



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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PUBLISHED BY AUTHORITY

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

ADELAIDE, THURSDAY, 16 AUGUST 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, 16 August 2012

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint the undermentioned to the South Australian Health Practitioners Tribunal, pursuant to the provisions of the Health Practitioner Regulation National Law (South Australia) Act 2010:

Panel Member: (from 16 August 2012 until 15 August 2015)
Richard Chiak Seng Heah
Christopher Arthur Wagner
Monika Ruth Moy

By command,

JAY WILSON WEATHERILL, Premier

HEAC-2012-00042

Department of the Premier and Cabinet
Adelaide, 16 August 2012

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint the undermentioned to the South Australian Metropolitan Fire Service Disciplinary Committee, pursuant to the provisions of the Fire and Emergency Services Act 2005:

Member: (from 20 August 2012 until 19 August 2015)
Christopher George Smith
Brendan Thomas West
Michael Lucas Vander-Jeugd

By command,

JAY WILSON WEATHERILL, Premier

12MES/004SC

Department of the Premier and Cabinet
Adelaide, 16 August 2012

HIS Excellency the Governor's Deputy 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 Minister for Agriculture, Food and Fisheries, Acting Minister for Forests and Acting Minister for Regional Development for the period from 22 August 2012 to 29 August 2012 inclusive, during the absence of the Honourable Gail Elizabeth Gago, MLC.

By command,

JAY WILSON WEATHERILL, Premier

12MAFF0023CS

Department of the Premier and Cabinet
Adelaide, 16 August 2012

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Jennifer Mary Rankine, MP, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety and Minister for Multicultural Affairs to be also Acting Minister for Tourism and Acting Minister for the Status of Women for the period from 22 August 2012 to 29 August 2012 inclusive, during the absence of the Honourable Gail Elizabeth Gago, MLC.

By command,

JAY WILSON WEATHERILL, Premier

12MAFF0023CS

Department of the Premier and Cabinet
Adelaide, 16 August 2012

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Tom Koutsantonis, MP, Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy and Minister for Small Business to be also Acting Minister for Employment, Higher Education and Skills, Acting Minister for Science and Information Economy and Acting Minister for Recreation and Sport for the period from 21 August 2012 to 4 September 2012 inclusive, during the absence of the Honourable Thomas Richard Kenyon, MP.

By command,

JAY WILSON WEATHERILL, Premier

MRSR12/003CS

Department of the Premier and Cabinet
Adelaide, 16 August 2012

HIS Excellency the Governor in Executive Council has been pleased to appoint Mark Frederick Johns to the position of State Coroner for a term of seven years commencing on 1 September 2012 and expiring on 31 August 2019, pursuant to Section 4 of the Coroners Act 2003.

By command,

JAY WILSON WEATHERILL, Premier

AGO0196/12CS

Department of the Premier and Cabinet
Adelaide, 16 August 2012

HIS Excellency the Governor in Executive Council has been pleased to appoint Anne Gale as the Commissioner for Equal Opportunity for a term of five years commencing on 17 September 2012 and expiring on 16 September 2017, pursuant to Section 8 of the Equal Opportunity Act 1984 and Section 68 of the Constitution Act 1934.

By command,

JAY WILSON WEATHERILL, Premier

AGO0062/06CS

Department of the Premier and Cabinet
Adelaide, 16 August 2012

HIS Excellency the Governor in Executive Council has been pleased to appoint Anne Elizabeth Lindsay as a Conciliation Officer of the Workers Compensation Tribunal for a term of five years commencing on 10 September 2012 and expiring on 9 September 2017, pursuant to Section 81 of the Workers Rehabilitation and Compensation Act 1986.

By command,

JAY WILSON WEATHERILL, Premier

12MWRH009CS

Department of the Premier and Cabinet
Adelaide, 16 August 2012

HIS Excellency the Governor in Executive Council has been pleased to appoint Mark Edward Braes as a Conciliation Officer of the Workers Compensation Tribunal for a term of five years commencing on 24 September 2012 and expiring on 23 September 2017, pursuant to Section 81 of the Workers Rehabilitation and Compensation Act 1986.

By command,

JAY WILSON WEATHERILL, Premier

12MWRH009CS

Department of the Premier and Cabinet
Adelaide, 16 August 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 16 August 2012 and expiring on 15 August 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:

Michael Noray Abbott
Mark Allan Aistrop
Peter James Alexander
John Barnett
Reginald John Bristow
Garry Ernest Brown
Roger Kearns Byrne
Christopher James Wallace Byron-Scott
Christopher Russell Colyer
James Yick Gay Chu
Julia Mirella Centrella
Peter William Dabinett
William Kevin Dinos
John Malcolm Evans
Alan Reginald Eckermann
Christopher Neil Fawcett
Anthony Frangos
Gerald Arthur Govier
Michael Grech
Christine Harris
Graham Linfield Hood
Ioannis Kasselouris
William Neil Jensen
Brian Charles Johnston
Patricia Frances Jordan
Kenneth Sydney Land
Julie-Ann Learhnan
John Patrick McArdle
Terrence Bernard Maloney
Thomas Dominic Maloney
Theo Steven Maras
Noel Emmanuel Andrew Paul Mifsud
Peter James Mudge
Lynette Faye Nathan
Ernest Colin Orr
Dennis Raymond Page
David Thomas Pearce
Richard Keith Pearson
John David Pick
Giuseppe Portolesi
Robert John Randall
Ross Maxwell Rodda
Geoffrey Bernard Saegenschnitter
Peter Kevin Sims
Lynda May Smith
Kaye Lorraine Stead
Andrew Nicholas Winter
Rodney John Keith Wright
Garth Wayne Wright
Klaus Zimmermann

By command,

JAY WILSON WEATHERILL, Premier

JP12/025CS

ADMINISTRATIVE ARRANGEMENTS ACT 1994

Delegation by the Treasurer

PURSUANT to Section 9 (1) of the Administrative Arrangements Act 1994, I, John James Snelling, the Treasurer for the State of South Australia, hereby delegate all of the functions and powers vested in me under:

- Sections 9 (3), 14A (3), 17D (2), 17F, 17G, 17H, 17I, 17L, 17N of the Judges' Pensions Act 1971;
- Regulations 7 and 8 of the Judges' Pensions Regulations 2003;
- Section 42 (3) of the Police Superannuation Act 1990;
- Sections 28A, 39A and 47 of the Superannuation Act 1988;
- Schedule 1B, Part 2, Clauses 3 and 5 of the Superannuation Act 1988; and
- Schedule 1B, Part 3, Clause 7 of the Superannuation Act 1988,

to the Minister for Finance.

Dated 7 August 2012.

JOHN JAMES SNELLING, Treasurer

DIRECTOR OF PUBLIC PROSECUTIONS ACT 1991

Notice of Delegation Pursuant to Section 7 (3)

I, JOHN ROBERT RAU, Attorney-General for the State of South Australia, being the Minister to whom the administration of the Summary Offences Act 1953 is committed, hereby delegate, pursuant to Section 7 (3) of the Director of Public Prosecutions Act 1991, my power to consent to a prosecution under Section 33 of the Summary Offences Act 1953, to the Director of Public Prosecutions.

Dated 4 August 2012.

JOHN RAU, Attorney-General

EXPIATION OF OFFENCES ACT 1996

NATIONAL PARKS AND WILDLIFE ACT 1972

Instrument of Authorisation

I, PAUL CAICA, Minister for Sustainability, Environment and Conservation, being the Minister responsible for the administration of the National Parks and Wildlife Act 1972, do hereby authorise, pursuant to Section 6 (3) (b) (i) of the Expiation of Offences Act 1996, each of the National Parks and Wildlife Wardens listed below in Schedule 1, to issue expiation notices for expiable offences under the National Parks and Wildlife Act 1972.

SCHEDULE 1

| Card No. | Name of Warden |
|----------|------------------------------|
| 542 | Adams, John William |
| 543 | Anderson, Amy Jane |
| 544 | Colella, Dimitri Nicola |
| 545 | Cotton, Ernest Barrie |
| 546 | Hamood, Ryan Peter |
| 547 | Jenkins, Meryl Sian |
| 548 | Long, Daryl Wayne |
| 549 | Manning, Byron Christopher |
| 550 | Mason, Paul Wayne |
| 551 | Parsons, Christopher Michael |
| 552 | Rutherford, Henry Charles |
| 553 | Voumard, Sarah Frances |

Dated 19 July 2012.

PAUL CAICA, Minister for Sustainability,
Environment and Conservation

ENVIRONMENT PROTECTION ACT 1993

Approval of Additional Collection Depot

I, ANDREA KAYE WOODS, Delegate of the Environment Protection Authority ('the Authority'), pursuant to Section 69 of the Environment Protection Act, 1993 (SA) ('the Act') hereby:

Approval of Additional Collection Depot(i) *Approval of Collection Depot:*

Approve the collection depots identified by reference to the following matters, to receive all containers belonging to a class of containers which is, at or subsequent to, the date of this Notice, approved as Category B containers.:

- (a) the name of the collection depot described in Column 1 of Schedule 1 of this Notice;
- (b) the name of the proprietor of the depot identified in Column 3 of Schedule 1 of this Notice;
- (c) the location of the depot described in Columns 4-6 of Schedule 1 of this Notice; and

(ii) *Conditions of Approval:*

Impose the following conditions of these approvals:

- (a) If the Approval Holder's name or postal address (or both) changes, then the Approval Holder must inform the Authority in writing, within 28 days of the change occurring.
- (b) If the collection depot is sold to another party, the Approval Holder must inform the Authority in writing, within 28 days of settlement.
- (c) The Approval Holder who wishes to cease operation of the depot shall notify the Authority in writing no less than 14 days from date of closing.
- (d) The Approval Holder, or a person acting on his or her behalf, must not pay a refund on, or seek reimbursement for, containers that the Approval Holder, or the person acting on his or her behalf, knows were not purchased in South Australia.
- (e) The Approval Holder must ensure that prominent signage is displayed, detailing the offence and the penalties under Section 69 the Act, for presenting interstate containers for refund.

SCHEDULE 1

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 | Column 6 | Column 7 |
|-----------------|--------------------------------|-------------------------------|-----------------------|-----------------------|---|-----------------|
| Depot Name | Company/Trading Name | Proprietors | Depot Location Street | Depot Location Suburb | Certificate of Title No. Volume/Folio No. | Collection Area |
| G & C Recyclers | G & C Recycling Business Trust | Graham Mercer, Carolyn Mercer | 37 Kitchener Street | Peterborough | 573/01 | Regional |

ENVIRONMENT PROTECTION ACT 1993

Variation to Existing Approval of Collection Depot

I, ANDREA KAYE WOODS, Delegate of the Environment Protection Authority ('the Authority'), pursuant to Section 69 of the Environment Protection Act 1993 (SA) ('the Act') hereby:

Variation to Existing Approval of Collection Depot

Vary the approval of the collection depot listed at Schedule 1 of this notice, that was granted under the Act prior to the date of this Notice and impose the conditions of this approval to be as follows:

Approval of Collection Depot

The collection depot identified by reference to the following matters is approved:

- (a) the name of the collection depot described in Column 1 of Schedule 1 of this Notice;
- (b) the name of the proprietor of the depot identified in Column 3 of Schedule 1 of this Notice;
- (c) the location of the depot described in Columns 4 and 5 of Schedule 1 of this Notice; and

The collection depot listed at Schedule 1 of this Notice is approved in relation to all classes of containers, which were approved under the Act, at or subsequent to the date of this Notice, as Category B Containers.

Conditions of Approval

Impose the following conditions on the approval:

- (a) If the Approval Holder's name or postal address (or both) changes, then the Approval Holder must inform the Authority in writing, within 28 days of the change occurring.
- (b) If the collection depot is sold to another party, the Approval Holder must inform the Authority in writing, within 28 days of settlement.
- (c) The Approval Holder who wishes to cease operation of the depot shall notify the Authority in writing, no less than 14 days from date of closing.
- (d) The Approval Holder, or a person acting on his or her behalf, must not pay a refund on, or seek reimbursement for, containers that the Approval Holder, or the person acting on his or her behalf, knows were not purchased in South Australia.
- (e) The Approval Holder must ensure that prominent signage is displayed, detailing the offence and the penalties under Section 69 the Act, for presenting interstate containers for refund.

SCHEDULE 1

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 | Column 6 | Column 7 |
|--------------------------|--------------------------------------|------------|-----------------------|-----------------------|---|-----------------|
| Depot Name | Company/Trading Name | Proprietor | Depot Location Street | Depot Location Suburb | Certificate of Title No. Volume/Folio No. | Collection Area |
| South Coast Bottle & Can | South Coast Bottle & Can Co. Pty Ltd | Grant Levy | 34-36 Maude Street | Victor Harbor | 5440/49 | Regional |

ENVIRONMENT PROTECTION ACT 1993

Revocation of Approval of Category B Containers

I, ANDREA KAYE WOODS, Delegate of the Environment Protection Authority ('the Authority'), pursuant to Section 68 of the Environment Protection Act 1993 (SA) ('the Act') hereby revoke the approvals of the classes of Category B containers sold in South Australia as identified by reference to the following matters, which are described in the first 4 columns of Schedule 1 of this Notice:

- (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.

These approvals are revoked as the Authority is satisfied that the waste management arrangement between the approval holder and the party named in Column 5 of Schedule 1 of this Notice has been cancelled.

SCHEDULE 1

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|---|---------------------|--|-----------------|-------------------------|
| Product Name | Container Size (mL) | Container Type | Approval Holder | Collection Arrangements |
| Black Barrel Bourbon Whiskey & Cola 4.5% | 375 | Can—Aluminium | BDS Marketing | Marine Stores Ltd |
| Black Barrel Bourbon Whiskey & Cola 6% | 375 | Can—Aluminium | BDS Marketing | Marine Stores Ltd |
| Black Barrel Bourbon Whiskey & Cola 8% | 375 | Can—Aluminium | BDS Marketing | Marine Stores Ltd |
| Black Barrel Premium Bourbon Whiskey And Cola | 440 | Can—Aluminium | BDS Marketing | Marine Stores Ltd |
| Creative Berry Swirl Strawberry and Cream Shots | 30 | PET | BDS Marketing | Marine Stores Ltd |
| Creative Cowboy Butterscotch & Cream Shots | 30 | PET | BDS Marketing | Marine Stores Ltd |
| Creative Cowboy Butterscotch Flavour With Smooth Decadent Cream | 2 000 | Cask—cardboard box and PE/Metal/ Polyester bag | BDS Marketing | Marine Stores Ltd |
| Creative Jam Donut Raspberry And Cream Shots | 30 | PET | BDS Marketing | Marine Stores Ltd |
| Creative QF Shooter Melon And Cream Shots | 30 | PET | BDS Marketing | Marine Stores Ltd |
| Elevate Bomb | 355 | Can—Aluminium | BDS Marketing | Marine Stores Ltd |
| Elevate Guarana | 300 | Can—Aluminium | BDS Marketing | Marine Stores Ltd |
| Elevate Mini Vodka & Guarana 8% | 60 | PET | BDS Marketing | Marine Stores Ltd |
| Elevate Mini Vodka & Taurine 8% | 60 | PET | BDS Marketing | Marine Stores Ltd |
| Elevate Mini Vodka Bomb 8% | 60 | PET | BDS Marketing | Marine Stores Ltd |
| Elevate Taurine | 300 | Can—Aluminium | BDS Marketing | Marine Stores Ltd |
| Monarch Draught Cider | 330 | Glass | BDS Marketing | Marine Stores Ltd |
| Monarch Dry Cider | 330 | Glass | BDS Marketing | Marine Stores Ltd |
| Monarch Sweet Cider | 330 | Glass | BDS Marketing | Marine Stores Ltd |
| Pure Platinum Vodka Citrus Ice | 355 | Can—Aluminium | BDS Marketing | Marine Stores Ltd |
| Pure Platinum Vodka Lemon Lime | 355 | Can—Aluminium | BDS Marketing | Marine Stores Ltd |
| Pure Platinum Vodka Orange | 355 | Can—Aluminium | BDS Marketing | Marine Stores Ltd |
| Pure Platinum Vodka Passionfruit | 355 | Can—Aluminium | BDS Marketing | Marine Stores Ltd |
| Pure Platinum Vodka Raspberry | 355 | Can—Aluminium | BDS Marketing | Marine Stores Ltd |
| Shakem Premium Butterscotch Smoothie | 2 000 | Cask—cardboard box and PE/Metal/ Polyester bag | BDS Marketing | Marine Stores Ltd |
| Shakem Premium Chocolate Smoothie | 2 000 | Cask—cardboard box and PE/Metal/ Polyester bag | BDS Marketing | Marine Stores Ltd |
| Shakem Premium Exotic Berry Smoothie | 2 000 | Cask—cardboard box and PE/Metal/ Polyester bag | BDS Marketing | Marine Stores Ltd |
| Shakem Premium Strawberry Smoothie | 2 000 | Cask—cardboard box and PE/Metal/ Polyester bag | BDS Marketing | Marine Stores Ltd |

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|----------------------------------|---------------------|---|-----------------|-------------------------|
| Product Name | Container Size (mL) | Container Type | Approval Holder | Collection Arrangements |
| Shakem Premium Tropical Smoothie | 2 000 | Cask—cardboard box and PE/Metal/ Polyester bag | BDS Marketing | Marine Stores Ltd |
| WKD Original Vodka Blue | 275 | Glass | BDS Marketing | Marine Stores Ltd |
| WKD Original Vodka Iron Brew | 275 | Glass | BDS Marketing | Marine Stores Ltd |
| WKD Original Vodka Purple | 275 | Glass | BDS Marketing | Marine Stores Ltd |
| WKD Original Vodka Red | 275 | Glass | BDS Marketing | Marine Stores Ltd |

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee

THE State Crewing Committee convened on 2 April 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 'Champion'

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 *Champion*.

Operational Limits

- Limit 1—S.A. Harbour Limits.
- Limit 2—Between Whyalla and Transshipment points.
- Limit 3—Gulf of St Vincent; North of Latitude 35°10S.
- Limit 4—Spencer Gulf; North of Latitude 24°S.
- Limit 5—Up to 200 nautical miles off the Coast of South Australia.

Minimum Crew and Qualifications

- Limit 1—Minimum 3 crew—Master, Engineer and an Integrated Rating.
- Limit 2—Minimum 4 crew—Master, Chief 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, Engineer, 3 General Purpose Hands.
- Limit 5—Minimum 7 crew—Master, Mate, Chief Engineer, Engineer, 3 General Purpose Hands.

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 3 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 8 August 2012 and made the following determination, pursuant to Part 6, Section 45 of the Harbors and Navigation Act 1993.

PATRICK CONLON, Minister for Transport

TSA 29467

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee in Respect of the 'Taylia'

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 *Taylia*.

Operational Limits

- As stated in the Certificate of Survey
- Minimum Crew and Qualifications
- Minimum 1 crew—Coxswain Certificate of Competency.

S. MATTSSON, Deputy Presiding Member,
State Crewing Committee

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee

THE State Crewing Committee convened on 8 August 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 'Elgin'

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 *Elgin*.

Operational Limits

- Limit 1—S.A. Harbour Limits.
- Limit 2—Between Whyalla and Transshipment points.
- Limit 3—Gulf of St Vincent; North of Latitude 35°10S.
- Limit 4—Spencer Gulf; North of Latitude 24°S.
- Limit 5—Up to 200 nautical miles off the Coast of South Australia.

Minimum Crew and Qualifications

Limit 1—Minimum 3 crew—Master 4, Engineer Class 3 and a General Purpose Hand.

Limit 2—Minimum 4 crew—Master 4, Engineer Class 3 and 2 General Purpose Hands.

Limit 3—Minimum 5 crew—Master 4, Master 5, Engineer Class 3 and 2 General Purpose Hands.

Limit 4—Minimum 6 crew—Master 4, Master 5, Engineer Class 3, 3 General Purpose Hands.

Limit 5—Minimum 7 crew—Master 4, Master 5, Engineer Class 3, 3 General Purpose Hands.

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 3 months experience.

S. MATTSSON, Deputy Presiding Member,
State Crewing Committee

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee

THE State Crewing Committee convened on 9th July 2012 and made the following determination, pursuant to Part 6, Section 45 of the Harbors & Navigation Act 1993.

PATRICK CONLON, Minister for Transport

TSA 28325

HARBORS AND NAVIGATION ACT 1993

*Determination of the State Crewing Committee
in Respect of the 'Storm Eagle'*

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 *Storm Eagle* in addition to the crewing determination provided on 28 November 2008.

Operational Limits

Partially Smooth Waters

Minimum Crew and Qualifications

Minimum 2 persons—Master and General Purpose Hand (GP).

Master is to hold a Master 5 Certificate of Competency.

GP 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 3 months experience.

Either the Master or General Purpose Hand is to also hold a Marine Engine Driver 3 Certificate of Competency unless another person holding that qualification is also 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 8 August 2012 and made the following determination, pursuant to Part 6, Section 45 of the Harbors & Navigation Act 1993.

PATRICK CONLON, Minister for Transport

TSA 30001

HARBORS AND NAVIGATION ACT 1993

*Determination of the State Crewing Committee
in respect of the 'Lady Eugenie'*

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 *Lady Eugenie*.

Operational Limits

Limit 1—Up to 30 nm seaward of the coast of South Australia.

Limit 2—Up to 15 nm seaward of the coast of South Australia.

Minimum Crew and Qualifications

Limit 1—Minimum 2 crew—Master is to hold a Master 5 Certificate of Competency and Mate is to hold a Coxswain Certificate of Competency. Master, or Mate is to also hold an MED 3 Certificate of Competency unless a separate engineer holding that qualification is also on board.

Limit 2—Minimum 2 crew—Master is to hold a Master 5 Certificate of Competency and a General Purpose Hand. Master or GP is to also hold an MED 3 Certificate of Competency unless a separate engineer holding that qualification is also 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 3 months experience.

S. MATTSSON, Deputy Presiding Member,
State Crewing Committee

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 |
| 32 Barrat Street | Smithfield Plains | Allotment 696 in Deposited Plan 9101, Hundred of Munno Para | 5780 | 277 |
| 20 Eversley Avenue | Enfield | Allotment 1 in Deposited Plan 54410, Hundred of Yatala | 5777 | 76 |
| 73 Lansdowne Terrace | Vale Park | Allotment 23 in Deposited Plan 7499, Hundred of Yatala | 5834 | 764 |
| 91 McIntyre Road | Brunkunga | Allotment 7 in Deposited Plan 39563, Hundred of Kanmantoo | 5197 | 418 |
| 20 Stakes Crescent | Elizabeth Downs | Allotment 30 in Deposited Plan 53611, Hundred of Munno Para | 5741 | 520 |

Dated at Adelaide, 16 August 2012.

R. HULM, Director, Corporate Services, Housing SA

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 | | |
| Flat 1, 31 Bakewell Road, Evandale | Allotment 11 in Filed Plan 135162, Hundred of Adelaide | 5827 | 925 | 8.11.79, page 1187 | 147.00 |
| Flat 2, 31 Bakewell Road, Evandale | Allotment 11 in Filed Plan 135162, Hundred of Adelaide | 5827 | 925 | 8.11.79, page 1187 | 129.00 |
| 61 Bridges Street, Peterborough | Allotment 122 in Deposited Plan 1050, Hundred of Yongala | 5241 | 354 | 11.1.96, page 110 | 5.00 |
| 35 Charles Terrace, Wallaroo | Allotment 17 in Deposited Plan 79, Hundred of Wallaroo | 5418 | 783 | 10.5.12, page 1638 | 132.00 |
| 15 Delta Court, Athol Park | Allotment 8 in Deposited Plan 8217, Hundred of Yatala | 5595 | 708 | 8.7.10, page 3393 | 205.00 |
| 31 Jervois Street, Peterborough | Allotment 330 in Deposited Plan 1549, Hundred of Yongala | 5837 | 754 | 26.6.80, page 1891 | 5.00 |
| 12 John Street, Smithfield | Allotment 43 in Deposited Plan 15, Hundred of Munno Para | 5668 | 639 | 24.5.12, page 2163 | 100.00 |
| 4 Knoyle Street, Elizabeth South | Allotment 4 in Deposited Plan 34522, Hundred of Munno Para | 5082 | 911 | 5.7.12, page 2981 | 140.00 |
| 36 Maxwell Street, Adelaide | Allotment 258 in Filed Plan 182720, Hundred of Adelaide | 5873 | 939 | 24.4.66, page 1208 | 90.00 |
| 554 (also known as Lot 11) Piccadilly Road, Summertown | Allotment—Piece 11 of Filed Plan 130651, Hundred of Onkaparinga | 5257 | 401 | 30.10.03, page 3902 | 180.00 |
| 48 Second Street, Brompton | Allotments 166, 167 and 168, Deposited Plan 459, Hundred of Yatala | 5189 5189 | 33 34 | 4.8.66, page 370 | 148.00 |
| 9 West Street, Beverley | Allotment 33 in Filed Plan 122380, Hundred of Yatala | 5704 | 709 | 26.2.81, page 552 | 242.00 |
| 34 West Lakes Boulevard, Albert Park | Allotment 35 in Filed Plan 118117, Hundred of Yatala | 5240 | 876 | 21.6.12, page 2805 | 177.00 |
| 9 Wigzell Street, Littlehampton | Allotment 36 in Deposited Plan 1314, Hundred of Macclesfield | 5335 | 876 | 25.11.10, page 5378 | 180.00 |

Dated at Adelaide, 16 August 2012.

R. HULM, Director, Corporate Services, Housing SA

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 | |
| 73 Addison Road, Pennington (house at rear of shop) | Allotment 27 in Deposited Plan 3298, Hundred of Yatala | 5432 | 49 | 24.3.94, page 799 |
| 30 Grant Avenue, Salisbury Downs | Allotment 59 in Deposited Plan 10191, Hundred of Yatala | 5755 | 200 | 7.7.11, page 2980 |
| 14 Hallam Street, Port Pirie West | Allotment 26 in Deposited Plan 1575, Hundred of Pirie | 5817 | 895 | 23.11.78, page 2051 |
| 99 Hill Street, Peterborough | Allotment 153 in Deposited Plan 3224, Hundred of Yongala | 5527 | 737 | 24.11.83, page 1519 |
| 8 King Street, Solomontown (previously known as Port Pirie) | Allotment 9 in Filed Plan 106243, Hundred of Port Pirie | 5169 | 639 | 14.11.91, page 1296 |
| 11 Kyre Avenue, Kingswood | Allotment 116 in Filed Plan 12144, Hundred of Adelaide | 5187 | 322 | 12.2.09, page 584 |
| 286 Main Street, Peterborough | Allotment 100 in Deposited Plan 29532, Hundred of Yongala | 5129 | 126 | 24.5.12, page 2163 |
| 1 Mair Street, Wallaroo | Allotment 106 in Filed Plan 189858, Hundred of Wallaroo | 5775 | 777 | 29.7.93, page 716 |
| 681 (previously known as 7A) (also known as Lot 64) Razorback Road, Kangarilla | Allotment 64 in Deposited Plan 66191, Hundred of Kuitpo | 5991 | 481 | 26.10.95, page 1185 |
| 17 Rockbourne Street, Elizabeth North | Allotment 5 in Deposited Plan 50161, Hundred of Munno Para | 5618 | 807 | 10.5.12, page 1638 |
| 35 Seaborough Road, Elizabeth Park | Allotment 257 in Deposited Plan 9018, Hundred of Munno Para | 5550 | 906 | 5.7.12, page 2981 |
| 65 South Road, Hindmarsh | Allotments 11 in Deposited Plan 1172, Hundred of Yatala | 6093 | 652 | 28.3.74, page 1053 |
| Lot 20 Station Road, South Hummocks | Allotment 20 in Filed Plan 37324, Hundred of Clinton | 6046 | 628 | 24.2.94, page 538 |
| 7 Tapp Street, Rosewater | Allotment 53 in Deposited Plan 524, Hundred of Yatala | 5535 | 112 | 14.10.10, page 5073 |

Dated at Adelaide, 16 August 2012.

R. HULM, Director, Corporate Services, Housing SA

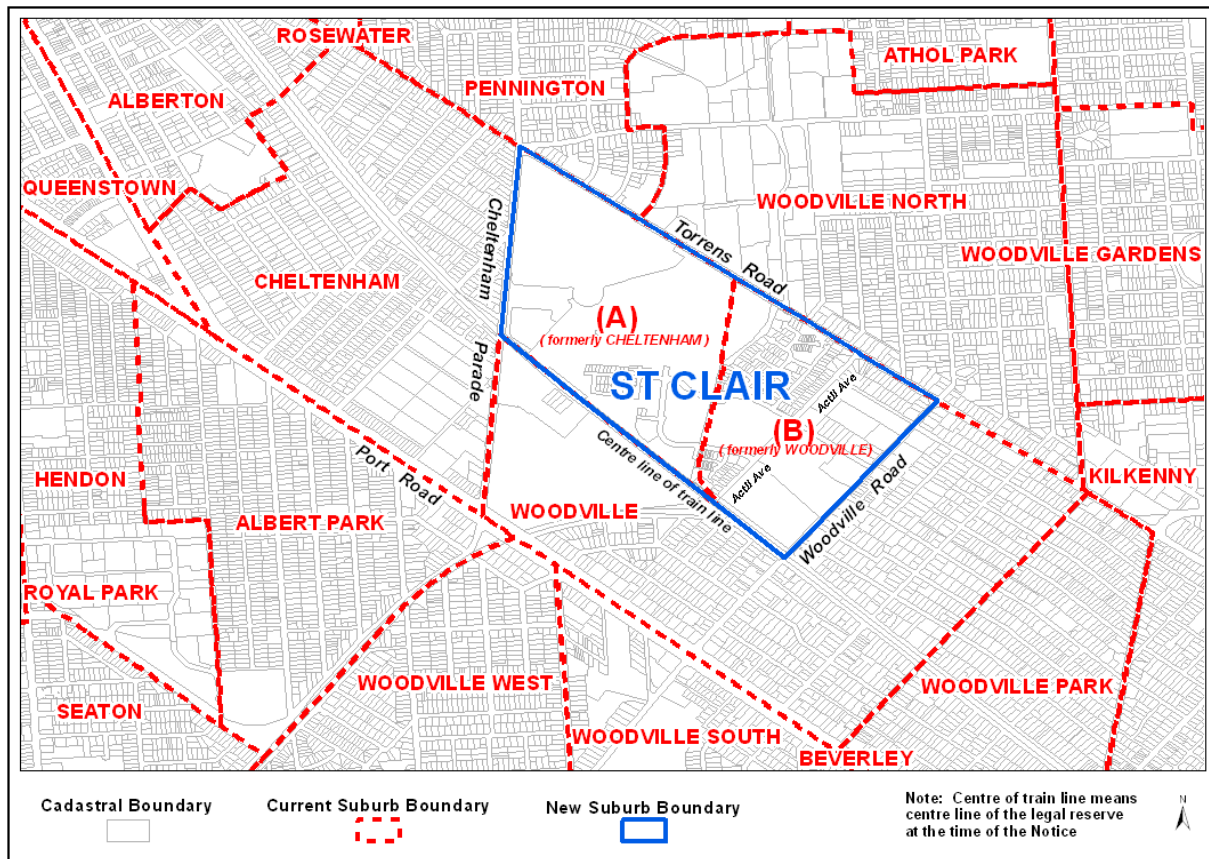
GEOGRAPHICAL NAMES ACT 1991

Notice to Alter the Boundaries of Places and Assign a Name to a Place

NOTICE is hereby given pursuant to the provisions of the above Act, that I, Patrick Conlon, Minister for Transport and Infrastructure, Minister of the Crown to whom the administration of the Geographical Names Act 1991, is committed, DO HEREBY alter the boundaries of and assign names to places as listed below:

1. Exclude the area marked (A) on the plan below from the suburb of **Cheltenham**.
2. Exclude the area marked (B) on the plan below from the suburb of **Woodville**.
3. Assign the name **St Clair** to those areas marked (A) and (B) on the plan below.

THE PLAN



Suburb boundaries established by this Notice can be viewed on Land Services web-site at:

http://www.landservices.sa.gov.au/1Online_Services/55Place_Names/2Naming_Proposals.asp

Dated 8 August 2012.

PATRICK CONLON, Minister for Transport and Infrastructure

GEOGRAPHICAL NAMES ACT 1991

FOR PUBLIC CONSULTATION

Notice to Rescind a Name of a Feature and Assign a New Name

NOTICE is hereby given pursuant to the provisions of the above Act that, I, PETER MACLAREN KENTISH, Surveyor-General and Delegate appointed by Patrick Conlon, Minister for Transport and Infrastructure, Minister of the Crown to whom the administration of the Geographical Names Act 1991, is committed, DO HEREBY rescind the name **BALD HILL** for that feature located on the 1:50 000 Mapsheet Wilpena (6634-4) at Latitude -31°39'52" and Longitude 138°40'35" and assign the name **PUGILIST HILL**.

Submissions in writing regarding this proposal may be lodged with the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001, within one month of the publication of this notice.

This naming proposal can be viewed on the sa.gov.au/landservices web-site located at:

www.sa.gov.au/landservices/namingproposals.

Dated 14 August 2012.

P. M. KENTISH, Surveyor-General, Department of Planning, Transport and Infrastructure

DPTI.2012/16126/01

LIQUOR LICENSING ACT 1997

Notice of Application

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

The application has been set down for hearing on 17 September 2012 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: 10 September 2012).

The applicant's address for service is c/o Mellor Olsson Lawyers, Level 5, 80 King William Street, Adelaide, S.A. 5000 (Attention: Helen Stratford).

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 13 August 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 Eilis Mary Mitchell and Patricia Nora Anderson as trustees for Mitchell Family Trust have applied to the Licensing Authority for a transfer and removal of a Producer's Licence in respect of premises situated at 7 Kingston Terrace, Auburn, S.A. 5451 and to be situated at 135 Spring Farm Road, Clare, S.A. 5453, to be known as Koonga Wines.

The application has been set down for hearing on 13 September 2012 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 applicants at the applicants' address, at least seven days before the hearing date (viz: 6 September 2012).

The applicants' address for service is c/o Greg Anderson, P.O. Box 118, Auburn, S.A. 5451.

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 8 August 2012.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that Eilis Mary Mitchell and Patricia Nora Anderson as trustees for Mitchell Family Trust have applied to the Licensing Authority for the transfer and removal of a Wholesale Liquor Merchant's Licence in respect of premises situated at 135 Spring Farm Road, Clare, S.A. 5453, to be known as Koonga Wines.

The application has been set down for hearing on 13 September 2012 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 applicants at the applicants' address, at least seven days before the hearing date (viz: 6 September 2012).

The applicants' address for service is c/o Greg Anderson, P.O. Box 118, Auburn, S.A. 5451.

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 8 August 2012.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that Freeling Football Club has applied to the Licensing Authority for a Limited Club Licence with Entertainment Consent in respect of premises situated at Cherry Street, Freeling, S.A. 5372 and known as Freeling Football Club.

The application has been set down for hearing on 11 September at 11 a.m.

Conditions

The following licence conditions are sought:

Entertainment Consent for the following days and times:

Friday to Saturday: 7.30 p.m. to midnight;

Days preceding Public Holidays: 7.30 p.m. to midnight; and

Sundays preceding Public Holidays: 7.30 p.m. to midnight.

Extension of Trading Area to include the entire recreational park including ovals, netball courts and the clubrooms for a period of one hour prior to the start of the first football match of the day until one hour after the final siren has sounded of the final football match of the day.

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: 4 September 2012).

The applicant's address for service is c/o Garry Tiss, P.O. Box 89, Freeling, S.A. 5372.

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 8 August 2012.

Applicant

LIQUEUR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that HEQET Pty Ltd has applied to the Licensing Authority for a variation to an Extended Trading Authorisation in respect of premises situated at 134 Ellen Street, Port Pirie, S.A. 5540 and known as Family Hotel Bar & Grill.

The application has been set down for hearing on 13 September 2012 at 10.30 a.m.

Conditions

The following licence conditions are sought:

The following changes to the existing Extended Trading Authorisation are sought in the application:

- Monday to Thursday: Midnight to 2 a.m. the following day;
- Friday to Saturday: Midnight to 3 a.m. the following day (as per existing authorisation);
- Sunday: 10 a.m. to 11 a.m. (as per existing authorisation) and 8 p.m. to 2 a.m. the following day;
- Maundy Thursday: Midnight to 2 a.m. the following day;
- Christmas Eve (including Sunday Christmas Eve): Midnight to 2 a.m. the following day;
- New Year's Eve: 2 a.m. the following day to 3 a.m. the following day;
- Days preceding other Public Holidays: Midnight to 3 a.m. the following day;
- Sunday preceding Public Holiday: 8 a.m. to 10 a.m. (as per existing authorisation) and 8 p.m. to 3 a.m. the following day; and
- Existing Extended Trading Authorisation for consumption off premises to remain unchanged).

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: 6 September 2012).

The applicant's address for service is c/o Piper Alderman, G.P.O. Box 65, Adelaide, S.A. 5001 (Attention: Geoff Forbes).

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 13 August 2012.

Applicant

NATIONAL PARKS AND WILDLIFE ACT 1972

South Australian Kangaroo Management Plan 2013-2017—Draft

I, EDWARD GREGORY LEAMAN, Director of National Parks and Wildlife, hereby give notice under the provisions of Section 60I of the National Parks and Wildlife Act 1972, that a draft Kangaroo Management Plan has been proposed for 2013-2017.

Copies of the draft plan may be inspected at or obtained from the offices of the Department of Environment, Water and Natural Resources at:

- DEWNR Information Line (Level 1, 100 Pirie Street, Adelaide, S.A. 5000, e-mail dewnrinformation@sa.gov.au), telephone: (08) 8204 1910; or
- http://www.environment.sa.gov.au/Plants_Animals/Abundant_species/Kangaroo_conservation_management.

Any person may make representations in connection with the draft management plan during the period up to and including Friday, 16 November.

Written comments should be forwarded to the Senior Ecologist, Abundant Species and Sustainable Use, Nature Conservation, Department of Environment, Water and Natural Resources, G.P.O. Box 1047, Adelaide, S.A. 5001 or e-mailed to: DEWNR.WildlifePolicy@sa.gov.au.

E. G. LEAMAN, Director of National Parks and Wildlife, Delegate of the Minister for Sustainability, Environment and Conservation

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: Lost Sands Pty Ltd

Location: Noorina 2 area—Approximately 200 km north of Cook.

Term: 2 years

Area in km²: 571

Ref.: 2007/00392

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: Lost Sands Pty Ltd

Location: Noorina 1 area—Approximately 200 km north of Cook.

Term: 2 years

Area in km²: 770

Ref.: 2007/00391

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: Sunshine Alliance Resources Pty Ltd

Location: Yarranna Hill area—Approximately 110 km north-east of Ceduna.

Pastoral Leases: Lake Everard and Kondoolka.

