamation 2012

1—Short title

This proclamation may be cited as the *Classification (Publications, Films and Computer Games) (R18+ Computer Games) Amendment Act (Commencement) Proclamation 2012*.

2—Commencement of Act

The *Classification (Publications, Films and Computer Games) (R18+ Computer Games) Amendment Act 2012* (No 41 of 2012) will come into operation on 1 January 2013.

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2012

AGO0209/12CS

South Australia

Safe Drinking Water Act (Commencement) Proclamation 2012

1—Short title

This proclamation may be cited as the *Safe Drinking Water Act (Commencement) Proclamation 2012*.

2—Commencement

The *Safe Drinking Water Act 2011* (No 16 of 2011) will come into operation on 1 March 2013.

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2012

HEAC-2012-00002

South Australia

Administrative Arrangements (Administration of Safe Drinking Water Act) Proclamation 2012

under section 5 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Administration of Safe Drinking Water Act) Proclamation 2012*.

2—Commencement

This proclamation comes into operation on the day on which it is made.

3—Administration of Act committed to Minister for Health and Ageing

The administration of the *Safe Drinking Water Act 2011* is committed to the Minister for Health and Ageing.

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2012

HEAC-2012-00002

South Australia

Education (Budget 2012) (Skills and Experience Retention Leave) Proclamation 2012

under section 6(4) of the *Statutes Amendment and Repeal (Budget 2012) Act 2012*

1—Short title

This proclamation may be cited as the *Education (Budget 2012) (Skills and Experience Retention Leave) Proclamation 2012*.

2—Commencement

This proclamation comes into operation on the day on which it is made.

3—Transitional and ancillary provisions—skills and experience retention leave entitlement

- (1) The following entitlements will not be able to be taken as leave until on or after 1 July 2013:
 - (a) an additional skills and experience retention leave entitlement under section 6(2) of the *Statutes Amendment and Repeal (Budget 2012) Act 2012*;
 - (b) an additional skills and experience retention leave entitlement accrued in relation to the 2012/2013 financial year under the *Education Act 1972*.
- (2) An application to take leave in respect of an entitlement referred to in subclause (1) may not be made before 1 July 2013.
- (3) An election to convert an entitlement referred to in subclause (1) to a monetary amount under regulation 26A of the *Education Regulations 2012* must be made between 1 July 2013 and 31 August 2013 (both dates inclusive) (and may not be made before 1 July 2013).

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2012

South Australia

Parliament (Joint Services) (Budget 2012) (Skills and Experience Retention Leave) Proclamation 2012

under section 29(4) of the *Statutes Amendment and Repeal (Budget 2012) Act 2012*

1—Short title

This proclamation may be cited as the *Parliament (Joint Services) (Budget 2012) (Skills and Experience Retention Leave) Proclamation 2012*.

2—Commencement

This proclamation comes into operation on the day on which it is made.

3—Transitional and ancillary provisions—skills and experience retention leave entitlement

- (1) The following entitlements will not be able to be taken as leave until on or after 1 July 2013:
 - (a) an additional skills and experience retention leave entitlement under section 29(2) of the *Statutes Amendment and Repeal (Budget 2012) Act 2012*;
 - (b) an additional skills and experience retention leave entitlement accrued in relation to the 2012/2013 financial year.
- (2) An application to take leave in respect of an entitlement referred to in subclause (1) may not be made before 1 July 2013.
- (3) An election to convert an entitlement referred to in subclause (1) to a monetary amount under the *Parliament (Joint Services) (Retention Entitlement) Regulations 2012* must be made between 1 July 2013 and 31 August 2013 (both dates inclusive) (and may not be made before 1 July 2013).

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2012

South Australia

Public Sector (Budget 2012) (Skills and Experience Retention Leave) Proclamation 2012

under section 33(5) of the *Statutes Amendment and Repeal (Budget 2012) Act 2012*

1—Short title

This proclamation may be cited as the *Public Sector (Budget 2012) (Skills and Experience Retention Leave) Proclamation 2012*.

2—Commencement

This proclamation comes into operation on the day on which it is made.

3—Transitional and ancillary provisions—skills and experience retention leave entitlement

- (1) The following entitlements will not be able to be taken as leave until on or after 1 July 2013:
 - (a) an additional skills and experience retention leave entitlement under section 33(2) of the *Statutes Amendment and Repeal (Budget 2012) Act 2012*;
 - (b) an additional skills and experience retention leave entitlement accrued in relation to the 2012/2013 financial year.
- (2) An application to take leave in respect of an entitlement referred to in subclause (1) may not be made before 1 July 2013.
- (3) An election to convert an entitlement referred to in subclause (1) to a monetary amount under regulation 13 of the *Public Sector Regulations 2010* must be made between 1 July 2013 and 31 August 2013 (both dates inclusive) (and may not be made before 1 July 2013).

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2012

South Australia

Liquor Licensing (Dry Areas) Variation Regulations 2012

under the *Liquor Licensing Act 1997*

Contents

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- 1 Short title
- 2 Commencement
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Part 2—Variation of *Liquor Licensing (Dry Areas) Regulations 2012*

- 4 Substitution of Schedule—Ceduna and Thevenard Area 1
 - Schedule—Ceduna and Thevenard Area 1
 - Schedule—Ceduna and Thevenard Area 2
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas) Variation Regulations 2012*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Liquor Licensing (Dry Areas) Regulations 2012*

4—Substitution of Schedule—Ceduna and Thevenard Area 1

Schedule—Ceduna and Thevenard Area 1—delete the Schedule and substitute:

Schedule—Ceduna and Thevenard Area 1

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

Continuous until 6 December 2017.

3—Description of area

The area in and adjacent to Ceduna and Thevenard bounded as follows: commencing at the point at which the northern boundary of the Eyre Highway intersects the prolongation in a straight line of the eastern boundary of Hastings Road, then southerly and south-westerly along that prolongation and boundary of Hastings Road to the north-eastern boundary of Decres Bay Road, then in a straight line by the shortest route across Decres Bay Road to the point at which the north-western boundary of Lot 25 DP 45533 meets the south-western boundary of Decres Bay Road, then south-westerly along that north-western boundary of Lot 25, and the prolongation in a straight line of that boundary, to the low water mark of Bosanquet Bay, then generally north-westerly, south-westerly, north-westerly, north-easterly and northerly along the low water mark to the point at which it is intersected by the prolongation in a straight line of the eastern boundary of Section 197 Hundred of Bonython, then northerly along that prolongation and boundary of Section 197 to the northern boundary of the Section, then in a straight line by the shortest route to the northernmost corner of Section 265 Hundred of Bonython, then generally southerly along the eastern boundary of Section 265 (the western boundary of the Eyre Highway) to the point at which it is intersected by the prolongation in a straight line of the northern boundary of Lot 12 DP 54370, then easterly (across the Eyre Highway) along that prolongation to the western boundary of Lot 12, then south-easterly and easterly along the western and southern boundaries of that Lot to the southern boundary of Lot 20 DP 55492, then easterly along the southern boundary of Lot 20 to the western boundary of Lot 21 DP 55492, then north-westerly and north-easterly along the western and north-western boundaries of Lot 21 to the western boundary of Section 231 Hundred of Bonython (the railway reserve), then south-easterly along that boundary of Section 231 to the southernmost corner of the Section, then in a straight line by the shortest route to the point at which the north-western boundary of Section 237 Hundred of Bonython meets the south-western boundary of the Section, then south-easterly along the south-western boundary of Section 237 (the railway reserve) to the northern boundary of the Eyre Highway, then easterly along that boundary of the Eyre Highway to the point of commencement. The area includes any jetty, wharf, ramp or other structure projecting into the sea beyond the low water mark from the area described above, as well as any area beneath such a structure.

Schedule—Ceduna and Thevenard Area 2

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

Continuous until 6 December 2017.

3—Description of area

The area adjacent to Ceduna and Thevenard comprising Lot 617
FP 180649.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2012

No 244 of 2012

MLI0038/12CS

South Australia

Liquor Licensing (Dry Areas) Variation Regulations 2012

under the *Liquor Licensing Act 1997*

Contents

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Schedule—Whyalla Area 2
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas) Variation Regulations 2012*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Liquor Licensing (Dry Areas) Regulations 2012*

4—Insertion of Schedules

Before Schedule—Berri Area 1 insert:

Schedule—Beachport Area 1

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

The prohibition applies during the following periods:

- (a) from 12.01 am to 7 am on each day, from 26 December 2012 to 31 December 2012 (inclusive);
- (b) from 12 noon on 31 December 2012 to 12 noon on 2 January 2013.

3—Description of area

The area in Beachport, generally known as Centennial Park, comprising Lot 2 DP 41193.

Schedule—Beachport Area 2

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 12 noon on 26 December 2012 to 12 noon on 2 January 2013.

3—Description of area

The area in and adjacent to Beachport comprising the following roads and other areas:

- (a) Railway Terrace between the south-eastern boundary of McCourt Street and the north-western boundary of Beach Road;
- (b) Chambers Street and Somerville Street between the south-eastern boundary of McCourt Street and the southern boundary of Lagoon Road;
- (c) Lagoon Road between the eastern boundary of Somerville Street and the western boundary of Beach Road;
- (d) Henty Street;
- (e) Lanky Street;
- (f) Foster Street between Railway Terrace and the southern boundary of Lagoon Road;
- (g) the area commencing at the point at which the prolongation in a straight line of the southern boundary of Lagoon Road intersects the low water mark on the western side of Rivoli Bay, then westerly along that prolongation to the western boundary of Beach Road, then generally northerly, north-easterly and northerly along that boundary of Beach Road to the southern boundary of Alfred Court, then along the prolongation in a straight line of that southern boundary of Alfred Court to the low water mark on the western side of Rivoli Bay, then generally south-westerly along the low water mark to the point of commencement.