Term: 2 years

Area in km²: 977

Ref.: 2010/00207

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: Sunshine Alliance Resources Pty Ltd
 Location: Yellabinna area—Approximately 80 km north-east of Ceduna.
 Term: 2 years
 Area in km²: 755
 Ref.: 2010/00208

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: Sunshine Alliance Resources Pty Ltd
 Location: Ooldea area—Approximately 270 km north-west of Ceduna.
 Term: 2 years
 Area in km²: 983
 Ref.: 2010/00209

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: Sunshine Alliance Resources Pty Ltd
 Location: Wynbring Rocks area—Approximately 147 km north of Ceduna.
 Pastoral Lease: Mulgathing
 Term: 2 years
 Area in km²: 522
 Ref.: 2010/00321

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: Sunshine Alliance Resources Pty Ltd
 Location: Hawker area—Approximately 90 km north-east of Port Augusta.
 Term: 2 years
 Area in km²: 679
 Ref.: 2011/00004

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: Sunshine Alliance Resources Pty Ltd
 Location: Wirrealpa area—Approximately 90 km south-east of Leigh Creek.
 Pastoral Leases: Wirrealpa and Martins Well.
 Term: 2 years
 Area in km²: 678
 Ref.: 2011/00005

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: FMG Resources Pty Ltd
 Location: Mount Riddoch area—Approximately 120 km south-east of Coober Pedy.
 Pastoral Leases: Anna Creek, Millers Creek and Billa Kalina.
 Term: 2 years
 Area in km²: 743
 Ref.: 2011/00130

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: FMG Resources Pty Ltd
 Location: Warriner Hill area—Approximately 100 km east-south-east of Coober Pedy.
 Pastoral Lease: Anna Creek
 Term: 2 years
 Area in km²: 239
 Ref.: 2011/00131

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: FMG Resources Pty Ltd
 Location: Parakylia area—Approximately 70 km west-north-west of Andamooka.
 Pastoral Leases: Parakylia, Roxby Downs and Billa Kalina.
 Term: 2 years
 Area in km²: 455

Ref.: 2011/00134

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: FMG Resources Pty Ltd

Location: Mount Vivian area—Approximately 110 km west-north-west of Andamooka.

Pastoral Leases: Parakylia, Mount Vivian, Mount Eba and Millers Creek.

Term: 2 years

Area in km²: 641

Ref.: 2011/00135

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: FMG Resources Pty Ltd

Location: Jims Hill area—Approximately 100 km east-south-east of Tarcoola.

Pastoral Lease: Coomdambo

Term: 2 years

Area in km²: 70

Ref.: 2011/00137

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: FMG Resources Pty Ltd

Location: Andamooka area—Approximately 50 km north-west of Roxby Downs.

Pastoral Lease: Billa Kalina

Term: 2 years

Area in km²: 68

Ref.: 2011/00154

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: FMG Resources Pty Ltd

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

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

Term: 2 years

Area in km²: 650

Ref.: 2011/00156

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: FMG Resources Pty Ltd

Location: Tarcoola area—Approximately 150 km south of Coober Pedy.

Pastoral Leases: Bulginnia, McDouall Peak, Pt McDouall Peak and Commonwealth Hill.

Term: 2 years

Area in km²: 486

Ref.: 2011/00157

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: FMG Resources Pty Ltd

Location: Tarcoola area—Approximately 175 km south-west of Coober Pedy.

Pastoral Leases: Mount Christie, Mobella, Muckanippie and Mulgathing.

Term: 2 years

Area in km²: 154

Ref.: 2011/00158

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: Woomera Exploration Pty Ltd

Location: Mount Howe area—Approximately 130 km north of Marla.

Pastoral Leases: Ayers Range South and Tieyon.

Term: 1 year

Area in km²: 854

Ref.: 2011/00190

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: Woomera Exploration Pty Ltd

Location: Mount Carulinia area—Approximately 20 km north-west of Oodnadatta.

Pastoral Leases: Mount Sarah, Todmorden and Allandale.

Term: 1 year

Area in km²: 693

Ref.: 2011/00188

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: Woomera Exploration Pty Ltd

Location: Sundown Outstation area—Approximately 130 km north-north-west of Marla.

Pastoral Lease: Ayers Range South

Term: 1 year

Area in km²: 768

Ref.: 2011/00189

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

ON 12 July 2012 and at pages 3082—3083 of the *South Australian Government Gazette* notice was given under subsections 29 (1a) and 29 (5) (b) of the Mining Act 1971 ('the Notice').

Confirmation is hereby given that:

- (1) The land identified in Columns 1, 2, 3 and 6 of the Schedule became subject to the Notice on the date shown in Column 4 of the Schedule.
- (2) Applications for corresponding licences may be made by interested parties in the week shown in Column 5 of the Schedule. Such applications will be dealt with on a merits basis.
- (3) Plans and co-ordinates for the land identified in Columns 1, 2, 3 and 6 of the Schedule can be obtained at the DMITRE Minerals website:
http://www.minerals.dmitre.sa.gov.au/public_notices,
 or by phoning Mineral Tenements on (08) 8463 3103.

THE SCHEDULE

| Column 1 ERA No. | Column 2 Locality | Column 3 Area (km ²) | Column 4 Moratorium Period | Column 5 Applications Open Dates | Column 5 ERA Specific Criteria |
|---------------------|---|--|------------------------------------|--|--------------------------------------|
| 64 | Peake Hill Area— Approximately 60 km south-east of Oodnadatta | 63 | 15 July 2012— 30 September 2012 | 1 October 2012— 5 October 2012 | Great Artesian Basin |
| 68 | Chinaman Hat Hill Area—Approximately 60 km North-North-West of Andamooka | 461 | 29 July 2012— 30 September 2012 | 1 October 2012— 5 October 2012 | Great Artesian Basin |

Dated 16 August 2012.

S. J. WATSON,
 Mining Registrar,
 Mineral Resources
 Department for Manufacturing, Innovation, Trade, Resources and Energy
 Delegate of the Minister for Mineral Resources and Energy (delegated powers
 pursuant to Instrument of Delegation dated 31 October 2011)

MINING ACT 1971

Notice pursuant to Section 29 (1a) and 29 (5) (b) (ii) of the Mining Act 1971

NOTICE is hereby given that when any exploration licence under the Mining Act 1971 ('the Act') expires, from the first day of September, until the last day of September (inclusive) of 2012:

- (1) Pursuant to subsection 29 (1a) of the Act an application for a corresponding licence may not be made for the succeeding period:
 - (a) commencing on the day the exploration licence expired ('the expiration date'); and
 - (b) ending at midnight on Sunday, 2 December 2012.
- (2) Applications for a corresponding licence may be made between the dates of Monday, 3 December and Friday, 7 December 2012 (inclusive) and pursuant to subsection 29 (5) (b) (ii) of the Act, subsection 29 (4) will not apply to applications made on any of those dates. (See Note 2)
- (3) This notice becomes effective 1 September 2012.

Dated 16 August 2012.

S. J. WATSON,
 Mining Registrar,
 Mineral Resources
 Department for Manufacturing, Innovation, Trade, Resources and Energy
 Delegate of the Minister for Mineral Resources and Energy (delegated powers
 pursuant to Instrument of Delegation dated 31 October 2011).

NOTE 1: The succeeding period will commence on the day that an exploration licence expires ('the expiration date'). The succeeding period will run for a minimum of four weeks from the expiration date and will always end at midnight on a Sunday.

NOTE 2: The effect of this notice is that:

- No applications for a corresponding licence may be made during the succeeding period.
- The succeeding period will always expire on a Sunday. From the immediately following Monday to the immediately following Friday, applications for a corresponding licence may be made ('the application week').
- Applications made in the application week will not be dealt with under subsection 29 (4) i.e., on a first come first served basis, but under subsection 29 (6) i.e., on a merits basis.
- If no applications are made in the application week, the land in question will cease to be subject to the notice and any applications for an exploration licence made after that time will be dealt with under subsection 29 (4).

MINING ACT 1971

Notice pursuant to Section 29 (1a) and 29 (5) (b) (ii) of the Mining Act 1971

NOTICE is hereby given that:

- (1) Pursuant to subsection 29 (1a) of the Mining Act 1971 ('the Act') no applications may be made for corresponding licences over the land identified in Columns 1, 2, 3 and 6 of the Schedule during the succeeding period listed in Column 4 of the Schedule.
- (2) Applications for corresponding licences may be made during the period listed in Column 5, and during that period, pursuant to subsection 29 (5) (b) (ii) of the Act, subsection 29 (4) of the Act will not apply in relation to any such applications. (See Note 1)
- (3) Plans and co-ordinates for the land identified in Columns 1, 2, 3 and 6 of the Schedule can be obtained at the DMITRE Minerals website:
http://www.minerals.dmitre.sa.gov.au/public_notices,
 or by phoning Mineral Tenements on (08) 8463 3103.
- (4) This notice becomes effective 16 August 2012.

THE SCHEDULE

| Column 1 ERA No. | Column 2 Locality | Column 3 Area (km ²) | Column 4 Moratorium Period | Column 5 Applications Open Dates | Column 5 ERA Specific Criteria |
|---------------------|---|--|--------------------------------------|--|--------------------------------------|
| 74 | Lake Labyrinth Area— Approximately 50 km east of Tarcoola | 150 | 16 August 2012— 30 September 2012 | 1 October 2012— 5 October 2012 | Woomera Prohibited Area |
| 75 | Centre Hill Area— Approximately 20 km east of Kingoonya | 147 | 16 August 2012— 30 September 2012 | 1 October 2012— 5 October 2012 | Woomera Prohibited Area |

Dated 16 August 2012.

S. J. WATSON,
 Mining Registrar,
 Mineral Resources
 Department for Manufacturing, Innovation, Trade, Resources and Energy
 Delegate of the Minister for Mineral Resources and Energy (delegated powers
 pursuant to Instrument of Delegation dated 31 October 2011).

NOTE 1: The effect of this notice is that:

- No applications for a corresponding licence may be made during the period 16 August 2012 to 30 September 2012.
- Applications for a corresponding licence may be made from 1 October 2012 to 5 October 2012 (inclusive).
- Applications for a corresponding licence made between 1 October 2012 to 5 October 2012 (inclusive) will not be dealt with under subsection 29 (4) of the Act, but under subsection 29 (6) of the Act, which is on a merits basis.
- If no applications for a corresponding licence are made between 1 October 2012 to 5 October 2012 (inclusive) applications for a corresponding licence made from 6 October 2012 onwards will be dealt with under subsection 29 (4).

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Grant of Associated Activities Licence—AAL 182

(Adjunct to Petroleum Exploration Licence PEL 106)

NOTICE is hereby given that the undermentioned Associated Activities Licence has been granted under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 21 March 2012.

| No. of Licence | Licensee | Locality | Reference |
|-------------------|------------------------------------|--------------|--------------|
| AAL 182 | Great Artesian Oil and Gas Pty Ltd | Cooper Basin | F2012/000514 |

Description of Area

All that part of the State of South Australia, bounded as follows:

| | |
|----------------|----------------|
| 378362.4095mE, | 6896807.1045mN |
| 377816.3524mE, | 6896801.5393mN |
| 377819.4960mE, | 6896493.7870mN |
| 377000.4303mE, | 6896485.3921mN |
| 377006.7604mE, | 6895869.8859mN |
| 376460.7439mE, | 6895864.2574mN |
| 376463.9234mE, | 6895556.5037mN |
| 373460.8979mE, | 6895525.0995mN |
| 373454.3844mE, | 6896140.6107mN |
| 373181.3671mE, | 6896137.7187mN |

373168.3158mE, 6897368.7406mN
 378353.0225mE, 6897468.0000mN
 378362.4095mE, 6896807.1045mN

All co-ordinates in GDA94, Zone 54.

Area: 7.93 km² approximately.

Dated 13 August 2012.

B. A. GOLDSTEIN,
 Executive Director,
 Energy Resources Division
 Department for Manufacturing, Innovation, Trade, Resources and Energy
 Delegate of the Minister for Mineral Resources and Energy

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Grant of Associated Activities Licence—AAL 181

(Adjunct to Petroleum Exploration Licence PEL 92)

NOTICE is hereby given that the undermentioned Associated Activities Licence has been granted under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 21 March 2012.

| No. of Licence | Licensees | Locality | Reference |
|----------------|--|--------------|--------------|
| AAL 181 | Beach Energy Limited Cooper Basin Limited | Cooper Basin | F2012/000513 |

Description of Area

All that part of the State of South Australia, bounded as follows:

352370.8843mE, 6900824.1148mN
 352368.9890mE, 6900977.9620mN
 352232.4488mE, 6900976.2791mN
 352228.6549mE, 6901283.9733mN
 351409.3916mE, 6901273.8441mN
 351422.7480mE, 6900196.7002mN
 351695.8114mE, 6900200.0836mN
 351699.6206mE, 6899892.3886mN
 351972.6768mE, 6899895.7659mN
 351976.4819mE, 6899587.8596mN
 352386.0554mE, 6899592.9144mN
 352403.1261mE, 6898208.0758mN
 352552.0049mE, 6898209.9104mN
 353222.1769mE, 6898218.1462mN
 353224.0659mE, 6898064.0876mN
 354043.1044mE, 6898074.1023mN
 354048.7325mE, 6897612.5613mN
 355961.2420mE, 6897635.7313mN
 355946.4297mE, 6898866.7122mN
 354716.2982mE, 6898851.8496mN
 354710.6960mE, 6899313.6005mN
 354164.6152mE, 6899306.9630mN
 354155.2465mE, 6900076.4075mN
 353745.6592mE, 6900071.4140mN
 353741.9027mE, 6900379.1073mN
 353195.7716mE, 6900372.4278mN
 353192.0016mE, 6900680.1215mN
 352521.7164mE, 6900671.8904mN
 352509.3190mE, 6900671.7378mN
 352507.4227mE, 6900825.7962mN
 352370.8843mE, 6900824.1148mN

All co-ordinates in GDA94, Zone 54.

Area: 7.94 km² approximately.

Dated 10 August 2012.

B. A. GOLDSTEIN,
 Executive Director,
 Energy Resources Division
 Department for Manufacturing, Innovation, Trade, Resources and Energy
 Delegate of the Minister for Mineral Resources and Energy

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Suspension of Geothermal Exploration Licences—
GELs 156, 254 and 336*

PURSUANT to Section 90 of the Petroleum and Geothermal Energy Act 2000, notice is hereby given that the abovementioned Geothermal Exploration Licences have been suspended for the period from and including 30 July 2012 until 29 July 2013, under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 21 March 2012.

The expiry date of GEL 156 is now determined to be 11 November 2015.

The expiry date of GELs 254 and 336 is now determined to be 11 November 2013.

Dated 7 August 2012.

B. A. GOLDSTEIN,
Executive Director,
Energy Resources Division
Department for Manufacturing, Innovation,
Trade, Resources and Energy
Delegate of the Minister for Mineral
Resources and Energy

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Suspension of Petroleum Exploration Licence—PEL 138

PURSUANT to Section 90 of the Petroleum and Geothermal Energy Act 2000, notice is hereby given that the abovementioned Petroleum Exploration Licence has been suspended for the period from and including 24 August 2012 until 23 August 2013, under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 21 March 2012.

The expiry date of PEL 138 is now determined to be 15 April 2017.

Note: This notice supersedes the PEL 138 suspension notice dated 27 July 2012 and published in the *South Australian Government Gazette* on 2 August 2012.

Dated 9 August 2012.

B. A. GOLDSTEIN,
Executive Director,
Energy Resources Division
Department for Manufacturing, Innovation,
Trade, Resources and Energy
Delegate of the Minister for Mineral
Resources and Energy

ROADS (OPENING AND CLOSING) ACT 1991

Section 37

NOTICE is hereby given pursuant to Section 37 (1) of the Roads (Opening and Closing) Act 1991, that:

WHEREAS it is considered that JOSEPH THEODOR BOTTROFF of Caurnamont Farmer was entitled to a Certificate of Title over the closed road 'B' in Road Plan No. 272 in exchange for portion of Section 107, Hundred of Ridley, opened as road and being the whole of the land numbered '1' in Road Plan No. 272, deposited in the Office of the Surveyor-General at Adelaide *vide* notice of confirmation of road order published in the *Government Gazette* of 25 October 1888, at page 1054;

AND whereas no Certificate of Title was issued in respect of the said closed road and the said JOSEPH THEODOR BOTTROFF is believed to be dead or unknown;

AND whereas application is made by WERINA NOMINEES PTY LTD of Private Bag 47, Mannum, S.A. 5238 for the issue of a Certificate of Title over the said closed road by virtue of possession;

AND whereas I am satisfied that the applicant is in possession of the said closed road and that there is apparently no other known person entitled to possession thereof;

TAKE NOTICE that unless objection by any person claiming any interest in the said land is made in writing to me within 28 days from the date of this notice, I propose to issue a Certificate of Title for the said land to the said applicant.

Objections should be addressed to the Surveyor-General, Department of Planning, Transport and Infrastructure, G.P.O. Box 1354, Adelaide, S.A. 5001.

Dated 16 August 2012.

P. M. KENTISH, Surveyor-General

DPTI 12/0033

STATE LOTTERIES ACT 1966
LOTTERIES (GENERAL) RULES

1. *Preliminary*

- 1.1 These Rules may be cited as the Lotteries (General) Amendment Rules, 2012 (No. 1).
- 1.2 The Lotteries (General) Rules made under the State Lotteries Act 1966 and published in the *Government Gazette* on 20 May 2010 are hereinafter referred to as the 'Principal Rules'.
- 1.3 The Principal Rules are hereby amended effective from 12 August 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.

Dated 7 August 2012.

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

(L.S.) S. MACKENZIE, Commission Member
W. JACKSON, Commission Member

Approved,

P. CAICA, Acting Minister for Finance

STATE LOTTERIES ACT 1966

LOTTERIES (GENERAL) RULES

*This consolidation includes amendments as at 12 August 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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Date of commencement

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* on 20 May 2010 are hereinafter referred to as 'the Existing Rules'.
- 1.3 The Existing Rules are hereby revoked effective from midnight on the date 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 party 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 SA Lotteries' central computer system 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;

'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;

‘selling point’ means SA Lotteries’ Head Office, an Agent’s place of business or an internet site that is linked to SA Lotteries’ central computer system 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 SA Lotteries’ Head Office, an Agent’s place of business or an internet site that is linked to SA Lotteries’ central computer system to generate and/or validate tickets;

‘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) an Instant Scratchies ticket, 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 SA Lotteries:

- 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 SA Lotteries 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 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 operated by SA Lotteries, 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 the central computer system 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 the central computer system 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 SA Lotteries' central computer system; 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 \$5000 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 \$5000 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 SA Lotteries' central computer system 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 SA Lotteries' central computer system will be deemed cancelled. SA Lotteries will determine whether a ticket has been correctly recorded.
- 11.13 A ticket identified by the central computer 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 the central computer system 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:

12 August 2012

STATE LOTTERIES ACT 1966
LOTTERIES (SATURDAY X LOTTO) RULES

1. *Preliminary*

- 1.1 These Rules may be cited as the Lotteries (Saturday X Lotto) Amendment Rules, 2012 (No. 1).
- 1.2 The Lotteries (Saturday X Lotto) Rules made under the State Lotteries Act, 1966 and published in the *Government Gazette* on 20 May 2010, as amended by the amendments published in the *Government Gazette* on 20 January 2011 are hereinafter referred to as the 'Principal Rules'.
- 1.3 The Principal Rules are hereby amended effective from 12 August 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.

Dated 7 August 2012.

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

(L.S.) S. MACKENZIE, Commission Member
W. JACKSON, Commission Member

Approved,

P. CAICA, Acting Minister for Finance

STATE LOTTERIES ACT 1966
LOTTERIES (SATURDAY X LOTTO) RULES

*This consolidation includes amendments as at 12 August 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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Schedule

Date of commencement

1. *Preliminary*

- 1.1. These Rules may be cited as the Lotteries (Saturday X Lotto) Rules.
- 1.2. These Rules will come into operation on the date specified in the Schedule to these Rules.
- 1.3. These Rules are to be read in conjunction with and are subject to the Lotteries (General) Rules.
- 1.4. These Rules apply only to the lottery known as 'X Lotto' as played on a Saturday or such other day as determined by the Bloc members.

2. *Interpretation*

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

'Bloc members' means the parties from time to time to the Bloc Agreement entered into by SA Lotteries with other lottery operators for the promotion, conduct and sale of tickets in *inter alia* the game drawn generally each Saturday night on a joint basis with a common winning number determination and a declaration of common dividends based on the equal participation of all players in the aggregated prize pool;

'claim period' means the period commencing at midnight on the day of determination of the draw results ('relevant day') and ending at the close of business on the 14th day thereafter. If the 14th day is a Saturday, Sunday or public holiday the claim period will end at SA Lotteries' close of business on the immediately succeeding business day;

'drawing equipment' means equipment operated by the Bloc members for ascertaining the winning numbers;

'Easi-Pick entry' means a nomination made by a player indicating that the player wishes to make an Easi-Pick selection in accordance with Rule 6 of these Rules.

'X Lotto' means a lottery drawn on a Saturday or such other day or days as the Bloc members determine in which a player is required to forecast 6 numbers to be drawn from the range of numbers 1 to 45 inclusive.

3. *Ordinary Entry*

- 3.1. To create an ordinary entry, a player must forecast or cause to be forecast 6 numbers.
- 3.2. An ordinary entry will provide participation for the number of games selected and paid for in one (1) draw only.
- 3.3. The minimum number of games that must be completed will be four (4) or such number as otherwise determined by SA Lotteries.
- 3.4. There will be no limit to the maximum number of games that can be played, save that in any one draw:
 - 3.4.1. SA Lotteries may decline to issue more than 1,000 entries to a player; and
 - 3.4.2. a player can be issued with entries costing no more than \$99,999.00.
- 3.5. A player may request that an entry be issued in a draw to be conducted within 52 weeks or such lesser period as determined by SA Lotteries.
- 3.6. Subject to Rule 6, a player may enter a draw by:
 - 3.6.1. submitting a coupon provided for that purpose from time to time by SA Lotteries, together with an Easiplay Club membership card if applicable; or

- 3.6.2. making a verbal or electronic request at the selling point, together with providing an Easiplay Club membership card if applicable.
 - 3.7. In the case of a coupon:
 - 3.7.1. a player's forecast must be marked by hand with a cross mark in the centre of the square, a vertical mark in the centre of the square or such other mark as SA Lotteries determines. All marks on a coupon must be legible and if a coupon cannot be read by a selling point terminal, it will be rejected. No other mark will be accepted. A coupon must not be marked in red.
 - 3.7.2. the 'system' box must be left blank.
 - 3.7.3. a player who marks a 'top up games' box will be taken to have authorised the selling point terminal operator to generate a random forecast of a sufficient quantity of numbers to complete the game, the coupon or the nominated number of games, as the case may be.
 - 3.7.4. if a player marks more than the specified number of squares in any game, a ticket will not issue until the player has either nominated the number(s) to be deleted or nominated a system entry. The player may be required to complete another coupon.
 - 3.7.5. if a player marks fewer than the specified number of squares in any game and does not mark the relevant 'top up games' box, a ticket will not issue until the player has either nominated the number(s) to be added or nominated a top up games entry or a system entry.
4. *Multi-Week Entry*
 - 4.1. A player may enter their number forecasts for a series of consecutive draws by marking the appropriate square in the 'weeks' box on a coupon or by verbally or electronically requesting such an entry at the selling point. The number of consecutive draws that may be entered in this way is up to 52 weeks or such lesser period as determined by SA Lotteries.
 - 4.2. The Rules governing ordinary entries will apply to every multi-week entry.
5. *System Entry*
 - 5.1. A player may create a system entry by forecasting or causing to be forecast 4, 5 or from 7 to 20 numbers, rather than the 6 to be forecast in the case of an ordinary entry.
 - 5.2. In the case of a coupon, a system entry must be completed by marking the 'system' box and forecasting or causing to be forecast the quantity of numbers corresponding to the system to be entered by the player. (Thus, to play system 7, 7 numbers are forecast; to play system 8, 8 numbers are forecast and so on to a maximum of 20 numbers forecast to play a system 20 entry.) In all other instances, a system entry is created by verbally or electronically requesting such an entry at the selling point. Ordinary and system entry participation will not be accepted if completed on the same coupon and only one system entry type can be played on the one coupon.
 - 5.3. In the case of a coupon, if more numbers are marked in any game than the requested system requires, a ticket will not issue until the player has nominated the number(s) to be deleted. If fewer numbers are marked in any game than the requested system requires and the relevant 'top up games' box is not marked, a ticket will not issue until the player has either nominated the number(s) to be added or selected a top up games entry.
 - 5.4. Systems 4 and 5 are system entries in which the quantity of numbers forecast is less than 6 numbers.
 - 5.5. A system 4 or 5 entry will be equivalent to playing a certain number of separate games of 6 numbers as determined by the following formula:

$$\frac{(45 - S)!}{39! \times (6-S)!} \quad (\text{where } S = \text{system number})$$

- 5.6. A player who seeks to participate in a system 4 entry must forecast or cause to be forecast any 4 numbers. These 4 numbers will be combined with all combinations of 2 numbers from the remaining unforecast numbers. This system entry will be equivalent to playing 820 games of 6 numbers.
- 5.7. A player who seeks to participate in a system 5 entry must forecast or cause to be forecast any 5 numbers. These 5 numbers will be combined with each of the remaining unforecast numbers in turn. This system entry will be equivalent to playing 40 games of 6 numbers.
- 5.8. A player who seeks to participate in a system 7 to 20 entry inclusive must forecast or cause to be forecast the quantity of numbers according to the system number to be played. These numbers will be combined with one another in all possible combinations of 6 numbers. This system entry will be equivalent to playing a certain number of separate games of 6 numbers as determined by the following formula:

$$\frac{S!}{6! \times (S-6)!} \quad (\text{where } S = \text{system number})$$

- 5.9. Subject to Rule 3.4., a player may enter up to 18 games of the same type of system entry on the one coupon or such other number as SA Lotteries determines.
- 5.10. A system entry may be entered for multi-week participation, in which case the Rules relating to multi-week and Easi-Pick entries will also apply.
- 5.11. The price of a system entry will be as determined by SA Lotteries from time to time.

6. *Easi-Pick Entry*

- 6.1. A player can play by means of an Easi-Pick nomination at the selling point whereby the selling point terminal will process the information nominated by the player to generate a forecast of the type nominated by the player. Such entries will be limited to such number of games for an ordinary entry, and subject to Rule 3.4, such number of the same type of system entry, as SA Lotteries determines.
- 6.2. When using a coupon, Easi-Pick entries can be played by marking the appropriate 'top up games' box or the 'top up selection' box and will be limited to 4 to 18, 25 or 36 games (of 6 numbers) for an ordinary entry, and subject to Rule 3.4, such number of the same type of system entry as SA Lotteries determines.
- 6.3. The Easi-Pick forecast will be generated by the selling point terminal, and the generated selections will be deemed to be those selections nominated by the player as if they were marked on a coupon by the player in accordance with these Rules.

7. *Determination of Winning Numbers*

- 7.1. Each draw will be identified by a number.
- 7.2. Each draw will be conducted using drawing equipment determined by the Bloc members.
- 7.3. For each draw, the Bloc members will cause 8 numbered balls to be drawn from the drawing equipment.
- 7.4. The first 6 balls drawn will be the winning numbers and the final 2 balls will be the supplementary numbers.
- 7.5. There will be 6 prize winning divisions in each draw:
- Division 1 — player(s) who correctly forecast the 6 winning numbers in any one game.

- Division 2 — player(s) who correctly forecast any 5 of the 6 winning numbers and either one of the supplementary numbers in any one game.
- Division 3 — player(s) who correctly forecast any 5 of the 6 winning numbers in any one game.
- Division 4 — player(s) who correctly forecast any 4 of the 6 winning numbers in any one game.
- Division 5 — player(s) who correctly forecast any 3 of the 6 winning numbers and either one of the supplementary numbers in any one game.
- Division 6 — player(s) who correctly forecast any 1 of the 6 winning numbers and both of the supplementary numbers in any one game.

8. *Supervision of Draw*

- 8.1. The selection of winning numbers and supplementary numbers will be conducted in such manner as agreed by the Bloc members and:
- 8.1.1. will be supervised by the appropriate representatives for the State in which the draw is conducted; and
- 8.1.2. will be final for the purpose of determining the prize winners in that draw.

9. *Prize Pool Allocation*

- 9.1. Only one prize can be won by any one ordinary entry in a game.
- 9.2. 60% of the total entry fees received for each draw (or such greater amount as SA Lotteries determines) will be allocated as the prize pool.
- 9.3. SA Lotteries will pay the percentage referred to in Rule 9.2 into an aggregate prize pool to which each of the Bloc members must contribute the same percentage of the total entry fees received by them.
- 9.4. The total amount of the prize pool will be announced at each draw.
- 9.5. The prize money allocated to each division will be apportioned in equal shares between the winners in that division.
- 9.6. If there is no winner in any of Divisions 2, 3, 4 or 5 of any draw, the prize money allocated to that division will be added to the prize money allocated to the next lower division in which there is a winner.

10. *Prize Structure*

- 10.1. The total prize pool will be distributed between the prize divisions in accordance with the determination of SA Lotteries, after consultation with the Bloc members.
- 10.2. Any variation to the prize divisions or the prize pool distributions between the prize divisions, as determined by SA Lotteries, will be advised to players by way of SA Lotteries' website and at all selling points, at least fourteen (14) days prior to their operational date.
- 10.3. Notwithstanding any other Rule, SA Lotteries may, at its discretion round out the amount of any prize other than a Division 1 prize to the nearest five cents above or below the actual prize otherwise payable. The resulting surplus or deficit will be added to or deducted from the Prize Reserve Fund.

11. *Prize Reserve Fund*

- 11.1. From time to time, SA Lotteries may set aside a proportion of the total amount received from entry fees to any draw and, in respect of that draw, the distribution of prizes will be reduced *pro rata* in all prize winning divisions. The amount set aside will be accumulated by SA Lotteries to constitute a pool called the Prize Reserve Fund.
- 11.2. The Prize Reserve Fund will be applied from time to time for or towards the payment of any of the following:
 - 11.2.1. prizes in respect of missed prize entries for lotteries conducted by SA Lotteries;
 - 11.2.2. additional or increased prizes in subsequent lotteries conducted by SA Lotteries;in such amount(s) and to such player(s) as SA Lotteries in its absolute discretion determines.
- 11.3. The amounts to be set aside and the amounts to be distributed must be agreed with the Bloc members.
- 11.4. In the event that the game of X Lotto as played on a Saturday is replaced, enhanced, renamed or otherwise varied, the Prize Reserve Fund as constituted by this Rule 11 shall be assigned to the game replacing, enhancing, renaming or otherwise varying the game of X Lotto as played on a Saturday.

12. *Jackpots*

- 12.1. If there is no Division 1 prize winner, that portion of the prize pool that would have been payable to a single Division 1 winner in that draw will be added to or jackpotted with the Division 1 prize money in the next draw. This jackpotting will continue for no more than 4 consecutive draws. If there is no Division 1 prize winner in the next (or 5th) consecutive draw, the total amount of the jackpot and the Division 1 prize that would have been payable to a single winner in that 5th draw will be added to the prize money allocated to the next lower division in which there is a winner.
- 12.2. If SA Lotteries guarantees a minimum prize payout in Division 1 of any draw, the amount by which SA Lotteries has augmented the portion of the prize pool allocated to Division 1 in that draw will not be taken into account in determining the amount of any jackpot subsequently paid in respect of that division.

13. *Publication of Results*

- 13.1. SA Lotteries will publish the results of each draw as soon as practicable after each draw.
- 13.2. The information published may include:
 - 13.2.1. the winning numbers;
 - 13.2.2. the amount of the prize pool allocated to each division;
 - 13.2.3. the number of prize winners or provisional prize winners in each division;
 - 13.2.4. the value or provisional value of each prize in each division;
 - 13.2.5. the dates when prizes will be paid;
 - 13.2.6. the date the claim period expires; and
 - 13.2.7. the guaranteed or estimated Division 1 prize pool in the next draw.

14. *Ticket Checkers*

- 14.1. Ticket checkers are located at all selling points except an internet site and are linked to the central computer system via the selling point terminal.
- 14.2. A player can obtain the prize status of a printed ticket by inserting the bar code at the top of each printed ticket into the scanning device.
- 14.3. A prize winning ticket must be identified by the central computer system as a prize winning ticket before payment of the prize is made.

15. *Prize Claims*

- 15.1. In the case of Division 1 and 2 prizes:
 - 15.1.1 prize money will be distributed after the claim period has elapsed;
 - 15.1.2 claims lodged within the claim period and determined by the central computer system to be prize winning tickets and any tickets subsequently identified as prize winning tickets will share equally in the prize pool available to winners in their respective division;
 - 15.1.3 any player who claims to be entitled to a prize won on a printed ticket must lodge a claim at SA Lotteries Head Office; and
 - 15.1.4 prizes payable on an electronic ticket will be paid electronically in accordance with the terms upon which the electronic ticket was issued, following the elapsing of the claim period.
- 15.2. In the case of prizes other than Division 1 and 2 prizes:
 - 15.2.1. prize money will be paid as soon as practicable after the draw either at SA Lotteries Head Office or an Agent's place of business upon presentation of the printed ticket, or as otherwise determined by SA Lotteries, subject to these Rules;
 - 15.2.2. prizes payable on an electronic ticket will be paid electronically in accordance with the terms upon which the electronic ticket was issued, as soon as practicable after the draw; and
 - 15.2.3. if a printed or electronic ticket includes a game that has won a prize in Division 3 or a lower division in addition to a Division 1 or 2 prize then the lower division prize will not be paid until the Division 1 or 2 prize is payable.
- 15.3. Any player who claims to be entitled to a prize but:
 - 15.3.1. whose ticket has not been identified by the central computer system as a prize winning ticket;
 - 15.3.2. considers that their ticket has been incorrectly evaluated; or
 - 15.3.3. has not obtained confirmation that their ticket has won a prize after its evaluation by the central computer systemmust lodge a claim with SA Lotteries in the case of a printed ticket and with the provider of the electronic ticket in the case of an electronic ticket.
- 15.4. A claim under Rule 15.1.3 or 15.3:
 - 15.4.1. may be lodged with SA Lotteries either personally or by registered mail;
 - 15.4.2. must reach SA Lotteries within 12 months of the relevant day;

- 15.4.3. must be accompanied by the printed ticket in respect of which the claim is made, clearly endorsed with the claimant's full name and address, and/or proof of purchase; and
- 15.4.4. if posted, must be accompanied by a self-addressed envelope bearing the correct postage.
- 15.5. SA Lotteries:
 - 15.5.1. will not be obliged to recognise any claim not identified as a prize winning ticket by the central computer system within 12 months of the relevant day; and
 - 15.5.2. may in its absolute discretion accept or refuse to accept any claim in whole or in part.

SCHEDULE

Date of operation of these Rules:

12 August 2012

STATE LOTTERIES ACT, 1966
LOTTERIES (MONDAY AND WEDNESDAY X LOTTO) RULES

1. *Preliminary*

- 1.1 These Rules may be cited as the Lotteries (Monday and Wednesday X Lotto) Amendment Rules, 2012 (No. 1).
- 1.2 The Lotteries (Monday and Wednesday X Lotto) Rules made under the State Lotteries Act, 1966 and published in the *Government Gazette* on 20 May 2010, as amended by the amendments published in the *Government Gazette* on 16 February 2012 are hereinafter referred to as the 'Principal Rules'.
- 1.3 The Principal Rules are hereby amended effective from 12 August 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.

Dated 7 August 2012.

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

(L.S.) S. MACKENZIE, Commission Member
W. JACKSON, Commission Member

Approved,

P. CAICA, Acting Minister for Finance

STATE LOTTERIES ACT 1966
LOTTERIES (MONDAY AND WEDNESDAY X LOTTO) RULES

*This consolidation includes amendments as at 12 August 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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Date of commencement

1. *Preliminary*

- 1.1. These Rules may be cited as the Lotteries (Monday and Wednesday X Lotto) Rules.
- 1.2. These Rules will come into operation on the date specified in the Schedule to these Rules.
- 1.3. These Rules are to be read in conjunction with and are subject to the Lotteries (General) Rules.
- 1.4. These Rules apply only to the lottery known as 'X Lotto' as played on a Monday and Wednesday or such other day or days as determined by the Bloc members.

2. *Interpretation*

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

'Bloc members' means the parties from time to time to the Bloc Agreement entered into by SA Lotteries with other lottery operators for the promotion, conduct and sale of tickets in the game of X Lotto drawn generally on each Monday and Wednesday night on a joint basis with a common winning number determination and a declaration of common dividends based on the equal participation of all players in the aggregated prize pool;

'claim period' means the period commencing at midnight on the day of determination of the draw results ('relevant day') and ending at the close of business on the 14th day thereafter. If the 14th day is a Saturday, Sunday or public holiday the claim period will end at SA Lotteries' close of business on the immediately succeeding business day;

'Division 1 prize reserve' means the reserve created by Rule 9 from which Division 1 prizes are paid;

'drawing equipment' means equipment operated by the Bloc members for ascertaining the winning numbers;

'Easi-Pick entry' means a nomination made by a player indicating that the player wishes to make an Easi-Pick selection in accordance with Rule 6 of these Rules.

'prize pool' means the pool created by Rule 10 from which Divisions 2 to 6 prizes are paid.

'X Lotto' means a lottery drawn on a Monday and Wednesday or such other day or days as the Bloc members determine in which a player is required to forecast 6 numbers to be drawn from the range of numbers 1 to 45 inclusive.

3. *Ordinary Entry*

- 3.1. To create an ordinary entry, a player must forecast or cause to be forecast 6 numbers.
- 3.2. An ordinary entry will provide participation for the number of games selected and paid for in one (1) draw only.
- 3.3. The minimum number of games that must be completed will be four (4) or such number as otherwise determined by SA Lotteries.
- 3.4. There will be no limit to the maximum number of games that can be played, save that in any one draw:
 - 3.4.1. SA Lotteries may decline to issue more than 1,000 entries to a player; and
 - 3.4.2. a player can be issued with entries costing no more than \$99,999.00.
- 3.5. A player may request that an entry be issued in a draw to be conducted within 52 weeks or such lesser period as determined by SA Lotteries.

- 3.6. Subject to Rule 6, a player may enter a draw by:
 - 3.6.1. submitting a coupon provided for that purpose from time to time by SA Lotteries, together with an Easiplay Club membership card if applicable; or
 - 3.6.2. making a verbal or electronic request at the selling point, together with providing an Easiplay Club membership card if applicable.
- 3.7. In the case of a coupon:
 - 3.7.1. a player's forecast must be marked by hand with a cross mark in the centre of the square, a vertical mark in the centre of the square or by such other mark as SA Lotteries determines. All marks on a coupon must be legible and if a coupon cannot be read by a selling point terminal, it will be rejected. No other mark will be accepted. A coupon must not be marked in red.
 - 3.7.2. the 'system' box must be left blank.
 - 3.7.3. a player who marks a 'top up games' box will be taken to have authorised the selling point operator to generate a random forecast of a sufficient quantity of numbers to complete the game, the coupon or the nominated number of games, as the case may be.
 - 3.7.4. if a player marks more than the specified number of squares in any game, a ticket will not issue until the player has either nominated the number(s) to be deleted or nominated a system entry. The player may be required to complete another coupon.
 - 3.7.5. if a player marks fewer than the specified number of squares in any game and does not mark the relevant 'top up games' box, a ticket will not issue until the player has either nominated the number(s) to be added or nominated a top up games entry or a system entry.
4. *Multi-Week Entry*
 - 4.1. A player may enter their number forecasts for a series of consecutive draws by marking the appropriate square in the 'weeks' box on a coupon or by verbally or electronically requesting such an entry at the selling point. The number of consecutive draws that may be entered in this way is up to 52 weeks or such lesser period as determined by SA Lotteries.
 - 4.2. The Rules governing ordinary entries will apply to every multi-week entry.
5. *System Entry*
 - 5.1. A player may create a system entry by forecasting or causing to be forecast 4, 5 or from 7 to 20 numbers, rather than the 6 to be forecast in the case of an ordinary entry.
 - 5.2. In the case of a coupon, a system entry must be completed by marking the 'system' box and forecasting or causing to be forecast the quantity of numbers corresponding to the system to be entered by the player. (Thus, to play system 7, 7 numbers are forecast; to play system 8, 8 numbers are forecast and so on to a maximum of 20 numbers forecast to play a system 20 entry.) In all other instances, a system entry is created by requesting such an entry at the selling point. Ordinary and system entry participation will not be accepted if completed on the same coupon and only one system entry type can be played on the one coupon.
 - 5.3. In the case of a coupon, if more numbers are marked in any game than the requested system requires, a ticket will not issue until the player has nominated the number(s) to be deleted. If fewer numbers are marked in any game than the requested system requires and the relevant 'top up games' box is not marked, a ticket will not issue until the player has either nominated the number(s) to be added or selected a top up games entry.

5.4. Systems 4 and 5 are system entries in which the quantity of numbers forecast is less than 6 numbers.

5.5. A system 4 or 5 entry will be equivalent to playing a certain number of separate games of 6 numbers as determined by the following formula:

$$\frac{(45 - S)!}{39! \times (6-S)!} \quad (\text{where } S = \text{system number})$$

5.6. A player who seeks to participate in a system 4 entry must forecast or cause to be forecast any 4 numbers. These 4 numbers will be combined with all combinations of 2 numbers from the remaining unforecast numbers. This system entry will be equivalent to playing 820 games of 6 numbers.

5.7. A player who seeks to participate in a system 5 entry must forecast or cause to be forecast any 5 numbers. These 5 numbers will be combined with each of the remaining unforecast numbers in turn. This system entry will be equivalent to playing 40 games of 6 numbers.

5.8. A player who seeks to participate in a system 7 to 20 entry inclusive must forecast or cause to be forecast the quantity of numbers according to the system number to be played. These numbers will be combined with one another in all possible combinations of 6 numbers. This system entry will be equivalent to playing a certain number of separate games of 6 numbers as determined by the following formula:

$$\frac{S!}{6! \times (S-6)!} \quad (\text{where } S = \text{system number})$$

5.9. Subject to Rule 3.4, a player may enter up to 18 games of the same type of system entry on the one coupon or such other number as SA Lotteries determines.

5.10. A system entry may be entered for multi-week participation, in which case the Rules relating to multi-week and Easi-Pick entries will also apply, as appropriate.

5.11. The price of a system entry will be as determined by SA Lotteries from time to time.

6. *Easi-Pick Entry*

6.1. A player can play by means of an Easi-Pick nomination at the selling point whereby the selling point terminal will process the information nominated by the player to generate a forecast of the type nominated by the player. Such entries will be limited to such number of games for an ordinary entry and subject to Rule 3.4, such number of the same type of system entry as SA Lotteries determines.

6.2. When using a coupon, Easi-Pick entries can be played by marking the appropriate 'top up games' box or the 'top up selection' box and will be limited to 4 to 18, 25 or 36 games (of 6 numbers) for an ordinary entry, and subject to Rule 3.4, such number of the same type of system entry as SA Lotteries determines.

6.3. The Easi-Pick forecast will be generated by the selling point terminal, and the generated selections will be deemed to be those selections nominated by the player as if they were marked on a coupon by the player in accordance with these Rules.

7. *Determination of Winning Numbers*

7.1. Each draw will be identified by a number.

7.2. Each draw will be conducted using drawing equipment determined by the Bloc members.

7.3. For each draw the Bloc members will cause 8 numbered balls to be drawn from the drawing equipment.

- 7.4. The first 6 balls drawn will be the winning numbers and the final 2 balls will be the supplementary numbers.
- 7.5. There will be 6 prize winning divisions in each draw as follows:
- Division 1 — player(s) who correctly forecast the 6 winning numbers in any one game.
- Division 2 — player(s) who correctly forecast any 5 of the 6 winning numbers and either one of the supplementary numbers in any one game.
- Division 3 — player(s) who correctly forecast any 5 of the 6 winning numbers in any one game.
- Division 4 — player(s) who correctly forecast any 4 of the 6 winning numbers in any one game.
- Division 5 — player(s) who correctly forecast any 3 of the 6 winning numbers and either one of the supplementary numbers in any one game.
- Division 6 — player(s) who correctly forecast any 1 of the 6 winning numbers and both of the supplementary numbers in any one game.
8. *Supervision of Draw*
- 8.1. The selection of winning numbers and supplementary numbers will be conducted in such manner as agreed by the Bloc members and:
- 8.1.1. will be supervised by the appropriate representatives for the State in which the draw is conducted; and
- 8.1.2. will be final for the purpose of determining the prize winners in that draw.
- 8.2. The provisional amount of the prize pool will be announced at each draw.
9. *Division 1 Prize Reserve*
- 9.1. A percentage of the total entry fees received for each draw, as determined by SA Lotteries in consultation with Bloc members shall be put aside to accumulate as part of a Division 1 prize reserve.
- 9.2. SA Lotteries will pay from the Division 1 prize reserve:
- 9.2.1. if there are no more than two Division 1 winners, \$1 000 000 to each Division 1 winner; or
- 9.2.2. if there are more than two Division 1 winners, \$2 000 000 divided equally among the Division 1 winners.
- 9.3. If there is not enough money in the Division 1 prize reserve to pay the prizes mentioned in clause 9.2, SA Lotteries will draw upon the Prize Reserve Fund to fund any such shortfall.
10. *Prize Pool Allocation*
- 10.1. Only one prize can be won by any one ordinary entry in a game.
- 10.2. A percentage of the total entry fees received for each draw, as determined by SA Lotteries in consultation with Bloc members shall be allocated as the prize pool.
- 10.3. SA Lotteries will pay the amount determined in Rule 10.2 into an aggregate prize pool to which each of the Bloc members must contribute the same percentage of the total entry fees received by them.
- 10.4. The prize money allocated to each of Divisions 2 to 6 inclusive will be apportioned in equal shares between the winners in that division.

- 10.5. If there is no winner in any of Divisions 2, 3, 4 or 5 of any draw, the prize money allocated to that division will be added to the prize money allocated to the next lower division in which there is a winner.

11. *Prize Structure*

- 11.1. The prize pool will be distributed between Divisions 2 to 6 inclusive in accordance with the determination of SA Lotteries, after consultation with the Bloc members.
- 11.2. Any variation to the prize divisions or the prize pool distributions between Divisions 2 to 6 inclusive, as determined by SA Lotteries, will be advised to players by way of SA Lotteries' website and at all selling points, at least fourteen (14) days prior to their operational date.
- 11.3. Notwithstanding any other Rule, SA Lotteries may, at its discretion round out the amount of any prize other than a Division 1 prize to the nearest five cents above or below the actual prize otherwise payable. The resulting surplus or deficit will be added to or deducted from the Prize Reserve Fund.

12. *Prize Reserve Fund*

- 12.1. From time to time, SA Lotteries may set aside a proportion of the total amount received from entry fees to any draw and, in respect of that draw, the distribution of prizes will be reduced *pro rata* in all prize winning divisions. The amount set aside will be accumulated by SA Lotteries to constitute a pool called the Prize Reserve Fund.
- 12.2. The Prize Reserve Fund will be applied from time to time for or towards the payment of any of the following:
- 12.2.1. fund the shortfall of funds in the Division 1 prize reserve;
 - 12.2.2. prizes in respect of missed prize entries for lotteries conducted by SA Lotteries;
 - 12.2.3. additional or increased prizes in subsequent lotteries conducted by SA Lotteries;
- in such amount(s) and to such player(s) as SA Lotteries in its absolute discretion determines.
- 12.3. The amounts to be set aside and the amounts to be distributed must be agreed with the Bloc members.
- 12.4. In the event that the game of X Lotto as played on a Monday and Wednesday is replaced, enhanced, renamed or otherwise varied, the Prize Reserve Fund as constituted by this Rule 12 shall be assigned to the game replacing, enhancing, renaming or otherwise varying the game of X Lotto as played on a Monday and Wednesday.

13. *Publication of Results*

- 13.1. SA Lotteries will publish the results of each draw as soon as practicable after each draw.
- 13.2. The information published may include:
- 13.2.1. the winning numbers;
 - 13.2.2. the number of prize winners or provisional prize winners in each division;
 - 13.2.3. the value or provisional value of each prize in each division;
 - 13.2.4. the dates when prizes will be paid; and
 - 13.2.5. the date the claim period expires.

14. *Ticket Checkers*

- 14.1. Ticket checkers are located at all selling points except an internet site and are linked to the central computer system via the selling point terminal.
- 14.2. A player can obtain the prize status of a printed ticket by inserting the bar code at the top of each printed ticket into the scanning device.
- 14.3. A prize winning ticket must be identified by the central computer system as a prize winning ticket before payment of the prize is made.

15. *Prize Claims*

15.1. In the case of Division 1 and 2 prizes:

- 15.1.1. prize money will be distributed after the claim period has elapsed;
- 15.1.2. claims lodged within the claim period and determined by the central computer system to be prize winning tickets and any tickets subsequently identified as prize winning tickets will share equally in the prize pool available to winners in their respective division;
- 15.1.3. any player who claims to be entitled to a prize on a printed ticket must lodge a claim at SA Lotteries Head Office; and
- 15.1.4. prizes payable on an electronic ticket will be paid electronically in accordance with the terms upon which the electronic ticket was issued, following the elapsing of the claim period.

15.2. In the case of prizes other than Division 1 and 2 prizes:

- 15.2.1. prize money will be paid as soon as practicable after the draw either at SA Lotteries Head Office or an Agent's place of business upon presentation of the printed ticket, or as otherwise determined by SA Lotteries, subject to these Rules;
- 15.2.2. prizes payable on an electronic ticket will be paid electronically in accordance with the terms upon which the electronic ticket was issued, as soon as practicable after the draw; and
- 15.2.3. if a printed or electronic ticket includes a game that has won a prize in Division 3 or a lower division in addition to a Division 1 or 2 prize, the lower division prize will not be paid until the Division 1 or 2 prize is payable.

15.3. Any player who claims to be entitled to a prize but:

- 15.3.1. whose ticket has not been identified by the central computer system as a prize winning ticket;
- 15.3.2. considers that their ticket has been incorrectly evaluated; or
- 15.3.3. has not obtained confirmation that their ticket has won a prize after its evaluation by the central computer system

must lodge a claim with SA Lotteries in the case of a printed ticket and with the provider of the electronic ticket in the case of an electronic ticket.

15.4. A claim under Rule 15.1.3 or 15.3:

- 15.4.1. may be lodged with SA Lotteries either personally or by registered mail;

- 15.4.2. must reach SA Lotteries within 12 months of the relevant day;
 - 15.4.3. must be accompanied by the printed ticket in respect of which the claim is made, clearly endorsed with the claimant's full name and address, and/or proof of purchase; and
 - 15.4.4. if posted, must be accompanied by a self-addressed envelope bearing the correct postage.
- 15.5. SA Lotteries:
- 15.5.1. will not be obliged to recognise any claim not identified as a prize winning ticket by the central computer system within 12 months of the relevant day; and
 - 15.5.2. may in its absolute discretion accept or refuse to accept any claim in whole or in part.

SCHEDULE

Date of operation of these Rules:

12 August 2012

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STATE LOTTERIES ACT 1966
LOTTERIES (OZ LOTTO) RULES

1. *Preliminary*

- 1.1 These Rules may be cited as the Lotteries (Oz Lotto) Amendment Rules, 2012 (No. 1).
- 1.2 The Lotteries (Oz Lotto) Rules made under the State Lotteries Act 1966 and published in the *Government Gazette* on 20 May 2010 are hereinafter referred to as the 'Principal Rules'.
- 1.3 The Principal Rules are hereby amended effective from 12 August 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.

Dated 7 August 2012.

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

(L.S.) S. MACKENZIE, Commission Member
W. JACKSON, Commission Member

Approved,

P. CAICA, Acting Minister for Finance

STATE LOTTERIES ACT 1966

LOTTERIES (OZ LOTTO) RULES

*This consolidation includes amendments as at 12 August 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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Date of commencement

1. *Preliminary*

- 1.1. These Rules may be cited as the Lotteries (Oz Lotto) Rules.
- 1.2. These Rules will come into operation on the date specified in the Schedule to these Rules.
- 1.3. These Rules are to be read in conjunction with and are subject to the Lotteries (General) Rules.
- 1.4. These Rules apply to the lottery known as 'Oz Lotto'.

2. *Interpretation*

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

'Bloc members' means the parties from time to time to the Bloc Agreement entered into by SA Lotteries with other lottery operators for the promotion, conduct and sale of tickets in the game of Oz Lotto on a joint basis with a common winning number determination and a declaration of common dividends based on the equal participation of all players in the aggregated prize pool;

'claim period' means the period commencing at midnight on the day of determination of the draw results ('relevant day ') and ending at the close of business on the 14th day thereafter. If the 14th day is a Saturday, Sunday or public holiday the claim period will end at SA Lotteries' close of business on the immediately succeeding business day;

'drawing equipment' means equipment operated by the Bloc members for ascertaining the winning numbers;

'Easi-Pick entry' means a nomination made by a player indicating that the player wishes to make an Easi-Pick selection in accordance with Rule 6 of these Rules.

'Oz Lotto' means a lottery drawn at such intervals as the Bloc members determine in which a player is required to forecast 7 numbers to be drawn from the range of numbers 1 to 45 inclusive.

3. *Ordinary Entry*

- 3.1. To create an ordinary entry a player must forecast or cause to be forecast 7 numbers.
- 3.2. An ordinary entry will provide participation for the number of games selected and paid for in one (1) draw only.
- 3.3. The minimum number of games that must be completed will be one (1) or such number as otherwise determined by SA Lotteries.
- 3.4. There will be no limit to the maximum number of games that can be played, save that in any one draw:
 - 3.4.1. SA Lotteries may decline to issue more than 1,000 entries to a player; and
 - 3.4.2. a player can be issued with entries costing no more than \$99,999.00.
- 3.5. A player may request that an entry be issued in a draw to be conducted within 52 weeks or such lesser period as determined by SA Lotteries.
- 3.6. Subject to Rule 6, a player may enter a draw by:
 - 3.6.1. submitting a coupon provided for that purpose from time to time by SA Lotteries, together with an Easiplay Club membership card if applicable; or
 - 3.6.2. making a verbal or electronic request at the selling point, together with providing an Easiplay Club membership card if applicable.

- 3.7. In the case of a coupon:
- 3.7.1. a player's forecast must be marked by hand with a cross mark in the centre of the square, a vertical mark in the centre of the square or such other mark as SA Lotteries determines. All marks on a coupon must be legible and if a coupon cannot be read by a selling point terminal, it will be rejected. No other mark will be accepted. A coupon must not be marked in red.
- 3.7.2. the 'system' box must be left blank.
- 3.7.3. a player who marks a 'top up games' box will be taken to have authorised the selling point operator to generate a random forecast of a sufficient quantity of numbers to complete the game, the coupon or the nominated number of games, as the case may be.
- 3.7.4. if a player marks more than the specified number of squares in any game, a ticket will not issue until the player has either nominated the number(s) to be deleted or nominated a system entry. The player may be required to complete another coupon.
- 3.7.5. if a player marks fewer than the specified number of squares in any game and does not mark the relevant 'top up games' box, a ticket will not issue until the player has either nominated the number(s) to be added or nominated a top up games entry or a system entry.
4. *Multi-Week Entry*
- 4.1. A player may enter their number forecasts for a series of consecutive draws by marking the appropriate square in the 'weeks' box on a coupon or by verbally or electronically requesting such an entry at the selling point. The number of consecutive draws that may be entered in this way is up to 52 weeks or such lesser period as determined by SA Lotteries.
- 4.2. The Rules governing ordinary entries will apply to every multi-week entry.
5. *System Entry*
- 5.1. A player may create a system entry by forecasting or causing to be forecast 5, 6 or from 8 to 20 numbers, rather than the 7 to be forecast in the case of an ordinary entry.
- 5.2. In the case of a coupon, a system entry must be created by marking the 'system' box and forecasting or causing to be forecast the quantity of numbers corresponding to the system to be entered by the player. (Thus, to play system 8, 8 numbers are forecast; to play system 9, 9 numbers are forecast and so on to a maximum of 20 numbers forecast to play a system 20 entry.) In all other instances, a system entry is created by verbally or electronically requesting such an entry at the selling point. Ordinary and system entry participation will not be accepted if completed on the same coupon and only one system entry type can be played on the one coupon.
- 5.3. In the case of a coupon, if more numbers are marked in any game than the requested system requires, a ticket will not issue until the player has nominated the number(s) to be deleted. If fewer numbers are marked in any game than the requested system requires and the relevant 'top up games' box is not marked, a ticket will not issue until the player has either nominated the number(s) to be added or selected a top up games entry.
- 5.4. Systems 5 and 6 are system entries in which the quantity of numbers forecast is less than 7 numbers.
- 5.5. A system 5 or 6 entry will be equivalent to playing a certain number of separate games of 7 numbers as determined by the following formula:

$$\frac{(45 - S)!}{38! \times (7 - S)!} \quad (\text{where } S = \text{system number})$$

- 5.6. A player who seeks to participate in a system 5 entry must forecast or cause to be forecast any 5 numbers. These 5 numbers will be combined with all combinations of two numbers from the remaining unforecast numbers. This system entry will be equivalent to playing 780 games of 7 numbers.
- 5.7. A player who seeks to participate in a system 6 entry must forecast or cause to be forecast any 6 numbers. These 6 numbers will be combined with each of the remaining unforecast numbers in turn. This system entry will be equivalent to playing 39 games of 7 numbers.
- 5.8. A player who seeks to participate in a system 8 to 20 entry inclusive must forecast or cause to be forecast the quantity of numbers according to the system number to be played. These numbers will be combined with one another in all possible combinations of 7 numbers. This system entry will be equivalent to playing a certain number of separate games of 7 numbers as determined by the following formula:

$$\frac{S!}{7! \times (S-7)!} \quad (\text{where } S = \text{system number})$$

- 5.9. Subject to Rule 3.4, a player may enter up to 18 games of the same type of system entry on the one coupon or such other number as SA Lotteries determines.
- 5.10. A system entry may be entered for multi-week participation, in which case the Rules relating to multi-week and Easi-Pick entries will also apply as appropriate.
- 5.11. The price of a system entry will be as determined by SA Lotteries from time to time.

6. *Easi-Pick Entry*

- 6.1. A player can play by means of an Easi-Pick nomination at the selling point whereby the selling point terminal will process the information nominated by the player to generate a forecast of the type nominated by the player. Such entries will be limited to such number of games for an ordinary entry and subject to Rule 3.4, such number of the same type of system entry as SA Lotteries determines.
- 6.2. When using a coupon, Easi-Pick entries can be played by marking the appropriate 'top up games' box or the 'top up selection' box and will be limited to 1 to 18, 25 or 36 games (of 7 numbers) for an ordinary entry, and subject to Rule 3.4, such number of the same type of system entry as SA Lotteries determines.
- 6.3. The Easi-Pick forecast will be generated by the selling point terminal, and the generated selections will be deemed to be those selections nominated by the player as if they were marked on a coupon by the player in accordance with these Rules.

7. *Determination of Winning Numbers*

- 7.1. Each draw will be identified by a number.
- 7.2. Each draw will be conducted using drawing equipment determined by the Bloc members.
- 7.3. For each draw, the Bloc members will cause 9 numbered balls to be drawn from the drawing equipment.
- 7.4. The first 7 balls drawn will be the winning numbers and the final 2 balls will be the supplementary numbers.
- 7.5. There will be 7 prize winning divisions in each draw:
- Division 1 — player(s) who correctly forecast the 7 winning numbers in any one game.
- Division 2 — player(s) who correctly forecast any 6 of the 7 winning numbers and either one of the supplementary numbers in any one game.

- Division 3 — player(s) who correctly forecast any 6 of the 7 winning numbers in any one game.
- Division 4 — player(s) who correctly forecast any 5 of the 7 winning numbers and either one of the supplementary numbers in any one game.
- Division 5 — player(s) who correctly forecast any 5 of the 7 winning numbers in any one game.
- Division 6 — player(s) who correctly forecast any 4 of the 7 winning numbers in any one game.
- Division 7 — player(s) who correctly forecast any 3 of the 7 winning numbers and either one of the supplementary numbers in any one game.

8. *Supervision of Draw*

- 8.1. The selection of winning numbers and supplementary numbers will be conducted in such a manner as agreed by the Bloc members; and
- 8.1.1. will be supervised by the appropriate representatives for the State in which the draw is conducted; and
- 8.1.2. will be final for the purpose of determining the prize winners in that draw.

9. *Prize Pool Allocation*

- 9.1. Only one prize can be won by any one ordinary entry in a game.
- 9.2. 60% of the total entry fees received for each draw (or such greater amount as SA Lotteries determines) will be allocated as the prize pool.
- 9.3. SA Lotteries will pay the percentage referred to in Rule 9.2 into an aggregate prize pool to which each of the Bloc members must contribute the same percentage of the total entry fees received by them.
- 9.4. The total amount of the prize pool will be announced at each draw.
- 9.5. The prize money allocated to each division will be apportioned in equal shares between the winners in that division.
- 9.6. If there is no winner in any of Divisions 2, 3, 4, 5 or 6 of any draw, the prize money allocated to that division will be added to the prize money allocated to the next lower division in which there is a winner.

10. *Prize Structure*

- 10.1. The total prize pool will be distributed between the prize divisions in accordance with the determination of SA Lotteries, after consultation with the Bloc members.
- 10.2. Any variation to the prize divisions or the prize pool distributions between the prize divisions, as determined by SA Lotteries, will be advised to players by way of SA Lotteries' website and at all selling points, at least fourteen (14) days prior to their operational date.
- 10.3. Notwithstanding any other Rule, SA Lotteries may, at its discretion round out the amount of any prize other than a Division 1 prize to the nearest five cents above or below the actual prize otherwise payable. The resulting surplus or deficit will be added to or deducted from the Prize Reserve Fund.

11. *Prize Reserve Fund*

- 11.1. From time to time, SA Lotteries may set aside a proportion of the total amount received from entry fees to any draw and, in respect of that draw, the distribution of prizes will be reduced *pro rata* in all prize winning divisions. The amount set aside will be accumulated by SA Lotteries to constitute a pool called the Prize Reserve Fund.
- 11.2. The Prize Reserve Fund will be applied from time to time for or towards the payment of any of the following:
 - 11.2.1. prizes in respect of missed prize entries for lotteries conducted by SA Lotteries;
 - 11.2.2. additional or increased prizes in subsequent lotteries conducted by SA Lotteries;in such amount(s) and to such player(s) as SA Lotteries in its absolute discretion determines.
- 11.3. The amounts to be set aside and the amounts to be distributed must be agreed with the Bloc members.
- 11.4. In the event that the game of Oz Lotto is replaced, enhanced, renamed or otherwise varied, the Prize Reserve Fund as constituted by this Rule 11 shall be assigned to the game replacing, enhancing, renaming or otherwise varying the game of Oz Lotto.

12. *Jackpots*

- 12.1. If there is no Division 1 prize winner, that portion of the prize pool that would have been payable to a single Division 1 winner in that draw will be added to or jackpotted with the Division 1 prize money in the next draw. This jackpotting will continue for no more than 25 consecutive draws. If there is no Division 1 prize winner in the next (or 26th) consecutive draw, the total amount of the jackpot and the Division 1 prize that would have been payable to a single winner in that 26th draw, will be added to the prize money allocated to the next lower division in which there is a winner.
- 12.2. If SA Lotteries guarantees a minimum prize payout in Division 1 of any draw, the amount by which SA Lotteries has augmented the portion of the prize pool allocated to Division 1 in that draw will not be taken into account in determining the amount of any jackpot subsequently paid in respect of that division.

13. *Publication of Results*

- 13.1. SA Lotteries will publish the results of each draw as soon as practicable after each draw.
- 13.2. The information published may include:
 - 13.2.1. the winning numbers;
 - 13.2.2. the amount of the prize pool allocated to each division;
 - 13.2.3. the number of prize winners or provisional prize winners in each division;
 - 13.2.4. the value or provisional value of each prize in each division;
 - 13.2.5. the date when prizes will be paid;
 - 13.2.6. the date the claim period expires; and
 - 13.2.7. the guaranteed Division 1 prize pool in the next draw.

14. *Ticket Checkers*

- 14.1. Ticket checkers are located at all selling points except an internet site and are linked to the central computer system via the selling point terminal.
- 14.2. A player can obtain the prize status of a printed ticket by inserting the bar code at the top of each printed ticket into the scanning device.
- 14.3. A prize winning ticket must be identified as a prize winning ticket by the central computer system before payment of the prize is made.

15. *Prize Claims*

- 15.1 In the case of Division 1 and 2 prizes:
 - 15.1.1. prize money will be distributed after the claim period has elapsed;
 - 15.1.2. claims lodged within the claim period and determined by the central computer system to be prize winning tickets and any tickets subsequently identified as prize winning tickets will share equally in the prize pool available to winners in their respective division;
 - 15.1.3. any player who claims to be entitled to a prize won on a printed ticket must lodge a claim at SA Lotteries Head Office; and
 - 15.1.4. prizes payable on an electronic ticket will be paid electronically in accordance with the terms upon which the electronic ticket was issued, following the elapsing of the claim period.
- 15.2. In the case of prizes other than Division 1 and 2 prizes:
 - 15.2.1. prize money will be paid as soon as practicable after the draw either at SA Lotteries Head Office or an Agent's place of business upon presentation of the printed ticket, or as otherwise determined by SA Lotteries, subject to these Rules;
 - 15.2.2. prizes payable on an electronic ticket will be paid electronically in accordance with the terms upon which the electronic ticket was issued, as soon as practicable after the draw; and
 - 15.2.3. if a printed or electronic ticket includes a game that has won a prize in Division 3 or a lower division in addition to a Division 1 or 2 prize then the lower division prize will not be paid until the Division 1 or 2 prize is payable.
- 15.3. Any player who claims to be entitled to a prize but:
 - 15.3.1. whose ticket has not been identified by the central computer system as a prize winning ticket;
 - 15.3.2. considers that their ticket has been incorrectly evaluated; or
 - 15.3.3. has not obtained confirmation that their ticket has won a prize after its evaluation by the central computer systemmust lodge a claim with SA Lotteries in the case of a printed ticket and with the provider of the electronic ticket in the case of an electronic ticket.
- 15.4. A claim under Rule 15.1.3. or 15.3:
 - 15.4.1. may be lodged with SA Lotteries either personally or by registered mail;
 - 15.4.2. must reach SA Lotteries within 12 months of the relevant day;

- 15.4.3. must be accompanied by the printed ticket in respect of which the claim is made, clearly endorsed with the claimant's full name and address, and/or proof of purchase; and
- 15.4.4. if posted, must be accompanied by a self-addressed envelope, bearing the correct postage.
- 15.5. SA Lotteries:
 - 15.5.1. will not be obliged to recognise any claim not identified as a prize winning ticket by the central computer system within 12 months of the relevant day; and
 - 15.5.2. may in its absolute discretion accept or refuse to accept a claim in whole or in part.

SCHEDULE

Date of operation of these Rules:

12 August 2012

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STATE LOTTERIES ACT 1966
LOTTERIES (POWERBALL) RULES

1. *Preliminary*

- 1.1 These Rules may be cited as the Lotteries (Powerball) Amendment Rules, 2012 (No. 1).
- 1.2 The Lotteries (Powerball) Rules made under the State Lotteries Act 1966 and published in the *Government Gazette* on 20 May 2010 are hereinafter referred to as the "Principal Rules".
- 1.3 The Principal Rules are hereby amended effective from 12 August 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.

Dated 7 August 2012.

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

(L.S.) S. MACKENZIE, Commission Member
W. JACKSON, Commission Member

Approved,

P. CAICA, Acting Minister for Finance

STATE LOTTERIES ACT 1966**LOTTERIES (POWERBALL) RULES**

*This consolidation includes amendments as at 12 August 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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Schedule

Date of commencement

1. *Preliminary*

- 1.1. These Rules may be cited as the Lotteries (Powerball) Rules.
- 1.2. These Rules will come into operation on the date specified in the Schedule to these Rules.
- 1.3. These Rules are to be read in conjunction with and are subject to the Lotteries (General) Rules.
- 1.4. These Rules apply to the lottery known as 'Powerball'.

2. *Interpretation*

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

'Bloc members' means the parties from time to time to the Bloc agreement entered into by SA Lotteries with other lottery operators for the promotion, conduct and sale of tickets in the game of Powerball on a joint basis with a common winning number determination and a declaration of common dividends based on the equal participation of all players in the aggregated prize pool;

'claim period' means the period commencing at midnight on the day of determination of the draw results ('relevant day') and ending at the close of business on the 14th day thereafter. If the 14th day is a Saturday, Sunday or public holiday the claim period will end at SA Lotteries' close of business on the immediately succeeding business day;

'drawing equipment' means equipment operated by the Bloc members for ascertaining the winning numbers;

'Easi-Pick entry' means a nomination made by a player indicating that the player wishes to make an Easi-Pick selection in accordance with Rule 6 of these Rules.

'Powerball' means a lottery drawn at such intervals as the Bloc members determine in which a player is required to forecast 5 numbers to be drawn from the range of numbers 1 to 45 inclusive in the 5 Ball Barrel and 1 number to be drawn from a second range of numbers 1 to 45 inclusive in the Powerball Barrel;

'Powerball Barrel' means the drawing barrel from which the Powerball is drawn;

'Power45' means a method of entry where all 45 Powerball numbers are deemed to have been selected for each game played.

'Powerball number' means the single ball drawn from balls numbered 1 to 45 inclusive from the Powerball Barrel;

'5 Ball Barrel' means the drawing barrel from which 5 balls are drawn.

3. *Ordinary Entry*

- 3.1. To create an ordinary entry, a player must forecast or cause to be forecast 5 numbers and the Powerball number.
- 3.2. An ordinary entry will provide participation for the number of games selected and paid for in one (1) draw only.
- 3.3. The minimum number of games that must be completed will be two (2) or such number as otherwise determined by SA Lotteries.
- 3.4. There will be no limit to the maximum number of games that can be played, save that in any one draw:
 - 3.4.1. SA Lotteries may decline to issue more than 1,000 entries to a player; and

- 3.4.2. a player can be issued with entries costing no more than \$99,999.00.
- 3.5. A player may request that an entry be issued in a draw to be conducted within 52 weeks or such lesser period as determined by SA Lotteries.
- 3.6. Subject to Rule 6, a player may enter a draw by:
- 3.6.1. submitting a coupon provided for that purpose from time to time by SA Lotteries, together with an Easiplay Club membership card if applicable; or
- 3.6.2. making a verbal or electronic request at the selling point, together with providing an Easiplay Club membership card if applicable.
- 3.7. In the case of a coupon:
- 3.7.1. a player's forecast must be marked by hand with a cross mark in the centre of the square, a vertical mark in the centre of the square or such other mark as SA Lotteries determines. All marks on a coupon must be legible and if a coupon cannot be read by a selling point terminal, it will be rejected. No other mark will be accepted. A coupon must not be marked in red.
- 3.7.2. the 'system' box must be left blank.
- 3.7.3. a player who marks a 'top up games' box will be taken to have authorised the selling point terminal operator to generate a random forecast of a sufficient quantity of numbers to complete the game, the coupon or the nominated number of games, as the case may be.
- 3.7.4. if a player marks more than the specified number of squares in either panel in any one game, a ticket will not issue until the player has either nominated the number(s) to be deleted or nominated a system entry. The player may be required to complete another coupon.
- 3.7.5. if a player marks fewer than the specified number of squares in either panel in any one game and does not mark the relevant 'top up games' box, a ticket will not issue until the player has either nominated the number(s) to be added or nominated a top up games entry or a system entry.

4. *Multi-Week Entry*

- 4.1. A player may enter their number forecasts for a series of consecutive draws by marking the appropriate square in the 'weeks' box on a coupon or by verbally or electronically requesting such an entry at the selling point. The number of consecutive draws that may be entered in this way is up to 52 weeks or such lesser period as determined by SA Lotteries.
- 4.2. The Rules governing ordinary entries will apply to every multi-week entry.

5. *System Entry*

- 5.1. Subject to Rule 7.3, a player may create a system entry in the top panel by forecasting or causing to be forecast in that panel 3, 4 or from 6 to 20 numbers, rather than the 5 to be forecast in the case of an ordinary entry.
- 5.2. In the case of a coupon, a system entry must be completed by marking the 'system' box and forecasting or causing to be forecast in the top panel the quantity of numbers corresponding to the system to be entered by the player. (Thus, to play system 7, 7 numbers are forecast; to play system 8, 8 numbers are forecast and so on to a maximum of 20 numbers forecast to play a system 20 entry.) In all other instances, a system entry is created by verbally or electronically requesting such an entry at the selling point. Ordinary and system entry participation will not be accepted if completed on the same coupon and only one system entry type can be played on the one coupon.

- 5.3. In the case of a coupon, if more numbers are marked in any panel than the requested system requires, a ticket will not issue until the player has nominated the number(s) to be deleted. If fewer numbers are marked in any panel than the requested system requires and the 'top up games' box is not marked, a ticket will not issue until the player has either nominated the number(s) to be added or selected a top up games entry.
- 5.4. Systems 3 and 4 are system entries in which the quantity of numbers forecast in the top panel is less than 5 numbers and the Powerball number.
- 5.5. A system 3 or 4 entry will be equivalent to playing a certain number of separate games of 5 numbers in the top panel in conjunction with the Powerball number forecast by the player as determined by the following formula:
- $$\frac{(45 - S)!}{40! \times (5-S)!} \quad (\text{where } S = \text{system number})$$
- 5.6. A player who seeks to participate in a system 3 entry must forecast or cause to be forecast any 3 numbers from the top panel. These 3 numbers will be combined with all combinations of 2 numbers from the remaining unforecast numbers. This system entry will be equivalent to playing 861 games of 5 numbers.
- 5.7. A player who seeks to participate in a system 4 entry must forecast or cause to be forecast any 4 numbers from the top panel. These 4 numbers will be combined with each of the remaining unforecast numbers in turn. This system entry will be equivalent to playing 41 games of 5 numbers.
- 5.8. A player who seeks to participate in a system 6 to 20 entry inclusive must forecast or cause to be forecast the quantity of numbers according to the system number to be played. The forecast numbers in the top panel will be combined with one another in all possible combinations of 5 numbers in conjunction with the Powerball number forecast by the player. This system entry will be equivalent to playing a certain number of separate games of 5 numbers in conjunction with the Powerball number selected by the player as determined by the following formula:
- $$\frac{S!}{5! \times (S-5)!} \quad (\text{where } S = \text{system number})$$
- 5.9. Subject to Rule 3.4., a player may enter up to 9 games of the same type of system entry on the one coupon or such other number as SA Lotteries determines.
- 5.10. A system entry may be entered for multi-week participation, in which case the Rules relating to multi-week and Easi-Pick entries will also apply, as appropriate.
- 5.11. The price of a system entry will be as determined by SA Lotteries from time to time.

6. *Easi-Pick Entry*

- 6.1. A player can play by means of an Easi-Pick nomination at the selling point whereby the selling point terminal will process the information nominated by the player to generate a forecast of the type nominated by the player. Such entries will be limited to such number of games (each of 5 numbers and a Powerball number) for an ordinary entry, and subject to Rule 3.4, such number of the same type of system entry as SA Lotteries determines.
- 6.2. When using a coupon, Easi-Pick entries can be played by marking the appropriate 'top up games' box or the 'top up selection' box and will be limited to 2 to 9, 12, 25 or 36 games (of 5 numbers and a Powerball number) for an ordinary entry, and subject to Rule 3.4, such number of the same type of system entry as SA Lotteries determines.
- 6.3. The Easi-Pick forecast will be generated by the selling point terminal, and the generated selections will be deemed to be those selections nominated by the player as if they were marked on a coupon by the player in accordance with these Rules.

7. *Power45 Entry*

- 7.1. Power45 can be played using a Powerball coupon or an Easi-Pick request for entry.
- 7.1.1. In the case of a coupon entry, a player must mark their selections to meet the requirements of an ordinary or a system entry and mark the 'P45' box in lieu of selecting a Powerball number.
- 7.1.2. In the case of an Easi-Pick entry, a player can nominate the number of games via either:
- 7.1.2.1. verbal or electronic request at the selling point;
- 7.1.2.2. by marking the appropriate 'Top Up Selection' boxes (up to a maximum of 9) in each panel on a coupon to denote the number of games they wish to play, and marking the 'P45' box; or
- 7.1.2.3. marking the appropriate 'Top Up Games' box (limited to 12 and 25 games) on a coupon, and marking the 'P45' box.
- 7.1.3. The selling point terminal will process the information nominated by the player, either via coupon, verbal or electronic request, to generate a forecast of the type nominated by the player. Such entries will be limited to such number of games (each of 5 numbers and a Powerball number) for an ordinary entry, and subject to Rule 3.4, such number of the same type of system entry as SA Lotteries determines.
- 7.2. Ordinary Power45 entry
- 7.2.1. To place an ordinary Power45 entry, a player must make a forecast of 5 numbers from 1 to 45.
- 7.2.2. The selling point terminal will combine the number selections in Rule 7.2.1 with each and every Powerball number.
- 7.3. System Power45 entry
- 7.3.1. To place a system Power45 entry, a player must make a system forecast in accordance with Rule 5.
- 7.3.2. All possible combinations of 5 numbers from the number forecast in Rule 7.3.1 will be combined with each and every Powerball number.

8. *Determination of Winning Numbers*

- 8.1. Each draw will be identified by a number.
- 8.2. Each draw will be conducted using drawing equipment determined by the Bloc members.
- 8.3. For each draw the Bloc members will cause 5 numbered balls to be drawn from the 5 Ball Barrel and 1 numbered ball to be drawn from the Powerball Barrel.
- 8.4. There will be 7 prize winning divisions in each draw as follows:
- Division 1 — player(s) who correctly forecast the 5 balls drawn from the 5 Ball Barrel and the Powerball number from the Powerball Barrel in any one game.
- Division 2 — player(s) who correctly forecast the 5 balls drawn from the 5 Ball Barrel in any one game.
- Division 3 — player(s) who correctly forecast 4 of the 5 balls drawn from the 5 Ball Barrel and the Powerball number from the Powerball Barrel in any one game.

Division 4 — player(s) who correctly forecast 3 of the 5 balls drawn from the 5 Ball Barrel and the Powerball number from the Powerball Barrel in any one game.

Division 5 — player(s) who correctly forecast 4 of the 5 balls drawn from the 5 Ball Barrel in any one game.

Division 6 — player(s) who correctly forecast 2 of the 5 balls drawn from the 5 Ball Barrel and the Powerball number from the Powerball Barrel in any one game.