5—Insertion of Schedule—Elliston Area 1

After Schedule—Edithburgh Area 1 insert:

Schedule—Elliston Area 1

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

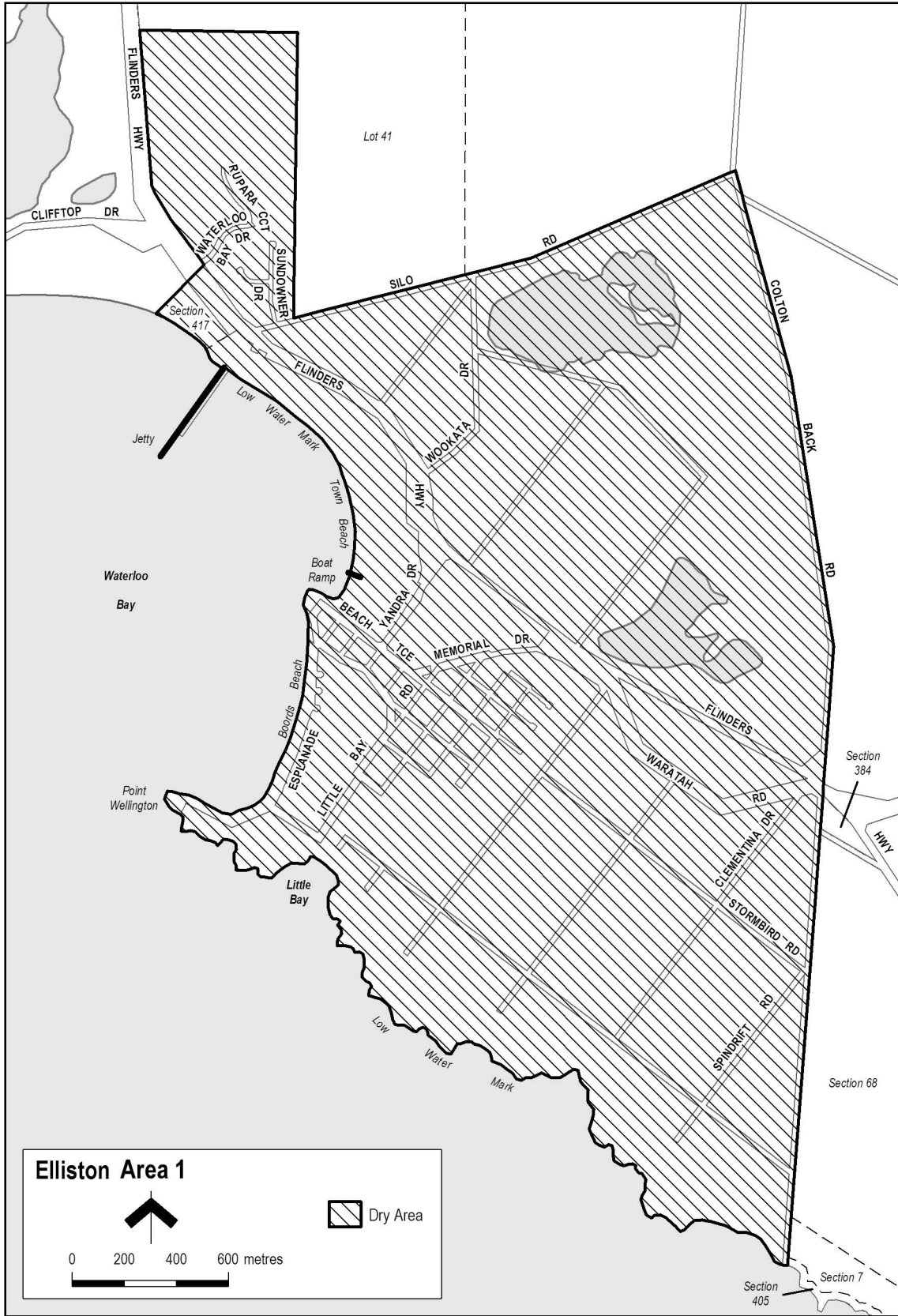
2—Period of prohibition

From 9 pm on 31 December 2012 to 8 am on 1 January 2013.

3—Description of area

The area in and adjacent to Elliston bounded as follows: commencing at the point at which the prolongation in a straight line of the north-western boundary of Section 417 Hundred of Ward intersects the low water mark on Waterloo Bay, then generally south-easterly, southerly, westerly and south-easterly along the low water mark to the point at which it is intersected by the prolongation in a straight line of the western boundary of Section 405 Hundred of Ward, then northerly

along that prolongation and boundary of Section 405, the western boundary of Section 7 Hundred of Ward and the western boundary of Section 68 Hundred of Ward, to the northern boundary of Section 68, then in a straight line by the shortest route to the point at which the western and southern boundaries of Section 384 Hundred of Ward meet, then northerly along the western boundary of Section 384 to the point at which it meets the north-eastern boundary of the Section, then in a straight line by the shortest route (across Flinders Highway) to the point at which the eastern boundary of Colton Back Road meets the northern boundary of Flinders Highway, then generally northerly and north-westerly along the eastern boundary of Colton Back Road to the point at which it is intersected by the prolongation in a straight line of the northern boundary of Silo Road, then south-westerly along that prolongation and boundary of Silo Road to the western boundary of Lot 41 of DP 72507, then generally northerly and westerly along the western and southern boundaries of Lot 41 to the point at which the southern boundary of the Lot meets the eastern boundary of Flinders Highway, then generally southerly and south-easterly along that boundary to the point at which it is intersected by the prolongation in a straight line of the north-western boundary of Section 417 Hundred of Ward, then south-westerly along that prolongation and boundary of Section 417, and the prolongation in a straight line of that boundary, to the point of commencement. The area does not include any jetty, boat ramp or other structure projecting below the low water mark from within the area described above.



6—Insertion of Schedule—Glenelg North Area 1

Before Schedule—Golden Grove Area 1 insert:

Schedule—Glenelg North Area 1

1—Extent of prohibition

The consumption of liquor is prohibited. The possession of liquor is prohibited, and the prohibition extends to possession in each of the circumstances referred to in regulation 5(3).

2—Period of prohibition

From 12.01 am on 26 January 2013 to 12.01 am on 27 January 2013.

3—Description of area

The area in Glenelg North, generally known as Tarniwarra Park, comprising the following areas:

- (a) Lot 61 DP 54589;
- (b) the area (Lot 60 DP 54589 and other land) bounded as follows: commencing at the point at which the western boundary of the carriageway of North Esplanade meets the southern boundary of the first diagonal bitumenised car parking bay that lies on the western side of North Esplanade to the north of Cygnet Court, then southerly along that western boundary of the carriageway of North Esplanade to the point at which it meets the north-western boundary of the carriageway of Cygnet Court, then south-westerly along that boundary of the carriageway of Cygnet Court to the northern boundary of the first bitumenised car parking bay that lies (at right angles to the carriageway) on the western side of Cygnet Court to the south of North Esplanade, then north-westerly and south-westerly along the north-eastern and north-western boundaries of that parking bay and south-westerly along the north-western boundaries of the adjoining bays to the point at which the north-western boundaries of those adjoining bays meet the eastern boundary of a narrow walking path that runs between the parking bays and a beach retaining wall, then generally northerly for approximately 50 metres along the eastern boundary of that path to the point at which it meets a broader paved pathway, then in a straight line by the shortest route to the point of commencement.

7—Insertion of Schedule—Port Kenny Area 1

After Schedule—Port Hughes Area 2 insert:

Schedule—Port Kenny Area 1

1—Extent of prohibition

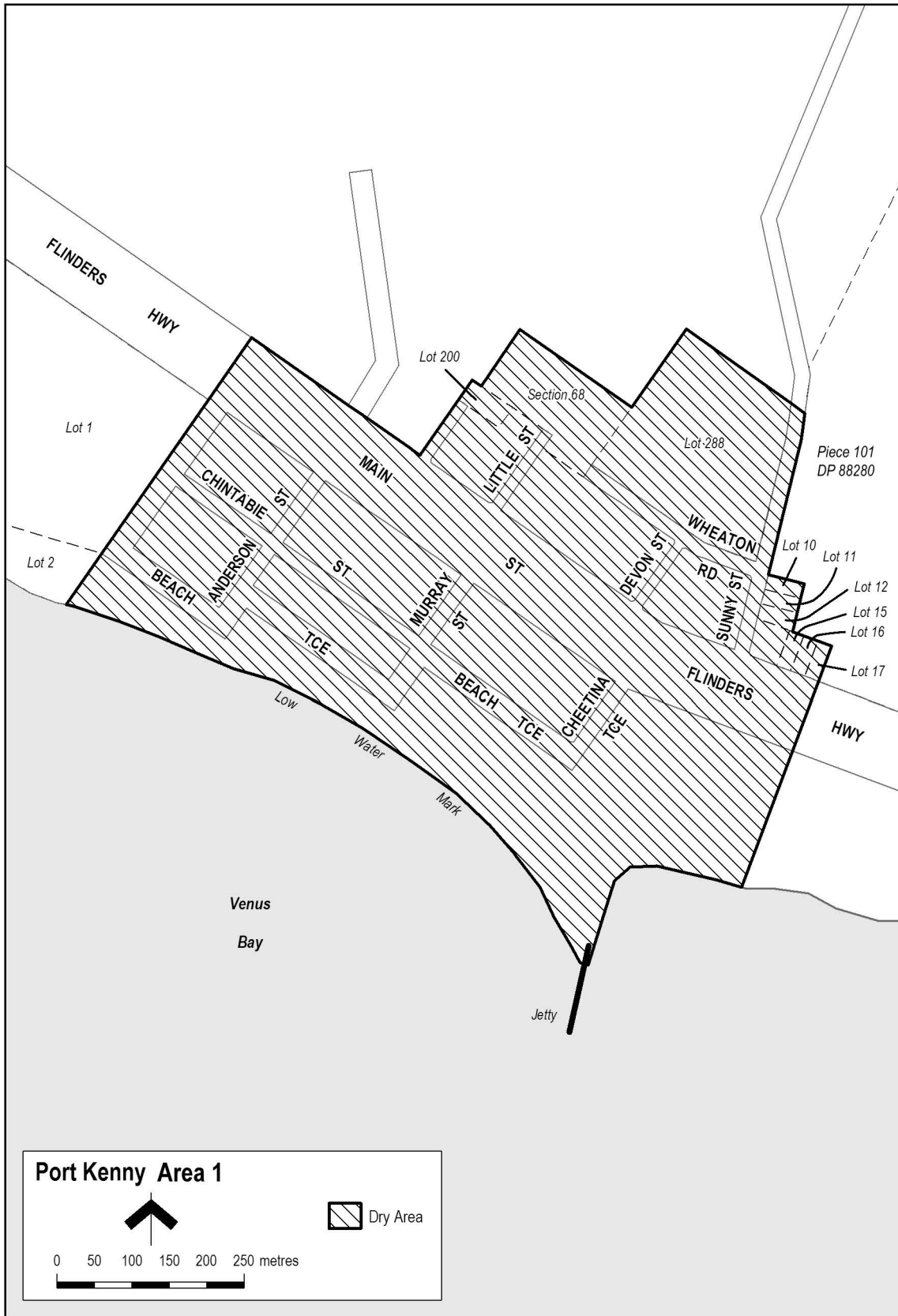
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 9 pm on 31 December 2012 to 8 am on 1 January 2013.

3—Description of area

The area in and adjacent to Port Kenny bounded as follows: commencing at the point at which the prolongation in a straight line of the eastern boundary of Lot 1 of DP 29315 intersects the north-eastern boundary of Main Street (Flinders Highway), then south-westerly along that prolongation and boundary of Lot 1 to the eastern boundary of Lot 2 of DP 29315, then south-westerly along that eastern boundary of Lot 2 and the prolongation in a straight line of that boundary to the low water mark on the northern side of Venus Bay, then generally south-easterly, northerly and easterly along the low water mark to the point at which it is intersected by the prolongation in a straight line of the eastern boundary of Lot 17 of DP 4405, then north-easterly along that prolongation and boundary of Lot 17 to the northern boundary of the Lot, then north-westerly along the northern boundaries of Lots 17, 16 and 15 of DP 4405 to the eastern boundary of Lot 12 of DP 4405, then northerly along the eastern boundary of that Lot, and the eastern boundaries of Lots 11 and 10 of DP 4405, to the northern boundary of Lot 10, then westerly along that boundary of Lot 10 to the eastern boundary of Sunny Street, then northerly along that boundary of Sunny Street and the western boundary of Piece 101 of DP 88280 to the point at which the western boundary of Piece 101 is intersected by the prolongation in a straight line of the north-eastern boundary of Lot 288 of FP 180320, then north-westerly along that prolongation and boundary of Lot 288 to the north-western boundary of the Lot, then south-westerly along the north-western boundary of Lot 288 to the north-eastern boundary of Section 68 Hundred of Wright, then north-westerly and south-westerly along the north-eastern and north-western boundaries of the Section to the point at which the north-western boundary meets the north-eastern boundary of Lot 200 of DP 84488, then north-westerly along that boundary of Lot 200 to the north-western boundary of the Lot, then south-westerly along the north-western boundary of Lot 200 and the prolongation in a straight line of that boundary to the point at which that prolongation intersects the north-eastern boundary of Main Street (Flinders Highway), then north-westerly along that boundary of Main Street to the point of commencement. The area does not include any jetty, boat ramp or other structure projecting below low water mark from within the area described above.



8—Insertion of Schedule—Port Victoria Area 1

After Schedule—Port Pirie Area 2 insert:

Schedule—Port Victoria Area 1

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 10 pm on each day to 8 am on the following day, until 8 am on 6 December 2017.

3—Description of area

The area in and adjacent to Port Victoria, bounded as follows: commencing at the point at which the prolongation in a straight line of the northern boundary of Marshall Road intersects the low water mark on the eastern side of Spencer Gulf, then generally northerly, north-easterly and northerly along the low water mark to the point at which it is intersected by the prolongation in a straight line of the northern boundary of Section 292 Hundred of Wauraltee (the prolongation in a straight line of the southern boundary of Moorara Drive), then easterly along that prolongation and boundary of Section 292 to the eastern boundary of the Section, then southerly along that eastern boundary of Section 292 to the north-eastern boundary of Section 269 Hundred of Wauraltee, then generally southerly along the western boundary of the caravan park to the point at which that boundary is intersected by the prolongation in a straight line of the south-western boundary of Lot 91 TP 131601, then south-easterly along that prolongation to the north-western boundary of Victoria Terrace, then north-easterly along that boundary of Victoria Terrace and the prolongation in a straight line of that boundary to the north-eastern boundary of Kuhn Terrace, then south-easterly along that boundary of Kuhn Terrace to the point at which it is intersected by the prolongation in a straight line of the south-eastern boundary of Passat Street, then south-westerly along that prolongation and boundary of Passat Street to the north-eastern boundary of Main Street, then south-easterly along that boundary of Main Street to the north-western boundary of Wilson Terrace, then in a straight line by the shortest route to the point at which the south-western boundary of Main Street meets the north-western boundary of Wilson Terrace, then north-westerly along that south-western boundary of Main Street back to the south-eastern boundary of Passat Street, then south-westerly along that boundary of Passat Street to the south-western boundary of Rogers Terrace, then north-westerly along that boundary of Rogers Terrace to the eastern boundary of Edwardes Terrace, then generally southerly along that boundary of Edwardes Terrace to the northern boundary of Marshall Road, then westerly along that boundary of Marshall Road and the prolongation in a straight line of that boundary to the point of commencement. The area includes the whole of any wharf, jetty, breakwater, boat ramp or other structure projecting below low water

mark from within the area described above, as well as any area beneath such a structure.

9—Insertion of Schedules

After Schedule—Renmark Area 2 insert:

Schedule—Robe Area 1

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

12 noon on 31 December 2012 to 12 noon on 1 January 2013.

3—Description of area

The area in and adjacent to Robe bounded as follows: commencing at the western end of the northern boundary of Dawson Drive, then in a straight line by the shortest route to the low water mark of Guichen Bay on the eastern side of the entrance to Fox's Lake, then in a straight line by the shortest route (across the entrance) to the low water mark on the western side of the entrance, then generally westerly along the low water mark to the eastern side of the entrance to Lake Butler, then in a straight line by the shortest route (across the entrance) to the eastern boundary of the breakwater on the western side of the entrance to the lake, then northerly, north-easterly, westerly and south-westerly around the outer boundary of the breakwater back to the low water mark on the shore on the western side of the breakwater, then generally north-westerly and southerly along the low water mark to the point at which it is intersected by the prolongation in a straight line of the southern boundary of Evans Cave Road (the northern boundary of Section 363 Hundred of Waterhouse), then generally easterly along that prolongation and boundary of Evans Cave Road, and the prolongation in a straight line of that boundary, to the eastern boundary of Robe Street, then northerly along that boundary of Robe Street to the southern boundary of Beacon Hill Road, then generally easterly along that boundary of Beacon Hill Road to the point at which it meets the north-eastern boundary of Lot 5 of DP 78111, then generally south-easterly and easterly along that boundary of Lot 5 and easterly and north-easterly along the northern boundary of Section 289 Hundred of Waterhouse to the eastern boundary of Section 289, then in a straight line by the shortest route to the south-western corner of Lot 11 of DP 64831, then easterly along the southern boundary of Lot 11 and the prolongation in a straight line of that boundary to the point at which the prolongation intersects the eastern boundary of Nora Creina Road, then northerly along that boundary of Nora Creina Road to the point at which it meets the southern boundary of Wildfield Road, then generally easterly along that boundary of Wildfield Road and the prolongation in a straight line of that boundary to the point at which the prolongation intersects the northern boundary of Southern Ports Highway, then generally north-westerly and south-westerly along that boundary of

Southern Ports Highway and the northern boundary of Main Road to the eastern boundary of Dawson Drive, then generally north-westerly and westerly along that boundary of Dawson Drive to the point of commencement. The area includes any wharf, jetty, boat ramp, breakwater or other structure projecting below low water mark from within the area described above (as well as any area beneath such a structure).