Division 7 — player(s) who correctly forecast 3 of the 5 balls drawn from the 5 Ball Barrel in any one game.

9. *Supervision of Draw*

9.1. The selection of winning numbers will be conducted in such manner as agreed by the Bloc members and

9.1.1. will be supervised by the appropriate representatives for the State in which the draw is conducted; and

9.1.2. will be final for the purpose of determining the prize winners for that draw.

10. *Prize Pool Allocation*

10.1. Only one prize can be won by any one ordinary entry in a game.

10.2. 60% of the total entry fees received for each draw (or such greater amount as SA Lotteries determines) will be allocated as the prize pool.

10.3. SA Lotteries will pay the percentage referred to in Rule 10.2 into an aggregate prize pool to which each of the Bloc members will contribute the same percentage of the entry fees received by them.

10.4. The total amount of the prize pool will be announced at each draw.

10.5. The prize money allocated to each division will be apportioned in equal shares between the winners in that division.

10.6. If there is no winner in any of Divisions 2, 3, 4, 5 or 6 of any draw, the prize money allocated to that division will be added to the prize money allocated to the next lower division in which there is a winner.

11. *Prize Structure*

11.1. The total prize pool will be distributed between the prize divisions in accordance with the determination of SA Lotteries, after consultation with the Bloc members.

11.2. Any variation to the prize divisions or the prize pool distributions between the prize divisions, as determined by SA Lotteries, will be advised to players by way of SA Lotteries' website and at all selling points, at least fourteen (14) days prior to their operational date.

11.3. Notwithstanding any other Rule, SA Lotteries may, at its discretion round out the amount of any prize other than a Division 1 prize to the nearest five cents above or below the actual prize otherwise payable. The resulting surplus or deficit will be added to or deducted from the Prize Reserve Fund.

12. *Prize Reserve Fund*

12.1. From time to time, SA Lotteries may set aside a proportion of the total amount received from entry fees to any draw and, in respect of that draw, the distribution of prizes will be reduced *pro rata* in all prize winning divisions. The amount set aside will be accumulated by SA Lotteries to constitute

a pool called the Prize Reserve Fund.

12.2. The Prize Reserve Fund will be applied from time to time for or towards the payment of any of the following:

12.2.1. prizes in respect of missed prize entries for lotteries conducted by SA Lotteries;

12.2.2. additional or increased prizes in subsequent lotteries conducted by SA Lotteries;

in such amount(s) and to such player(s) as SA Lotteries in its absolute discretion determines.

12.3. The amounts to be set aside and the amounts to be distributed must be agreed with the Bloc members.

12.4. In the event that the game of Powerball is replaced, enhanced, renamed or otherwise varied, the Prize Reserve Fund as constituted by this Rule 12 shall be assigned to the game replacing, enhancing, renaming or otherwise varying the game of Powerball.

13. *Jackpots*

13.1. If there is no Division 1 prize winner, that portion of the prize pool that would have been payable to a single Division 1 winner in that draw will be added to or jackpotted with the Division 1 prize money in the next draw. This jackpotting will continue for no more than 25 consecutive draws. If there is no Division 1 prize winner in the next (or 26th) consecutive draw, the total amount of the jackpot and the Division 1 prize that would have been payable to a single winner in that 26th draw will be added to the prize money allocated to the next lower Division in which there is a winner.

13.2. If SA Lotteries guarantees a minimum prize payout in Division 1 of any draw, the amount by which SA Lotteries has augmented the portion of the prize pool allocated to Division 1 in that draw will not be taken into account in determining the amount of any jackpot subsequently paid in respect of that division.

14. *Publication of Results*

14.1. SA Lotteries will publish the results of each draw as soon as practicable after each draw.

14.2. The information published may include:

14.2.1. the winning numbers;

14.2.2. the amount of the prize pool allocated to each division;

14.2.3. the number of prize winners or provisional prize winners in each division;

14.2.4. the value or provisional value of each prize in each division;

14.2.5. the dates when prizes will be paid;

14.2.6. the date the claim period expires; and

14.2.7. the guaranteed Division 1 prize pool in the next draw.

15. *Ticket Checkers*

15.1. Ticket checkers are located at all selling points except an internet site and are linked to the central computer system via the selling point terminal.

15.2. A player can obtain the prize status of a printed ticket by inserting the bar code at the top of each ticket into the scanning device.

- 15.3. A prize winning ticket must be identified by the central computer system as a prize winning ticket before payment of the prize is made.

16. *Prize Claims*

- 16.1. In the case of Division 1 and 2 prizes:

- 16.1.1. prize money will be distributed after the claim period has elapsed;
- 16.1.2. claims lodged within the claim period and determined by the central computer system to be prize winning tickets and any tickets subsequently identified as prize winning tickets will share equally in the prize pool available to winners in their respective division;
- 16.1.3. any player who claims to be entitled to a prize won on a printed ticket must lodge a claim at SA Lotteries Head Office; and
- 16.1.4. prizes payable on an electronic ticket will be paid electronically in accordance with the terms upon which the electronic ticket was issued, following the elapsing of the claim period.

- 16.2. In the case of prizes other than Division 1 and 2 prizes:

- 16.2.1. prize money will be paid as soon as practicable after the draw either at SA Lotteries Head Office or an Agent's place of business upon presentation of the printed ticket, or as otherwise determined by SA Lotteries, subject to these Rules;
- 16.2.2. if a printed or electronic ticket includes a game that has won a prize in Division 3 or a lower division in addition to a Division 1 or 2 prize the lower division prize will not be paid until the Division 1 or 2 prize is payable; and
- 16.2.3. prizes payable on an electronic ticket will be paid electronically in accordance with the terms upon which the electronic ticket was issued, as soon as practicable after the draw.

- 16.3. Any player who claims to be entitled to a prize but:

- 16.3.1. whose ticket has not been identified by the central computer system as a prize winning ticket;
- 16.3.2. considers that their ticket has been incorrectly evaluated; or
- 16.3.3. has not obtained confirmation that their entry has won a prize after its evaluation by the central computer system

must lodge a claim with SA Lotteries in the case of a printed ticket and with the provider of the electronic ticket in the case of an electronic ticket.

- 16.4. A claim under Rule 16.1.3 or 16.3:

- 16.4.1. may be lodged with SA Lotteries either personally or by registered mail;
- 16.4.2. must reach SA Lotteries within 12 months of the relevant day;
- 16.4.3. must be accompanied by the printed ticket in respect of which the claim is made, clearly endorsed with the claimant's full name and address, and/or proof of purchase; and
- 16.4.4. if posted, must be accompanied by a self-addressed envelope bearing the correct postage.

16.5. SA Lotteries:

- 16.5.1. will not be obliged to recognise any claim not identified as a prize winning ticket by the central computer system within 12 months of the relevant day; and
- 16.5.2. may in its absolute discretion accept or refuse to accept a claim in whole or in part.

SCHEDULE

Date of operation of these Rules:

12 August 2012

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STATE LOTTERIES ACT, 1966
LOTTERIES (THE POOLS) RULES

1. *Preliminary*

1.1 These Rules may be cited as the Lotteries (The Pools) Amendment Rules, 2012 (No. 1).

1.2 The Lotteries (The Pools) Rules made under the State Lotteries Act 1966 and published in the *Government Gazette* on 20 May 2010 are hereinafter referred to as the 'Principal Rules'.

1.3 The Principal Rules are hereby amended effective from 12 August 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.

Dated 7 August 2012.

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

(L.S.) S. MACKENZIE, Commission Member

W. JACKSON, Commission Member

Approved,

P. CAICA, Acting Minister for Finance

STATE LOTTERIES ACT 1966

LOTTERIES (THE POOLS) RULES

*This consolidation includes amendments as at 12 August 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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Schedule

Date of commencement

1. *Preliminary*

- 1.1. These Rules may be cited as the Lotteries (The Pools) Rules.
- 1.2. These Rules will come into operation on the date specified in the Schedule to these Rules.
- 1.3. These Rules are to be read in conjunction with and are subject to the Lotteries (General) Rules.
- 1.4. These Rules apply only to the lottery known as 'The Pools'.

2. *Interpretation*

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

'Australian Soccer Pools' means a lottery conducted by the Bloc members in which a player is required to forecast 6 numbers from the range of numbers 1 to 38 inclusive and the winning numbers are determined by the results of soccer matches played either in the Northern Hemisphere or Southern Hemisphere (and 'The Pools' has a corresponding meaning);

'away team' means the team whose name is printed in the right hand column of the match list;

'away win' or 'win for away team' means a result where the away team has or is deemed to have scored more goals in the match than the home team;

'Bloc members' means the parties from time to time to the Bloc Agreement entered into by SA Lotteries with other lottery operators for the promotion, conduct and sale of tickets in the game of The Pools on a joint basis with a common winning number determination and a declaration of common dividends based on the equal participation of all players in the aggregated prize pool;

'claim period' means the period commencing at midnight on the day of determination of the draw results ('relevant day') and ending at the close of business on the 14th day thereafter. If the 14th day is a Saturday, Sunday or public holiday the claim period will end at SA Lotteries' close of business on the immediately succeeding business day;

'Easi-Pick entry' means a nomination made by a player indicating that the player wishes to make an Easi-Pick selection in accordance with Rule 6 of these Rules.

'Game Administrator' means the Bloc member appointed from time to time to undertake predetermined duties and responsibilities in relation to the game.

'home team' means the team whose name is printed in the left hand column of the match list;

'home win' or 'win for home team' means a result where the home team has or is deemed to have scored more goals in the match than the away team;

'match list' means the list of matches published from time to time by the Game Administrator:

- (a) in respect of matches played in the Northern Hemisphere; or
- (b) in respect of matches played during the Australian Season or other matches played in the Southern Hemisphere;

containing a list of such number of matches exceeding 38 as is approved by the Bloc members;

'void match' means, a match in the match list not played as published in the match list or as declared by SA Lotteries.

3. *Ordinary Entry*

- 3.1. To create an ordinary entry, a player must forecast or cause to be forecast 6 numbers.
- 3.2. An ordinary entry will provide participation for the number of games selected and paid for in one (1) draw only.
- 3.3. The minimum number of games that must be completed will be two (2) or such number as otherwise determined by SA Lotteries.
- 3.4. There will be no limit to the maximum number of games that can be played, save that in any one draw:
- 3.4.1. SA Lotteries may decline to issue more than 1,000 entries to a player; and
- 3.4.2. a player can be issued with entries costing no more than \$99,999.00.
- 3.5. A player may request that an entry be issued in a draw to be conducted within 52 weeks or such lesser period as determined by SA Lotteries.
- 3.6. Subject to Rule 6, a player may enter a draw by:
- 3.6.1. submitting a coupon provided for that purpose from time to time by SA Lotteries, together with an Easiplay Club membership card if applicable; or
- 3.6.2. making a verbal or electronic request at the selling point, together with providing an Easiplay Club membership card if applicable.
- 3.7. In the case of a coupon,
- 3.7.1. a player's forecast must be marked by hand with a cross mark in the centre of the square, a vertical mark in the centre of the square or such other mark as SA Lotteries determines. All marks on a coupon must be legible and if a coupon cannot be read by a selling point terminal, it will be rejected. No other mark will be accepted. A coupon must not be marked in red.
- 3.7.2. the 'system' box must be left blank.
- 3.7.3. a player who marks a 'top up games' box will be taken to have authorised the selling point operator to generate a random forecast of a sufficient quantity of numbers to complete the game, the coupon or the nominated number of games, as the case may be.
- 3.7.4. if a player marks more than the specified number of squares in any game, a ticket will not issue until the player has either nominated the number(s) to be deleted or nominated a system entry. The player may be required to complete another coupon.
- 3.7.5. if a player marks fewer than the specified number of squares in any game and does not mark the relevant 'top up games' box, a ticket will not issue until the player has either nominated the number(s) to be added or nominated a top up games entry or a system entry.

4. *Multi-Week Entry*

- 4.1. A player may enter their number forecasts for a series of consecutive draws by marking the appropriate square in the 'weeks' box on a coupon or by verbally or electronically requesting such an entry at the selling point. The number of consecutive draws that may be entered in this way is up to 52 weeks or such lesser period as determined by SA Lotteries.
- 4.2. The Rules governing ordinary entries will apply to every multi-week entry.

5. *System Entry*

- 5.1. A player may create a system entry by forecasting or causing to be forecast 4, 5 or from 7 to 20 numbers, rather than the 6 to be forecast in the case of an ordinary entry.
- 5.2. In the case of a coupon, a system entry must be completed by marking the 'system' box and forecasting or causing to be forecast the quantity of numbers corresponding to the system to be entered by the player. (Thus, to play system 7, 7 numbers are forecast; to play system 8, 8 numbers are forecast and so on to a maximum of 20 numbers forecast to play a system 20 entry.) In all other instances, a system entry is created by verbally or electronically requesting such an entry at the selling point. Ordinary and system entry participation will not be accepted if completed on the same coupon and only one system entry type can be played on the one coupon.
- 5.3. In the case of a coupon, if more numbers are marked in a game than the requested system requires, a ticket will not issue until the player has nominated the number(s) to be deleted. If fewer numbers are marked in a game than the requested system requires and the relevant 'top up games' box is not marked a ticket will not issue until the player has either nominated the number(s) to be added or selected a top up entry.
- 5.4. Systems 4 and 5 are system entries in which the quantity of numbers forecast is less than 6 numbers.
- 5.5. A system 4 or 5 entry will be equivalent to playing a certain number of separate games of 6 numbers as determined by the following formula:
- $$\frac{(38 - S)!}{32! \times (6 - S)!} \quad (\text{where } S = \text{system number}).$$
- 5.6. A player who seeks to participate in a system 4 entry must forecast or cause to be forecast any 4 numbers. These 4 numbers will be combined with all combinations of 2 numbers from the remaining unselected numbers. This system entry will be equivalent to playing 561 games of 6 numbers.
- 5.7. A player who seeks to participate in a system 5 entry must forecast or cause to be forecast any 5 numbers. These 5 numbers will be combined with each of the remaining unforecast numbers in turn. This system entry will be equivalent to playing 33 games of 6 numbers.
- 5.8. A player who seeks to participate in a system 7 to 20 entry inclusive must forecast or cause to be forecast the quantity of numbers according to the system number to be played. These numbers will be combined with one another in all possible combinations of 6 numbers. This system entry will be equivalent to playing a certain number of separate games of 6 numbers as determined by the following formula:
- $$\frac{S!}{6! \times (S - 6)!} \quad (\text{where } S = \text{system number})$$
- 5.9. Subject to Rule 3.4., a player may enter up to 18 games of the same type of system entry on the one coupon or such other number as SA Lotteries determines.
- 5.10. A system entry may be entered for multi-week participation, in which case the Rules relating to multi-week and Easi-Pick entries will also apply, as appropriate.
- 5.11. The price of a system entry will be as determined by SA Lotteries from time to time.

6. *Easi-Pick Entry*

- 6.1. A player can play by means of an Easi-Pick nomination at the selling point whereby the selling point terminal will process the information nominated by the player to generate a forecast of the type nominated by the player. Such entries will be limited to such number of games for an ordinary entry and, subject to Rule 3.4, such number of the same type of system entry as SA Lotteries determines.

- 6.2. When using a coupon, Easi-Pick entries can be played by marking the appropriate 'top up games' box or the 'top up selection' box and will be limited to 2 to 18, 25 or 36 games (of 6 numbers) for an ordinary entry and subject to Rule 3.4, such number of the same type of system entry as SA Lotteries determines.
 - 6.3. The Easi-Pick forecast will be generated by the selling point terminal, and the generated selections will be deemed to be those selections nominated by the player as if they were marked on a coupon by the player in accordance with these Rules.
7. *Determination of Winning Numbers*
- 7.1. Each draw will be identified by a number.
 - 7.2. Subject to Rule 7.5, each number in a panel on a coupon for The Pools will represent the match with the same number as depicted on the match list, notwithstanding that there are fewer numbers in a panel on a coupon than appear on the match list.
 - 7.3. The match list will be published by the Game Administrator and will be available to players on SA Lotteries' website, the website of the internet sales operator and at selling points.
 - 7.4. To determine the 6 winning match numbers and the supplementary match number the result of matches represented by the numbers in a game will be deemed to have an order of rank depending on the results of those matches in accordance with Rules 7.4.1. to 7.4.5. (but having regard to Rules 7.4.6 and 7.4.7.). For the purposes of Rule 7.9 the 6 highest ranked numbered matches will be the 6 winning match numbers and the 7th highest ranked numbered match will be the supplementary match number.
 - 7.4.1. score draw - This is a match in which both teams score an equal number of goals. Score draws will be ranked higher than any other result. Score draws are ranked from highest to lowest based on the total number of goals scored.
 - 7.4.2. nil score draw – This is a match in which no goals are scored. All nil score draws will be ranked equally and will be ranked higher than wins for away teams or wins for home teams.
 - 7.4.3. win for away team – This is a match in which the away team scores more goals than the home team. All wins for away teams will be ranked higher than wins for home teams. Away team wins with a smaller goal difference will be ranked higher than away team wins with greater goal differences. If 2 or more away team wins have the same goal difference, away team wins where more goals are scored will be ranked higher than away team wins where fewer goals are scored.
 - 7.4.4. win for home team – This is a match in which the home team scores more goals than the away team. Home team wins with a smaller goal difference will be ranked higher than home team wins with a greater goal difference. If 2 or more home team wins have the same goal difference home team wins where more goals are scored will be ranked higher than home team wins where fewer goals are scored.
 - 7.4.5. if two or more numbered matches in a game are or are deemed to be of equal rank in accordance with Rules 7.4.1., 7.4.2., 7.4.3. and 7.4.4. any such match printed with a higher match number on the match list will be ranked higher than any such match printed with a lower number on the match list (subject to Rules 7.5. and 7.6.).
 - 7.4.6. a reference in Rules 7.4.3. and 7.4.4. to 'more goals' or 'fewer goals' refers to the total number of goals scored by both teams in a match result.
 - 7.4.7. if there are insufficient results in accordance with Rule 7.4.1. to determine the 6 winning match numbers and the supplementary match number, the results in accordance with Rule 7.4.2. will be taken into account. If there are still insufficient results, the results in accordance with Rule 7.4.3 will be taken into account. If there are still insufficient results,

the results in accordance with Rule 7.4.4 will be taken into account. If there are still insufficient results then a barrel draw shall be conducted in accordance with Rule 7.7.

- 7.5. If any results determined in accordance with Rule 7.4 is determined a void match, the result of that void match will be deemed to be the result of the first numbered match (not being a void match) on the match list from number 39 and onwards, the second such void match will be deemed to be the result of the second numbered match (not being a void match) on the match list from number 39 and onwards, and so on in ascending numerical sequence for each such void match until such time as a sufficient number of results are determined.
- 7.6. Notwithstanding that one or more of the matches as published on the match list is not played, the results of matches so printed on the match list will, subject to Rule 7.5., be the results adopted.
- 7.7. In the event that there are insufficient matches played to determine the 6 winning match numbers and the supplementary match number or the use of some matches in determining the 6 winning match numbers and the supplementary match number is precluded for any other reason then;
 - 7.7.1. a barrel draw shall be conducted at the earliest opportunity;
 - 7.7.2. the barrel draw will be supervised by the appropriate representatives for the State in which the draw is conducted;
 - 7.7.3. the balls to be used shall be numbered from 1 to 38;
 - 7.7.4. the balls for numbers already determined in accordance with Rule 7.4 shall be removed as already selected;
 - 7.7.5. the barrel draw shall be conducted with the remaining balls;
 - 7.7.6. each appropriate representative supervising the draw will record the numbers drawn, in drawn order; and
 - 7.7.7. the numbers so drawn shall be included with the numbers already determined in accordance with Rule 7.4, in drawn order sequence, until 6 winning match numbers and a supplementary match number are determined.
- 7.8. There will be 5 prize winning divisions in each competition:
 - Division 1 — player(s) who correctly forecast the 6 winning numbers in any one game.
 - Division 2 — player(s) who correctly forecast any 5 of the 6 winning numbers and the supplementary number in any one game.
 - Division 3 — player(s) who correctly forecast any 5 of the 6 winning numbers in any one game.
 - Division 4 — player(s) who correctly forecast any 4 of the 6 winning numbers in any one game.
 - Division 5 — player(s) who correctly forecast any 3 of the 6 winning numbers and the supplementary number in any one game.
8. *Prize Pool Allocation*
 - 8.1. Only one prize can be won by any one ordinary entry in a game.
 - 8.2. 50% of the total entry fees received for each draw (or such greater amount as SA Lotteries determines) will be allocated as the prize pool.
 - 8.3. SA Lotteries will pay the percentage referred to in Rule 8.2 into an aggregate prize pool to which each of the Bloc members must contribute the same percentage of the total entry fees received by them.

- 8.4. The prize money allocated to each division will be apportioned in equal shares between the winners in that division.
- 8.5. If there is no winner in any of Divisions 2, 3 or 4 of any draw, the prize pool allocated to that division will be added to the prize money allocated to the next lower division in which there is a winner.
- 8.6. If the prize payable to a winner in Divisions 2, 3 or 4 of any draw is less than the prize payable to a winner in any lower division, the prize pool for that division and all lower divisions will be aggregated and divided equally between all the winners in all the divisions for which prize pools were aggregated.
9. *Prize Structure*
- 9.1. The total prize pool will be distributed between the prize divisions in accordance with the determination of SA Lotteries, after consultation with the Bloc members.
- 9.2. Any variation to the prize divisions or the prize pool distributions between the prize divisions, as determined by SA Lotteries, will be advised to players by way of SA Lotteries' website and at all selling points, at least fourteen (14) days prior to their operational date.
- 9.3. Notwithstanding any other Rule, SA Lotteries may, at its discretion round out the amount of any prize other than a Division 1 prize to the nearest five cents above or below the actual prize otherwise payable. The resulting surplus or deficit will be added to or deducted from the Prize Reserve Fund.
10. *Prize Reserve Fund*
- 10.1. From time to time, SA Lotteries may set aside a proportion of the total amount received from entry fees to any draw and, in respect of that draw, the distribution of prizes will be reduced pro rata in all prize winning divisions. The amount set aside will be accumulated by SA Lotteries to constitute a pool called the Prize Reserve Fund.
- 10.2. The Prize Reserve Fund will be applied from time to time for or towards the payment of any of the following:
- 10.2.1. prizes in respect of missed prize entries for lotteries conducted by SA Lotteries;
- 10.2.2. additional or increased prizes in subsequent lotteries conducted by SA Lotteries;
- in such amount(s) and to such player(s) as SA Lotteries in its absolute discretion determines.
- 10.3. The amounts to be set aside and the amounts to be distributed must be agreed with the Bloc members.
- 10.4. In the event that the game of The Pools is replaced, enhanced, renamed or otherwise varied, the Prize Reserve Fund as constituted by this Rule 10 shall be assigned to the game replacing, enhancing, renaming or otherwise varying the game of The Pools.
11. *Jackpots*
- 11.1. If there is no Division 1 prize winner, that portion of the prize pool that would have been payable to a single Division 1 winner in that draw will be added to or jackpotted with the Division 1 prize money in the next draw. The jackpotting will continue until there is a Division 1 winner.
- 11.2. If SA Lotteries guarantees a minimum prize payout in Division 1 of any draw, the amount by which SA Lotteries has augmented the portion of the prize pool allocated to Division 1 in that draw will not be taken into account in determining the amount of any jackpot subsequently paid in respect of that division.

12. *Publication of Results*

- 12.1. SA Lotteries will publish the results of each draw as soon as practicable after their determination.
- 12.2. The information published may include:
 - 12.2.1. the winning numbers;
 - 12.2.2. the amount of the prize pool allocated to each division;
 - 12.2.3. the number of prize winners or provisional prize winners in each division;
 - 12.2.4. the value or provisional value of each prize in each division;
 - 12.2.5. the dates when prizes will be paid;
 - 12.2.6. the date the claim period expires; and
 - 12.2.7. the estimated prize pool for the next draw.

13. *Ticket Checkers*

- 13.1. Ticket checkers are located at all selling points except an internet site and are linked to the central computer system via the selling point terminal.
- 13.2. A player can obtain the prize status of a printed ticket by inserting the bar code at the top of each ticket into the scanning device.
- 13.3. A prize winning ticket must be identified by the central computer system as a prize winning ticket before payment of the prize is made.

14. *Prize Claims*

- 14.1. In the case of Division 1 and 2 prizes:
 - 14.1.1. prize money will be distributed after the claim period has elapsed;
 - 14.1.2. claims lodged within the claim period and determined by the central computer system to be prize winning tickets and any tickets subsequently identified as prize winning tickets will share equally in the prize pool available to winners in their respective divisions;
 - 14.1.3. any player who claims to be entitled to a prize won on a printed ticket must lodge a claim at SA Lotteries Head Office; and
 - 14.1.4. prizes payable on an electronic ticket will be paid electronically in accordance with the terms upon which the electronic ticket was issued, following the elapsing of the claim period.
- 14.2. In the case of prizes other than Division 1 and 2 prizes:
 - 14.2.1. prize money will be paid as soon as practicable after determination of the results of the draw, either at SA Lotteries Head Office or an Agent's place of business upon presentation of the printed ticket, or as otherwise determined by SA Lotteries, subject to these Rules;
 - 14.2.2. prizes payable on an electronic ticket will be paid electronically in accordance with the terms upon which the electronic ticket was issued, as soon as practicable after the draw; and
 - 14.2.3. if a printed or electronic ticket includes a game that has won a prize in Division 3 or a lower division in addition to a Division 1 or 2 prize the lower division prize will not be paid until the Division 1 or 2 prize is payable.

- 14.3. Any player who claims to be entitled to a prize but:
- 14.3.1. whose ticket has not been identified by the central computer system as a prize winning ticket;
 - 14.3.2. considers that their ticket has been incorrectly evaluated; or
 - 14.3.3. has not obtained confirmation that their ticket has won a prize after its evaluation by the central computer system
- must lodge a claim with SA Lotteries in the case of a printed ticket and with the provider of the electronic ticket in the case of an electronic ticket.
- 14.4. A claim under Rule 14.1.3 or 14.3:
- 14.4.1. may be lodged with SA Lotteries either personally or by registered mail;
 - 14.4.2. must reach SA Lotteries within 12 months of the relevant day;
 - 14.4.3. must be accompanied by the printed ticket in respect of which the claim is made, clearly endorsed with the claimant's full name and address, and/or proof of purchase; and
 - 14.4.4. if posted, must be accompanied by a self-addressed envelope bearing the correct postage.
- 14.5. SA Lotteries:
- 14.5.1. will not be obliged to recognise any claim not identified as a prize winning ticket by the central computer system within 12 months of the relevant day; and
 - 14.5.2. may in its absolute discretion accept or refuse to accept a claim in whole or in part.

SCHEDULE

Date of operation of these Rules:

12 August 2012

STATE LOTTERIES ACT 1966
LOTTERIES (SUPER 66) RULES

1. *Preliminary*

- 1.1 These Rules may be cited as the Lotteries (Super 66) Amendment Rules, 2012 (No. 1).
- 1.2 The Lotteries (Super 66) Rules made under the State Lotteries Act 1966 and published in the *Government Gazette* on 20 May 2010 are hereinafter referred to as the "Principal Rules".
- 1.3 The Principal Rules are hereby amended effective from 12 August 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.

Dated 7 August 2012.

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

(L.S.) S. MACKENZIE, Commission Member
W. JACKSON, Commission Member

Approved,

P. CAICA, Acting Minister for Finance

STATE LOTTERIES ACT 1966

LOTTERIES (SUPER 66) RULES

*This consolidation includes amendments as at 12 August 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 (Super 66) Rules.
- 1.2. These Rules will come into operation on the date specified in the Schedule to these Rules.
- 1.3. These Rules are to be read in conjunction with and are subject to the Lotteries (General) Rules.
- 1.4. These Rules apply to the lottery known as 'Super 66'.

2. *Interpretation*

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

'Bloc members' means the parties from time to time to the Bloc Agreement entered into by SA Lotteries with other lottery operators for the promotion, conduct and sale of tickets in the game of Super 66 on a joint basis with a common winning number determination and a declaration of common dividends based on the equal participation of all players in the aggregated prize pool;

'claim period' means the period commencing at midnight on the day of determination of the draw results ("relevant day") and ending at the close of business on the 14th day thereafter. If the 14th day is a Saturday, Sunday or public holiday the claim period will end at SA Lotteries' close of business on the immediately succeeding business day;

'drawing equipment' means equipment operated by the Bloc members for ascertaining the winning numbers;

'Easi-Pick entry' means a nomination made by a player indicating that the player wishes to make an Easi-Pick selection in accordance with Rule 6 of these Rules.

'Super 66' means a lottery drawn at such intervals as the Bloc members determine in which a player is required to forecast a 6 digit number and the result is determined by the degree of concurrence of that number with a 6 digit number in the range 000000 to 999999 inclusive.

3. *Ordinary Entry*

- 3.1. To create an ordinary entry, a player must forecast or cause to be forecast a 6 digit number.
- 3.2. An ordinary entry will provide participation for the number of games selected and paid for in one (1) draw only.
- 3.3. The minimum number of games that must be completed will be one (1) or such number as otherwise determined by SA Lotteries.
- 3.4. There will be no limit to the maximum number of games that can be played, save that in any one draw:
 - 3.4.1. SA Lotteries may decline to issue more than 1,000 entries to a player; and
 - 3.4.2. a player can be issued with entries costing no more than \$99,999.00.
- 3.5. Subject to Rule 3.6, a player may request that an entry be issued in a draw to be conducted within 52 weeks or such lesser period as determined by SA Lotteries.
- 3.6. When played in conjunction with Saturday X Lotto, Monday and Wednesday X Lotto, Powerball, Oz Lotto and The Pools, a player may request a Super 66 Easi-Pick entry by:
 - 3.6.1. marking the 'Super 66' box on a coupon; or
 - 3.6.2. verbally requesting the required number of games when making a request for entry in another lottery.

- 3.7. When not played in conjunction with another lottery, a player may request a Super 66 entry by:
 - 3.7.1. submitting a coupon provided for that purpose by SA Lotteries; or
 - 3.7.2. making a verbal or electronic request at the selling point terminal.
- 3.8. In the case of a coupon:
 - 3.8.1. a player's forecast must be marked by hand with a cross mark in the centre of the square, a vertical mark in the centre of the square or by such other mark as SA Lotteries determines. All marks on a coupon must be legible and if a coupon cannot be read by a selling point terminal, it will be rejected. No other mark will be accepted. A coupon must not be marked in red.
 - 3.8.2. a player who marks a 'top up games' box will be taken to have authorised the selling point terminal operator to generate a random forecast of a sufficient quantity of numbers to complete the game, the coupon or the nominated number of games, as the case may be.
 - 3.8.3. if a player marks more than the specified number of squares in any game, a ticket will not issue until the player has nominated the number(s) to be deleted. The player may be required to complete another coupon.
 - 3.8.4. if a player marks fewer than the specified number of squares in any game and does not mark the relevant 'top up games' box, a ticket will not issue until the player has either nominated the number(s) to be added or nominated a top up games entry.
4. *Multi-Week Entry*
 - 4.1. A player may enter their number forecasts for a series of consecutive draws by marking the appropriate square in the "weeks" box on a coupon or by verbally or electronically requesting such an entry at the selling point. The number of consecutive draws that may be entered in this way is up to 52 weeks or such lesser period as determined by SA Lotteries.
 - 4.2. When played in conjunction with a multi week entry in another lottery, a Super 66 entry will be placed in the corresponding weekly draw for which the other lottery has been entered.
 - 4.3. The Rules governing ordinary entries will apply to every multi-week entry.
5. *Easi-Pick Entry*
 - 5.1. A player can play by means of an Easi-Pick nomination at the selling point whereby the selling point terminal will process the information nominated by the player to generate a forecast of the type nominated by the player. Such entries will be limited to a minimum of such number of games for an ordinary entry, subject to Rule 3.4.
 - 5.2. When using a coupon, Easi-Pick entries can be played by marking the appropriate 'top up games' box or the 'top up selection' box and will be limited to 1 to 9, 14, 25 or 36 games (of 6 digits) for an ordinary entry, or such other number as SA Lotteries determines.
 - 5.3. The Easi-Pick forecast will be generated by the selling point terminal, and the generated selections will be deemed to be those selections nominated by the player as if they were marked on a coupon by the player in accordance with these Rules.
6. *Determination of Winning Number*
 - 6.1. Each draw will be identified by a number.
 - 6.2. Each draw will be conducted using drawing equipment determined by the Bloc members.
 - 6.3. For each draw, the Bloc members will cause a series of 6 numbered balls to be drawn from the drawing equipment. The winning number so determined will be in the range from 000000 to

999999 inclusive.

6.4. There will be 5 winning divisions in each draw as follows:

Division 1 — player(s) who correctly forecast the 6 digit number identical to and in the same sequence as the 6 digit number drawn for that draw.

Division 2 — player(s) who correctly forecast:

6.4.1. the first 5 digits of the number identical to and in the same sequence as the first 5 digits of the 6 digit number drawn for that draw; or

6.4.2. the last 5 digits of the number identical to and in the same sequence as the last 5 digits of the 6 digit number drawn for that draw.

Division 3 — player(s) who correctly forecast:

6.4.3. the first 4 digits of the number identical to and in the same sequence as the first 4 digits of the 6 digit number drawn for that draw; or

6.4.4. the last 4 digits of the number identical to and in the same sequence as the last 4 digits of the 6 digit number drawn for that draw.

Division 4 — player(s) who correctly forecast:

6.4.5. the first 3 digits of the number identical to and in the same sequence as the first 3 digits of the 6 digit number drawn for that draw; or

6.4.6. the last 3 digits of the number identical to and in the same sequence as the last 3 digits of the 6 digit number drawn for that draw.

Division 5 — player(s) who correctly forecast

6.4.7. the first 2 digits of the number identical to and in the same sequence as the first 2 digits of the 6 digit number drawn for that draw; or

6.4.8. the last 2 digits of the number identical to and in the same sequence as the last 2 digits of the 6 digit number drawn for that draw.

7. *Supervision of Draw*

7.1. The selection of winning numbers will be conducted in such manner as agreed by the Bloc members and

7.1.1. will be supervised by the appropriate representatives for the State in which the draw is conducted; and

7.1.2. will be final for the purpose of determining the prize winners in that draw.

8. *Prize Pool Allocation*

8.1. Only one prize can be won by any one 6 digit number selection. If a 6 digit number selection satisfies the criteria for a prize in more than one division, only the prize in the highest of those divisions will be payable.

8.2. 60% of the total entry fees received for each draw (or such greater amount as SA Lotteries determines) will be allocated as the prize pool.

8.3. SA Lotteries will pay the percentage referred to in Rule 8.2 into an aggregate prize pool to which each of the Bloc members must contribute the same percentage of the total entry fees received by them.

8.4. The total amount of the prize pool will be declared prior to each draw.

9. *Prize Structure*

9.1. Subject to Rules 9.2 and 11.2, the following prizes will be payable:

Division 1—\$16,666 per prize, subject to Rule 11.

Division 2—\$6,666 per prize.

Division 3—\$666 per prize.

Division 4—\$66 per prize.

Division 5—\$6.60 per prize.

9.2. After the prize pool has been allocated amongst the winners in all divisions:

9.2.1. if there is any amount remaining, that amount will be apportioned equally between the winner(s) in Division 1;

9.2.2. if the prize pool is insufficient to pay each winner in each division the prize specified in Rule 9.1, the prize pool will be augmented from the Prize Reserve Fund by the amount of the deficiency.

10. *Prize Reserve Fund*

10.1 From time to time, SA Lotteries may set aside a proportion of the total amount received from entry fees to any draw and, in respect of that draw, the distribution of prizes will be reduced *pro rata* in all prize winning divisions. The amount set aside will be accumulated by SA Lotteries to constitute a pool called the Prize Reserve Fund.

10.2. The Prize Reserve Fund will be applied from time to time for or towards the payment of any of the following:

10.2.1. prizes in respect of missed prize entries for lotteries conducted by SA Lotteries;

10.2.2. additional or increased prizes in subsequent lotteries conducted by SA Lotteries;

in such amount(s) and to such player(s) as SA Lotteries in its absolute discretion determines.

10.3. The amounts to be set aside and the amounts to be distributed must be agreed with the Bloc members.

10.4. In the event that the game of Super 66 is replaced, enhanced, renamed or otherwise varied, the Prize Reserve Fund as constituted by this Rule 10 shall be assigned to the game replacing, enhancing, renaming or otherwise varying the game of Super 66.

11. *Jackpots*

11.1. If there is no Division 1 prize winner, that portion of the prize pool that would have been payable to a single Division 1 winner in that draw will be added to or jackpotted with the Division 1 prize money in the next draw. This jackpotting will continue for no more than 25 consecutive draws. If there is no Division 1 prize winner in the next (or 26th) consecutive draw, the total amount of the jackpot and the Division 1 prize that would have been payable to a single winner in that 26th draw will be added to the prize money allocated to the next lower division in which there is a winner.

11.2 (a) If SA Lotteries guarantees a minimum prize payout in Division 1 of a super draw and the prize is not won, the amount by which SA Lotteries has augmented the prize pool allocated to Division 1 in that super draw will not be taken into account in determining the amount of any subsequent jackpot paid in respect of a Division 1 prize.

- (b) For the purpose of this Rule, SA Lotteries may from time to time declare a draw to be a super draw and fix a minimum guaranteed Division 1 prize pool for that draw.
- (c) If the prize pool is insufficient to pay the jackpot under this Rule, the amount of the deficit will be paid from the Prize Reserve Fund.

12. *Publication of Results*

- 12.1. SA Lotteries will publish the results of each draw as soon as practicable after each draw.
- 12.2. The information published may include:
 - 12.2.1. the winning numbers;
 - 12.2.2. the amount of the prize pool allocated to each division;
 - 12.2.3. the number of prize winners or provisional prize winners in each division;
 - 12.2.4. the value or provisional value of each prize in each division;
 - 12.2.5. the dates when prizes will be paid;
 - 12.2.6. the date the claim period expires; and
 - 12.2.7. the guaranteed or estimated Division 1 prize pool in the next draw.

13. *Ticket Checkers*

- 13.1. Ticket checkers are located at all selling points except an internet site and are linked to the central computer system via the selling point terminal.
- 13.2. A player can obtain the prize status of a printed ticket by inserting the bar code at the top of each printed ticket into the scanning device.
- 13.3. A prize winning ticket must be identified by the central computer system as a prize winning ticket before payment of the prize is made.