Schedule—Robe Area 2

1—Extent of prohibition

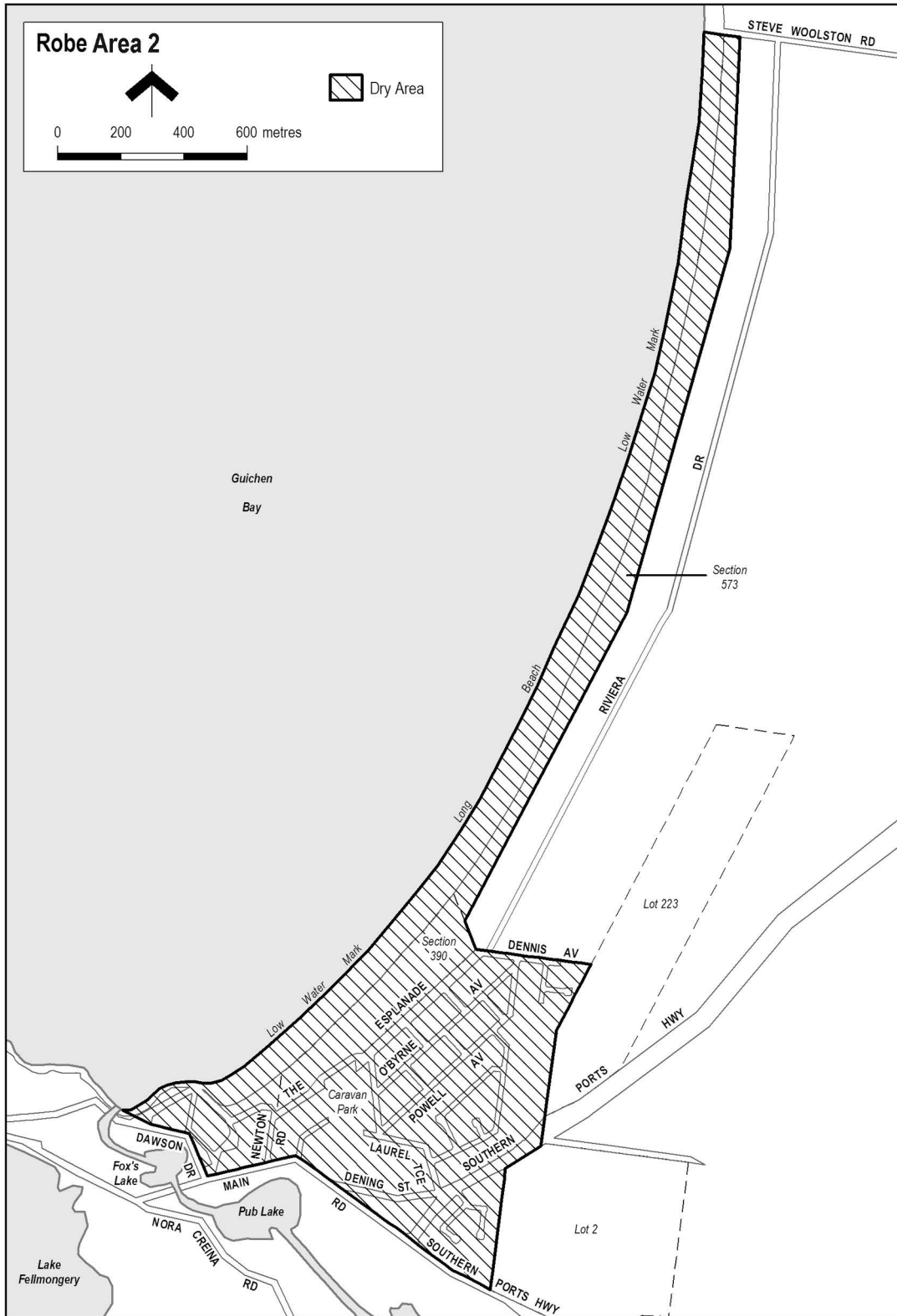
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

12 noon on 31 December 2012 to 12 noon on 1 January 2013.

3—Description of area

The area in and adjacent to Robe bounded as follows: commencing at the western end of the northern boundary of Dawson Drive, then in a straight line by the shortest route to the low water mark of Guichen Bay on the eastern side of the entrance to Fox's Lake, then generally north-easterly along the low water mark to the point at which it is intersected by the prolongation in a straight line of the northern boundary of Section 573 Hundred of Waterhouse, then easterly along that prolongation and boundary of Section 573 to the eastern boundary of the Section, then generally southerly and south-westerly along that boundary of Section 573 to the north-eastern boundary of Section 390 Hundred of Waterhouse, then south-easterly along that boundary of Section 390 to the point at which it is intersected by the prolongation in a straight line of the northern boundary of Dennis Avenue, then easterly along that prolongation and boundary of Dennis Avenue, and the prolongation in a straight line of that boundary, to the point at which the prolongation intersects the western boundary of Lot 223 of FP 205569, then generally south-westerly and southerly along that boundary of Lot 223 and the prolongation in a straight line of that boundary to the point at which the prolongation intersects the south-eastern boundary of Southern Ports Highway, then south-westerly along that boundary to the western boundary of Lot 2 of FP 9707, then southerly along that boundary of Lot 2 to the southern boundary of the Lot, then generally north-westerly and south-westerly along the northern boundary of Southern Ports Highway and the northern boundary of Main Road to the eastern boundary of Dawson Drive, then generally north-westerly and westerly along that boundary of Dawson Drive to the point of commencement.



10—Insertion of Schedule—Seacliff Area 4

After Schedule—Seacliff Area 3 insert:

Schedule—Seacliff Area 4

1—Extent of prohibition

The consumption of liquor is prohibited. The possession of liquor is prohibited, and the prohibition extends to possession in each of the circumstances referred to in regulation 5(3).

2—Period of prohibition

From 12.01 am on 26 January 2013 to 12.01 am on 29 January 2013.

3—Description of area

The area in and adjacent to Seacliff bounded as follows: commencing at the point at which the western boundary of Marine Parade meets the southern boundary of Young Street, then southerly along the western boundary of Marine Parade to the point at which it meets the southern boundary of Lot 7 FP 148929, then westerly along the southern boundary of Lot 7, the southern boundary of Lot 8 FP 148929, and the prolongation in a straight line of the southern boundary of Lot 8, to the low water mark on the eastern side of Gulf St Vincent, then generally northerly along the low water mark to the point at which it is intersected by the prolongation in a straight line of the southern boundary of Young Street, then easterly along that prolongation to the eastern boundary of the Esplanade, then southerly along that boundary of the Esplanade to the northern boundary of Lot 1 FP 148929, then easterly and southerly along the northern and eastern boundaries of Lot 1 to the northern boundary of Lot 2 FP 148929, then easterly along that boundary of Lot 2 to the western boundary of Lot 4 DP 3030, then northerly along that boundary of Lot 4 to the southern boundary of Young Street, then easterly along that boundary of Young Street to the point of commencement.

11—Insertion of Schedule—Semaphore Area 4

After Schedule—Semaphore Area 3 insert:

Schedule—Semaphore Area 4

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

The prohibition applies during the following periods:

- (a) from 12 noon on 31 December 2012 to 12 noon on 1 January 2013;
- (b) from 12 noon on 26 January 2013 to 12 noon on 27 January 2013.

3—Description of area

The area in Semaphore and Exeter comprising Semaphore Road between the eastern boundary of the Esplanade and the prolongation in a straight line of the marked centre line of Causeway Road.

12—Insertion of Schedule—Streaky Bay Area 1

After Schedule—Strathalbyn Area 2 insert:

Schedule—Streaky Bay Area 1**1—Extent of prohibition**

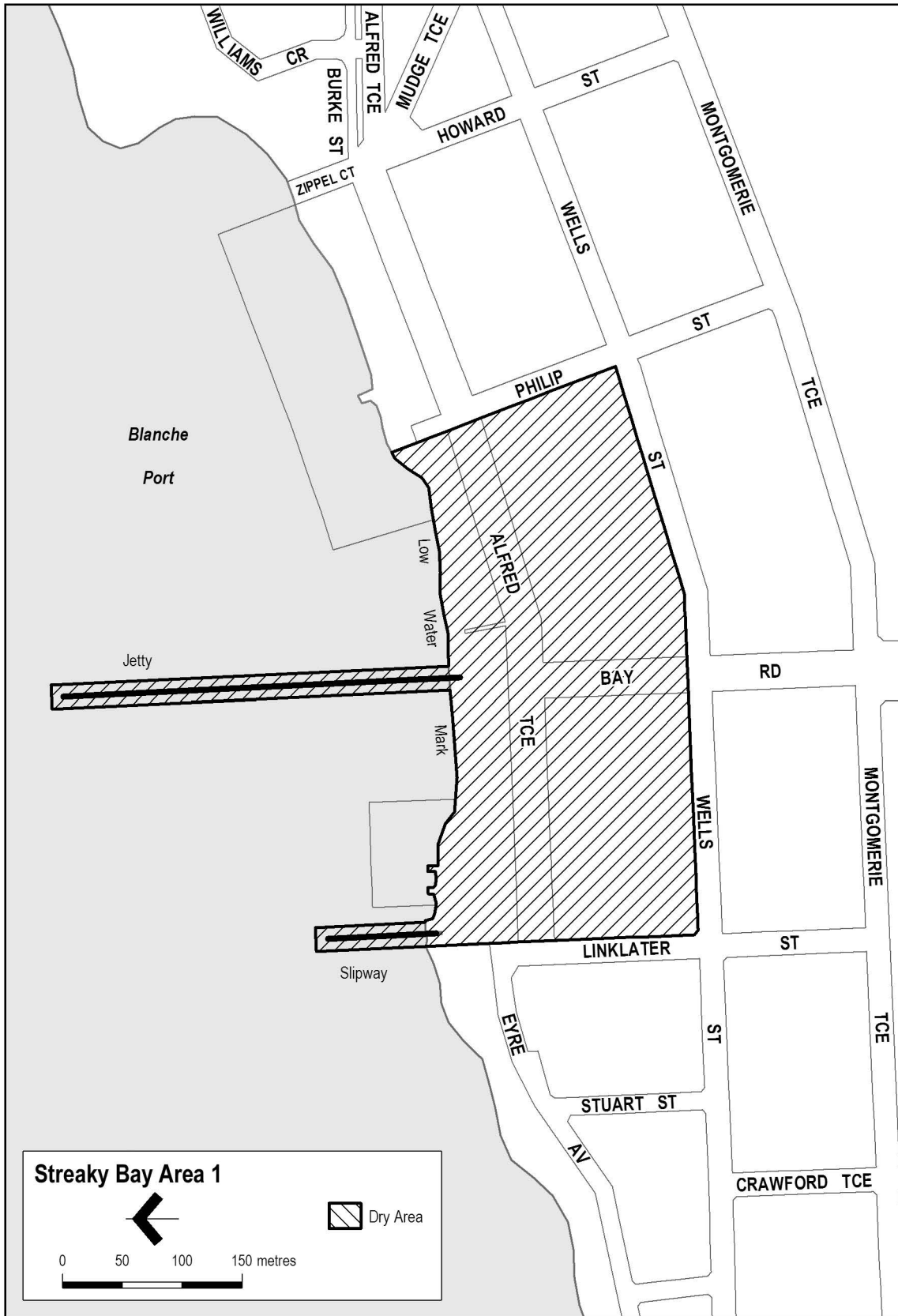
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 6 pm on 31 December 2012 to 8 am on 1 January 2013.

3—Description of area

The area in and adjacent to the town of Streaky Bay bounded as follows: commencing at the point at which the prolongation in a straight line of the eastern boundary of Linklater Street intersects the low water mark on the southern side of Blanche Port, then generally easterly along the low water mark to the point at which it is intersected by the prolongation in a straight line of the western boundary of Philip Street, then south-easterly along that prolongation and boundary of Philip Street to the northern boundary of Wells Street, then south-westerly and westerly along that boundary of Wells Street to the eastern boundary of Linklater Street, then northerly along that boundary of Linklater Street and the prolongation in a straight line of that boundary to the point of commencement. The area includes the whole of any jetty, boat ramp or other structure that projects below the low water mark from within the area described above (as well as any area beneath such a structure).



13—Insertion of Schedule—Venus Bay Area 1

Before Schedule—Victor Harbor Area 1 insert:

Schedule—Venus Bay Area 1

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 9 pm on 31 December 2012 to 8 am on 1 January 2013.

3—Description of area

The area in and adjacent to the town of Venus Bay bounded as follows: commencing at the point at which the northern boundary of Section 77 Hundred of Wright meets the northern boundary of Lot 62 DP 34608, then generally southerly, south-easterly, north-easterly, easterly and northerly along the boundary of Lot 62 (the boundary that borders the western, southern and eastern sides of the town) to the point at which the common boundary of Lot 62 and Lot 3 FP 6331 meets the southern boundary of Venus Bay Road, then in a straight line by the shortest route (across Venus Bay Road) to the south-western corner of Lot 58 DP 34994, then in a straight line by the shortest route to the eastern boundary of the Lot, then generally north-easterly and north-westerly along that boundary of Lot 58 to the northern boundary of the Lot, then generally south-westerly, westerly and north-westerly along that boundary of Lot 58 and the northern boundary of Lot 57 DP 34994 to the south-eastern boundary of Lot 53 DP 34138, then north-easterly along that boundary of Lot 53 to the north-eastern corner of the Lot, then in a straight line by the shortest route to the north-eastern corner of Lot 146 TP 652302, then north-westerly and south-westerly along the northern and western boundaries of that Lot the point at which the western boundary meets the northern boundary of Section 77 Hundred of Wright, then generally westerly along the northern boundary of Section 77 to the point of commencement.

14—Insertion of Schedules

After Schedule—West Beach Area 1 insert:

Schedule—Whyalla Area 1

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 9 pm on 31 December 2012 to 8 am on 1 January 2013.

3—Description of area

The area in and adjacent to Whyalla bounded as follows: commencing

at the point at which the prolongation in a straight line of the western boundary of Lot 100 of DP 61444 intersects the low water mark on the western side of Spencer Gulf, then northerly along that prolongation and boundary of Lot 100 to the northern boundary of the Lot, then north-easterly along the northern boundary of Lot 100 to the point at which it meets the northern boundary of Lot 101 of DP 61444, then generally north-easterly along that boundary of Lot 101 to the north-eastern corner of the Lot, then generally north-westerly, north-easterly, north-westerly and north-easterly along the boundary of Lot 100 of DP 61444 (including around the outer boundary of Lot 340 of DP 33299 so as to exclude Lot 340 from the area) to the point at which the north-western boundary of Lot 100 (the south-eastern boundary of Broadbent Terrace) meets the south-western boundary of Cudmore Terrace, then in a straight line by the shortest route (across Cudmore Terrace) to the point at which the south-eastern boundary of Wallack Terrace meets the north-eastern boundary of Cudmore Terrace, then generally south-easterly along that boundary of Cudmore Terrace and the north-eastern boundary of Buttlingarra Way to the south-western corner of Section 394 Hundred of Randell, then north-easterly along the north-western boundary of Section 394, and the prolongation in a straight line of that boundary, to the south-western boundary of Section 420 Hundred of Randell, then south-easterly along that boundary of Section 420, and the prolongation in a straight line of that boundary, to the low water mark on the western side of Spencer Gulf, then generally southerly along the low water mark to the commencement of the breakwater forming the north-eastern wall of the Whyalla marina, then south-easterly and south-westerly along the outer boundary of the breakwater to the end of the breakwater, then in a straight line by the shortest route (diagonally across the entrance to the marina) to the outer boundary of the north-eastern end of the breakwater forming the south-eastern and south-western wall of the marina, then south-westerly and north-westerly along the outer boundary of the breakwater back to the low water mark on the shore on the south-western side of the marina (so as to include the whole of the marina and the whole of each breakwater in the area), then generally south-westerly along the low water mark to the point of commencement. The area includes any jetty, wharf, breakwater, boat ramp or other structure projecting seaward from within the area described above, as well as any area beneath such a structure.

Schedule—Whyalla Area 2

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 12 noon on 26 January 2013 to 12.01 am on 27 January 2013.

3—Description of area

The area in and adjacent to Whyalla bounded as follows: commencing at the point at which the prolongation in a straight line of the north-eastern boundary of Roberts Terrace intersects the low water mark on the western side of Spencer Gulf, then north-westerly along that prolongation to the north-western boundary of Lot 100 of DP 61444, then generally north-easterly, north-westerly and north-easterly along the boundary of Lot 100 of DP 61444 (including around the outer boundary of Lot 340 of DP 33299 so as to exclude Lot 340 from the area) to the point at which the north-western boundary of Lot 100 (the south-eastern boundary of Broadbent Terrace) meets the south-western boundary of Cudmore Terrace, then in a straight line by the shortest route (across Cudmore Terrace) to the point at which the south-eastern boundary of Wallack Terrace meets the north-eastern boundary of Cudmore Terrace, then generally south-easterly along that boundary of Cudmore Terrace and the north-eastern boundary of Buttlingarra Way to the south-western corner of Section 394 Hundred of Randell, then north-easterly along the north-western boundary of Section 394, and the prolongation in a straight line of that boundary, to the south-western boundary of Section 420 Hundred of Randell, then south-easterly along that boundary of Section 420, and the prolongation in a straight line of that boundary, to the low water mark on the western side of Spencer Gulf, then generally southerly along the low water mark to the commencement of the breakwater forming the north-eastern wall of the Whyalla marina, then south-easterly and south-westerly along the outer boundary of the breakwater to the end of the breakwater, then in a straight line by the shortest route (diagonally across the entrance to the marina) to the outer boundary of the north-eastern end of the breakwater forming the south-eastern and south-western wall of the marina, then south-westerly and north-westerly along the outer boundary of the breakwater back to the low water mark on the shore on the south-western side of the marina (so as to include the whole of the marina and the whole of each breakwater in the area), then generally south-westerly along the low water mark to the point of commencement. The area includes any jetty, wharf, breakwater, boat ramp or other structure projecting seaward from within the area described above, as well as any area beneath such a structure.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2012

No 245 of 2012

MLI0037/12CS

South Australia

Safe Drinking Water Regulations 2012

under the *Safe Drinking Water Act 2011*

Contents

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14	Meaning of enforcement agency
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Schedule 1—Form of rainwater notice

1	Form of rainwater notice (regulation 7)
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Schedule 2—Fees

1—Short title

These regulations may be cited as the *Safe Drinking Water Regulations 2012*.

2—Commencement

These regulations will come into operation on the day on which the *Safe Drinking Water Act 2011* comes into operation.

3—Interpretation

In these regulations, unless the contrary intention appears—
Act means the *Safe Drinking Water Act 2011*.

4—General obligation to observe Australian Drinking Water Guidelines

The *Australian Drinking Water Guidelines 2011* prepared by the National Health and Medical Research Council and the Natural Resources Management Ministerial Council, as in force from time to time, must be observed in relation to the quality and supply of drinking water by a drinking water provider.

5—Bulk water suppliers taken to be drinking water providers

For the purposes of section 3(3) of the Act, persons who supply water in bulk are excluded from the ambit of section 3(2) of the Act.

6—Meaning of water supplied in bulk

For the purposes of section 3(5)(b) of the Act, the prescribed volume is 100 litres.

7—Application of Act

(1) For the purposes of section 4(1)(a) of the Act, the following are domestic premises of a prescribed class:

- (a) a Class 1A, 4 or 10 building under the *Building Code*;
- (b) a sole-occupancy unit in a Class 2 building under the *Building Code*.