14. *Prize Claims*

- 14.1. In the case of Division 1 and 2 prizes:
 - 14.1.1. prize money will be distributed after the claim period has elapsed;
 - 14.1.2. claims lodged within the claim period and determined by the central computer system to be prize winning tickets and any tickets subsequently identified as prize winning tickets will be paid the prize in accordance with Rule 9;
 - 14.1.3. any player who claims to be entitled to a prize won on a printed ticket must lodge a claim at SA Lotteries Head Office; and
 - 14.1.4. prizes payable on an electronic ticket will be paid electronically in accordance with the terms upon which the electronic ticket was issued, following the elapsing of the claim period.
- 14.2. In the case of prizes other than Division 1 and 2 prizes:
 - 14.2.1. prize money will be paid as soon as practicable after the draw either at SA Lotteries Head Office or an Agent's place of business upon presentation of the printed ticket or as otherwise determined by SA Lotteries, subject to these Rules;

- 14.2.2. prizes payable on an electronic ticket will be paid electronically in accordance with the terms upon which the electronic ticket was issued, as soon as practicable after the draw; and
- 14.2.3. if a printed or electronic ticket includes a game that has won a prize in Division 3 or a lower division in addition to a Division 1 or 2 prize, the lower division prize will not be paid until the Division 1 or 2 prize is payable.
- 14.3. Any player who claims to be entitled to a prize but:
- 14.3.1. whose ticket has not been identified by the central computer system as a prize winning ticket;
- 14.3.2. considers that their ticket has been incorrectly evaluated; or
- 14.3.3. has not obtained confirmation that their ticket has won a prize, after its evaluation by the central computer system
- must lodge a claim with SA Lotteries in the case of a printed ticket and with the provider of the electronic ticket in the case of an electronic ticket.
- 14.4. A claim under Rule 14.1.3 or 14.3:
- 14.4.1. may be lodged with SA Lotteries either personally or by registered mail;
- 14.4.2. must reach SA Lotteries within 12 months of the relevant day;
- 14.4.3. must be accompanied by the printed ticket in respect of which the claim is made, clearly endorsed with the claimant's full name and address, and/or proof of purchase; and
- 14.4.4. if posted, must be accompanied by a self-addressed envelope bearing the correct postage.
- 14.5. SA Lotteries:
- 14.5.1. will not be obliged to recognise any claim not identified as a prize winning ticket by the central computer system within 12 months of the relevant day; and
- 14.5.2. may in its absolute discretion accept or refuse to accept a claim in whole or in part.

SCHEDULE

Date of operation of these Rules:

12 August 2012

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|--|--------|--|--------|
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| Each Subsequent Name | 12.00 | Noxious Trade | 34.75 |
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South Australia

Administrative Arrangements (Transfer of Assets, Rights and Liabilities to Urban Renewal Authority) Proclamation 2012

under section 7 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Transfer of Assets, Rights and Liabilities to Urban Renewal Authority) Proclamation 2012*.

2—Commencement

This proclamation comes into operation on the day on which it is made.

3—Interpretation

In this proclamation—

Urban Renewal Authority means the Urban Renewal Authority established under the *Housing and Urban Development (Administrative Arrangements) Act 1995*.

4—Transfer of certain land

The land described in Schedule 1 (and any improvements on the land), being land held by the Minister for State Development, is transferred to the Urban Renewal Authority.

5—Transfer of certain assets, rights and liabilities

The assets, rights or liabilities of the Minister for State Development attributable to any contract or other instrument listed in Schedule 2, or attributable to any other contract or other instrument entered into or created for the purpose of supplementing, replacing, amending or novating any of the contracts or other instruments listed in that Schedule, are transferred to the Urban Renewal Authority.

Schedule 1—Description of land

Lots 46 and 47 in Filed Plan 5774

Lot 53 in Deposited Plan 84069

Schedule 2—Contracts and other instruments

| | Description of contract or other instrument | Date of execution |
|---|---|--------------------------|
| 1 | Contract made between the Minister for Economic Development and AC and MS Pty Ltd (trading as Adams Cleaning & Maintenance Technology Park Adelaide Cleaning) | 12 June 2010 |
| 2 | Agreement made between the Minister for Economic Development and Adelaide Metropolitan Security Pty Ltd for security services at Technology Park Adelaide | 12 November 2010 |
| 3 | Agreement made between the Minister for Economic Development and Architectural Hardware and Doors Pty Ltd to supply and install master key system and hardware at Innovation House Technology Park Adelaide | 13 January 2011 |

| | Description of contract or other instrument | Date of execution |
|----|---|---|
| 4 | Agreement made between Defence SA (as delegate of the Minister for Economic Development) and Australian Postal Corporation (Messenger Post Agreement) for collection of mail from Innovation House Technology Park Adelaide | 5 May 2010 |
| 5 | Licence agreement between the Minister for Economic Development and the Australian Rail Track Corporation Ltd relating to infrastructure within the Pelican Point Lefevre Peninsula Railway Corridor | No execution date but licence commencement date is 1 February 2011 |
| 6 | Agreement made between the Minister for Economic Development and Bardavcol Pty Ltd for Northern Lefevre Peninsula Osborne North Primary Headworks and Stage 1 Secondary Headworks | 9 November 2010 |
| 7 | Agreement made between the Minister for Economic Development and Bardavcol Pty Ltd for Techport Australia (Stages 3 and 4) and Osborne North Industrial Precinct Site Preparation Works | 4 March 2009 |
| 8 | Agreement made between the Minister for State Development and Bedford Group Inc (trading as Adelaide Property & Grounds) for the installation of new car park landscaping at Innovation House Technology Park Adelaide | 5 December 2011 |
| 9 | Agreement made between the Minister for Economic Development and Bedford Group Incorporated for Technology Park Adelaide Phase 1 development strategy & implementation options | 20 October 2010 |
| 10 | Agreement made between the Minister for Economic Development and CB Richard Ellis (V) Pty Ltd for property management services at Technology Park Adelaide | 1 April 2011 |
| 11 | Agreement made between the Minister for Economic Development and CB Richard Ellis (V) Pty Ltd relating to Osborne North and Techport Australia Agency | 12 August 2011 |
| 12 | Commercial property leasing agency agreement made between the Minister for Economic Development and CB Richard Ellis (V) Pty Ltd and Jones Lang LaSalle (SA) Pty Ltd relating to Endeavour House Agency Appointments | 25 August 2011 |
| 13 | Licence agreement between the Minister for Economic Development and City of Port Adelaide Enfield providing for the construction and 52 weeks maintenance work within Link Reserve | 19 October 2011 |
| 14 | Licence agreement made between the Minister for Economic Development and City of Port Adelaide Enfield relating to construction and 52 weeks maintenance within Mutton Cove Buffers | 19 October 2011 |
| 15 | Agreement made between the Minister for State Development and City of Port Adelaide Enfield for Port Direct signage | 14 February 2012 |
| 16 | Licence agreement made between the Minister for Economic Development and City of Salisbury for Technology Park Adelaide Car Park | 13 April 2011 |
| 17 | Agreement made between the Minister for Economic Development and Compliant Fire Services Pty Ltd for Technology Park Adelaide Phase 1 development strategy & implementation options | 15 October 2010 |
| 18 | Agreement made between the Minister for Economic Development and DML Constructions Pty Ltd for construction of Innovation House Car Park | 2 August 2011 |
| 19 | Agreement made between the Minister for Economic Development and Eco Pest Control Pty Ltd for Technology Park Adelaide Phase 1 development strategy & implementation options | 6 October 2010 |
| 20 | Agreement made between the Minister for State Development and Electronic Concepts Pty Ltd (trading as Pro AV Solutions) for provision of audiovisual equipment & installation services | 28 November 2011 |

| | Description of contract or other instrument | Date of execution |
|----|--|--------------------------|
| 21 | Agreement made between the Minister for State Development and ETSA Utilities for establishment of new electrical supply connection at Lot 2 Pelican Point Road Outer Harbour | 1 February 2012 |
| 22 | Offer Deed made between the Minister for Economic Development and ETSA Utilities to modify existing electricity assets at the corner of Victoria Road & Pelican Point Road, Osborne | 5 October 2011 |
| 23 | Agreement made between the Minister for Economic Development and First Five Minutes Pty Ltd for emergency response & training provider Innovation House | 25 November 2010 |
| 24 | Agreement made between the Minister for Economic Development and First Five Minutes Pty Ltd for emergency response & training provider Endeavour House | 25 November 2010 |
| 25 | Design Development Agreement (LCP Artists) made between the Minister for Defence Industries (as delegate of the Minister for Economic Development) and Gerry McMahon | 15 December 2011 |
| 26 | Agreement made between the Minister for State Development and Hastie Services Pty Ltd (trading as Spectrum Fire & Security) for Innovation House fire systems upgrade | 9 December 2011 |
| 27 | Agreement made between the Minister for Economic Development and JMB Project Management Pty Ltd for design management and technical advice and project management services for Northern Lefevre Peninsula Open Space Project Phase 4 detailed design and Phase 5 construction, Port Direct industrial sub-division and civil works and Techport Australia Blast and Paint Facility | 14 October 2011 |
| 28 | Agreement made between the Minister for Economic Development and Jones Lang LaSalle (SA) Pty Ltd for Osborne North and Techport Australia Agency | 12 August 2011 |
| 29 | Agreement made between the Minister for Economic Development and Landscape Construction Services Pty Ltd for Osborne North landscape construction works - Stage 1 | 29 July 2011 |
| 30 | Agreement made between the Minister for State Development and Landscape Construction Services Pty Ltd for Northern Lefevre Peninsula open space construction works | 15 February 2012 |
| 31 | Agreement made between the Minister for Economic Development and Land and Water Consulting Pty Ltd for consulting services | 6 June 2011 |
| 32 | License agreement made between the Minister for Economic Development and Nextgen Networks Pty Ltd for the use of the Pit & Pipe Network within Techport Australia | 17 February 2011 |
| 33 | Agreement made between the Minister for Economic Development and O'Donnell Griffin Pty Ltd for Technology Park Adelaide Phase 1 development strategy & implementation options | 21 October 2010 |
| 34 | Non-Disclosure Deed made between Defence SA (as delegate of the Minister for Economic Development) and Origin Energy Asset Management Ltd relating to Allotments 32 and 34 Veitch Road Osborne | 1 November 2007 |
| 35 | Agreement made between the Minister for Economic Development and Otis Elevator Company Pty Ltd for lift maintenance at Innovation House Technology Park | 18 June 2010 |
| 36 | Agreement made between the Minister for Defence Industries (as delegate of the Minister for Economic Development) and Sarah Constructions Pty Ltd for Innovation House common area upgrade | 14 November 2011 |
| 37 | Agreement made between the Minister for Economic Development and Soil & Ground Water Pty Ltd for ground and water monitoring, well decommissioning, replacement, Lots 4 & 5 Pelican Point Road, Outer Harbor | 7 December 2011 |

| Description of contract or other instrument | Date of execution |
|--|-------------------|
| 38 Agreement made between the Minister for State Development and the Partnership of Warwick McIntosh and Kym Smith (trading as Regal Display) for the provision of works, supply and installation of entrance sign to Innovation House, Mawson Lakes | 16 February 2012 |
| 39 Offer Deed made between the Minister for Economic Development and Tonkin Consulting Pty Ltd for Technology Park Adelaide car park design & contract administration fee | 7 February 2011 |
| 40 Agreement made between the Minister for Economic Development and Viterra Operations Ltd for access to site, stormwater discharge, Outer Harbor Grain Terminal | 28 February 2011 |
| 41 Licence agreement made between the Minister for Economic Development and Viterra Operations Ltd relating to Infrastructure within the Pelican Point Lefevre Peninsula Railway Corridor | 24 June 2011 |
| 42 Deed made between the Minister for Economic Development and Viterra Operations Ltd relating to stormwater discharge works at the Outer Harbour Grain Terminal | 24 June 2011 |
| 43 Agreement made between the Minister for Economic Development (as represented by Defence SA) and Westside Services (SA) Pty Ltd for Phase 1 development strategy & implementation options at Technology Park Adelaide | 8 October 2010 |
| 44 Bank guarantee (No G326177) relating to Techport Australia (Stages 3 and 4) and Osborne North Industrial Precinct site preparation works | |
| 45 Bank guarantee (No G326179) relating to Techport Australia (Stages 3 and 4) and Osborne North Industrial Precinct site preparation works | |
| 46 Bank guarantee (No G326181) relating to Techport Australia (Stages 3 and 4) and Osborne North Industrial Precinct site preparation works | |
| 47 Bank guarantee (No G326182) relating to Techport Australia (Stages 3 and 4) and Osborne North Industrial Precinct site preparation works | |
| 48 Bank guarantee (No G352975) relating to Techport Australia (Stages 3 and 4) and Osborne North Industrial Precinct site preparation works | |
| 49 Bank guarantee (No DG123933095) relating to Innovation House fire systems upgrade | |
| 50 Bank guarantee (No G392835) relating to Osborne North Landscape Construction Works - Stage 1 | |
| 51 Bank guarantee (No G407278) relating to Northern Lefevre Peninsula Open Space Project | |
| 52 Bank guarantee (No G407275) relating to Northern Lefevre Peninsula Open Space Project | |
| 53 Bank guarantee (No G407254) relating to Northern Lefevre Peninsula Open Space Project | |
| 54 Bank guarantee (No G407263) relating to Northern Lefevre Peninsula Open Space Project | |
| 55 Bank guarantee (No G407257) relating to Northern Lefevre Peninsula Open Space Project | |
| 56 Bank guarantee (No G407274) relating to Northern Lefevre Peninsula Open Space Project | |
| 57 Bank guarantee (No G407279) relating to Northern Lefevre Peninsula Open Space Project | |
| 58 Bank guarantee (No G407255) relating to Northern Lefevre Peninsula Open Space Project | |

| | Description of contract or other instrument | Date of execution |
|----|---|--------------------------|
| 59 | Bank guarantee (No G407264) relating to Northern Lefevre Peninsula Open Space Project | |
| 60 | Bank guarantee (No G407258) relating to Northern Lefevre Peninsula Open Space Project | |
| 61 | Encumbrance No 9534488 on allotment 100 of Deposited Plan 57826 | |
| 62 | Encumbrance No 10249222 on allotment 302 of Deposited Plan 69574 | |
| 63 | Encumbrance Nos 10424756 and 11149060 on allotment 303 of Deposited Plan 69574 | |
| 64 | Encumbrance No 9424242A on allotments 402 and 403 of Deposited Plan 88812 | |
| 65 | Encumbrance No 11002591 on allotment 1 of Deposited Plan 63312 | |
| 66 | Encumbrance No 9392668 on allotment 128 of Deposited Plan 17917 | |
| 67 | Encumbrance No 6320443 on allotment 140 of Deposited Plan 17920 | |
| 68 | Encumbrance No 10632497 on allotment 414 of Deposited Plan 63605 | |
| 69 | Encumbrance No 10505089 on pieces 1 and 5 of Community Plan 22156 | |
| 70 | Encumbrance No 11543098 on pieces 2 and 6 of Community Plan 22156 | |
| 71 | Encumbrance No 11480351 on pieces 3 and 7 of Community Plan 22156 | |
| 72 | Encumbrance No 10223182 on pieces 4 and 8 of Community Plan 22156 | |
| 73 | Encumbrance No 10683420 on allotment 1 of Deposited Plan 75119 | |
| 74 | Encumbrance No 10505090 on allotment 407 of Deposited Plan 63605 | |
| 75 | Encumbrance No 9804481 on allotment 420 of Deposited Plan 62044 | |
| 76 | Encumbrance No 11145207 on allotment 419 of Deposited Plan 62044 | |
| 77 | Encumbrance No 10858434 on allotment 418 of Deposited Plan 63605 | |
| 78 | Encumbrance No 11593331 on allotment 200 of Deposited Plan 87141 | |
| 79 | Encumbrance No 10607262 on allotment 411 of Deposited Plan 63605 | |
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Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 16 August 2012

DSA2012/01CS

South Australia

Animal Welfare Regulations 2012

under the *Animal Welfare Act 1985*

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-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Animal Welfare Regulations 2012*.

2—Commencement

- (1) Subject to subregulation (2), these regulations come into operation on the day on which they are made.
- (2) Regulation 32(3)(d)(ii) will come into operation on 20 April 2017.

3—Interpretation

- (1) In these regulations—

Act means the *Animal Welfare Act 1985*;

alpaca means an animal of the genus *Vicugna*;

animal ethics committee means an animal ethics committee established under section 23 of the Act;

bobby calf means a calf of the genus *Bos* that—

- (a) is less than 30 days old; and
- (b) is not accompanied by its mother;

buffalo means an animal of the genus *Bubalus*, and includes an animal that is a hybrid of a buffalo;

camel means an animal of the species *Camelus dromedarius*;

cattle means an animal of the genus *Bos*;

deer means an animal of the family *Cervidae*, and includes an animal that is a hybrid of a deer;

domestic fowl means an animal of the species *Gallus gallus domesticus*;

duck or *goose* means an animal of the family *Anatidae*;

emu means an animal of the species *Dromaius novae-hollandiae*;

goat means an animal of the genus *Capra*;

guinea fowl means an animal of the species *Numida meleagris*;

llama means an animal of the genus *Lama*;

NVR registered training organisation means an NVR registered training organisation under the *National Vocational Education and Training Regulator Act 2011* of the Commonwealth;

ostrich means an animal of the species *Struthio camelus*;

partridge or *pheasant* means an animal of the family *Phasianidae*;

pig means an animal of the genus *Sus*;

pigeon means an animal of the species *Columba livia*;

poultry means domestic fowl, ducks, geese, guinea fowl, partridges, pheasants, pigeons, quails or turkeys;

quail means an animal of the species *Coturnix japonica*;

reasonable access to water—an animal will be taken to have reasonable access to water if the animal is given a reasonable opportunity to drink water of a suitable quality and quantity sufficient to maintain the animal's hydration;

sheep means an animal of the genus *Ovis*;

turkey means an animal of the species *Meleagris gallopavo*.

- (2) For the purposes of these regulations, a reference to the **weight** of an animal is a reference to the live weight of that animal.

4—Inspectors

- (1) For the purposes of the definition of **qualified person** in section 28 of the Act, the following training is prescribed:
- (a) a course of basic training for inspectors provided, from time to time, by the Minister;
 - (b) a course of training that would, in the opinion of the Minister, qualify a person to be appointed as a police officer of the Commonwealth or a State or Territory of the Commonwealth;
 - (c) a course of training approved by the Minister provided by—
 - (i) the Royal Society for the Prevention of Cruelty to Animals (South Australia) (**RSPCA**) or an organisation corresponding to the RSPCA in another State or a Territory of the Commonwealth; or
 - (ii) a public sector agency of the Commonwealth or a State or Territory of the Commonwealth; or
 - (iii) an NVR registered training organisation.
- (2) An inspector is authorised to give expiation notices for an alleged offence against the Act or these regulations.

5—Codes of practice

- (1) A person described in an entry in Schedule 2 must, in carrying out an activity described in that entry, ensure compliance with the code of practice and any modifications specified in the entry.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) For the purposes of section 43 of the Act, each of the codes of practice specified in Schedule 2 is a prescribed code of practice.

Part 2—Animal welfare offences

6—Ill treatment of animals

- (1) For the purposes of section 13 of the Act, a person ill treats an animal if—
- (a) except where a veterinary surgeon has certified in writing that any of the following procedures is necessary for the control of disease—the person—
 - (i) surgically reduces the ability of an animal to produce a vocal sound; or
 - (ii) docks the tail of a dog; or
 - (iii) crops an animal's ear; or

- (iv) docks or nicks a horse's tail or docks the tail of cattle or buffalo; or
- (b) the person—
 - (i) traps an animal in a trap that has been set in contravention of regulation 9; or
 - (ii) catches a bird by using a gel that has been applied in contravention of regulation 10.
- (2) However, a person who is a veterinary surgeon may—
 - (a) surgically reduce the ability of an animal to produce a vocal sound if satisfied that—
 - (i) the procedure is required for therapeutic purposes; or
 - (ii) there is no other reasonably practicable means of preventing the animal from causing a nuisance by creating noise; or
 - (b) if satisfied the procedure is required for therapeutic purposes—
 - (i) dock a dog's tail; or
 - (ii) dock, or authorise another person to dock, the tail of cattle; or
 - (c) if satisfied the procedure is required for therapeutic purposes, crop an animal's ear.

7—Use of electroimmobilisers

- (1) For the purposes of section 15 of the Act, a person must not apply an electroimmobiliser to an animal unless—
 - (a) the animal is a class 1, class 2, class 3 or class 4 animal; and
 - (b) the electroimmobiliser is a device of a kind approved by the Minister as an authorised electroimmobiliser under this regulation; and
 - (c) the electroimmobiliser is used only for the purpose of restraining the animal for as short a time as is practicable while a routine husbandry procedure is carried out on the animal; and
 - (d) —
 - (i) the person using the electroimmobiliser is the holder of a certificate issued under this regulation for the relevant class of animal or is acting under the direct supervision of a person who holds such a certificate; or
 - (ii) the electroimmobiliser was acquired before 11 July 1996 by the person using it or by the person under whose direct supervision it is being used.
- (2) Subregulation (1) does not apply to a person who is using an electroimmobiliser for the purposes of carrying out research into the use of electroimmobilisers as part of a research program approved by an animal ethics committee, if that person is the holder of a certificate issued under this regulation (for any class of animal) or is acting under the direct supervision of a person who holds such a certificate.
- (3) If a person sells, leases, hires out, gives or lends an electroimmobiliser to another person without that other person first producing an apparently genuine certificate issued in his or her name under this regulation, each party to the transaction is guilty of an offence.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (4) For the purposes of this regulation, the Minister may—
- (a) on the recommendation of the Animal Welfare Advisory Committee—approve a device of a specified kind as an authorised electroimmobiliser; and
 - (b) approve a person to conduct an approved course of training in the proper use of an electroimmobiliser who may issue a certificate (in a form approved by the Minister) to another person certifying that the other person has satisfactorily completed such a course in respect of a specified class of animals (being class 1, 2, 3 or 4 animals).
- (5) An approval under subregulation (4)—
- (a) may be subject to conditions; and
 - (b) may be varied or revoked by the Minister at any time (but in the case of an approval of a device only on the recommendation of the Animal Welfare Advisory Committee).
- (6) In this regulation—
- class 1 animal* means cattle or buffalo;
- class 2 animal* means an alpaca, llama, deer or camel;
- class 3 animal* means a goat or a sheep;
- class 4 animal* means an ostrich or emu;
- electroimmobiliser* means an electrical device designed to temporarily immobilise an animal.

8—Use of certain other electrical devices

- (1) For the purposes of section 15 of the Act, a person must not—
- (a) place on an animal a collar designed to impart an electric shock; or
 - (b) subject to these regulations, apply an electrical prod or goad to an animal.
- (2) A person may only apply an electrical prod or goad to an animal in the following circumstances:
- (a) if the animal is to be used or is being used in a rodeo event and the prod or goad complies with, and is applied to the animal in accordance with, Part 4;
 - (b) if the animal is a pig that is being kept in the course of the business of a piggery and—
 - (i) the pig weighs 60 kilograms or more; and
 - (ii) the pig is being loaded onto or unloaded from a vehicle for the purposes of being transported to or from the piggery; and
 - (iii) the prod or goad is not applied to the face, udders, anus or genitals of the animal; and
 - (iv) the pig is able to move away from the prod or goad; and
 - (v) the prod or goad is applied as sparingly as possible and (in any event) with restraint; and
 - (vi) the use of the prod or goad is reasonably required to ensure the safety of the person transporting the pig;
 - (c) in any other case—
 - (i) the animal is a prescribed animal; and

- (ii) the animal is over 3 months of age; and
- (iii) the prod or goad is not applied to the face, udders, anus or genitals of the animal; and
- (iv) the animal is able to move away from the prod or goad; and
- (v) the prod or goad is applied as sparingly as possible and (in any event) with restraint.

(3) In this regulation—

prescribed animal means—

- (a) cattle or buffalo; or
- (b) a camel; or
- (c) a goat, other than a goat known or visually assessed to be pregnant; or
- (d) a deer; or
- (e) a sheep; or
- (f) a pig (other than a pig referred to in subregulation (2)(b)).

9—Use of traps prohibited in certain circumstances

(1) Subject to this regulation, a person must not set a jawed leg hold trap for an animal other than for a wild or feral dog, a fox or a rabbit.

Maximum penalty: \$2 500.

Expiation fee: \$210.

(2) A person must not set a jawed leg hold trap for a wild or feral dog unless—

- (a) the trap is set on land outside the area of a municipal council; and
- (b) the trap is set on land that is inside, or not more than 100 metres outside, that part of the State bounded by the dog fence established under the *Dog Fence Act 1946*, the eastern border of the State and the coast of the State; and
- (c) the jaws of the trap—
 - (i) are not serrated; and
 - (ii) are offset so that there is a distance of at least 6 millimetres between the metal parts of the jaws when the jaws are closed; and
 - (iii) are padded with rubber pads; and
 - (iv) are treated with sufficient strychnine to ensure a rapid death for any animal caught in the trap.

Maximum penalty: \$2 500.

Expiation fee: \$210.

(3) A person must not set a jawed leg hold trap for a fox or a rabbit unless—

- (a) the trap is set on land outside the area of a municipal council; and
- (b) the jaws of the trap—
 - (i) are not serrated; and
 - (ii) are offset so that there is a distance of at least 6 millimetres between the metal parts of the jaws when the jaws are closed; and

- (iii) are padded with rubber pads; and
 - (c) the trap is inspected every day.
- Maximum penalty: \$2 500.
Expiation fee: \$210.
- (4) A person must not set a body grip trap unless—
- (a) the trap is set on land that is not within the area of a municipal council; and
 - (b) the trap is set for a rabbit or rat; and
 - (c) the trap is set in a natural or artificial tunnel or burrow for a rabbit or rat; and
 - (d) the external frame of the trap does not exceed 14 centimetres by 14 centimetres.
- Maximum penalty: \$2 500.
Expiation fee: \$210.
- (5) This regulation does not apply to—
- (a) the setting of a body grip trap to control vermin or exotic animals in a reserve within the meaning of the *National Parks and Wildlife Act 1972*; or
 - (b) the setting of a body grip trap with a single jaw for a mouse or rat; or
 - (c) the setting of a trap for the purposes of carrying out research as part of a research program approved by an animal ethics committee if the jaws of the trap are sufficiently padded, or the trap has been otherwise modified, so that any animal caught in the trap is unlikely to suffer significant injury.

10—Use of gel to catch or deter birds prohibited

A person must not apply a silicon gel to any tree, plant, building or other structure or thing for the purpose of catching birds or deterring birds from perching on it.

Maximum penalty: \$2 500.

Expiation fee: \$210.

Part 3—Teaching and research involving animals

11—Certain research prohibited except for limited purposes

- (1) A person must not—
- (a) apply any substance to the conjunctival sac of a rabbit for the purpose of assessing the relative irritancy of the substance; or
 - (b) expose an animal to any substance for the purpose of assessing the toxicity of the substance against a predetermined level of mortality,
- unless—
- (c) the assessment relates to research that has the potential to benefit human or animal health; and
 - (d) the objectives of the assessment cannot practicably be achieved by means that will cause less pain to animals.

Maximum penalty: \$2 500.

- (2) In proceedings for an offence against subregulation (1), the onus of proving the matters specified in paragraphs (c) and (d) lies on the defendant.

12—Application for licence under Part 4 of the Act

For the purposes of section 17 of the Act, an application for a licence under Part 4 of the Act must contain details of—

- (a) the premises proposed to be used for the purposes authorised by the licence; and
- (b) the facilities available or proposed to be available at those premises for the care and handling of animals that may be used pursuant to the licence; and
- (c) the arrangements proposed for the provision of veterinary care of animals that may be used pursuant to the licence.

13—Annual reports of animal ethics committee

- (1) For the purposes of section 25 of the Act, an animal ethics committee must, within 3 months after the end of each calendar year, submit to the Minister a report on its operations during that calendar year.
- (2) The report—
 - (a) must include details of—
 - (i) the number of meetings held by the committee during the calendar year; and
 - (ii) in respect of each such meeting—
 - (A) the name of each member who attended the meeting; and
 - (B) a summary of the business discussed at the meeting; and
 - (b) may include any other information considered relevant by the committee.

Part 4—Rodeos

14—Interpretation

In this Part—

animal handling equipment means bridles, whips, prods and goads (whether electrical or not), ropes and any other article used to handle or direct an animal or to get an animal to move;

application means an application for a permit to conduct a rodeo;

designated permit holder means the person designated in an application as the person who will be conducting the rodeo;

designated person, in relation to a rodeo, means—

- (a) the designated permit holder; or
- (b) the designated rodeo judge; or
- (c) the designated rodeo veterinary surgeon; or
- (d) the designated stock contractor,

(as the case requires);

designated rodeo judge means the person designated in an application as the person who will officiate as the judge at the rodeo, or, if that person does not do so, the person who acts in the place of that person;

designated rodeo veterinary surgeon means the veterinary surgeon designated in an application as the veterinary surgeon who will provide veterinary treatment at the rodeo, or, if that veterinary surgeon does not do so, the veterinary surgeon who acts in the place of that veterinary surgeon;

designated stock contractor means the person designated in an application as the stock contractor who will provide horses and cattle for the rodeo events, or, if that stock contractor does not do so, the person who acts in the place of that stock contractor.

15—Only horses and cattle to be used in rodeo events

It is an offence to use an animal other than a horse or cattle in a rodeo event.

Maximum penalty: \$2 500.

Expiation fee: \$210.

16—Permit to conduct rodeo

- (1) An application for a permit to conduct a rodeo must be made at least 28 days before the day on which it is proposed to conduct the rodeo.
- (2) The application must contain the name and address of—
 - (a) the designated permit holder; and
 - (b) the designated rodeo judge; and
 - (c) the designated rodeo veterinary surgeon; and
 - (d) the designated stock contractor,and be signed by the designated permit holder.

17—General requirements for conducting rodeos

- (1) A person must not conduct a rodeo at a venue at which there is not sufficient fencing so as to ensure (so far as is reasonably practicable) the safety of competitors and other participants, spectators and animals at the rodeo.
Maximum penalty: \$2 500.
- (2) A person conducting a rodeo must ensure that the fencing (whether fixed or portable) at the venue where the rodeo is to be conducted is designed, constructed and maintained so that—
 - (a) it minimises the risk of injury to animals at the rodeo; and
 - (b) it is clearly visible to animals at the rodeo; and
 - (c) each chute is at least 0.75 metres wide at the gate end of the chute; and
 - (d) it facilitates the quiet and efficient handling of animals at the rodeo.Maximum penalty: \$2 500.
- (3) A person conducting a rodeo must ensure that no rodeo event is conducted unless the arena and arena surface at the venue where the rodeo is to be conducted are suitable for the purposes of the event.
Maximum penalty: \$2 500.
- (4) A person conducting a rodeo must ensure that no rodeo event is conducted at the rodeo unless—
 - (a) the designated rodeo veterinary surgeon is in attendance during the event; and

- (b) appropriate transport is available to transport sick, lame or injured animals from the rodeo.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (5) A person conducting a rodeo must ensure that a copy of these regulations is made available free of charge at the rodeo for inspection by the competitors, the designated rodeo judge, the designated rodeo veterinary surgeon and the designated stock contractor.

Maximum penalty: \$2 500.

Expiation fee: \$210.

18—Inspections by designated rodeo judge

The designated rodeo judge for a rodeo must, before the rodeo is conducted, carry out the following inspections at the venue where the rodeo is to be conducted to ensure compliance with this Part:

- (a) an inspection of the animals to be used in the rodeo events;
- (b) an inspection of the arena and arena surface;
- (c) an inspection of the fencing (both fixed and portable).

Maximum penalty: \$2 500.

Expiation fee: \$210.

19—Regulation of use and care of rodeo animals

- (1) The designated stock contractor for a rodeo must ensure that each animal supplied by the stock contractor that is to be used in a rodeo event complies with the following requirements:

- (a) the animal must have a body weight of at least 200 kilograms;
- (b) the animal must not be sick, lame, injured or suffering from defective eyesight;
- (c) any horse to be used in a rodeo event that involves bucking must be at least 3 years of age;
- (d) any animal to be used in a rodeo event that involves wrestling, roping or tying the animal must have a body weight of at least 200 kilograms but less than 300 kilograms;
- (e) the animal must be otherwise fit to be used in the rodeo event.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) The designated stock contractor for a rodeo must also ensure that—
 - (a) horses supplied by the stock contractor are penned and managed in separate enclosures from cattle supplied by the stock contractor during transport to and from the rodeo; and
 - (b) an animal is removed from the arena immediately following the rodeo event in which the animal is used; and
 - (c) an animal is immediately removed from a chute if—
 - (i) the animal fails to enter the arena from the chute within 60 seconds after the chute gate to the arena is opened; or

- (ii) more than once, the animal goes down on a knee in the chute or part of the animal's hindquarters from or above the animal's hock touches the ground in the chute; or
 - (iii) more than once, the animal attempts to jump from, climb out of, or otherwise escape from, the chute; or
 - (iv) the animal is obviously distressed; or
 - (v) the designated rodeo judge or designated veterinary surgeon so orders; and
- (d) no animal supplied by the stock contractor is used in more than 3 rodeo events in a day; and
- (e) an animal supplied by the stock contractor that is used in a day in 1 of the following rodeo events is not used on the same day in either of the other 2 rodeo events:
- (i) roping or tying;
 - (ii) team roping;
 - (iii) steer wrestling; and
- (f) an aggressive animal or an animal that is injured is managed in such a manner as to minimise harm (or further harm) occurring to the animal, a person or any other animal; and
- (g) the attention of the designated rodeo veterinary surgeon is immediately drawn to any sick or injured animal.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) Without limiting the generality of subregulation (1)(e), an animal will be taken not to be fit to be used in a rodeo event if, in the opinion of the designated rodeo judge or designated rodeo veterinary surgeon, the animal is not fit to be so used.

20—Requirements and prohibitions relating to equipment

- (1) A person must not attach a flank strap to a horse that is to be used or is being used in a rodeo event unless the flank strap—
- (a) is lined, soft and flexible, with a quick release mechanism; and
 - (b) is set such that the lined portion of the strap covers the flanks and the belly of the horse.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) A person must not use a horned animal in a team roping event unless the animal's horns are properly wrapped to protect the animal's ears, eyes and horn base from injury.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) A person must not use on an animal, or include in the equipment worn by or attached to an animal, that is to be used or is being used in a rodeo event, any sharp or cutting object.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (4) A person must not—
- (a) use animal handling equipment with the intent to excite an animal before the animal enters the arena for a rodeo event; or
 - (b) otherwise misuse animal handling equipment on an animal at a rodeo (whether or not during a rodeo event).

Maximum penalty: \$2 500.

21—Special restrictions relating to use of electrical prods and goads

- (1) A person must not apply an electrical prod or goad (whether or not switched on) to the face, udders, anus or genitals of an animal that is to be used or is being used in a rodeo event.
- (2) A person must not apply an electrical prod or goad (whether or not switched on) to an animal that is to be used or is being used in a rodeo event unless—
- (a) the prod or goad is more than 30 centimetres in length; and
 - (b) the prod or goad is not connected to an external power source; and
 - (c) the prod or goad is applied as sparingly as possible and (in any event) with restraint; and
 - (d) in the case where the animal is in a chute prior to entering the arena—the prod or goad is only applied if—
 - (i) the animal fails to leave the chute immediately the chute gate to the arena is opened; or
 - (ii) the animal goes down on a knee in the chute; or
 - (iii) part of the animal's hindquarters from or above the animal's hock touches the ground in the chute; or
 - (iv) the animal is leaning on the side of the chute or the chute gate; or
 - (v) the use of the prod or goad is otherwise necessary to protect the animal or a person from injury.

Part 5—Domestic fowls

22—General requirements

- (1) A person who keeps a domestic fowl must ensure that, within 60 hours after hatching and at least once a day thereafter, the fowl is given reasonable access to water.

Maximum penalty: \$2 500.

- (2) A person who keeps a domestic fowl must ensure that the fowl is provided with adequate food containing sufficient nutrients to ensure the fowl's good health and vitality within 60 hours after hatching, and then, as follows:
- (a) in the case of a fowl that is kept primarily for the purpose of breeding fowls for meat production—at least once every 2 days thereafter;
 - (b) in the case of any other fowl—at least once every day thereafter.
- (3) Subregulation (2) does not apply to a domestic fowl kept for egg production that is at the end of its productive life and is reasonably expected to be destroyed within 30 hours from when it was last provided with food.

- (4) A person who keeps a domestic fowl must ensure that the fowl is inspected at least once a day to assess the fowl's health and well-being.

Maximum penalty: \$2 500.

23—Requirements relating to confining domestic fowls in cages

- (1) A person who keeps domestic fowls confined in a cage must comply with the following requirements:

- (a) if the person positions the cage so that it is below the level of another cage—
- (i) each fowl confined in the cage must, as far as practicable, be protected from the excreta of fowls confined in a cage on a higher level; and
 - (ii) each fowl confined in the cage must be capable of being seen on inspection;
- (b) the floor of the cage must be constructed so as to support the forward pointing toes of each fowl confined in the cage;
- (c) the height of the cage must be higher than the maximum height of a fowl confined in the cage while the fowl is standing normally;
- (d) the cage must be constructed with a door as follows:
- (i) the height of the door must be the full height (not including the feed trough) of the cage; and
 - (ii) the width of the door must be—
 - (A) if the cage is less than 0.5 metres wide—the full width of the cage;
 - (B) in any other case—at least 0.5 metres wide.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) Subject to this regulation, a person who keeps domestic fowls must not confine the fowls in a cage unless—

- (a) in the case of fowls primarily kept for breeding purposes—the total weight of the fowls confined in the cage does not exceed 40 kilograms per square metre of cage floor area; or
- (b) in any other case—
- (i) for fowls weighing less than 4.5 kilograms—
 - (A) if only 1 fowl is confined in the cage—the floor area of the cage is at least 0.1 square metres; or
 - (B) if 2 fowls are confined in the cage—the floor area of the cage is at least 0.135 square metres; or
 - (C) if more than 2 fowls are confined in the cage—
 - if, on average, the weight of a fowl confined in the cage is less than 2.4 kilograms—the floor area of the cage is at least 0.055 square metres per fowl;
 - if, on average, the weight of a fowl confined in the cage is 2.4 kilograms or more but less than 4.5 kilograms—the floor area of the cage is at least 0.06 square metres per fowl; or

- (ii) for fowls weighing 4.5 kilograms or more—
 - (A) if only 1 fowl is confined in the cage—the total weight of the fowl does not exceed 26 kilograms per square metre of cage floor area; or
 - (B) if 2 fowls are confined in the cage—the total weight of the fowls does not exceed 40 kilograms per square metre of cage floor area; or
 - (C) if more than 2 fowls are confined in the cage—the total weight of the fowls does not exceed 46 kilograms per square metre of cage floor area.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) For the purposes of subregulation (2), the floor area of the cage is that area of the cage floor which is accessible to the fowl.
- (4) Subregulation (2)(b) does not apply to chicks that are less than 21 weeks old.
- (5) A person does not have to comply with subregulation (2)(b)(i)(C), if—
 - (a) before the commencement of this regulation—the person has installed a cage that complies with subregulation (1); and
 - (b) on average, the weight of a fowl confined in the cage is less than 2.4 kilograms; and
 - (c) the floor area of the cage is at least 0.045 square metres per fowl.
- (6) Subregulation (5) and this subregulation will expire on 31 December 2014.