(2) For the purposes of section 4(1)(b) of the Act—

- (a) a place of a prescribed kind means—
 - (i) premises at which short term accommodation is offered or provided in the course of a business or for fee or reward (for example, a hotel, motel, holiday resort, guest house, hostel, boarding house, bed and breakfast, farmstay, houseboat, caravan park, camping ground or other premises at which accommodation is offered or provided under a holiday rental agreement); or
 - (ii) premises that are used or capable of being used for an event or recreational or community activity of any kind, whether admission is open to the public, gained by the payment of money or restricted to members of a club or a class of persons with some other qualification or characteristic (for example, a function, community, civic, conference, sporting or recreation and leisure centre); or
 - (iii) premises used by a church; or
 - (iv) a public building under the care, control or management of a Minister or other agency or instrumentality of the Crown or a council,

but does not include regulated care or education premises or regulated food premises; and

(b) a notice, in relation to a place of a prescribed kind, must be—

- (i) in the form set out in Schedule 1 clause 1; and
- (ii) displayed in a prominent position—
 - (A) within 30 centimetres of each tap supplying rainwater for human consumption at the place; and
 - (B) in—
 - all promotional material for the place published in brochures, newspapers, magazines or on the Internet; or
 - application forms or information material for the place.

- (3) For the purposes of section 4(1)(c) of the Act, the prescribed requirements, in relation to rainwater supplied as an optional alternative at a place, are as follows:
- (a) a notice must be displayed in the form set out in Schedule 1 clause 1 in a prominent position—
 - (i) within 30 centimetres of each tap supplying rainwater for human consumption at the place; and
 - (ii) in—
 - (A) all promotional material for the place published in brochures, newspapers, magazines or on the Internet; or
 - (B) application forms or information material for the place;
 - (b) in addition—
 - (i) in the case of regulated care or education premises—the taps supplying the rainwater at the premises must not be accessible to vulnerable persons at the premises; and
 - (ii) in the case of regulated food premises—the rainwater is not used in the preparation of food or beverages intended—
 - (A) for consumption by vulnerable persons at regulated care or education premises; or
 - (B) for direct sale or supply to the public at licensed premises or at a restaurant, café or other retail food or beverage outlet.

- (4) In this regulation, unless the contrary intention appears—

Building Code has the same meaning as in the *Development Act 1993*;

child means a person under the age of 18 years;

regulated care or education premises means—

- (a) a hospital within the meaning of the *Health Care Act 2008*; or
- (b) premises at which a health service is provided for the purposes of—
 - (i) the promotion of health and well-being; or
 - (ii) the prevention of disease, illness or injury; or
 - (iii) intervention to address or manage disease, illness or injury; or
 - (iv) the management or treatment of disease, illness or injury; or
 - (v) rehabilitation or on-going care for persons who have suffered a disease, illness or injury; or
- (c) a residential aged care facility; or
- (d) premises at which care is provided to persons whose ability to care for themselves is significantly impaired through physical or mental disability, illness or infirmity; or
- (e) premises at which care or pre-school education is provided to children (for example, a nursery, childcare centre, kindergarten or pre-school or premises at which out of school hours care or vacation care is provided); or

- (f) premises at which courses of instruction in primary or secondary education are provided to children; or
- (g) a park, outdoor area or grounds provided for use in connection with premises referred to in paragraphs (a) to (f),

but does not include premises at which care or education is provided to persons in their own home by their parents or guardians or by other persons;

regulated food premises means premises used in the course of a business for the preparation of food or beverages intended—

- (a) for consumption by vulnerable persons at regulated care or education premises; or
- (b) for direct sale or supply to the public at licensed premises (within the meaning of the *Liquor Licensing Act 1997*) or at a restaurant, café or other retail food or beverage outlet;

short term accommodation means accommodation for a period not exceeding 60 days;

vulnerable person, in relation to regulated care or education premises, means a person to whom care or education (as the case may require) is provided at those premises.

8—Persons ceasing to supply drinking water

For the purposes of section 7(1) of the Act, the prescribed period is 14 days.

9—Risk management plan

- (1) For the purposes of section 13(1)(e) of the Act, the following matters are prescribed in relation to a risk management plan prepared or adopted by a drinking water provider:
 - (a) the full name and contact address of the drinking water provider;
 - (b) records of all documents relied on in the implementation of the risk management plan (for example, operating manuals and any other documents detailing procedures).
- (2) The drinking water provider must ensure that any change in details referred to in subregulation (1)(a) is recorded in the risk management plan within 14 days of the occurrence of the change.

Maximum penalty: \$1 250.
Expiation fee: \$160.
- (3) For the purposes of section 13(2)(a) of the Act, a risk management plan must be consistent with—
 - (a) the *Australian Drinking Water Guidelines 2011* prepared by the National Health and Medical Research Council and the Natural Resources Management Ministerial Council, as in force from time to time; or
 - (b) the *Community Water Planner 2011* prepared by the National Health and Medical Research Council and the National Water Commission, as in force from time to time.
- (4) A drinking water provider must ensure that—
 - (a) testing of drinking water under the monitoring program set out in the drinking water provider's risk management plan, other than—

- (i) testing of a characteristic that is subject to variation during transportation to a laboratory or in laboratory conditions (for example water temperature or disinfectant residual); or
- (ii) testing of a kind authorised by the Chief Executive,
is carried out at an approved laboratory; and
- (b) the results of testing of drinking water carried out under the monitoring program during an audit or inspection period are furnished to the Chief Executive—
 - (i) in the case of a drinking water provider who supplies drinking water to more than 50 000 customers during that period—in the manner and form approved by the Chief Executive; or
 - (ii) in any other case—within 21 days after the completion of the audit or inspection and in the form approved by the Chief Executive.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (5) A drinking water provider must keep copies of the following documents for at least 5 years:
- (a) each risk management plan prepared or adopted by the drinking water provider;
 - (b) all documents generated in the implementation of the risk management plan (for example, records and results of monitoring and testing and records of maintenance activity, incident notification and remedial action).

Maximum penalty: \$5 000.

Expiation fee: \$315.

10—Audits and inspections

- (1) For the purposes of section 21(1)(d) of the Act, the following functions are prescribed:
- (a) determining whether the drinking water provider has complied with the requirements of these regulations during the audit or inspection period, and if not, the circumstances of the non-compliance;
 - (b) determining whether any remedial action has been taken by the drinking water provider in relation to circumstances of non-compliance with these regulations;
 - (c) making recommendations as to changes to any component of the risk management plan and the reasons for such recommendations;
 - (d) making recommendations as to any other matters that require improvement or remedial action or are otherwise of concern to the auditor or inspector.
- (2) For the purposes of section 21(2)(a) of the Act, the following documents are specified:
- (a) the risk management plan prepared or adopted by the drinking water provider;
 - (b) records of all documents generated in the implementation of the risk management plan (for example, records and results of monitoring and testing and records of maintenance activity, incident notification and remedial action).

11—Reporting requirements

- (1) For the purposes of section 22(2)(b) of the Act, the following matters are indicated:
- (a) the results of investigations carried out for the purposes of section 21(1)(a) and (b) of the Act and regulation 10(1);

- (b) recommendations required to be made under regulation 10(1).
- (2) For the purposes of section 22(3) of the Act, the prescribed period within which a report of an audit or inspection must be furnished to the Chief Executive is 21 days after the completion of the audit or inspection.

12—Water quality monitoring information to be made publicly available

For the purposes of section 27(2) of the Act, the results of testing of drinking water under a drinking water provider's monitoring program must be made available—

- (a) in the case of testing carried out at an approved laboratory—within 14 days after the results are received from the laboratory by the drinking water provider; and
- (b) in any other case—within 14 days after the results are produced.

13—Approved laboratories

For the purposes of section 29(1) of the Act, laboratories that are accredited by the National Association of Testing Authorities Australia for testing of a particular kind are a prescribed class of laboratory in relation to testing of that kind.

14—Meaning of enforcement agency

For the purposes of paragraph (c) of the definition of *enforcement agency* in section 33 of the Act, the Eastern Health Authority is brought within the ambit of the definition.

15—Fees

- (1) The fees set out in Schedule 2 are payable to the Minister.
- (2) A fee is payable to an enforcement agency for the carrying out of an inspection of any premises or vehicle by an authorised officer appointed by the enforcement agency reasonably required in connection with the administration or enforcement of the Act or these regulations.
- (3) A fee under subregulation (2)—
 - (a) must not exceed the reasonable costs of the enforcement agency with respect to the inspection by the authorised officer and in any event must not exceed \$200; and
 - (b) may be recovered by the enforcement agency as a debt from the occupier of the premises, or from the owner or operator of the vehicle (as the case may be).

Schedule 1—Form of rainwater notice

1—Form of rainwater notice (regulation 7)



Schedule 2—Fees

Application fee for—

- | | | |
|-----|---|-------|
| (a) | approval of auditor (section 15 of Act) | \$130 |
|-----|---|-------|

Note—

No fee applies if the applicant is a Public Service employee or an approved food safety auditor under the *Food Act 2001*.

- | | | |
|-----|---|--------|
| (b) | approval of inspector (section 15 of Act) | no fee |
|-----|---|--------|

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2012

No 246 of 2012

HEAC-2012-00002

South Australia

Food Variation Regulations 2012

under the *Food Act 2001*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Food Regulations 2002*

- 4 Revocation of regulation 8
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Food Variation Regulations 2012*.

2—Commencement

These regulations will come into operation on the day on which the *Safe Drinking Water Act 2011* comes into operation.

3—Variation provisions

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

Part 2—Variation of *Food Regulations 2002*

4—Revocation of regulation 8

Regulation 8—delete the regulation

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2012

No 247 of 2012

HEAC-2012-00002

South Australia

Parliament (Joint Services) (Retention Entitlement) Regulations 2012

under the *Parliament (Joint Services) Act 1985*

Contents

1	Short title
2	Commencement
3	Interpretation
4	Retention leave

1—Short title

These regulations may be cited as the *Parliament (Joint Services) (Retention Entitlement) Regulations 2012*.

2—Commencement

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

3—Interpretation

In these regulations—

the Act means the *Parliament (Joint Services) Act 1985*.

4—Retention leave

(1) For the purposes of section 20(6a) of the Act—

- (a) the amount of \$180 (indexed) for each working day of skills and experience retention leave accrued during a particular financial year (which will be reduced on a *pro rata* basis in relation to a part of a working day and in relation to part-time work) is fixed by these regulations; and
- (b) an entitlement to such leave may be converted to the amount fixed under paragraph (a) if an election is made to the Committee, or to the person holding an office nominated by the Committee, in a manner determined by the Committee, by 31 August immediately following the financial year in which the entitlement accrues; and
- (c) an amount payable on account of an election under paragraph (b) will be paid to the officer at a time, and in a manner, determined by the Committee for the purposes of this paragraph; and
- (d) an amount payable in relation to a part of a working day or part-time work will be determined in a manner determined by the Committee.

- (2) The amount of \$180 (indexed) referred to subsection (1)(a) is to be adjusted on an annual basis (commencing in relation to days accrued in the 2013/2014 financial year) by multiplying that amount by a proportion obtained by dividing the Consumer Price Index for the March quarter in the immediately preceding financial year by the Consumer Price Index for the March quarter, 2012 (with an adjustment applying according to when a leave entitlement accrues rather than when a payment is made).
- (3) In this regulation—

Consumer Price Index means the *Consumer Price Index (All groups index for Adelaide)* published by the Australian Bureau of Statistics.

Note—

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

Made by the Governor

on the recommendation of the Treasurer and with the advice and consent of the Executive Council
on 6 December 2012

No 248 of 2012

South Australia

Public Sector (Budget 2012) Variation Regulations 2012

under the *Public Sector Act 2009*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Public Sector Regulations 2010*

- 4 Variation of regulation 13—Application of Part 7 of Act (section 41 of Act)
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Public Sector (Budget 2012) Variation Regulations 2012*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Public Sector Regulations 2010*

4—Variation of regulation 13—Application of Part 7 of Act (section 41 of Act)

(1) Regulation 13—after subregulation (1) insert:

(1aa) However, the provisions of Schedule 1 Part 6 of the Act that provide for an entitlement to skills and experience retention leave under clause 7(1a) of Schedule 1 of the Act will not apply to—

- (a) any person who is bound by the *South Australian Police Enterprise Agreement 2011* (including before clause 34 of that Agreement comes into effect);
- (b) any other person who is entitled under a determination of the Commissioner of Police to leave that corresponds to Police Service Leave under clause 34 of the *South Australian Police Enterprise Agreement 2011* (including a determination made before that clause comes into effect).

(2) Regulation 13—after subregulation (4) insert:

- (5) Section 51 of the Act to the extent that it provides for an entitlement to skills and experience retention leave under Schedule 1 Part 6 of the Act (and to the extent that it does not apply under subregulation (2a)) applies to all employees of the chief executive of TAFE SA under the *TAFE SA Act 2012*.
- (6) Subregulations (1aa) and (5) will take effect from 1 July 2012.
- (7) For the purposes of Schedule 1 clause 7(4a) of the Act—
- (a) the amount of \$180 (indexed) for each working day of skills and experience retention leave accrued during a particular financial year (which will be reduced on a *pro rata* basis in relation to a part of a working day and in relation to part-time work) is fixed by these regulations; and
 - (b) an entitlement to such leave may be converted to the amount fixed under paragraph (a) if an election is made to a public sector agency (or an office or division within a public sector agency) nominated by the Minister, in a manner determined by the Commissioner, by 31 August immediately following the financial year in which the entitlement accrues; and
 - (c) an amount payable on account of an election under paragraph (b) will be paid to the employee at a time, and in a manner, determined by the Commissioner for the purposes of this paragraph; and
 - (d) an amount payable in relation to a part of a working day or part-time work will be determined in a manner determined by the Commissioner.
- (8) The amount of \$180 (indexed) referred to subregulation (7)(a) is to be adjusted on an annual basis (commencing in relation to days accrued in the 2013/2014 financial year) by multiplying that amount by a proportion obtained by dividing the Consumer Price Index for the March quarter in the immediately preceding financial year by the Consumer Price Index for the March quarter, 2012 (with an adjustment applying according to when a leave entitlement accrues rather than when a payment is made).
- (9) In this regulation—

Consumer Price Index means the *Consumer Price Index (All groups index for Adelaide)* published by the Australian Bureau of Statistics;

South Australian Police Enterprise Agreement 2011 means the *South Australian Police Enterprise Agreement 2011* made between the Chief Executive, Department of the Premier and Cabinet and the Police Association of South Australia under the *Fair Work Act 1994* that came into force on 18 May 2011 and includes any successor industrial instrument under the *Fair Work Act 1994*.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2012

No 249 of 2012

South Australia

Education (Budget 2012) Variation Regulations 2012

under the *Education Act 1972*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Education Regulations 2012*

- 4 Insertion of regulation 26A
26A Skills and experience retention leave entitlement
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Education (Budget 2012) Variation Regulations 2012*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Education Regulations 2012*

4—Insertion of regulation 26A

After regulation 26 insert:

26A—Skills and experience retention leave entitlement

(1) For the purposes of section 19(3a) of the Act—

- (a) the amount of \$180 (indexed) for each working day of skills and experience retention leave accrued during a particular financial year (which will be reduced on a *pro rata* basis in relation to a part of a working day and in relation to part-time work) is fixed by these regulations; and

- (b) an entitlement to such leave may be converted to the amount fixed under paragraph (a) if an election is made to the Director-General, in a manner determined by the Director-General, by 31 August immediately following the financial year in which the entitlement accrues; and
 - (c) an amount payable on account of an election under paragraph (b) will be paid to the officer at a time, and in a manner, determined by the Director-General for the purposes of this paragraph; and
 - (d) an amount payable in relation to a part of a working day or part-time work will be determined in a manner determined by the Director-General.
- (2) The amount of \$180 (indexed) referred to in subregulation (1)(a) is to be adjusted on an annual basis (commencing in relation to days accrued in the 2013/2014 financial year) by multiplying that amount by a proportion obtained by dividing the Consumer Price Index for the March quarter in the immediately preceding financial year by the Consumer Price Index for the March quarter, 2012 (with an adjustment applying according to when a leave entitlement accrues rather than when a payment is made).
- (3) In this regulation—

Consumer Price Index means the *Consumer Price Index (All groups index for Adelaide)* published by the Australian Bureau of Statistics.

Note—

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

Made by the Governor

on the recommendation of the Treasurer and with the advice and consent of the Executive Council
on 6 December 2012

No 250 of 2012

SENDING COPY?

NOTICES for inclusion in the *South Australian Government Gazette* should be emailed to:

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NOTE:

Closing time for lodging new copy is 4 p.m. on Tuesday preceding the regular Thursday Gazette.

THE FLINDERS RANGES COUNCIL

Temporary Road Closure

NOTICE is hereby given that pursuant to Section 33 of the Road Traffic Act 1961, First Street, Quorn, between its intersections with Sixth Street and Seventh Street, be closed to all vehicles, excluding Council and emergency vehicles on Monday, 24 December 2012 from 4.30 p.m. until 9.30 p.m. for the purposes of the Quorn Christmas Eve Street Party.

C. J. DAVIES, Chief Executive Officer.

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

Road Naming

NOTICE is hereby given that the District Council of Lower Eyre Peninsula issued a resolution pursuant to Section 219 (1) of the Local Government Act 1999, to name the following:

Meeting held on 17 April 2009:

- That the road adjacent to the northern boundary of Section 18 in the Hundred of Uley, be named Black Swan Lane.

Meeting held on 7 July 2011:

- That the un-named road running south-east off Sheppard Road and past the north-eastern boundary of Allotment 11 in DP58294 in the Hundred of Warrow, be named Giddings Lane.

Meeting held on 19 August 2011:

- That the un-named road running along the southern boundaries of Allotments 112, 113 and 114 in DP78872 and Allotment 132 in DP82802, in the Hundred of Warrow, be named Diamond Firetail Road.
- That the un-named road along the eastern boundaries of Section 258 and Section 257 in the Hundred of Louth, be named Barns Road.
- That the un-named road running along the southern boundaries of A608 and Piece 609 in DP35206 in the Hundred of Louth, be named Neideck Road.

Meeting held on 16 September 2011:

- That the portion of Eucalyptus Drive running in a southerly direction off Redgum Road and terminating at Allotment 107 in DP78872 in the Hundred of Warrow, be re-named Wallace Court.
- That the un-named road running along the eastern side of railway reserve between Tumbly Bay Road (Bratten Way) and Cockaleechie Road in the Hundred of Cummins, be named Albert Lane.

Meeting held on 16 December 2011:

- That the un-named road that commences at the south-west corner of Allotment 100 in DP67862 in the Hundred of Lincoln and runs generally in a northerly direction and terminates at the north-west corner of Allotment 21 in DP62402 in the Hundred of Wanilla, be named Coomunga Lane.
- That the un-named road that commences at the south-west corner of Allotment 11 in DP66019 in the Hundred of Lincoln and runs in a generally north-west direction and terminates at the hundred boundary, be named Derrington Drive.