24—Requirements relating to keeping domestic fowls in housing other than cages

A person who keeps domestic fowls in a housing system other than a cage must ensure that the housing system in which the fowls are confined complies with the following requirements:

- (a) for fowls kept for egg production—
 - (i) if the housing system contains more than 1 level or multi-level perches—
 - (A) each fowl must, as far as practicable, be protected from the excreta of other fowls kept on a higher level; and
 - (B) each fowl must be capable of being seen on inspection; and
 - (ii) the total weight of the fowls confined in the housing system must not exceed 30 kilograms per square metre of the useable floor area;
- (b) for fowls reared for meat production—
 - (i) if the housing system contains more than 1 level or multi-level perches—
 - (A) each fowl must, as far as practicable, be protected from the excreta of other fowls kept on a higher level; and
 - (B) each fowl must be capable of being seen on inspection; and
 - (ii) the total weight of the fowls confined in the housing system must not exceed—
 - (A) if the housing system is cooled by means of a mechanical cooling device—40 kilograms per square metre of useable floor area;

- (B) in any other case—28 kilograms per square metre of useable floor area.

Part 6—Pigs

Division 1—Preliminary

25—Interpretation

- (1) In this Part—

boar means an uncastrated male pig over 9 months of age;

creep area means an area for housing piglets adjacent to a farrowing crate in which the piglets of the sow are protected from crushing and overlying by the sow;

farrowing means giving birth to piglets;

farrowing crate means an enclosure for housing a sow for the purposes of farrowing—

- (a) that closely corresponds to the sow's body size; and
- (b) in which the sow is unable to turn around; and
- (c) that has an adjacent creep area for any piglets of the sow;

farrowing pen means a pen for housing—

- (a) a sow for the purposes of farrowing; and
- (b) any piglets of the sow;

feeder means a trough, hopper or other equipment from which feed may be accessed by a pig;

gilt means a female pig (other than a sow) that has been selected for breeding;

herd health program, in relation to a pig, means a program, approved by the Minister, that identifies potential health and biosecurity risks to the pig and specifies action to prevent or minimise those risks;

pen means an enclosure for housing a pig or group of pigs in which the pig or pigs are able to turn around;

piglet, of a sow, includes any piglet that is dependent on the sow for milk;

sow means an adult female pig that has had 1 or more litters;

stall means an enclosure (other than a farrowing crate) for housing a single pig—

- (a) that closely corresponds to the pig's body size; and
- (b) in which the pig is unable to turn around;

suitably qualified—see subregulation (2);

waterer means a trough or other equipment from which drinking water may be accessed by a pig.

- (2) For the purposes of this Part, a person is suitably qualified if the person—

- (a) is a veterinary surgeon; or
- (b) holds a tertiary qualification approved by the Minister in the field of veterinary science or agriculture; or

- (c) holds a Certificate III in Agriculture (Pig Production) from an NVR registered training organisation; or
- (d) holds a qualification that is, in the opinion of the Minister, equivalent to the qualification referred to in paragraph (c); or
- (e) satisfies the Minister that he or she has, during a period of at least 12 months, been responsible for the comprehensive care of pigs in a business that has, during that period of responsibility, complied with a herd health program or some other quality assurance program approved by the Minister relating to pig husbandry.

26—Application of Part

This Part applies in relation to a pig kept in the course of the business of a piggery.

27—Exemptions from Part

- (1) Subject to this regulation, the Minister may, by notice in writing—
 - (a) exempt a person, subject to such conditions as the Minister thinks fit and specifies in the notice, from specified provisions of this Part; or
 - (b) vary or revoke an exemption, or a condition of an exemption, under this regulation or impose a further condition.
- (2) An exemption under this regulation operates for a period (not exceeding 12 months) specified in the notice.
- (3) A person who contravenes a condition of an exemption is guilty of an offence.
Maximum penalty: \$2 500.
Expiation fee: \$210.

28—Keeping records

- (1) A person who keeps a pig must ensure that—
 - (a) a written record is kept of—
 - (i) any inspection of the pig required under this Part (including any concerns regarding the pig's health or welfare detected by the inspection); and
 - (ii) any inspection of equipment required under this Part (including any equipment failure or malfunction detected by the inspection); and
 - (b) the record—
 - (i) is kept for 3 years from the day on which the record was made; and
 - (ii) is readily available for inspection at all reasonable times by an inspector.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) For the purposes of subregulation (1), a record may be kept in electronic form.

Division 2—General requirements

29—Day-to-day care of pigs

- (1) A person who keeps a pig must ensure that the pig is—
 - (a) provided with adequate food containing sufficient nutrients to ensure the pig's good health and vitality; and

- (b) given reasonable access to water.
Maximum penalty: \$2 500.
- (2) A person who keeps a pig must ensure that, within 24 hours after birth, the pig has received colostrum or an appropriate substitute.
Maximum penalty: \$2 500.
- (3) A person who keeps a pig must ensure that the pig is inspected at least once a day to assess the pig's health and well-being.
Maximum penalty: \$2 500.
Expiation fee: \$210.
- (4) A person who keeps a pig must ensure that—
- (a) reasonable steps are taken to avoid a build up of faeces and urine in the pig's housing; and
 - (b) the pig is not tethered; and
 - (c) the pig is not exposed to any dog unless—
 - (i) the dog is under the effective control of a person; and
 - (ii) in the case of a dog that has a history of biting humans or animals—the dog is wearing a muzzle.
- Maximum penalty: \$2 500.
Expiation fee: \$210.
- (5) A person who keeps a pig must ensure that—
- (a) each person responsible for the care of the pig is a suitably qualified person or a person acting under the supervision of a suitably qualified person; and
 - (b) a herd health program is in place in relation to the pig.
- Maximum penalty: \$2 500.

30—Medical and surgical procedures

- (1) A person who keeps a pig must ensure that—
- (a) any significant medical or surgical procedure is carried out in relation to the pig only by a suitably qualified person or by a person acting under the direct supervision of a suitably qualified person; and
 - (b) any simple medical or surgical procedure is carried out in relation to the pig only by a suitably qualified person or by a person acting under the supervision (whether or not direct supervision) of a suitably qualified person.
- Maximum penalty: \$2 500.
Expiation fee: \$210.
- (2) However, subregulation (1) does not apply in relation to the destruction of a pig if, due to urgent circumstances—
- (a) the services of a suitably qualified person are not reasonably available; and
 - (b) destruction of the pig is necessary in order to prevent undue suffering by the pig.

- (3) A person who keeps a pig must ensure that a vasectomy or surgical castration is not performed on a pig over 21 days of age unless the pig is anaesthetised.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (4) In this regulation—

significant medical or surgical procedure, in relation to a pig, means—

- (a) vasectomy or castration of the pig; or
- (b) tusk trimming of the pig; or
- (c) nose ringing of the pig; or
- (d) destruction of the pig;

simple medical or surgical procedure, in relation to a pig, means—

- (a) administration to the pig of a veterinary product (including a drug, vaccine or other substance) whether intravenously, orally, topically or by any other means; or
- (b) diagnosis of pregnancy of the pig; or
- (c) docking of the pig's tail; or
- (d) clipping of the pig's needle teeth; or
- (e) measurement of the pig's backfat; or
- (f) application to the pig of identification marks, tags or chips.

- (5) This regulation is in addition to and does not derogate from the operation of—

- (a) the *Agricultural and Veterinary Products (Control of Use) Act 2002* (for example, in relation to the treatment of an animal with a veterinary product within the meaning of that Act); or
- (b) the *Livestock Act 1997* (for example, in relation to the supply or use of a vaccine); or
- (c) the *Veterinary Practice Act 2003* (for example, in relation to the provision of veterinary treatment within the meaning of that Act).

Division 3—Keeping pigs in indoor housing

31—Application of Division

- (1) This Division does not apply in relation to a pig that is generally allowed to range freely in a paddock or outdoor yard and uses an enclosure (such as an ark or hut) for shelter, feeding or drinking.
- (2) A reference in this Division to a minimum area of floor space required for housing for a pig is a reference to the total floor space that is to be available to the pig in the housing and does not, unless otherwise specified, include any area occupied by fixtures or fittings.

32—Pigs in individual housing—minimum space and welfare requirements

- (1) The minimum floor space requirements for pigs in individual housing set out in subregulation (2) apply to new housing, or a substantial alteration to existing housing.
- (2) A person who keeps a pig in individual housing must ensure that—
 - (a) in the case of a sow kept in a stall—the floor space of the stall is not less than 0.6 metres wide and not less than 2.2 metres long; and

- (b) in the case of a sow kept in a farrowing pen—the floor space of the pen (which may include space occupied by a farrowing crate and creep area) is not less than 5.6 square metres; and
- (c) in the case of a sow kept in a farrowing crate with an adjacent creep area (whether or not within a farrowing pen)—
 - (i) the floor space of the farrowing crate and creep area, when aggregated, is not less than 3.2 square metres; and
 - (ii) the floor space of the farrowing crate (which may include space occupied by a rear anti-crush rail, appropriately placed) is not less than 0.5 metres wide (when measured to within 0.45 metres of the floor of the crate) and not less than 2 metres long; and
- (d) in the case of a boar kept in a stall—the floor space of the stall is not less than 0.7 metres wide and not less than 2.4 metres long.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) A person who keeps a pig in individual housing must ensure that—
 - (a) the pig is managed in such a way as to avoid harm to the pig (including aggressive or threatening behaviour) from a pig in a neighbouring area; and
 - (b) the pig is able to stand and lie down without being obstructed by fixtures or fittings; and
 - (c) if the pig is kept in a stall—
 - (i) the pig is able to stand without simultaneously touching—
 - (A) opposite ends of the stall; or
 - (B) opposite sides of the stall; and
 - (ii) the pig is able to lie down without its snout and hindquarters simultaneously touching opposite ends of the stall; and
 - (iii) the pig's back does not touch any bars along the top face of the stall when standing or when it has its head down while feeding or drinking; and
 - (d) in addition—
 - (i) in the case of a sow kept in a farrowing crate—
 - (A) during and after farrowing, the sow and her piglets are provided with sufficient space to minimise the risk of the piglets being crushed, trapped or otherwise injured; and
 - (B) when lactating, the sow is able to lie and extend her limbs freely and position herself so that both sides of her udder are accessible to her piglets; and
 - (C) the sow is not confined in the farrowing crate for more than 6 weeks during any 1 reproductive cycle unless she is required to foster piglets (in which case, she may be confined 1 additional time during which period she must receive such extra nutrition and supervision as may be necessary in order to maintain good health and vitality); and

- (ii) in the case of a pregnant sow kept in a stall—that the sow is not confined in the stall for more than 6 weeks during any 1 reproductive cycle unless she is convalescing or receiving other veterinary care; and

Note—

subregulation (3)(d)(ii) will come into operation on 20 April 2017.

- (iii) in the case of a boar kept in a stall—the boar is released from the stall for mating or exercise at least twice a week.
- (iv) in the case of a boar kept in a pen in which the floor space is less than 6 square metres—the boar is released from the pen for mating or exercise at least twice a week.

Maximum penalty: \$2 500.

Expiation fee: \$210.

33—Pigs in group housing—minimum space and welfare requirements

- (1) A person who keeps a pig in group housing must ensure that—
 - (a) for each sow kept in the housing—the floor space of the housing is not less than 1.4 square metres;
 - (b) for each gilt weighing more than 100 kilograms kept in the housing—the floor space is not less than 1 square metre;
 - (c) in any other case—the floor space of the housing is not less than the number of square metres calculated in accordance with the following formula:

$$0.030 \times P^{0.67}$$

where—

P is the average weight in kilograms of each pig kept in the housing.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) A person who keeps a pig in group housing must ensure that the pig is managed in such a way as to avoid harm to the pig (including aggressive or threatening behaviour) from other pigs in the housing.

Maximum penalty: \$2 500.

Expiation fee: \$210.

34—Equipment in indoor housing

- (1) A person who keeps a pig in indoor housing that is ventilated by an electronically controlled ventilation system must ensure—
 - (a) that—
 - (i) inspections of the ventilation system are carried out at least twice a day; or
 - (ii) the housing is fitted with an alarm system,for the purpose of alerting a person responsible for the care of the pig to any failure or malfunction of the ventilation system; and

- (b) that the housing is provided with a backup system or equipment that may be relied on to ventilate the housing in the event of such failure or malfunction in order to maintain the health and vitality of the pig.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) A person who keeps a pig in indoor housing must ensure that the housing is equipped with—
- (a) a feeder and waterer for the pig that—
- (i) are kept in good working order; and
- (ii) are designed and positioned so as not to pose a risk of injury to the pig; and
- (b) backup equipment or a system that may be relied on to provide feed or water to the pig in the event of a failure or malfunction of a regular feeder or waterer.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) A person who keeps a pig in indoor housing must ensure that each feeder, waterer and ventilation system in the housing and any equipment that is essential to the proper functioning of such a feeder, waterer or ventilation system is, unless otherwise specified in this regulation, inspected at least once a day.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (4) A person who keeps a pig in indoor housing must ensure that electrical installations of mains voltage are properly earthed and inaccessible to the pig.

Maximum penalty: \$2 500.

Expiation fee: \$210.

Part 7—Transport of livestock

Division 1—Preliminary

35—Interpretation

- (1) In this Part—

class of livestock, means a group of livestock of the same species that share a common characteristic, such as age, size or sex, or some other physiological characteristic, such as pregnancy;

container includes a crate, box or cage;

equine lameness score—see subregulation (2);

horse means an animal of the species *Equus ferus caballus* or *Equus africanus asinus*, or a hybrid of either of these species;

journey includes the loading and unloading of livestock on or from a vehicle for the purposes of transportation;

journey time—see subregulation (3);

livestock means alpacas, buffalo, camels, cattle, deer, emus, goats, horses, ostriches, pigs, poultry and sheep;

livestock handling facility includes a yard, enclosure, paddock, ramp or other facility used to hold, load or unload livestock for transportation;

loading density in relation to the transportation of livestock, means the amount of space per animal in a container, pen or other enclosure, or vehicle in which the animal is being transported;

maximum time off water means the total number of continuous hours in respect of which livestock can go without reasonable access to water, as specified in Division 3;

minimum spell duration means the minimum period of time for which a spell is required to be given for each species of livestock and each class of animal within that species, as specified in Division 3;

reasonable access to water—see subregulation (4);

State includes a Territory;

spell means a period of time in which livestock are—

- (a) removed from the vehicle or container in which they are being transported; and
- (b) provided with reasonable access to feed and water; and
- (c) provided with space to lie down; and
- (d) subjected to minimal or no handling;

transporting, in relation to livestock—see subregulation (5).

(2) For the purposes of this Part, an **equine lameness score** means a score arrived at by reference to the grading system of the *American Association of Equine Practitioners* to assess the degree of lameness of a horse as follows:

- (a) lameness not perceptible under any circumstances—0;
- (b) lameness difficult to observe, not consistently apparent regardless of circumstances—1;
- (c) lameness difficult to observe at walk or trot in a straight line but consistently apparent under some circumstances (eg weight carrying, circling, inclines, hard surfaces)—2;
- (d) lameness consistently observable at a trot under all circumstances—3;
- (e) lameness obvious; marked nodding, hitching, or shortened stride—4;
- (f) lameness obvious; minimal weight bearing in motion or rest, inability to move—5.

(3) For the purposes of this Part, the **journey time** in respect of transporting livestock—

- (a) in the case of poultry, emus or ostriches being transported in containers loaded onto vehicles—means the time commencing when the loading of the poultry, emus or ostriches into the containers for transport commences and ending when all of the poultry, emus or ostriches are unloaded from the containers—

- (i) for a spell for a period that is not less than the minimum spell duration specified for livestock of that particular class in Division 3; or

- (ii) at their final destination,

(whichever occurs sooner);

- (b) in the case of a bobby calf—means the time commencing when the bobby calf is loaded onto the vehicle for transport and ending when the bobby calf is unloaded from the vehicle at its final destination;

- (c) in any other case—means the time commencing when the loading of the livestock onto the vehicle for transport commences and ending when all of the livestock are unloaded from the vehicle—
 - (i) for a spell for a period that is not less than the minimum spell duration specified for livestock of that particular class in Division 3; or
 - (ii) at their final destination,(whichever occurs sooner).
- (4) For the purposes of this Part, livestock will be taken to have *reasonable access to water* if the livestock has a reasonable opportunity to drink water of a suitable quality and quantity sufficient to maintain its hydration.
- (5) For the purposes of this Part, *transporting* livestock includes—
 - (a) assembling or holding livestock prior to loading; and
 - (b) selecting livestock for transportation; and
 - (c) loading livestock into containers prior to being loaded onto a vehicle; and
 - (d) loading livestock onto a vehicle; and
 - (e) holding livestock on a vehicle while stationary; and
 - (f) transporting the livestock on a vehicle; and
 - (g) unloading livestock from a vehicle or container during, or on completion of, a journey; and
 - (h) assembling or holding livestock in a livestock handling facility in transit during a journey or on completion of a journey.

36—Application of Part

This Part applies to livestock—

- (a) transported over land by road on a vehicle within this State or through the State from another State; or
- (b) transported within this State or from another State on a sea-going vessel if the livestock is—
 - (i) contained in a road-going vehicle loaded onto the vessel; or
 - (ii) contained in a container that is unloaded from a road-going vehicle onto the vessel and reloaded onto a road-going vehicle on completion of the voyage.

37—How to calculate length of spell and time off water

- (1) For the purpose of calculating the length of a spell—
 - (a) the spell will be taken to commence once all livestock have been unloaded from the vehicle or container in which they are being transported; and
 - (b) the spell will be taken to end as soon as the livestock commence being reloaded onto the vehicle or into the container.
- (2) For the purpose of calculating the maximum period of time livestock of a particular species or class of a particular species may have off water, the period off water—
 - (a) will be taken to commence from the time the livestock last has reasonable access to water prior to commencing a journey; and

- (b) will be taken to cease when the livestock—
 - (i) is given a spell for at least the minimum period specified in Division 3 in respect of livestock of that particular species or class of species; or
 - (ii) is given reasonable access to water at their final destination; or
 - (iii) is slaughtered,(whichever occurs soonest).

Division 2—General requirements

38—Livestock must be fit for transport

- (1) A person must not supply for transport livestock that is unfit to undertake a proposed journey unless the livestock is to be transported in accordance with the advice of a veterinary surgeon.
Maximum penalty: \$2 500.
Expiation fee: \$210.
- (2) A person must not load in a container or on a vehicle for transport livestock that is unfit to undertake a proposed journey unless the livestock is to be transported in accordance with the advice of a veterinary surgeon.
Maximum penalty: \$2 500.
Expiation fee: \$210.
- (3) If livestock has been assessed as unfit to undertake a proposed journey, the person with the care, control and management of the livestock must, as soon as reasonably practicable, make arrangements for the care, treatment or humane destruction of the livestock.
Maximum penalty: \$2 500.
Expiation fee: \$210.
- (4) Without limiting the generality of subregulations (1) and (2), livestock will be taken to be unfit to undertake a journey if—
 - (a) in the case of a horse, the horse has an equine lameness score of 4 or 5; or
 - (b) in the case of livestock other than a horse, the livestock is unable to walk independently by bearing weight on all legs; or
 - (c) in the case of cattle, the cattle is known to be, or visually assessed to be, within 4 weeks of parturition and the estimated journey time or time off water is likely to exceed 4 hours; or
 - (d) in the case of livestock other than cattle, the livestock is known to be, or visually assessed to be, within 2 weeks of parturition and the estimated journey time or time off water is likely to exceed 4 hours; or
 - (e) the livestock is severely emaciated; or
 - (f) the livestock is visibly dehydrated; or
 - (g) the livestock shows visible signs of severe injury or distress; or
 - (h) the livestock is suffering from a condition that is likely to result in an increase in pain or distress by reason of undertaking the journey; or
 - (i) the livestock is blind in both eyes.

39—Advice of estimated time of arrival

Before transporting livestock, the person who has the care, control and management of the livestock must advise the person to whom the care, control and management of the livestock is to be transferred at a destination of the estimated time of arrival of the livestock.

Maximum penalty: \$2 500.

Expiation fee: \$210.

40—Impact of extreme weather conditions

A person who has the care, control and management of livestock being transported must take reasonable steps to minimise the risk of harm to the livestock from extreme weather conditions while being transported.

Maximum penalty: \$2 500.

41—Livestock handling facilities

A person who owns or operates a livestock handling facility must ensure that the facility—

- (a) is suitable for the type of livestock using the facility; and
- (b) has effective airflow that is appropriate for the type of livestock using the facility; and
- (c) has a surface or flooring that minimises the risk of injury to the livestock from slipping or falling; and
- (d) is free from internal protrusions and objects that may cause injury to the livestock; and
- (e) has sufficient vertical clearance to minimise the risk of injury to the livestock.

Maximum penalty: \$2 500.

Expiation fee: \$210.

42—Transport vehicles

- (1) The driver of a vehicle being used to transport livestock must ensure that the vehicle—
 - (a) is suitable for the type of livestock being transported; and
 - (b) has effective airflow that is appropriate for the type of livestock being transported; and
 - (c) has a surface or flooring that minimises the risk of injury to the livestock from slipping or falling; and
 - (d) is free from internal protrusions and objects that may cause injury to the livestock; and
 - (e) has sufficient vertical clearance immediately above the livestock to minimise the risk of injury to the livestock.
- (2) The driver of a vehicle transporting livestock must ensure that the vehicle and any ramp used to load or unload the livestock are properly aligned and sufficiently close together so as to minimise the risk of injury to the livestock.

Maximum penalty: \$2 500.

Expiation fee: \$210.

43—Handling of livestock for transport

- (1) A person handling livestock for transport must do so in a manner that is appropriate for the species and class of livestock so as to minimise the risk of harm to the livestock.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) Without limiting the generality of subregulation (1), a person handling livestock, other than poultry, for transport—

(a) must not—

- (i) lift or carry the livestock by only the head, ears, horns, neck, tail, wool, hair or feathers; or
- (ii) unless the livestock is a sheep, goat or pig that weighs less than 15 kilograms—lift or carry the livestock by 1 leg; or
- (iii) unless it is necessary in the circumstances to allow safe handling, lifting, treatment or humane destruction of livestock—drag livestock that is unable to stand; and

(b) must ensure that livestock being lifted by mechanical means is well supported and secured.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) Subject to subregulation (4), a person handling poultry for transport may only lift or carry the poultry by the head, neck, wing feathers or tail feathers if the poultry is also supported under its breast.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (4) A person may when handling poultry for transport—

- (a) in the case of a turkey—lift and carry the bird by the tail feathers and neck together, or by 1 leg and 1 wing together; or
- (b) in the case of an adult goose, or a domestic fowl primarily kept for breeding purposes—lift and carry the bird by the base of both wings alone; or
- (c) in the case of a duck—lift and carry the bird by its neck alone or by the base of both wings alone; or
- (d) in any other case—lift and carry the bird by 1 leg.

- (5) A person must not tie the legs of an emu, ostrich or any poultry together for the purposes of transporting the birds.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (6) A person must, when transporting emus, ostriches or any poultry in containers, ensure that the containers—

- (a) are loaded onto, or unloaded from, the vehicle carefully without being dropped or thrown; and
- (b) are placed on the vehicle in an upright position without excessive tilting; and
- (c) are attached securely to the vehicle; and

(d) are suitable for the species or class of bird being transported.

Maximum penalty: \$2 500.

Expiation fee: \$210.

44—Use of dogs

(1) A person may only use a dog to assist in the control or movement of livestock for transport if—

- (a) the livestock is an animal of a prescribed class; and
- (b) the dog is under effective control at all times; and
- (c) in the case of a dog that has a history of biting humans or animals—the dog is wearing a muzzle.

(2) The driver of a vehicle transporting an animal of a prescribed class may only permit a dog to be transported in the same enclosure as the animal if the dog has bonded with and been used as a guardian of that animal.

Maximum penalty: \$2 500.

Expiation fee: \$210.

(3) In this regulation—

animal of a prescribed class means cattle (other than bobby calves), deer, emus, ostriches, pigs and sheep.

45—Loading density of certain livestock during transport

(1) This regulation does not apply to the transport of emus, ostriches or poultry loaded in containers.

(2) The driver of a vehicle transporting livestock must ensure that—

- (a) the livestock are separated by sufficient internal partitions or other barriers during transport so as to minimise the risk of harm to the livestock; and
- (b) the loading density of the livestock in the vehicle (including each pen, container, crate or other partition of the vehicle) is such so as to minimise the risk of harm to the livestock.

Maximum penalty: \$2 500.

Expiation fee: \$210.

(3) For the purposes of subregulation (2)—

- (a) the following matters must be taken into account in determining whether the separation of livestock is sufficient:
 - (i) the species, class and size of the livestock;
 - (ii) the general health of the livestock;
 - (iii) the level of aggression of the livestock;
 - (iv) the nature of the proposed journey; and
- (b) the following matters must be taken into account in determining whether the loading density of the livestock on a vehicle is appropriate:
 - (i) the species of livestock;
 - (ii) the class of livestock;

- (iii) the size and body condition of the livestock;
- (iv) the length and density of wool or hair of the livestock;
- (v) the horn status of the livestock;
- (vi) the weather conditions predicted for the proposed journey;
- (vii) the nature of the proposed journey;
- (viii) the design and capacity of the vehicle.

46—Loading density of emus, ostriches or poultry transported in containers

- (1) A person loading emus, ostriches or poultry into a container for transport must ensure that the loading density of the birds in the container is such so as to minimise the risk of harm to the birds.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) For the purposes of subregulation (1), the following matters must be taken into account in determining whether the loading density of birds in a container is appropriate:
- (a) the species and class of birds;
 - (b) the size, body condition and density of feathers of the birds;
 - (c) the weather conditions predicted for the proposed journey;
 - (d) the nature of the proposed journey;
 - (e) the design and capacity of the vehicle on which the containers are to be transported.

47—Driver's duties

- (1) The driver of a vehicle transporting livestock must—
- (a) inspect the vehicle immediately before departure following the loading of the livestock (whether at the commencement of, or during, a journey) to ensure that any containers being used to transport the livestock, and the doors enclosing the livestock, are secured; and
 - (b) before unloading livestock from the vehicle, inspect the livestock handling facility into which the livestock are to be unloaded to ensure that there is free access and sufficient space for the livestock to be unloaded; and
 - (c) take reasonable steps to—
 - (i) notify the person to whom the care, control and management of the livestock is to be transferred at a destination of any change in the estimated time of arrival of the livestock; and
 - (ii) if records were required to be kept under regulation 48, provide them with a copy of those records.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) The driver of a vehicle transporting livestock must carry out an inspection to assess the health and well-being of the livestock—
- (a) immediately before commencing the journey; and

- (b) in respect of livestock (other than emus, ostriches or poultry loaded in containers on the vehicle, or livestock being transported on a road-going vehicle on a sea-going vessel)—
 - (i) at least once within the first hour of the journey; and
 - (ii) at least once every 3 hours of the journey thereafter; and
 - (iii) before there is a change of driver; and
- (c) at any time the livestock are unloaded from the vehicle (whether during or on completion of the journey).

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) If during the course of a journey the driver of a vehicle transporting livestock identifies an animal that is weak, ill, injured or otherwise distressed, the driver must—
 - (a) as soon as is reasonably practicable, provide or seek such assistance for the animal as is reasonable in the circumstances; and
 - (b) on transferring the care, control and management of the animal to another person (whether during or on completion of the journey, or otherwise)—notify that person of the identity and condition of the animal.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (4) The person who, on completion of the journey, has the care, control and management of an animal referred to in subregulation (3) must, as soon as is reasonably practicable, make arrangements for—
 - (a) the separation of the animal for rest and recovery; or
 - (b) the appropriate treatment of the animal; or
 - (c) the humane destruction and disposal of the animal; or
 - (d) any other measure that is appropriate in the circumstances.

Maximum penalty: \$2 500.

Expiation fee: \$210.

48—Records

- (1) If the journey time for transporting livestock is reasonably estimated to be 24 hours or more, the driver of the vehicle transporting the livestock must keep a record of—
 - (a) the date and time the livestock were loaded on the vehicle for the journey; and
 - (b) the date and time of when the livestock last had reasonable access to water prior to the commencement of the journey; and
 - (c) the date, time of commencement and length of any spell given to the livestock; and
 - (d) the date and time of livestock inspections undertaken by the driver; and
 - (e) the details of any concerns for the welfare of livestock identified by the driver, including the date and time the concerns were identified, and the details of any action taken; and

- (f) the details of any person the driver should contact in the event of an emergency.
Maximum penalty: \$2 500.
Expiation fee: \$210.
- (2) A driver must give a copy of the records required to be made under subregulation (1) to any other person to whom the driver transfers the care, control and management of the livestock during, or on completion of, the journey.
Maximum penalty: \$2 500.
Expiation fee: \$210.
- (3) A person required to keep records under this regulation must ensure the records are readily available for inspection at all reasonable times by an inspector.
Maximum penalty: \$2 500.
Expiation fee: \$210.
- (4) For the purposes of this regulation, a record may be kept in electronic form.

Division 3—Specific requirements for transporting certain livestock

49—Livestock to be spelled

- (1) Subject to this Division, the driver of a vehicle transporting livestock must ensure that the journey time for the livestock does not exceed the period of time specified in this Division in respect of livestock of the species or class of species being transported.
Maximum penalty: \$2 500.
Expiation fee: \$210.
- (2) Subject to this Division, the driver of a vehicle transporting livestock must ensure that before the maximum time off water is exceeded for the livestock, the livestock is given a spell for a period of time of not less than the minimum spell duration as specified in this Division in respect of livestock of the species or class of species being transported.
Maximum penalty: \$2 500.
Expiation fee: \$210.
- (3) However, if the minimum spell duration that is required for livestock under this Division exceeds 24 hours, the minimum spell duration required may be reduced to 24 hours if (and only if)—
- (a) the maximum time off water permitted in respect of the livestock has not yet been reached; and
 - (b) the actual time for which the livestock has been off water is less than 24 hours.
- (4) If the care, control and management of livestock being transported is transferred to a person at a destination and the person is unable to ascertain as to when the livestock last had reasonable access to water, it will be taken that the maximum time off water for the livestock has been reached and the person must, as soon as is reasonably practicable, spell the livestock for the period of time that is not less than the minimum spell duration as specified in this Division in respect of livestock of that species or class.
Maximum penalty: \$2 500.
Expiation fee: \$210.

50—Alpacas

- (1) Subject to this regulation, when transporting alpacas—
- (a) the journey time for the class of alpaca listed in column 1 of the table set out in this subregulation, must not exceed the period of time specified in column 2 of the table with respect to that class; and
 - (b) the maximum time off water for the class of alpaca listed in column 1 of the table set out in this subregulation, is the period of time specified in column 3 of the table with respect to that class; and
 - (c) the minimum spell duration for the class of alpaca listed in column 1 of the table set out in this subregulation, is the period of time specified in column 4 of the table with respect to that class.

| Class of alpaca | Journey time (hours) | Maximum time off water (hours) | Minimum spell duration (hours) |
|--|-----------------------------|---------------------------------------|---------------------------------------|
| Alpacas known or visually assessed to be up to 33 weeks pregnant | 8 | 8 | 8 |
| Alpacas known, or visually assessed to be between 33 and 43 weeks pregnant (inclusive) | 4 | 4 | 4 |
| Alpacas known or visually assessed to be more than 43 weeks pregnant | 4 | 4 | 24 |
| Lactating alpacas travelling with dependent young up to 6 months of age | 4 | 4 | 4 |
| Alpacas up to 6 months of age | 4 | 4 | 4 |
| Alpacas between 6 and 12 months of age (inclusive) | 8 | 8 | 8 |
| Any other alpaca not referred to above | 24 | 24 | 24 |

- (2) The journey time for an alpaca, other than an alpaca known or visually assessed to be more than 43 weeks pregnant, that is given reasonable access to water and feed at all times the alpaca is loaded on the vehicle in which it is being transported, may be increased to 72 hours if the alpaca is given a spell of at least 24 hours before commencing another journey.
- (3) The driver of a vehicle being used to transport an alpaca that is—
- (a) less than 12 months of age; or
 - (b) is less than 10 days off shears,

must ensure that the vehicle has an enclosed front or has sufficient cover to protect the alpaca from heat or cold stress or sunburn.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (4) The driver of a vehicle being used to transport an alpaca must ensure that the alpaca has sufficient space on the vehicle to sit down or lie on its sternum.

Maximum penalty: \$2 500.

Expiation fee: \$210.

51—Buffalo

- (1) When transporting buffalo—

- (a) the journey time for the class of buffalo listed in column 1 of the table set out in this subregulation, must not exceed the period of time specified in column 2 of the table with respect to that class; and
- (b) the maximum time off water for the class of buffalo listed in column 1 of the table set out in this subregulation, is the period of time specified in column 3 of the table with respect to that class; and
- (c) the minimum spell duration for the class of buffalo listed in column 1 of the table set out in this subregulation, is the period of time specified in column 4 of the table with respect to that class.

| Class of buffalo | Journey time (hours) | Maximum time off water (hours) | Minimum spell duration (hours) |
|---|----------------------|--------------------------------|--------------------------------|
| Buffalo known or visually assessed to be between 28 and 43 weeks pregnant (inclusive) | 24 | 24 | 12 |
| Buffalo known or visually assessed to be more than 43 weeks pregnant | 4 | 4 | 24 |
| Lactating buffalo travelling with dependent young | 24 | 24 | 12 |
| Buffalo less than 6 months of age | 24 | 24 | 12 |
| Any other buffalo not referred to above | 36 | 36 | 24 |

- (2) If a buffalo suffers heat stress during a journey, the person who has the care, control and management of the buffalo must (in addition to any other appropriate action) apply a water spray to cool the buffalo, as soon as is reasonably practicable.

Maximum penalty: \$2 500.

Expiation fee: \$210.

52—Camels

- (1) Subject to this regulation, when transporting camels—
- (a) the journey time for the class of camel listed in column 1 of the table set out in this subregulation, must not exceed the period of time specified in column 2 of the table with respect to that class; and
 - (b) the maximum time off water for the class of camel listed in column 1 of the table set out in this subregulation, is the period of time specified in column 3 of the table with respect to that class; and
 - (c) the minimum spell duration for the class of camel listed in column 1 of the table set out in this subregulation, is the period of time specified in column 4 of the table with respect to that class.

| Class of camel | Journey time (hours) | Maximum time off water (hours) | Minimum spell duration (hours) |
|--|----------------------|--------------------------------|--------------------------------|
| Camels known or visually assessed to be between 36 and 53 weeks pregnant (inclusive) | 24 | 24 | 12 |
| Camels known or visually assessed to be more than 53 weeks pregnant | 4 | 4 | 36 |
| Lactating camels travelling with dependent young | 24 | 24 | 12 |
| Camels less than 6 months of age | 24 | 24 | 12 |
| Any other camel not referred to above | 48 | 48 | 36 |

- (2) The journey time for a camel, other than a camel that is less than 6 months of age, or known or visually assessed to be more than 53 weeks pregnant, that is given reasonable access to water and feed at least once every 24 hours for the period of time the camel is loaded on the vehicle in which it is being transported, may be increased to 72 hours if the camel is given a spell of at least 24 hours before commencing another journey.
- (3) The driver of a vehicle being used to transport a camel must ensure that—
- (a) when standing at rest in the vehicle, the camel has not less than 100 millimetres clearance between the top of its hump and the surface immediately above the camel; and
 - (b) the camel has sufficient space on the vehicle to lie down on its sternum.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (4) The person who has the care, control and management of a camel in rut that is being transported must ensure that the camel is segregated from all other animals during transport.
- Maximum penalty: \$2 500.
- Expiation fee: \$210.

53—Cattle other than bobby calves

When transporting cattle, other than bobby calves—

- (a) the journey time for the class of cattle listed in column 1 of the table set out in this regulation, must not exceed the period of time specified in column 2 of the table with respect to that class; and
- (b) the maximum time off water for the class of cattle listed in column 1 of the table set out in this regulation, is the period of time specified in column 3 of the table with respect to that class; and
- (c) the minimum spell duration for the class of cattle listed in column 1 of the table set out in this regulation, is the period of time specified in column 4 of the table with respect to that class.

| Class of cattle | Journey time (hours) | Maximum time off water (hours) | Minimum spell duration (hours) |
|---|----------------------|--------------------------------|--------------------------------|
| Cattle known, or visually assessed to be between 24 and 37 weeks pregnant (inclusive) | 24 | 24 | 12 |
| Cattle known or visually assessed to be more than 37 weeks pregnant | 4 | 4 | 24 |
| Cattle more than 30 days of age but less than 6 months of age | 24 | 24 | 12 |
| Lactating cattle travelling with dependent young | 24 | 24 | 12 |
| Any other cattle not referred to above | 48 | 48 | 36 |

54—Bobby calves

- (1) A person must not transport a bobby calf that is less than 5 days old unless the journey time is no more than 6 hours and the calf—
 - (a) has been fed a liquid feed within 6 hours before it is loaded on the vehicle for transportation; and
 - (b) is being taken directly to a calf-rearing facility; and
 - (c) is provided with thick bedding on the vehicle during the journey; and
 - (d) has sufficient space on the vehicle to lie down on its sternum.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) The following provisions apply to transporting a bobby calf that is between the age of 5 days and 30 days (inclusive):
 - (a) a person must not supply a calf for transport unless—
 - (i) it has been fed a liquid feed within 6 hours before it is loaded on the vehicle for transport; and

- (ii) its condition is such that it is alert and able to rise from a lying position; and
- (iii) the journey time is reasonably expected to be 12 hours or less;
- (b) the driver of the vehicle must not transport the calf unless—
 - (i) it has sufficient space on the vehicle to lie down on its sternum; and
 - (ii) its condition is such that it is alert and able to rise from a lying position; and
 - (iii) the journey time is reasonably expected to be 12 hours or less;
- (c) in the case of a calf being transported to an abattoir—the driver must ensure the calf is delivered to the abattoir in 12 hours or less from the time the calf was loaded on the vehicle.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) A driver of a vehicle used to transport a bobby calf must take reasonable measures to ensure that the calf is protected from cold and heat during the journey.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (4) A person must not transport a premature bobby calf (including an induced calf) unless the calf is as fit for the journey as a full-term calf of an equivalent age.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (5) In this regulation—

liquid feed means milk or milk replacer.

55—Deer

- (1) When transporting deer—
- (a) the journey time for the class of deer listed in column 1 of the table set out in this subregulation, must not exceed the period of time specified in column 2 of the table with respect to that class; and
 - (b) the maximum time off water for the class of deer listed in column 1 of the table set out in this subregulation, is the period of time specified in column 3 of the table with respect to that class; and
 - (c) the minimum spell duration for the class of deer listed in column 1 of the table set out in this subregulation, is the period of time specified in column 4 of the table with respect to that class.

| Class of deer | Journey time (hours) | Maximum time off water (hours) | Minimum spell duration (hours) |
|--|----------------------|--------------------------------|--------------------------------|
| Deer known or visually assessed to be between 20 and 30 weeks pregnant (inclusive) | 24 | 24 | 12 |
| Deer known or visually assessed to be more than 30 weeks pregnant | 4 | 4 | 24 |

| Class of deer | Journey time (hours) | Maximum time off water (hours) | Minimum spell duration (hours) |
|--|-----------------------------|---------------------------------------|---------------------------------------|
| Lactating deer travelling with dependent young | 4 | 24 | 24 |
| Weaned deer less than 6 months of age | 28 | 28 | 12 |
| Any other deer not referred to above | 48 | 48 | 36 |

- (2) The driver of a vehicle being used to transport deer must not transport a deer—
- less than 7 days after the deer has undergone velvet antler removal; or
 - that has antlers in velvet that are 4 centimetres or more in length; or
 - that has hard antlers that are 4 centimetres or more in length unless it is segregated from other deer and there is sufficient clearance between the antlers and the surfaces of the vehicle so as to minimise the risk of injury to the deer and its antlers.