Meeting held on 17 August 2012:

- That the un-named road running off Harris Road in a north-easterly direction between Sections 44 and 45, and terminating at the southern boundary of Section 91, all in the Hundred of Mitchell, be named Coombs Road.

Meeting held on 16 November 2012:

- That the constructed road within Allotment 52 in DP63404 that runs along the southern frontages of Allotment 874 in FP 180096 and Allotment 875 in FP180097 be named as an extension of Woolshed Drive in the Hundred of Lake Wangary.

R. W. PEARSON, Chief Executive Officer

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

AERODROME FEES ACT 1998

Aerodrome Fees

NOTICE is hereby given that, pursuant to the Aerodrome Fees Act 1998 in South Australia, the District Council of Lower Eyre Peninsula hereby advises that Arrival and Departure Fees at the Port Lincoln Airport are fixed as follows and are effective from 1 January 2013:

Landing Fees

All aircraft except Regular Passenger Transport:

\$8.90 per 1 000 kg
\$8.90 minimum fee.

Arrival and Departure Fees at the Port Lincoln Airport are fixed as follows and are effective from 1 February 2013:

Passenger Fees

Arrival Fees—\$8.58 per person.
Departure Fees—\$8.58 per person.

Note: All fees are GST inclusive.

R. PEARSON, Chief Executive Officer

NORTHERN AREAS COUNCIL

Resignation of Councillor

NOTICE is hereby given in accordance with Section 54 (6) of the Local Government Act 1999, that a vacancy has occurred in the office of Ward Councillor for Yackamoorundie Ward, due to the resignation of Councillor Roger Lang, to take effect from 22 November 2012.

R. CROWLEY, Chief Executive Officer

NORTHERN AREAS COUNCIL

Close of Roll for Supplementary Election

DUE to the resignation of a member of the Council, a supplementary election will be necessary to fill the vacancy of Ward Councillor for Yackamoorundie Ward.

The voters roll for this supplementary election will close at 5 p.m. on Monday, 31 December 2012.

You are entitled to vote in the election if you are on the State electoral roll. If you have recently turned 18 or changed your residential or postal address you must complete an electoral enrolment form, available from post offices or online at www.ecsa.sa.gov.au.

If you are not eligible to enrol on the State electoral roll you may still be entitled to enrol to vote if you own or occupy a property. Contact the Council to find out how.

Nominations to fill the vacancy will open on Thursday, 24 January 2013 and will be received until 12 noon on Thursday, 7 February 2013.

The election will be conducted entirely by post with the return of ballot material to reach the Returning Officer no later than 12 noon on Tuesday, 12 March 2013.

K. MOUSLEY, Returning Officer

PORT PIRIE REGIONAL COUNCIL

Declaration of a Public Road—Beach Road

NOTICE is hereby given that pursuant to Section 210 of the Local Government Act 1999, the Port Pirie Regional Council proposes to declare:

Allotment 11 in Deposited Plan 79301 contained in Certificate of Title Volume 6025, Folio 975;

Allotment 440 in Filed Plan 184522 contained in Certificate of Title Volume 5661, Folio 765;

Allotment 184 in Deposited Plan 648 contained in Certificate of Title Volume 5494, Folio 55;

Allotment 158 in GRO page 89 contained in Certificate of Title Volume 1085, Folio 128;

Allotment 121 in Filed Plan 216385 contained in Certificate of Title Volume 5615, Folio 298;
 Allotment 442 in Filed Plan 184524 contained in Certificate of Title Volume 5791, Folio 262;
 Allotments 10 and 11 in Deposited Plan 478 contained in Certificate of Title Volume 1568, Folio 183;
 Allotment 9 in Deposited Plan 478 contained in Certificate of Title Volume 673, Folio 11;
 Allotment 14 in Deposited Plan 478 contained in Certificate of Title Volume 1381, Folio 88;
 Allotments 15 and 16 in Deposited Plan 478 contained in Certificate of Title Volume 5871, Folio 361; and
 Allotment 17 in Deposited Plan 478 contained in Certificate of Title Volume 1364, Folio 36,

as a public road to rectify the existing situation where part of Beach Road is not included in the Road Reserve.

A copy of the proposed changes are available at the Council Administration Centre, Port Pirie and website:

www.pirie.sa.gov.au.

Enquiries to Peter Arnold on telephone 8633 9733.

Written submissions can be made by any person claiming an interest in the land and must set out the full name and address of the person making the submission, fully supported by reasons.

Submissions to be received by 4 p.m. on Friday, 8 March 2012, to be addressed to Dr A. Johnson, Chief Executive Officer, Port Pirie Regional Council, P.O. Box 45, Port Pirie, S.A. 5540.

DR A. JOHNSON, Chief Executive Officer

DISTRICT COUNCIL OF TUMBY BAY

LOCAL GOVERNMENT ACT 1999—SECTION 246

Notification of Application of By-Law

NOTICE is hereby given pursuant to Section 246 (4a) of the Local Government Act 1999, that at its meeting of 13 November 2012, the District Council of Tumby Bay determined, in accordance with Section 246 (3) (e) of the Local Government Act 1999, that Clause 2.9.1 and Clause 2.9.2 of Council's By-law No. 3—Local Government Land shall apply to the following parts of the area of Council from 1 December 2012:

- (1) That portion of the foreshore between latitude 34°23'15.93"S, longitude 136°06'19.80"E and latitude 34°23'16.22"S, longitude 136°06'20.70"E, including the land known as the Tumby Bay Boat Ramp; and
- (2) That portion of the foreshore between latitude 34°07'00.41"S, longitude 136°21'15.70"E and latitude 34°07'01.42"S, longitude 136°21'15.04"E, including the land known as the Port Neil Boat Ramp.

Consequently, from 1 December 2012, a permit must be obtained from Council before launching or retrieving a boat at either of the above areas.

T. IRVINE, Chief Executive Officer

IN the matter of the estates of the undermentioned deceased persons:

Alexander, Cyril Richard, late of 8 Blackie Avenue, Parafield Gardens, retired motor mechanic, who died on 2 August 2012.
Berriman, Joyce Marie, late of 4 Kellett Avenue, Lockleys, retired bank officer, who died on 4 August 2012.
Carson, Joan Ronda Colleen, late of 342 Marion Road, North Plympton, of no occupation, who died on 24 July 2012.
Deregt, Wilhelmina, late of 1 Madras Street, Oaklands Park, home duties, who died on 3 October 2012.
Dorward, Pauline Mary, late of 1 Warooka Drive, Smithfield, of no occupation who died on 18 June 2012.

Gedvila, Karla Frieda, late of Hill Avenue, Keith, of no occupation, who died on 2 August 2012.

Harmer, Betty May, late of 22 Norman Street, Port Pirie, of no occupation, who died on 21 August 2012.

Holland, John Robert, late of 98 Macedonia Street, North Haven, retired telecommunications technician, who died on 15 August 2012.

Jarvie, John Thomas, late of 66 Nelson Road, Valley View, retired draftsman, who died on 16 September 2012.

Jolley, Claude Mervyn, late of 7 Victoria Street, Goodwood, retired railway employee, who died on 14 October 2012.

Jones, Eric, late of Ruwoldt Road, Yahl, retired station hand, who died on 18 July 2012.

Knightly, Margaret, late of 63-69 Russell Street, Casterton, Victoria, of no occupation, who died on 20 April 2012.

Pearce, Graeme Lawrence, late of 41 Catherine Crescent, Morphett Vale, retired tree cutter, who died on 7 August 2012.

Stephenson, Lynette Anne, late of 25 Roopena Street, Ingle Farm, of no occupation, who died on 10 February 2012.

Stubbings, Barbara June, late of Hillier Road, Hillier, retired canteen supervisor, who died on 20 September 2012.

Tooke, Margaret Esther, late of 110 Strathfield Terrace, Largs North, retired secretary, who died on 16 September 2012.

Vendramin, May Eileen, late of 35 Hulbert Street, Hove, retired teacher, who died on 6 August 2012.

Yeeles, Elsie, late of 550 Portrush Road, Glen Osmond, of no occupation, who died on 27 June 2012.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972 and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Office of Public Trustee, G.P.O. Box 1338, Adelaide, S.A. 5001, full particulars and proof of such claims, on or before 11 January 2013, otherwise they will be excluded from the distribution of the said estates; and notice is also hereby given that all persons indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver same to the Public Trustee.

Dated 6 December 2012.

D. A. CONTALA, Public Trustee

SALE OF PROPERTY

Auction Date: Friday, 21 December 2012 at 12 noon

Location: 629 Main North Road, Elizabeth North

NOTICE is hereby given that on the above date at the time and place stated, by virtue of the Warrant of Sale issued out of the Magistrates Court of South Australia, Action No. 9132 of 2010, directed to the Sheriff of South Australia in an action wherein Once Credit Pty Ltd trading as Mr Buy is the Plaintiff and Grace Wilson is the Defendant, I, Mark Stokes, Sheriff of the State of South Australia, will by my auctioneers, Griffin Real Estate, make sale of the estate, right, title or interest whatsoever it may be of the Defendant Grace Wilson as the registered proprietor of an estate in fee simple in the following:

That piece of land situated in the area named Allotment 700 in Deposited Plan 6448, in the area named Elizabeth North, Hundred of Munno Para, being the property comprised in Certificate of Title Register Book Volume 5240, Folio 871.

Further particulars from the auctioneers:

Griffin Real Estate
 8 Greenhill Road
 Wayville, S.A. 5034
 Telephone: (08) 8372 7872

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