Maximum penalty: \$2 500.

Expiation fee: \$210.

56—Emus and ostriches

- (1) Subject to this regulation, when transporting emus or ostriches—
- the journey time for the class of emu or ostrich listed in column 1 of the table set out in this subregulation, must not exceed the period of time specified in column 2 of the table with respect to that class; and
 - the maximum time off water for the class of emu or ostrich listed in column 1 of the table set out in this subregulation, is the period of time specified in column 3 of the table with respect to that class; and
 - the minimum spell duration for the class of emu or ostrich listed in column 1 of the table set out in this subregulation, is the period of time specified in column 4 of the table with respect to that class.

| Class of emu or ostrich | Journey time (hours) | Maximum time off water (hours) | Minimum spell duration (hours) |
|---|-----------------------------|---------------------------------------|---------------------------------------|
| Emus or ostriches aged 5 days or more but less than 90 days | 24 | 24 | 12 |
| Emus or ostriches aged more than 90 days | 36 | 36 | 24 |

- (2) The owner of an emu or ostrich aged 5 days or more must ensure that, within the period of 24 hours before commencing a journey, the bird is provided with adequate food containing sufficient nutrients to ensure the bird's good health and vitality.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) The driver of a vehicle being used to transport an emu or ostrich must ensure that any bird that is aged 5 days or more but less than 90 days is given reasonable access to feed at least once every 12 hours during the journey.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (4) The driver of a vehicle being used to transport an emu or ostrich in a container must ensure that any bird that is aged 5 days or more but less than 90 days is given reasonable access to water and feed at least once every 12 hours, and provided with shelter, during the journey.
Maximum penalty: \$2 500.
Expiation fee: \$210.
- (5) The driver of a vehicle transporting an emu or ostrich that is less than 5 days old must take reasonable measures to minimise the risk of harm to the bird during the journey from chilling or overheating.
Maximum penalty: \$2 500.
Expiation fee: \$210.
- (6) The owner of an emu or ostrich that is less than 5 days old must ensure that once the bird is removed from an incubator to be transported, the bird is returned for a period of at least 24 hours to a suitable brooding environment that provides the bird with adequate feed, water and warmth—
- (a) in the case of a bird transported in a container in which the bird does not have ready access to hydrating material—within 60 hours; or
 - (b) in any other case—within 72 hours.
- Maximum penalty: \$2 500.
Expiation fee: \$210.

57—Goats

When transporting goats—

- (a) the journey time for the class of goat listed in column 1 of the table set out in this regulation, must not exceed the period of time specified in column 2 of the table with respect to that class; and
- (b) the maximum time off water for the class of goat listed in column 1 of the table set out in this regulation, is the period of time specified in column 3 of the table with respect to that class; and
- (c) the minimum spell duration for the class of goat listed in column 1 of the table set out in this regulation, is the period of time specified in column 4 of the table with respect to that class.

| Class of goat | Journey time (hours) | Maximum time off water (hours) | Minimum spell duration (hours) |
|---|----------------------|--------------------------------|--------------------------------|
| Goats known or visually assessed to be between 14 and 19 weeks pregnant (inclusive) | 24 | 24 | 12 |
| Goats known or visually assessed to be more than 19 weeks pregnant | 4 | 4 | 24 |
| Lactating goats travelling with dependent young | 28 | 28 | 12 |
| Goats less than 6 months of age | 28 | 28 | 12 |
| Any other goat not referred to above | 48 | 48 | 36 |

58—Horses

- (1) Subject to this regulation, when transporting horses—
- (a) the journey time for the class of horse listed in column 1 of the table set out in this subregulation, must not exceed the period of time specified in column 2 of the table with respect to that class; and
 - (b) the maximum time off water for the class of horse listed in column 1 of the table set out in this subregulation, is the period of time specified in column 3 of the table with respect to that class; and
 - (c) the minimum spell duration for the class of horse listed in column 1 of the table set out in this subregulation, is the period of time specified in column 4 of the table with respect to that class.

| Class of horse | Journey time (hours) | Maximum time off water (hours) | Minimum spell duration (hours) |
|--|-----------------------------|---------------------------------------|---------------------------------------|
| Horses known or visually assessed to be between 30 and 43 weeks pregnant (inclusive) | 12 | 12 | 12 |
| Horses known or visually assessed to be more than 43 weeks pregnant | 4 | 4 | 24 |
| Lactating horses travelling with dependent young | 12 | 12 | 12 |
| Horses less than 6 months of age | 12 | 12 | 12 |
| Any other horse not referred to above | 24 | 24 | 12 |

- (2) The journey time for a horse, other than a horse that is known or visually assessed to be more than 43 weeks pregnant, that—
- (a) is given reasonable access to water and feed at least once every 5 hours for the period of time the horse is loaded on the vehicle in which it is being transported; and
 - (b) is being transported in a vehicle that—
 - (i) protects the horse from the natural elements; and
 - (ii) has sufficient space for it to stand at rest with its head raised; and
 - (iii) has sufficient drainage to remove urine,

may be increased to 36 hours if the horse is given a spell of at least 24 hours before commencing another journey.

- (3) The driver of a vehicle transporting a lactating horse with a dependent foal less than 6 months of age must, if the estimated journey time is likely to exceed 5 hours, provide sufficient space on the vehicle for the foal to suckle from its mother and to lie down.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (4) The driver of a vehicle transporting a horse must ensure—
- (a) in the case of a vehicle with separate stalls or other partitions—that each stall or partition is accessible so as to allow feeding, watering and visual inspection of the horse; and
 - (b) in the case of a vehicle that is fully enclosed with a controlled environment—that there is sufficient airflow, with at least 12 air changes every hour; and
 - (c) when standing at rest—that the horse has not less than 100 millimetres clearance between the top of its withers and the surface of the vehicle immediately above the horse; and
 - (d) in the case of a stallion unused to being handled—that the horse is segregated from other horses on the vehicle.

Maximum penalty: \$2 500.

Expiation fee: \$210.

59—Pigs

- (1) Subject to this regulation, when transporting pigs—
- (a) the journey time for the class of pig listed in column 1 of the table set out in this subregulation, must not exceed the period of time specified in column 2 of the table with respect to that class; and
 - (b) the maximum time off water for the class of pig listed in column 1 of the table set out in this subregulation, is the period of time specified in column 3 of the table with respect to that class; and
 - (c) the minimum spell duration for the class of pig listed in column 1 of the table set out in this subregulation, is the period of time specified in column 4 of the table with respect to that class.

| Class of pig | Journey time (hours) | Maximum time off water (hours) | Minimum spell duration (hours) |
|---|----------------------|--------------------------------|--------------------------------|
| Pigs known or visually assessed to be more than 14 weeks pregnant | 4 | 4 | 24 |
| Lactating pigs travelling with dependent young | 12 | 12 | 12 |
| Weaned pigs that weigh less than 30 kilograms | 12 | 12 | 12 |
| Any other pig not referred to above | 24 | 24 | 12 |

- (2) The journey time for a pig of a class specified in the last entry of the table in subregulation (1) that—
- (a) is given reasonable access to water and feed at least once every 24 hours for the period of time the pig is loaded on the vehicle in which it is being transported; and
 - (b) has sufficient space on the vehicle to lie down,

may be increased to 72 hours if the pig is given a spell of at least 24 hours before commencing another journey.

60—Poultry

- (1) Subject to this regulation, when transporting poultry—
- (a) the journey time for the class of poultry listed in column 1 of the table set out in this subregulation, must not exceed the period of time specified in column 2 of the table with respect to that class; and
 - (b) the maximum time off water for the class of poultry listed in column 1 of the table set out in this subregulation, is the period of time specified in column 3 of the table with respect to that class; and
 - (c) the minimum spell duration for the class of poultry listed in column 1 of the table set out in this subregulation, is the period of time specified in column 4 of the table with respect to that class.

| Class of poultry | Journey time (hours) | Maximum time off water (hours) | Minimum spell duration (hours) |
|--|-----------------------------|---------------------------------------|---------------------------------------|
| Poultry aged 5 days or more (other than a spent hen) | 24 | 24 | 24 |
| Spent hens | 36 | 36 | 36 |

- (2) The owner of poultry aged 5 days or more must ensure that, within the period of 12 hours before commencing a journey, the bird is provided with adequate food containing sufficient nutrients to ensure the bird's good health and vitality.
Maximum penalty: \$2 500.
Expiation fee: \$210.
- (3) Subregulation (2) does not apply to a spent hen or a domestic fowl kept primarily for the purpose of breeding fowls for meat production.
- (4) If a bird aged 5 days or more, other than a spent hen, is to be transported in a container loaded on a vehicle, the journey time for the bird may be increased to 72 hours if the bird—
- (a) is provided with shelter at all times; and
 - (b) is given reasonable access to water and feed at least once in every 24 hour period.
- Maximum penalty: \$2 500.
Expiation fee: \$210.
- (5) The driver of a vehicle transporting poultry that is less than 5 days old must take reasonable measures to minimise the risk of harm to the bird during the journey from chilling or overheating.
Maximum penalty: \$2 500.
Expiation fee: \$210.
- (6) The owner of poultry that is less than 5 days old must ensure that once the bird is removed from an incubator to be transported, the bird is returned for a period of at least 24 hours to a suitable brooding environment that provides the bird with adequate feed, water and warmth—
- (a) in the case of a bird transported in a container in which the bird does not have ready access to hydrating material—within 60 hours; or

(b) in any other case—within 72 hours.

Maximum penalty: \$2 500.

Expiation fee: \$210.

(7) In this regulation—

spent hen means a domestic fowl kept primarily for the purpose of egg production or breeding fowls for meat or egg production, that has reached the end of its commercially viable lifespan.

61—Sheep

When transporting sheep—

- (a) the journey time for the class of sheep listed in column 1 of the table set out in this regulation, must not exceed the period of time specified in column 2 of the table with respect to that class; and
- (b) the maximum time off water for the class of sheep listed in column 1 of the table set out in this regulation, is the period of time specified in column 3 of the table with respect to that class; and
- (c) the minimum spell duration for the class of sheep listed in column 1 of the table set out in this regulation, is the period of time specified in column 4 of the table with respect to that class.

| Class of sheep | Journey time (hours) | Maximum time off water (hours) | Minimum spell duration (hours) |
|---|----------------------|--------------------------------|--------------------------------|
| Sheep known or visually assessed to be between 14 and 19 weeks pregnant (inclusive) | 24 | 24 | 12 |
| Sheep known or visually assessed to be more than 19 weeks pregnant | 4 | 4 | 24 |
| Lactating sheep travelling with dependent young | 28 | 28 | 12 |
| Sheep less than 4 months of age | 28 | 28 | 12 |
| Any other sheep not referred to above | 48 | 48 | 36 |

Schedule 1—Fees

- | | | |
|---|---|------|
| 1 | Application for a licence or renewal of a licence under Part 4 of the Act (Teaching and research involving animals) | \$75 |
| 2 | Application for a permit under section 34 of the Act (Permits to hold rodeos) | \$75 |

Schedule 2—Codes of practice

| | Person who must ensure compliance with Code of Practice | Code of Practice |
|----|---|---|
| 1 | A person who carries on a business consisting of or involving selling companion animals for profit | <i>South Australian Code of Practice for the Care and Management of Animals in the Pet Trade</i> , Animal Welfare Unit, Department of Environment, Heritage and Aboriginal Affairs (1999) |
| 2 | A person who handles, destroys or domesticates feral livestock | <i>Model Code of Practice for the Welfare of Animals, The Destruction or Capture, Handling and Marketing of Feral Livestock Animals</i> , Australian Agricultural Council (1991), as in force on 20 May 2009 |
| 3 | A person who has the care, control or management of animals at a saleyard | <i>Model Code of Practice for the Welfare of Animals, Animals at Saleyards</i> , Australian Agricultural Council (1991), as in force on 20 May 2009 |
| 4 | A person who has the care, control or management of animals at a slaughtering facility | <i>Model Code of Practice for the Welfare of Animals, Livestock and Poultry at Slaughtering Establishments (Abattoirs, Slaughterhouses and Knackeries)</i> , Australian Agricultural Council (1986), as in force on 20 May 2009 |
| 5 | A person who has the care, control or management of animals for the purposes of a circus | <i>South Australian Code of Practice for the Welfare of Animals in Circuses</i> , Office of Animal Welfare, Department for Environment, Heritage and Aboriginal Affairs (1997), as in force from time to time |
| 6 | A person who has the care, control or management of animals preparatory to or during transport by air | <i>Model Code of Practice for the Welfare of Animals, Air Transport of Livestock</i> Australian Agricultural Council (1986), as in force on 20 May 2009 |
| 7 | A person who has the care, control or management of animals preparatory to or during transport by sea | <i>Model Code of Practice for the Welfare of Animals, Sea Transport of Livestock</i> Australian Agricultural Council (1987), as in force on 20 May 2009 |
| 8 | A person who has the care, control or management of camels | <i>Model Code of Practice for the Welfare of Animals, The Camel</i> , Agriculture and Resource Management Council of Australia and New Zealand (1997), as in force on 20 May 2009 |
| 9 | A person who has the care, control or management of captive birds (excluding waterfowl, pigeons used for racing, pheasants or poultry used for the commercial production of meat or eggs) | <i>South Australian Code of Practice for the Husbandry of Captive Birds</i> , Office of Animal Welfare, Department of Environment, Heritage and Aboriginal Affairs (1999), as in force from time to time |
| 10 | A person who has the care, control or management of cattle | <i>Australian Model Code of Practice for the Welfare of Animals, Cattle</i> , Australian Agricultural Council (1992), as in force on 20 May 2009 |
| 11 | A person who has the care, control or management of farmed deer | <i>Model Code of Practice for the Welfare of Animals, The Farming of Deer</i> , Australian Agricultural Council (1991), as in force on 20 May 2009 |
| 12 | A person who has the care, control or management of farmed rabbits | <i>Model Code of Practice for the Welfare of Animals, Intensive Husbandry of Rabbits</i> , Australian Agricultural Council (1991), as in force on 20 May 2009 |
| 13 | A person who has the care, control or management of goats | <i>Model Code of Practice for the Welfare of Animals, The Goat</i> , Australian Agricultural Council (1991), as in force on 20 May 2009 |

| | Person who must ensure compliance with Code of Practice | Code of Practice |
|----|--|--|
| 14 | A person who has the care, control or management of sheep | <i>Model Code of Practice for the Welfare of Animals, The Sheep</i> , Australian Agricultural Council (1991), as in force on 20 May 2009 |
| 15 | A person who has the care, control or management of farmed buffalo | <i>Model Code of Practice for the Welfare of Animals, Farmed Buffalo</i> , Agriculture and Resource Management Standing Committee (1995), as in force on 20 May 2009 |
| 16 | A person who has the care, control or management of farmed emus | <i>Model Code of Practice for the Welfare of Animals, Husbandry of Captive Bred Emus</i> , Agriculture and Resource Management Standing Committee (1999), as in force on 20 May 2009 |
| 17 | A person who has the care, control or management of farmed ostriches | <i>Model Code of Practice for the Welfare of Animals, Farming of Ostriches</i> , Primary Industries Standing Committee (2003), as in force on 20 May 2009 |

Schedule 3—Revocation and transitional provisions

1—Revocation of *Animal Welfare Regulations 2000*

The *Animal Welfare Regulations 2000* are revoked.

2—Transitional provisions

- (1) A course of training approved by the Minister for the purposes of regulation 5(1)(c) of the revoked regulations immediately before the commencement of this clause will be taken to be a course of training approved by the Minister for the purposes of regulation 4(1)(c) of these regulations.
- (2) A device approved by the Minister as an authorised electroimmobiliser under regulation 7(4)(a) of the revoked regulations immediately before the commencement of this clause will be taken to be a device approved as an authorised electroimmobiliser under regulation 7(4)(a) of these regulations.
- (3) A person approved by the Minister under regulation 7(4)(b) of the revoked regulations for the purposes of that regulation immediately before the commencement of this clause will be taken to be a person approved under regulation 7(4)(b) for the purposes of regulation 7 of these regulations.
- (4) A course of training approved by the Minister for the purposes of regulation 7(4)(b) of the revoked regulations immediately before the commencement of this clause will be taken to be a course of training approved by the Minister for the purposes of regulation 7(4)(b) of these regulations.
- (5) A person who is the holder of a certificate issued under regulation 7(4)(b) of the revoked regulations immediately before the commencement of this clause will be taken to be the holder of a certificate issued under regulation 7(4)(b) of these regulations.
- (6) An application for a permit to conduct a rodeo under regulation 13E of the revoked regulations made but not determined immediately before the commencement of this clause will be taken to be an application for a permit to conduct a rodeo made under regulation 16 of these regulations.
- (7) An application for a licence under regulation 15 of the revoked regulations made but not determined immediately before the commencement of this clause will be taken to be an application for a licence made under regulation 12 of these regulations.

- (8) A herd health program approved by the Minister for the purposes of Part 5 of the revoked regulations immediately before the commencement of this clause will be taken to be an approved herd health program for the purposes of Part 6 of these regulations.
- (9) A tertiary qualification approved by the Minister for the purposes of regulation 21(2)(b) of the revoked regulations immediately before the commencement of this clause will be taken to be an approved tertiary qualification for the purposes of regulation 25(2)(b) of these regulations.
- (10) An exemption granted by the Minister under regulation 23 of the revoked regulations and in force immediately before the commencement of this clause will continue for the balance of the period for which that exemption was granted.
- (11) In this clause—

revoked regulations means the *Animal Welfare Regulations 2000*.

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's Deputy

with the advice and consent of the Executive Council
on 16 August 2012

No 187 of 2012

MEC10/0067CS, MEC11/0050CS

South Australia

Education Regulations 2012

under the *Education Act 1972*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Education Regulations 2012*.

2—Commencement

These regulations will come into operation on 1 September 2012.

3—Interpretation

In these regulations—

Act means the *Education Act 1972*;

approved means approved by the Minister or by the Director-General;

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

medical certificate means a medical certificate from a legally qualified medical practitioner, or where a teacher does not reside in the vicinity of a medical practitioner, such other evidence as the Director-General requires;

premises means any land, building or structure;

responsible officer means a person employed in the Department from time to time directed by the Director-General to carry out a duty ascribed to the responsible officer under these regulations;

school means a Government school;

school council means a school council established under Part 8 of the Act;

special school, centre or class means a school, centre or class for the education and training of children with disabilities;

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

transport route in relation to any school means a route followed by vehicles provided by the Minister for the purpose of conveying students to that school partially or wholly at the expense of the Government.

Part 2—School buildings and grounds

4—Use of school premises for other than school purposes

The head teacher shall have power to grant the use of school premises to school bodies and, after consultation and agreement with the school council, to organisations not connected with the school, under such conditions as the Minister may determine.

5—Regulation of traffic on Departmental property

- (1) The head teacher in consultation and agreement with the school council may, subject to the approval in writing of the Director-General, set aside a portion of the school grounds for the parking of vehicles.
- (2) No person driving a vehicle shall enter school grounds except for a purpose connected with the business and operation of the school.

- (3) A person driving a vehicle on school grounds shall, where there is an area in the grounds reserved for the parking of vehicles and defined by appropriate markings and/or a notice erected in that area, park the vehicle in that defined area and in no other place.
- (4) Any person parking a vehicle anywhere on school premises shall do so at his or her own risk or where such person is not the owner of the vehicle then at the risk of the owner of the vehicle.
- (5) A person shall not drive a vehicle within the school grounds without due care or attention or without reasonable consideration for other persons who are on the school premises. He or she shall drive at a speed no greater than 20 kilometres per hour, except where notices indicate otherwise.
- (6) The driver of a vehicle when on school grounds shall obey all signs erected for controlling vehicular traffic on those grounds and shall comply with any reasonable instruction given to him or her by the head teacher or a person authorised by the head teacher for the purpose of regulating vehicular or pedestrian traffic or otherwise maintaining order within the school grounds.
- (7) The driver and/or the registered owner of a vehicle shall make good any damage caused by the use of that vehicle to property of the Minister and shall indemnify and keep harmless the Minister against any claim for damages for injuries to a student or any person caused by the driver's negligent driving of that vehicle on the school premises.
- (8) A person who contravenes any provision of this regulation, whether by act or omission, shall be guilty of an offence.
Penalty: \$100.
Expiation fee: \$25.

Part 3—Control of trespass and misbehaviour on school premises etc

6—Definitions

- (1) In this Part—
authorised person, in relation to a school, means—
 - (a) a member of the police force; or
 - (b) an officer of the teaching service; or
 - (c) a person appointed under section 9(4) or 101B of the Act to teach at the school; or
 - (d) a person authorised by the Minister for the purposes of this Part;*prohibition notice*—see regulation 10.
- (2) For the purposes of this Part, a person trespasses on school premises if—
 - (a) the person is on school premises between the hours of 12.00 midnight and 7.00 a.m. unless the person—
 - (i) carries a security pass issued by the Director-General authorising the person to be on those premises at that time; or
 - (ii) carries a security pass issued by the Commissioner of Police authorising the person to be on those premises at that time; or
 - (iii) carries the written permission of the head teacher to be on the premises at that time; or

- (b) the person fails to provide sufficient reason for being on the premises after being requested to do so by an authorised person.
- (3) For the purposes of this Part, a person misbehaves on school premises or premises used in connection with a school if the person, while on the premises—
 - (a) uses offensive language; or
 - (b) puts or threatens to put at risk the safety or welfare of another person; or
 - (c) behaves in an offensive, disorderly, intimidating or violent manner or threatens to behave in such a manner.

7—Application of Part

- (1) This Part does not apply to a person employed at a school in relation to the premises of the school or premises used in connection with the school.
- (2) This Part other than regulation 12(a) does not apply to a student enrolled at a school in relation to the premises of the school or premises used in connection with the school.

8—Offence to trespass or misbehave on school premises etc

A person who trespasses on school premises or misbehaves on school premises or premises used in connection with a school is guilty of an offence.

Maximum penalty: \$200

Expiation fee: for an offence not involving violence—\$50.

9—Power to request person to leave school premises etc

- (1) If an authorised person reasonably suspects a person of—
 - (a) trespassing on school premises; or
 - (b) misbehaving on school premises or premises used in connection with a school; or
 - (c) committing or threatening to commit any other offence on school premises or premises used in connection with a school,

the authorised person may request the person to leave the premises.

- (2) A person who has been requested to leave premises under subregulation (1) must not remain on the premises or return or attempt to return to the premises within 24 hours.

Maximum penalty: \$200.

Expiation fee: \$50.

10—Power to bar person from school premises etc

- (1) If a head teacher is satisfied that a person has—
 - (a) trespassed on school premises; or
 - (b) misbehaved on school premises or premises used in connection with a school; or
 - (c) committed or threatened to commit any other offence on school premises or premises used in connection with a school,

the head teacher may, with the approval of the Director-General, issue the person with a *prohibition notice*, being a notice in writing served on the person personally or at his or her last known address, barring the person, unconditionally or subject to conditions, from entering or remaining on the premises specified in the notice for a period not exceeding 3 months specified in the notice.

- (2) A person who contravenes or fails to comply with a prohibition notice is guilty of an offence.

Maximum penalty: \$200.

Expiation fee: \$50.

11—Minister may review prohibition notice

- (1) A person who is barred from premises under a prohibition notice for a period exceeding 2 weeks may apply to the Minister for a review of the notice.
- (2) The Minister may, on the hearing of an application for a review of a prohibition notice, confirm, vary or revoke the notice.
- (3) A prohibition notice continues to apply pending a determination by the Minister of an application for review of the notice.

12—Power to restrain, remove or refuse entry

An authorised person may, if necessary, use reasonable force—

- (a) to restrain on school premises or premises used in connection with a school any person who, in the opinion of the authorised person, is posing an immediate threat to the safety of another person, so as to prevent the person from causing harm to that other person; or
- (b) to remove from school premises or premises used in connection with a school any person who, in the opinion of the authorised person, is posing an immediate threat to the safety of another person on the premises; or
- (c) to remove from premises, or prevent the entry to premises of, any person who has been requested to leave the premises under this Part during the previous 24 hours or who is barred from the premises under a prohibition notice.

Part 4—The teaching service

Division 1—Appointment to the teaching service

13—Application for employment

- (1) Every applicant for appointment to the teaching service must have undertaken a prescribed course of teacher education or have obtained such other qualifications as the Minister, on the recommendation of the Director-General, approves.
- (2) A person who has not completed the requirements prescribed by subregulation (1) may be employed as a temporary teacher on a yearly basis if the Director-General is satisfied that he or she has the educational attainment and teaching ability to justify the proposed appointment.
- (3) The Minister may require any applicant to supply—
 - (a) an approved certified birth extract from an official register of births or such other evidence as to his or her age as is satisfactory to the Minister; and
 - (b) documentary evidence of his or her experience and qualifications or other evidence satisfactory to the Minister as to his or her suitability to perform the duties he or she would be required to undertake if appointed; and

- (c) a certificate from an approved legally qualified medical practitioner that the applicant is of sound health and free from any physical or mental defect likely to impair his or her efficiency in the performance of the duties he or she would be required to undertake if appointed.
- (4) Every applicant shall furnish true and complete information in answer to all questions asked by the Minister, an officer of the Department or any approved medical practitioner, and where an applicant furnishes information which is false or misleading in any material particular he or she shall be guilty of an offence and liable to a penalty not exceeding \$100.
- (5) Before appointment as a teacher an applicant shall undertake in writing to serve if required in any part of the State at any period of his or her service.

Division 2—Classification and promotion of teachers

14—Definition of promotional classification levels

For the purposes of the definition of *promotional level* in section 5(1) of the Act, a classification level other than Teacher or Advanced Skills Teacher Level 1 is declared to be a promotional level for a position in the teaching service.

15—Limit on reclassification applications

For the purposes of section 28(1) of the Act, an officer may not make an application for reclassification to the classification Advanced Skills Teacher Level 1.

16—Categories of schools

- (1) The Director-General shall divide all schools into the following categories:
 - (a) primary schools including aboriginal schools, correspondence schools, junior primary schools;
 - (b) rural schools;
 - (c) area schools;
 - (d) community schools;
 - (e) secondary schools.
- (2) The Minister may on the recommendation of the Director-General declare that the lower grades of any primary school shall be organised as a junior primary school in the charge of a separate teacher.

17—Number of AST Level 1 officers and promotional level positions

The number of officers classified at Advanced Skills Teacher Level 1 and the number of positions classified at promotional levels that are to be made available from time to time with respect to any category of school shall be determined by the Minister on the recommendation of the Director-General after consultation between the Director-General and the Australian Education Union (SA Branch).

18—Appeals under section 53 of Act

- (1) Every appeal against a provisional recommendation made under section 53 of the Act shall be by notice in writing addressed to the Secretary of the Appeal Board and shall set out shortly the grounds of the appeal.

- (2) The notice referred to in subregulation (1) shall be received by the Appeal Board not later than 14 days from the date on which notice of the provisional recommendation was posted to the last known address of the appellant, provided that the Board may, for sufficient and reasonable cause, extend the time by which the letter shall be received by the Board by not more than a further 7 days.
- (3) For the purpose of any appeal under section 53 of the Act and this regulation the Appeal Board shall consider the written submission of the appellant and may—
 - (a) dismiss the appeal where, in the opinion of the Appeal Board, the written submission has not disclosed sufficient grounds for further enquiry; or
 - (b) hear the appellant in person and the Director-General where, in the opinion of the Appeal Board, the written submission has disclosed sufficient grounds for further enquiry.

19—Acting appointments

- (1) A teacher appointed by the Director-General to a position classified at a promotional level in an acting capacity will, if the teacher occupies the position for a period of more than 1 week, be entitled to receive salary and increments, as from the date of the acting appointment and while the teacher occupies the position, as if the teacher had been appointed to the position by the Minister under Part 3 of the Act.
- (2) If a teacher, while acting in a position as referred to in subregulation (1), is appointed to the position by the Minister under Part 3 of the Act, the period for which the teacher acted in the position up until the appointment by the Minister will, for all purposes, be added to and taken to form part of the period for which the teacher occupies the position as a result of the appointment by the Minister.

Division 3—Leave of absence for teachers

20—Absence to be reported

Every teacher absent from duty shall apply to the Director-General for leave of absence through the head teacher on the form provided by the Department for that purpose, provided that, where circumstances make it impossible for that teacher to apply for leave of absence, the head teacher shall make application on his or her behalf.

21—Leave of absence on the ground of illness

- (1) Subject to this Division the Director-General may grant leave of absence with pay on the ground of illness to a teacher for a period not exceeding the leave standing to the credit of that teacher.
- (2) Subject to regulation 26, the leave standing to the credit of a teacher, whether appointed before or after the commencement of the Act, shall be—
 - (a) 10 school days on appointment; and
 - (b) 10 school days on each first day of January succeeding his or her day of appointment,

and in each case deducting from the total so obtained the number of school days in respect of which leave has been taken under this regulation or under the repealed regulations.

- (3) For the purpose of this regulation where a teacher is retired under section 17 of the Act or any other corresponding enactment and is subsequently reappointed as a teacher, his or her continuous service before retirement and his or her continuous service after reappointment shall be taken into account as though that service was continuous.

- (4) For the purpose of this regulation where a person, who has previously been in prescribed employment as defined in section 24 of the Act, is appointed a teacher under the Act and his or her service in the prescribed employment is continuous with his or her service as a teacher, the sick leave credit to which he or she shall be entitled under this regulation shall be determined on the basis that his or her service in the prescribed employment is service in the teaching service; provided that where the amount of sick leave taken by the teacher in the prescribed employment is not accurately known, the Minister shall determine the leave to stand to the credit of that teacher.
- (5) If the period of absence of a teacher on the ground of illness exceeds three days at any time the application for leave shall be accompanied by a medical certificate.
- (6) Notwithstanding subregulation (5), the Director-General may, if he or she thinks it necessary, require a teacher to produce evidence satisfactory to the Director-General of the existence of the illness of that teacher where his or her leave of absence on the ground of illness is 3 days or less.
- (7) Where a medical certificate or other evidence satisfactory to the Director-General is not produced by a teacher as required by this regulation the leave shall be without pay.
- (8) Where a teacher who is on long-service leave produces a medical certificate satisfactory to the Director-General that he or she has been confined to a residence or to a hospital for a period of at least 14 days while on that leave he or she may, with the approval of the Director-General, elect to convert that portion of his or her long-service leave during which he or she was so confined to a debit against his or her sick-leave credits; provided that no such conversion shall be granted to a teacher who has received payment for long-service leave on his or her retirement, resignation, retrenchment or termination of services.

22—Special leave with pay

- (1) The Director-General may, where reasonable cause exists, grant to a teacher special leave with pay for any period or periods not exceeding a total of 15 school days in any 1 year.
- (2) The Minister may, on the recommendation of the Director-General, grant to a teacher special leave with pay or with part pay for such period and upon such conditions as he or she may determine.
- (3) Special leave granted under this regulation shall be in addition to any other leave that a teacher may be entitled to under these regulations.

23—Infectious diseases and special leave

- (1) Where a teacher is absent from duty and produces a medical certificate that he or she is suffering from one of the diseases set out in subregulation (3), and that certificate is supported by a statement from the head teacher that in all probability the disease was contracted by the teacher while on duty, as a result of his or her contact with the children or staff of the school, the teacher will be granted special leave with pay not debited to sick leave credits.
- (2) The leave granted under this regulation shall not exceed 52 weeks, either at one time or in broken periods, for a particular disease.
- (3) The diseases accepted for the purpose of this regulation are chicken pox, diphtheria, erysipelas, glandular fever, hepatic whitlow, infectious hepatitis, infectious mononucleosis, measles, meningitis, mumps, poliomyelitis, rubella, scarlet fever, staphylococcal infection, typhoid, whooping cough, and such other diseases as the Minister may determine by publication in the Education Gazette.

24—Special leave without pay

The Minister may, where reasonable cause exists, grant to a teacher special leave without pay for any period and upon such conditions as he or she may determine.

25—Absence from duty

- (1) The Director-General shall have the power to direct that where a teacher has absented himself or herself from his or her place of work during his or her ordinary hours of duty (or other hours as directed) or has not discharged his or her duties as a result of or in the furtherance of industrial action taken by that teacher, the salary of that teacher may be reduced by such an amount as is equal to—
 - (a) one-tenth of the teacher's fortnightly salary for each full day of absence or failure to discharge duty; or
 - (b) one-twentieth of the teacher's fortnightly salary for each half day of absence or failure to discharge duty; or
 - (c) one seventy-fifth of the teacher's fortnightly salary for each hour (or part thereof) of absence or failure to discharge duty where the absence or failure to discharge duty is less than one half day.
- (2) Any direction made by the Director-General pursuant to subregulation (1) shall be given effect to.
- (3) For the purposes of this regulation, the fortnightly salary of a teacher who is appointed to the teaching service on a part-time basis is the fortnightly salary that teacher would be entitled to receive if he or she were appointed to the teaching service on a full-time basis.

26—Leave and continuity of service

- (1) The continuity of service of a teacher shall not be deemed to be broken by leave under this Part and—
 - (a) leave of absence in respect of which a teacher is paid his or her full salary shall count as service for sick leave entitlement; and
 - (b) the Minister may determine to what extent, if any, leave of absence taken without pay or on part pay shall be counted as service for sick leave entitlement, and the determination shall have effect according to its terms.
- (2) Where by the terms of the determination of the Minister a period of leave does not count as service for sick leave entitlements the credit of 10 school days in each year provided for in regulation 21 of this Division shall be reduced by 1 day for each complete 4 weeks of that period of leave, to a maximum of 10 school days in any 1 year.

27—Long service leave on half pay

Notwithstanding anything elsewhere contained in this Division, when a teacher takes a period of long-service leave on half pay under the provisions of section 20 of the Act he or she shall, for the purposes of long-service leave and sick-leave credits, be deemed to be on full pay for the first half of such period and on leave without pay for the remainder of that period.

28—Accouchement leave

- (1) A teacher who is pregnant may apply for accouchement leave commencing at any time during her pregnancy and ending not more than 12 months after the date of birth of the child.

- (2) The Director-General must grant accouchement leave in accordance with the application of a teacher and may vary the period of such leave on application by the teacher.
- (3) Accouchement leave is leave without pay provided that—
 - (a) a teacher who is entitled to long service leave may, at her discretion, use all or part of that entitlement during the period of accouchement leave;
 - (b) where the teacher suffers a sickness or injury that is, in the opinion of the Director-General—
 - (i) unconnected with the pregnancy; or
 - (ii) is a significant abnormal medical condition arising out of the pregnancy or the birth of the child,

the teacher must be granted sick leave with pay for a period not exceeding the period, if any, standing to the credit of the teacher.
- (4) A teacher who has been granted accouchement leave must give the Director-General at least 4 weeks notice in writing of the date on which she intends to resume duty.
- (5) If it is not possible to offer a teacher on accouchement leave a suitable appointment at the cessation of the period for which the leave has been granted, the leave may be extended until the end of the vacation period following the end of the school year during which notice of intention to resume duty was given.

29—War service sick leave

War service sick leave may be granted by the Director-General to officers who submit evidence that they are absent because of a disability accepted by the Commonwealth Repatriation Commission as due to war service in accordance with the following provisions:

- (a) A non-accumulative credit of 9 weeks—

As from 1 July 1955 or the date of joining the teaching service, whichever is the later, each ex-serviceman is granted a special non-accumulative war service sick leave credit of nine weeks, ie, 45 working days.
- (b) An accumulative credit of 3 weeks annually—
 - (i) On and from 1 July 1964 or the date of joining the teaching service, whichever is the later, each ex-serviceman may be granted an additional 3 weeks war service sick leave credit annually, ie, 15 working days.
 - (ii) This entitlement will accumulate for 3 years, ie, 45 working days, and re-accumulate if any portion thereof is used, so that the maximum credit which may be accumulated is 45 working days inclusive of existing accumulated credit.
 - (iii) This accumulative credit can be utilised only when the non-accumulative credit in paragraph (a) has been exhausted.

Division 4—Salaries and allowances for teachers

30—Commencing salary above minimum

Where an appointment is made which—

- (a) is the first appointment of a person as a teacher; or
- (b) involves transfer of a teacher from one position to another,

the Minister may, on the recommendation of the Director-General, approve a commencing salary within the range of the scale provided for the new position at a rate higher than the rate fixed for the minimum of that position, and that salary shall be paid accordingly.

31—Positions not covered in an award

For special work performed in a temporary capacity by a teacher to which no award applies, the Minister may determine what remuneration may be paid to that teacher in respect of that special work.

32—Deduction from salaries of rents for Departmental residences

Where a teacher occupies for the purpose of residence any building or part of a building owned or leased by the Minister, rent at an approved rate shall be deducted from that teacher's salary fortnightly.

33—Minister may recover salary paid to teacher in certain circumstances

Where for any cause a teacher receives salary or allowances or both to which he or she is not entitled under the Act, whether such salary or allowances are in respect of a vacation period or not, the Minister may require the teacher to repay to the Minister such salary or allowances or both, and in the event of the Minister's so requiring the money may be recovered by the Minister by action in a court of competent jurisdiction as a debt due and owing to the Minister.

34—Travelling expenses

Teachers undertaking approved travel in connection with their duties shall be reimbursed for expenses reasonably and actually incurred at the same rates as apply to a Public Service employee provided that the Minister may, on the recommendation of the Director-General, approve of reimbursement at a higher rate than prescribed in this regulation if it appears necessary to recoup the teacher concerned for his or her reasonable, out-of-pocket expenses.

35—Removal expenses

(1) Any teacher who—

- (a) is transferred to another school on promotion or for Departmental reasons; or
- (b) is transferred to another school at his or her own request after not less than 3 years of satisfactory service at 1 school; or
- (c) moves without transfer from a non-departmental residence to a Departmental residence or from 1 Departmental residence to another,

shall have household furniture and effects moved at Departmental expense under arrangements made or approved by the Director-General, and in addition shall be paid:

- (d) a packing allowance, the amount of which shall be determined by the Director-General; and
- (e) the cost of fares paid for the teacher and his or her family; and
- (f) on the production of proper vouchers, such other expenses as the Director-General may determine, provided that such other expenses are, in the opinion of the Director-General, necessarily and reasonably incurred by the teacher and his or her family in connection with that transfer or removal.

- (2) A person on first appointment as a teacher to a school whose place of residence is:
 - (a) in South Australia, shall be paid allowances as provided in subregulation (1), such allowances to be determined by the distance from his or her place of residence to the school;
 - (b) not in South Australia, shall be paid such expenses as may be negotiated in the terms of his or her contract of employment.
- (3) Where a teacher retires, he or she, or where a teacher dies, his or her surviving spouse or domestic partner, shall be paid allowances as provided in subregulation (1). Such allowances will be determined by the distance between the school at which that teacher was stationed and the future place of residence of the family, if in South Australia. If the future place of residence of the family is not in South Australia the Director-General shall determine the allowance which will apply.
- (4) The Director-General may authorise the payment to a teacher on removal of an approved allowance to cover depreciation of and necessary replacements to his or her household furniture and effects, provided that this allowance shall not be paid where a teacher with less than 3 years of satisfactory service at one school is transferred at his or her own request.
- (5) In every case where travelling expenses are payable pursuant to this regulation the Director-General may grant an allowance to the teacher in lieu of payment of actual expenses.
- (6) Notwithstanding anything in this regulation, the Minister may approve, on the recommendation of the Director-General, the payment of an allowance greater than that provided for in this regulation, or may pay wholly or in part the removal expenses and depreciation allowance of teachers who are debarred by this regulation from claiming the same, if reasonable cause exists to justify the said payment.

Division 5—Appeals and disciplinary provisions for teachers

36—Complaint against a Departmental officer

- (1) If a teacher at any time considers that he or she has just cause of complaint against any officer of the Department when that officer is acting in the course of his or her duties, the teacher may appeal in writing to the Director-General for consideration of his or her case, and the Director-General shall notify the teacher in writing of his or her determination in that matter.
- (2) Where the teacher is not satisfied with the determination of the Director-General notified to him or her in writing pursuant to subregulation (1), he or she may, within 14 days of the receipt of that notification, appeal to the Appeal Board against the determination of the Director-General.

37—Selection of members to constitute an Appeal Board

Where the Director-General is required under section 45(3)(b) of the Act to select from the panel of officers of the Department an officer to be a member of the Appeal Board for a particular appeal, he or she shall not select an officer who—

- (a) performed the action or made the decision, determination, recommendation or provisional appointment appealed against; or
- (b) is employed in that division or group of the Department of which the appellant is a member.

38—Lodging of appeals

- (1) Except where otherwise provided in the Act or these regulations any appeal made to the Appeal Board must be commenced by notice of appeal lodged by the appellant with the Board within 14 days of the appellant being notified by written notice of the act, decision, appointment or determination appealed against.
- (2) Every notice of appeal shall—
 - (a) be typewritten or in clearly legible handwriting; and
 - (b) give particulars of the matter appealed against; and
 - (c) state the grounds of the appeal; and
 - (d) give the name of the member nominated by the appellant from members of the panel of officers of the teaching service, pursuant to section 45(3)(c) of the Act; and
 - (e) be signed by the appellant.

39—Action following lodgements of appeal

- (1) The Appeal Board shall, on receipt of notice of an appeal, give to the Director-General and to the appellant at least 7 days notice in writing of the time and place fixed for the hearing of the appeal.
- (2) The Board shall hear that appeal as soon as practicable.
- (3) Where the Board has made its determination on any particular appeal made to it, it shall notify in writing the Director-General and the appellant of its decision.

40—Delay of proceedings by the Director-General

Where the Appeal Board is hearing an appeal by a teacher on any matter the Director-General shall delay any action against that teacher in respect of that matter until the Board has notified its determination of that appeal.

41—Criminal offences by teachers

- (1) Where a teacher is charged with a criminal offence any proceedings which may have been commenced by the Director-General or by the Appeal Board in connection with the facts concerning that offence shall be stayed.
- (2) Nothing in subregulation (1) shall be deemed to affect a suspension which may have been imposed on the teacher pursuant to section 27 of the Act.

Division 6—Duties of teachers

42—Responsibilities of teachers

- (1) A head teacher of a school is answerable to the Director-General and—
 - (a) in the case of a school with a governing council, is jointly responsible with the council for the governance of the school;
 - (b) in any case, is responsible for—
 - (i) providing educational leadership in the school;
 - (ii) the management of the day-to-day operations of the school;
 - (iii) the welfare and development of the students;
 - (iv) the establishment and maintenance of a social and educational environment within the school favourable to—

- (A) learning; and
 - (B) acceptable forms of behaviour; and
 - (C) the development within students of self-control, self-discipline and a respect for other persons and their property;
- (v) the provision, and the day-to-day management of the provision, of instruction in the school in accordance with the curriculum determined by the Director-General under Part 7 of the Act;
 - (vi) ensuring that staff, students and parents are consulted about, and informed of, the disciplinary rules governing students' behaviour both inside and outside the classroom;
 - (vii) the administration of discipline within the school;
 - (viii) promoting the continuing professional development of the staff of the school;
 - (ix) encouraging staff of the school to participate in processes for determining policies for the school and resolving problems;
 - (x) the conduct of regular staff meetings—
 - (A) as an integral part of decision making and communication within the school; and
 - (B) in a manner providing full opportunity for staff involvement;
 - (xi) keeping the school council informed of relevant educational and other policies;
 - (xii) fostering community participation in school programs and in educational developments generally;
 - (xiii) the proper care and safekeeping of school property belonging to the Minister.
- (2) A teacher of a school is answerable to the head teacher of the school and is responsible for—
- (a) being actively concerned with the welfare and development of the students in the teacher's care;
 - (b) attending staff meetings (subject to the acceptance of non-attendance on grounds similar to those applying to absence from other teaching duties or for reasons acceptable to the head teacher);
 - (c) participating in processes for determining school policies and properly implementing those policies;
 - (d) assisting in the general management of the school as required by the head teacher.

43—School control of students

- (1) Having regard to the rights and duties of students, parents and teachers, head teachers may impose such moderate and reasonable controls on the behaviour of students, and sanctions for offences against those rules, as they consider necessary or as are permitted by these regulations.

- (2) Subject to these regulations, head teachers may delegate their disciplinary authority, including the imposition of appropriate sanctions on students for breaches of school rules, to such members of their staffs as they determine. This delegation shall not prevent head teachers from exercising directly their own power to impose sanctions on students where they consider it necessary or advisable to do so.
- (3) A teacher may, in addition to imposing on a student any sanction that is in accordance with school policy, detain a student during the luncheon interval or after school hours subject to any conditions determined by the Minister.

44—Suspension of students

- (1) The head teacher of a school may suspend a student from attendance at the school for a period specified by the head teacher if the head teacher believes on reasonable grounds that—
 - (a) the student has threatened or perpetrated violence; or
 - (b) the student has acted in a manner that threatens the safety or well being of a student or member of staff of, or other person associated with, the school (including by sexually harassing, racially vilifying, verbally abusing or bullying that person); or
 - (c) the student has acted illegally; or
 - (d) the student has interfered with the ability of a teacher to instruct students or of a student to benefit from that instruction; or
 - (e) the student has acted in a manner that threatens the good order of the school by persistently contravening or failing to comply with rules applying within the school with respect to behaviour; or
 - (f) the student shows persistent and wilful inattention or indifference to school work.
- (2) However—
 - (a) a student cannot be suspended from attendance at the school under this regulation on any 1 occasion for more than 5 consecutive school days; and
 - (b) a student cannot, without the authorisation of the responsible officer, be suspended from attendance at the school under this regulation—
 - (i) for more than 15 school days in a calendar year; or
 - (ii) on more than 4 separate occasions in a calendar year.

45—Exclusion of students

- (1) The head teacher of a school may exclude a student from attendance at the school for a period specified by the head teacher if the head teacher believes on reasonable grounds that—
 - (a) the student has threatened or perpetrated violence; or
 - (b) the student has acted in a manner that threatens the safety or well being of a student or member of staff of, or other person associated with, the school (including by sexually harassing, racially vilifying, verbally abusing or bullying that person); or
 - (c) the student has acted illegally; or
 - (d) the student has persistently interfered with the ability of a teacher to instruct students or of a student to benefit from that instruction; or

- (e) the student has acted in a manner that threatens the good order of the school by persistently contravening or failing to comply with rules applying within the school with respect to behaviour.
- (2) However—
- (a) a student cannot be excluded from attendance at the school under this regulation on any one occasion for—
 - (i) less than 4 consecutive weeks, unless the exclusion is for the remainder of the school term during which the student is excluded and that period is less than 4 weeks; or
 - (ii) more than—
 - (A) 10 consecutive weeks; or
 - (B) the remainder of the school term or, in the case of a student above compulsory school age, semester,
(whichever is the longer period);
 - (b) a student cannot, without the authorisation of the responsible officer, be excluded from attendance at the school under this regulation for more than 20 weeks in a calendar year.
- (3) Before excluding a student under this regulation, the head teacher must first suspend the student from attendance at the school for a period not exceeding 5 consecutive school days.
- (4) A student must obey the reasonable written directions of the responsible officer in relation to undertaking education, work or other relevant activity during the period of an exclusion.
- (5) If a student contravenes or fails to comply with directions given under subregulation (4), the student is guilty of an offence.
Penalty: \$200.
- (6) The head teacher of a school may extend the exclusion of a student from attendance at the school for a further period not exceeding the limits fixed by subregulation (2) if satisfied that the extension is justified in the circumstances.

46—Expulsion of students from particular school

- (1) The head teacher of a school may expel a student above compulsory school age from a school for a period specified by the head teacher if the head teacher believes on reasonable grounds that—
- (a) the student has threatened or perpetrated violence; or
 - (b) the student has acted in a manner that threatens the safety or well being of a student or member of staff of, or other person associated with, the school (including by sexually harassing, racially vilifying, verbally abusing or bullying that person); or
 - (c) the student has acted illegally; or
 - (d) the student has persistently interfered with the ability of a teacher to instruct students or of a student to benefit from that instruction.
- (2) However, a student cannot be expelled from the school under this regulation on any one occasion for—
- (a) less than 6 consecutive months, unless the expulsion is for the remainder of the school semester during which the student is expelled and that period is less than 6 months; or

- (b) more than 18 consecutive months.
- (3) Before expelling a student under this regulation, the head teacher must first suspend the student from attendance at the school for a period not exceeding 20 consecutive school days.

47—Expulsion of students from all schools and other educational facilities

- (1) The Director-General may, on the recommendation of the head teacher of a school at which a student above compulsory school age is enrolled, expel the student from all schools and other specified facilities used by the Department for educational purposes for a period specified by the Director-General if satisfied on reasonable grounds that—
 - (a) the student has threatened or perpetrated violence; or
 - (b) the student has acted in a manner that threatens the safety or well being of a student or member of staff of, or other person associated with, the school (including by sexually harassing, racially vilifying, verbally abusing or bullying that person); or
 - (c) the student has acted illegally.
- (2) However, a student cannot be expelled under this regulation on any one occasion for—
 - (a) less than 1 year, unless the expulsion is for the remainder of the school year during which the student is expelled; or
 - (b) more than 5 years.
- (3) Before making a recommendation to the Director-General under this regulation, the head teacher of the school at which the student is enrolled must suspend the student from attendance at the school for a period not exceeding 30 consecutive school days.

48—Grounds for decision as to whether to suspend, exclude or expel

A decision as to whether a student should be suspended, excluded or expelled under these regulations must be made having regard to—

- (a) the severity and frequency of the misbehaviour of the student; and
- (b) the student's prior record of behaviour and response to previous sanctions (if any); and
- (c) any other relevant matter.

49—Offence for suspended, excluded or expelled students to be on school grounds

- (1) A student who has been suspended or excluded from attendance at a school or expelled from a school under these regulations must not, during the period of the suspension, exclusion or expulsion, enter or remain on the school premises except with the written approval or at the written request of the head teacher of the school.
Penalty: \$200.
- (2) A student who has been expelled under these regulations from all schools and specified facilities used by the Department for educational purposes must not, during the period of the expulsion, enter or remain on any school premises or the premises of a specified facility except with the written approval or at the written request of the Director-General or the head teacher or person in charge of the school or facility concerned.
Penalty: \$200.

50—Appeal

- (1) An appeal to the relevant authority may be made against—
 - (a) a decision of the head teacher of a school to exclude a student from attendance at the school or to expel a student from the school under these regulations; or
 - (b) a decision of the Director-General to expel a student from all schools and other specified facilities used by the Department for educational purposes under these regulations,by—
 - (c) the student; or
 - (d) a parent of the student; or
 - (e) an adult acting at the request of the student or parent of the student.
- (2) A decision of the head teacher of a school to suspend a student from attendance at the school under these regulations is not subject to appeal.
- (3) An appeal must be instituted—
 - (a) in the case of an appeal against a decision to exclude a student from attendance at a school—within 5 school days after notification of the decision to the student;
 - (b) in any other case—within 10 school days after notification of the decision to the student.
- (4) The relevant authority may dispense with the requirement that an appeal be instituted within the period fixed by subregulation (3).
- (5) An appeal must be instituted by lodging a notice in a form approved by the Director-General—
 - (a) in the case of an appeal to a panel established under subregulation (9)—with the responsible officer; or
 - (b) in any other case—with the relevant authority.
- (6) An appeal must be heard within 2 weeks after it is instituted.
- (7) The person who made the original decision being appealed against, or the relevant authority, may stay the operation of the decision until the appeal is determined, withdrawn or struck out.
- (8) A stay cannot be granted if its effect would be to create a danger to person or property or to allow a danger to person or property to continue.
- (9) The responsible officer must, from time to time for the purposes of hearing an appeal under this regulation, establish a panel constituted of—
 - (a) the responsible officer; and
 - (b) a head teacher of a school (other than the head teacher against whose decision the appeal has been instituted) nominated by the responsible officer; and
 - (c) a person with experience in the administration of equal opportunity matters nominated by the Director-General.
- (10) A decision carried by a majority of the votes of the members of the panel is a decision of the panel.

- (11) The relevant authority may, on the hearing of an appeal—
- (a) affirm, vary or quash the decision appealed against or substitute, or make in addition, any decision that the authority thinks appropriate; and
 - (b) make recommendations as to actions to be taken in relation to the student.
- (12) In this regulation—
- relevant authority* means—
- (a) in relation to a decision of the head teacher of a school to exclude a student from attendance at a school—the panel established by the responsible officer under subregulation (9);
 - (b) in relation to a decision of the head teacher of a school to expel a student from the school—the Director-General;
 - (c) in relation to a decision of the Director-General—the Minister.

51—Impartiality of instruction

If in the course of their duties teachers find it necessary to discuss contentious issues with their students, it is incumbent upon them to present those issues fairly and reasonably.

52—Compliance with the regulations

- (1) Teachers are required to comply with these regulations and with such Departmental instructions as are authorised in writing by the Minister or the Director-General.
- (2) The head teacher is responsible for the proper keeping of all school records and for the prompt preparation and forwarding of all Departmental returns.

53—Certain specific prohibitions

A teacher shall not—

- (a) seek political intervention in order to obtain an unfair advantage concerning his or her promotion or transfer in the teaching service; or
- (b) take any office, perform any duties or receive any remuneration which in the opinion of the Director-General may interfere with the proper discharge of his or her duties to the Department.

54—Not to incur liability on behalf of the Government

- (1) Except as provided in subregulation (2) or elsewhere in these regulations, teachers shall not incur or attempt to incur any liability on behalf of the Government or of the Minister, nor make, or attempt to make or alter any contract on behalf of the Government or of the Minister, without the written authority of the Director-General.
- (2) Where any student attending a school becomes indisposed or sustains an injury, a teacher may, if he or she considers such action necessary, obtain the services of a legally qualified medical practitioner and/or hire a suitable conveyance to convey the student to a place suitable for treatment. Any costs or expenses so incurred in respect to the indisposition of or injury to that student may be recovered by the Minister from the parent or guardian of the student and if on request the cost is not met by the parent or guardian of the student, it may be recovered by the Minister from the parent or guardian by action in a court of competent jurisdiction.

55—Liability of the Government in certain circumstances

Where legal proceedings are taken against a teacher which arise from any alleged action of that teacher against a student of the school at which that teacher is employed, and that alleged action was stated to have occurred during the course of that teacher's employment as a member of the teaching service, the teacher shall, without delay, forward a full report in writing of the circumstances to the Director-General.

56—Power of head teacher to require certain payments

Where a student enrolled at a school damages school equipment or property the head teacher may require that student to meet the cost of repairing that damage and if, on request, the cost is not met by that student, it may be recovered by the Minister by action in a court of competent jurisdiction.

Division 7—Resignation and retirement of teachers**57—Resignation of teachers**

- (1) The Minister may issue administrative instructions containing rules governing the notice to be given by teachers seeking to resign or to retire.
- (2) The Minister may, in special circumstances, exempt a teacher from compliance with rules governing notice of resignation or retirement.
- (3) If a teacher ceases duties as a teacher without proper authority or notice of resignation or retirement, the teacher will, if the Director-General so determines, be treated as having resigned from the teaching service unless the teacher has reached the age of retirement, in which case the teacher will be treated as having retired from the teaching service.
- (4) If a teacher—
 - (a) resigns or retires otherwise than in accordance with the rules governing notice of resignation or retirement; or
 - (b) is treated under this regulation as having resigned or retired,

the Minister may recover from the former teacher an amount determined by the Minister, but not exceeding 6 week's salary by action in a court of competent jurisdiction as a debt due and owing to the Crown.

58—Resignation to contest an election

- (1) A teacher resigning pursuant to this regulation shall give the Director-General written notice of resignation as provided in regulation 57.
- (2) Where the Minister is satisfied that—
 - (a) a person who was a teacher—
 - (i) resigned from the teaching service in order to become a candidate for election as a member of a House of Parliament of the State or Commonwealth; and
 - (ii) was a candidate at that election; and
 - (iii) failed to be elected; and
 - (b) the resignation took effect not earlier than 1 month before the date on which nominations for the election closed,

the Minister shall, on the written application of that person within 4 weeks after the declaration of the results of that election, reappoint that person to the teaching service at a status and salary appropriate to the position which he or she held immediately prior to his or her resignation.

- (3) A person reappointed under this regulation shall be deemed to have continued in the teaching service as if he or she had not resigned, but had been on leave of absence without pay during the period from the day on which his or her resignation became effective to and including the day immediately preceding the day on which he or she was reappointed.

59—Cessation of duty without notice

A teacher who ceases duty with the Department without giving written notice of resignation as required under the preceding provisions of this Division—

- (a) shall be deemed to have resigned from the teaching service on the day on which he or she was last on active duty; and
- (b) may be required to pay to the Minister a sum determined by the Minister and not exceeding 6 weeks salary of that teacher and the money may be recovered by the Minister by action in a court of competent jurisdiction as a debt due and owing to the Minister.

Part 5—Students

Division 1—Enrolment, attendance and participation

60—Rules and criteria for determining where child to be enrolled

- (1) This regulation applies in respect of all children of compulsory school age or compulsory education age, other than a child who is—
 - (a) the subject of a direction of the Director-General under section 75(3) of the Act; or
 - (b) entitled to be enrolled, and is enrolled, at a Correspondence School; or
 - (c) enrolled at a non-Government school.
- (2) For the purposes of section 75(7)(a) of the Act, the following rules and criteria are to be applied in relation to determining at which school a child to which this regulation applies is to be enrolled:
 - (a) the enrolment of the child at a particular school should, as far as is reasonably practicable, be consistent with any policy published from time to time by the Minister by notice in the Gazette for the purposes of this paragraph;
 - (b) the location of the school at which the child is to be enrolled should, as far as is reasonably practicable, minimise any difficulties arising from the location of the child's primary place of residence;
 - (c) the enrolment of the child at a particular school should, as far as is reasonably practicable, take into account any wishes of the parents or guardians of the child in relation to the provision of particular curriculum subjects or special interest programs;
 - (d) the enrolment of the child at a particular school should, as far as is reasonably practicable, take into account any relevant social and family circumstances of the child;

- (e) the enrolment of the child at a particular school should, as far as is reasonably practicable, take into account any social and family links to the school (including, without limiting this paragraph, any sibling attendance at the school);
- (f) the enrolment of the child at a particular school should, where relevant, take into account the particular needs of international students, or children of the holders of a business visa under a law of the Commonwealth.

61—Rules and criteria for determining what constitutes full-time participation in approved learning programs

- (1) For the purposes of section 75(7)(b) of the Act, the following rules and criteria are to be applied in determining what constitutes full-time participation in approved learning programs:
 - (a) participation in an approved learning program, or a combination of approved learning programs, will be taken to be full-time participation if—
 - (i) the number of hours that a person participates, or is to participate, in the program or programs in a particular period; or
 - (ii) the nature of the activities undertaken during participation in the program or programs,
is such as to meet the minimum standard for full-time participation (if any) set out in guidelines published from time to time by the Minister by notice in the Gazette for the purposes of this paragraph;
 - (b) participation in a particular approved learning program, or a particular combination of approved learning programs, will be taken to be full-time participation if the participation is subject to a declaration under subregulation (2).
- (2) The Minister may, by notice in the Gazette, declare participation in a particular approved learning program, or in a particular combination of approved learning programs, to be full-time participation for the purposes of section 75(2) of the Act.

62—Admission of children

- (1) When a child is admitted to any school the head teacher shall require and the parent shall furnish, on a form supplied by the head teacher, the following particulars:
 - (a) name of the child in full; and
 - (b) date of birth of the child; and
 - (c) place of residence of the child; and
 - (d) such other particulars as are required by that form.
- (2) This regulation is subject to section 75(6) of the Act.

63—Admission of children under 6 years of age

Children who are under 6 years of age and who apply to enrol at a school for the first time may be enrolled and admitted to that school at such times only as may be determined by the Minister.

64—Conditions for enrolment at a correspondence school

- (1) A child of compulsory school age may be enrolled at a correspondence school provided—
 - (a) the child is, pursuant to administrative instructions issued by the Minister, eligible to enrol in a reception class or a year 1 or year 2 class and the distance of the child's residence from the nearest primary school or a transport route is greater than 1.5 kilometres; or
 - (b) the child is, pursuant to administrative instructions issued by the Minister, eligible to enrol in a year 3 or year 4 class and the distance of the child's residence from the nearest primary school or a transport route is greater than 3 kilometres; or
 - (c) in any other case—the distance of the child's residence from the nearest primary or secondary school (according to the educational attainments of the child) or a transport route is greater than 5 kilometres.
- (2) The Director-General may, where reasonable cause exists, permit or direct that a child, ineligible to enrol at a correspondence school under the provision of subregulation (1) may or shall enrol at a correspondence school.
- (3) For the purpose of this regulation the distance of a child's residence from a school shall be measured by the length of the shortest practicable route between the residence and the school or a transport route, whichever is the shorter.

65—Enrolment of children with disabilities or learning difficulties

If a child is presented for enrolment at a school and the head teacher is of the opinion that the child has disabilities or learning difficulties that would render the child incapable of gaining reasonable benefit from instruction at the school or would seriously interfere with the instruction of other children at the school, the head teacher must—

- (a) inform each parent of the child of his or her opinion; and
- (b) enrol the child at the school but excuse him or her from attendance pending a direction of the Director-General under section 75A(1) of the Act; and
- (c) prepare a report and recommendation as to the means by which the educational needs of the child might be best met in relation to school placement and curriculum and forward the report to the Director-General.

66—Approved learning programs

For the purposes of section 75D(1)(a)(ii) of the Act, the class of universities comprising universities established by or under an Act or law of the State, the Commonwealth, or any other State or Territory of the Commonwealth, is declared to be within the ambit of that subparagraph.

67—Report on operation of Part 6 of Act

- (1) For the purposes of section 75E(2)(b) of the Act, it is a requirement that a report prepared under that section must not contain information that may lead to the identification of a particular student, school or sector.
- (2) In this regulation—

school means a Government school or a non-Government school.

68—Prescribed reasons for non-attendance and non-participation

- (1) For the purposes of section 76(2)(c) of the Act, the following are prescribed reasons for the non-attendance of a child at school:
 - (a) the child was prevented from attending school on the occasion in question by his or her sickness, or by his or her temporary or permanent infirmity;
 - (b) there was a danger of the child being affected by an infectious or contagious disease;
 - (c) the child was prevented from attending school on the occasion in question by some other unavoidable and sufficient cause.
- (2) For the purposes of section 76(2a)(b) of the Act, the following are prescribed reasons for the non-participation of a child in an approved learning program:
 - (a) the child was prevented from participating in the approved learning program on the occasion in question by his or her sickness, or by his or her temporary or permanent infirmity;
 - (b) there was a danger of the child being affected by an infectious or contagious disease;
 - (c) the child was prevented from participating in the approved learning program on the occasion in question by reason of having to care for a member of his or her family;
 - (d) the child was prevented from participating in the approved learning program on the occasion in question by some other unavoidable and sufficient cause.
- (3) The Minister may require the production of a medical certificate to an officer nominated by him or her where the reason given for a child's non-attendance at school, or non-participation in an approved learning program, is the sickness or infirmity of the child.
- (4) In this regulation—

school means a Government school or a non-Government school.

69—Parent to notify SACE Board of South Australia if child not participating

A parent of a child of compulsory education age who is not participating in an approved learning program in which he or she is enrolled must, as soon as is reasonably practicable after becoming aware that the child is not so participating, notify the SACE Board of South Australia of that fact.

Maximum penalty: \$500.

Division 2—School books and materials, homework**70—Transactions**

The sale of books, apparatus, materials and equipment to students shall be conducted through the school fund account or the school council (consolidated) account of the school.

71—Books etc provided in cases of hardship

Where a parent satisfies the Director-General that payment for necessary books, apparatus, materials or equipment for his or her child would inflict hardship on the parent the Director-General may authorise that such items as he or she determines shall be provided for the use of that child.

72—Right of search

- (1) To safeguard from loss books, tools, materials or equipment used in the process of instruction in a school or other centre of instruction, the head teacher, or any person authorised by the head teacher, may at any time on the school premises search or cause to be searched any bag, locker or other receptacle of any person receiving tuition at that school.
- (2) If any person receiving tuition at the school or other centre of instruction fails or refuses at any time to open any bag, locker or other receptacle for the purpose of being searched, he or she shall be guilty of an offence and shall be liable to a fine not exceeding \$100.

73—Homework

- (1) Teachers may require that homework appropriate to the age and ability of a child shall be done by a child attending a school.
- (2) Every teacher shall give sympathetic consideration to any objection from a parent regarding the amount of homework expected by the teacher from a child of that parent.

Division 3—School terms, vacations and holidays**74—School terms**

The school year shall be divided into periods, the commencing and ending dates of which shall be as determined by the Minister.

75—Days on which schools are open

- (1) A school shall be open from Monday to Friday in each week, except on public holidays, school vacations and such other times as are permitted by regulations or instructions.
- (2) Except as provided in regulation 76 no school may be closed during the school week without the express sanction of the Minister.

76—Special days and closure of schools

Closure of schools may take place according to such conditions as are determined from time to time by the Minister and as published in the Education Gazette.

77—Teachers may be required to give assistance on days when schools are closed

If special circumstances so require, teachers shall give such assistance on days when schools are closed, as the Director-General may require.

78—Organisation of a school day

- (1) An interval of not less than 40 minutes shall be set aside for luncheon on each school day, and provision may be made for recess during morning and afternoon sessions.
- (2) At least 5 and one-quarter hours and not more than 5 and one-half hours shall be set aside on each school day for instruction, exclusive of luncheon and recess intervals, provided that children under the age of 6 years may be dismissed 1 hour before normal dismissal time in the afternoon if the parents of the children so request.
- (3) The Director-General may, where reasonable cause exists, permit a school day for a particular school to be organised otherwise than in accordance with this regulation.

Division 4—Student allowances and scholarships

79—Definitions

In this Division unless the context requires—

approved means approved by the Director-General;

primary school means any school providing courses in primary education, and includes the primary grades of area schools;

secondary school means any school providing courses in secondary education, and includes the secondary grades of area and special rural schools;

the distance of a student's residence from a school means that distance calculated by the shortest practicable route from the place of residence of the student to the school which he or she attends or is about to attend or to a transport route to such school, whichever is the shorter.

80—Travelling allowances for primary students

- (1) A travelling allowance may be paid to the parents of a student attending a primary school in a primary grade provided that—
 - (a) the usual place of residence of the parents of the student is in South Australia; and
 - (b) the parents incur expense in transporting the student to and from the school daily; and
 - (c) the distance of the student's residence from the nearest primary school is 5 kilometres or more.
- (2) A travelling allowance, as determined by 1 of the following scales, may be paid to the parents of a student who satisfies the conditions of subregulation (1), and who attends the nearest primary school.
- (3) Where the student attends a primary school which is not the nearest primary school his or her parents may be paid an allowance at the direction of the Director-General as if he or she were attending the nearest primary school—
 - (a) where the student travels by bicycle the allowance shall be in accordance with a scale approved by the Minister from time to time;
 - (b) where the student travels by an approved bus service, the allowance shall be as determined by the Minister from time to time;
 - (c) where a student travels to school by train the Minister may arrange for the issue of a free rail pass to that student or alternatively approve the payment of a travelling allowance;
 - (d) where a student is conveyed by a private vehicle other than a bicycle, an allowance in accordance with a scale as determined by the Minister from time to time.
- (4) The Director-General may, where reasonable cause exists, approve the payment to a student qualified to receive a travelling allowance under this regulation of a reasonable amount in excess of any travelling allowance provided in this regulation.

81—Travelling allowances for secondary students

- (1) A travelling allowance as determined by 1 of the following scales may be paid on account of a student whose parents' usual place of residence is in South Australia if the student resides at a distance of 5 kilometres or more by the nearest practicable route from the secondary school nearest to his or her place of residence and travels daily to attend that school:
 - (a) where the student travels by bicycle the allowance shall be in accordance with a scale approved by the Minister from time to time;
 - (b) where the student travels by an approved bus service the allowance shall be as determined by the Minister from time to time;
 - (c) where the student travels by train the Minister may arrange for the issue of a free rail pass to that student or alternatively approve the payment of a travelling allowance;
 - (d) where the student is conveyed by a private vehicle other than a bicycle an allowance in accordance with a scale as determined by the Minister from time to time.
- (2) When a student fulfils all the requirements of this regulation except that he or she is attending an approved secondary school which is not the secondary school nearest to his or her place of residence, a travelling allowance may be paid at a rate not exceeding that which would be approved if he or she had attended the nearest secondary school.
- (3) A student who fulfils all the requirements of this regulation except that he or she is attending a secondary school which is not the secondary school nearest to his or her place of residence may be paid an allowance at a rate prescribed in this regulation for attendance at the first mentioned school if the Director-General determines that that school is the nearest school which meets the educational needs of the student.
- (4) The Director-General may, where reasonable cause exists, approve the payment to a student qualified to receive a travelling allowance under this regulation of a reasonable amount in excess of any travelling allowances provided in this regulation.

82—Travelling allowance students with disabilities

Notwithstanding any provision elsewhere in this Division, where a child, considered by the Director-General to have a disability, attends an approved special school, centre or class the Director-General may approve payment of the total cost of transporting that child to that school, centre or class, or may pay an allowance to a parent who transports his or her child to that school, centre or class, under such reasonable conditions as he or she may determine.

83—Educational allowances for secondary students

Where a student whose parents' usual place of residence is in South Australia lives away from home to attend an approved secondary school and the student attends regularly at the school and undertakes an approved course of secondary education, an allowance of an amount determined by the Minister may be paid towards the living expenses of the student.

84—Education allowances for students with disabilities

Where a student of secondary school age has a disability and is living away from home for the purpose of attending a primary school approved by the Director-General, an allowance of an amount determined by the Minister may be paid towards the living expenses of the student.

85—Scholarships and awards

- (1) Scholarships and awards which were available to students immediately prior to the date of making these regulations shall—
 - (a) continue in force under the conditions existing immediately prior to that date; and
 - (b) continue to be known by the names by which they were known immediately prior to that date,

until such conditions or names are altered by the Minister, or until any or every scholarship or award is withdrawn by the Minister.

- (2) In any case where money or property, real or personal is made available for the purpose of founding any scholarships or awards the Minister may accept such money or property and may grant scholarships or make awards in accordance with any agreement entered into at the time when such money or property becomes available or, where no agreement is entered into, on such terms as he or she thinks fit.

Part 6—Dress codes

86—Dress code

- (1) In this Part—

parents has the meaning ascribed by the Act and, in relation to a school, means the parents of students attending the school.
- (2) The Minister may issue administrative instructions in relation to—
 - (a) dress codes to be adopted by schools; and
 - (b) the means by which school councils are to consult with parents and students in determining dress codes,

and the Minister may, by further administrative instruction, vary or revoke such administrative instructions.

- (3) The school council of a school may—
 - (a) in accordance with any administrative instructions issued under subregulation (2)(a); and
 - (b) after consulting with parents and students of the school in accordance with any administrative instructions issued under subregulation (2)(b) and having regard to their views,

determine a dress code for the school.

- (4) The head teacher of a school must, on the adoption by the school of a dress code, inform the parents of each student of the school and, on the later enrolment of a student at the school, inform the parents of that student, in writing—
 - (a) of the dress code of the school; and
 - (b) of the parents' right to request the exemption of the student from that dress code.
- (5) The head teacher may, on being requested in writing by a parent of a student to exempt the student from the dress code of the school, so exempt the student.

- (6) Subject to subregulation (5), the head teacher of a school must enforce the dress code of the school and may take appropriate disciplinary action in relation to wilful and persistent breach of that dress code but the dress code may not be enforced by the suspension, exclusion or expulsion of a student from the school or by otherwise precluding the student from participating in the educational programme of the school.
- (7) Where this regulation provides for an act to be carried out by or in relation to the parents of a student, the regulation will, in relation to a student who is not less than 18 years of age, be taken to provide that the act is to be carried out by or in relation to that student.

Part 7—Religious education in schools

87—Standing Committee on Religious Education

- (1) The Minister shall appoint a Standing Committee on Religious Education in Government Schools, which shall be composed of a representative of the Department, who shall be Chairperson, and such representatives of the Churches, the teaching service, parent organisations and those universities which provide courses in teacher education, as the Minister shall determine.
- (2) The committee shall advise the Minister on such matters relating to religious education in schools as he or she may refer to it and shall carry out such other duties as the Minister may determine.
- (3) The committee may be assisted to carry out its duties under this regulation by such sub-committees and project teams as the Minister may approve.

88—Religious education committees in schools

- (1) The head teacher of a school in consultation with the school council shall establish a committee consisting of the head teacher, not more than 2 teachers, not more than 2 parent members of the school council, and not more than 4 local clergy, to be called the Religious Education Committee for that school.
- (2) A meeting of the committee shall be held whenever the head teacher so decides, or whenever at least 2 members of the committee request the head teacher to convene a meeting of the committee.
- (3) The committee shall advise and assist the head teacher in such matters concerning religious education in the school as the head teacher and the committee shall determine and shall carry out such other duties as are provided in this Part.

89—Approved courses in religious education

- (1) The Director-General shall provide courses of instruction in religious education for use in schools, the courses to be approved by him or her on the recommendation of the Standing Committee on Religious Education.
- (2) The head teacher of a school, acting with the advice of the Religious Education Committee for that school, shall select from the approved courses in religious education the course to be used in that school.

90—Persons to conduct religious education classes

- (1) Subject to the provisions of section 63(4) of the Act and regulation 93 no person may teach religious education classes unless he or she is registered as a teacher or holds written authority from the Teachers Registration Board to teach such classes.

- (2) No such registered or authorised teacher shall be required to conduct nor shall conduct a class in religious education in a school unless he or she has stated to the head teacher of that school his or her willingness to teach that subject.

91—Organisation of religious education classes

- (1) Except as provided in subregulation (2)—
 - (a) religious education shall normally be taught in groupings common to the day-to-day organisation of the school; and
 - (b) classes in religious education shall be held throughout the year,provided that the head teacher may vary these provisions on the advice of the Religious Education Committee for the school, or for reasons deemed sufficient by him or her.
- (2) The head teacher shall arrange, on the request of local clergy, and in consultation with the Religious Education Committee, for a maximum of 1 half day in each term to be set aside for the churches desiring to participate to hold seminars or gatherings on school property or elsewhere. Subject to regulation 92, children will attend the function appropriate to their denomination or faith, and the head teacher shall supply those clergy, if they so desire, with the names of the children who, as far as is shown by official records, are eligible to attend their seminar or gathering.

92—Exemptions

Where a parent of a child attending a school seeks permission in writing of the head teacher for his or her child to be exempted from attendance at religious education classes on conscientious grounds that child shall be exempted from attendance at such classes at that school accordingly.

93—Transition provision

- (1) The subject of religious education shall be introduced progressively into all grades of primary and secondary schools as courses of instruction become available and as the supply of teachers registered to teach that subject permits.
- (2) Until a date to be fixed by the Director-General and published in the Education Gazette, the Religious Education Committee of a school may authorise clergy and lay people to participate with teachers taking religious education classes pursuant to the provisions of this Part.

Part 8—Provision of information

94—Schools to provide certain information

- (1) This regulation applies in relation to a child of compulsory school age who is in year 9.
- (2) A school must provide to the SACE Board of South Australia the following information in relation to each child to whom this regulation applies who is enrolled in the school at the commencement of week 3 of term 1 in each year:
 - (a) the full name of the child;
 - (b) the date of birth of the child;
 - (c) the approved learning program in which the child intends to enrol (if known).
- (3) The information required under subregulation (2) must be provided—
 - (a) in writing; and

- (b) not later than 31 December in the year in which the child is in year 9.
- (4) A school must not, without reasonable excuse, refuse or fail to comply with subregulation (2).
Maximum penalty: \$500.
- (5) In this regulation—
school means a Government school or a non-Government school.

95—Approved learning program providers to provide specified information

- (1) The Minister may, for a purpose related to the administration or enforcement of Part 6 of the Act, by notice in writing, require a provider of an approved learning program to provide to the Minister specified information in relation to the approved learning program, or any child of compulsory education age who is enrolled in the approved learning program, or both.
- (2) The information required under subregulation (1) must be provided—
 - (a) in writing; and
 - (b) not later than the date specified in the notice.
- (3) A provider of an approved learning program must not, without reasonable excuse, refuse or fail to comply with a requirement under subregulation (1).
Maximum penalty: \$500.
- (4) A provider of an approved learning program must not, in providing any information pursuant to a requirement under subregulation (1), make a statement that is false or misleading in a material particular.
Maximum penalty: \$500.

Part 9—Miscellaneous

96—Exemption from certain topics in health education

A parent may, by application in writing to the head teacher, seek permission for his or her child to be exempted from attendance at lessons in such topics in the health education course which specially concern sex education as are specifically named in his or her application, and that child shall be exempted from attendance at lessons in those named topics in health education at that school accordingly.

97—Nomination of teachers to various boards

- (1) Elections must be held in accordance with this regulation whenever there is a vacancy in the office of a member of the Appeal Board appointed by the Governor on the nomination of the AEU under section 45(2)(c) or (e) of the Act.
- (2) The Branch Returning Officer of the AEU must publish in a publication that is circulated to members of the AEU a notice specifying—
 - (a) the number of vacancies to be filled; and
 - (b) the date (being not less than 21 days after the date of the notice) and the hour by which nominations for candidates for election to those vacant offices must be received by the Branch Returning Officer; and
 - (c) such other information as the Branch Returning Officer thinks fit.
- (3) A nomination of a candidate for election must be—
 - (a) in writing; and

- (b) signed by the candidate; and
 - (c) signed by 1 other member of the AEU; and
 - (d) lodged with the Branch Returning Officer of the AEU not later than the time fixed in the notice for the closure of nominations.
- (4) If the number of candidates duly nominated is the same as or is less than the number of vacancies to be filled, the Branch Returning Officer of the AEU must declare those candidates to be duly elected.
- (5) If the number of candidates duly nominated is greater than the number of vacancies to be filled, an election must be held at a meeting of the Branch Council of the AEU.
- (6) In this regulation—

AEU means the Australian Education Union (SA Branch) (the organisation formerly known as the Institute of Teachers as referred to in section 45 of the Act).

98—Scholarships for teachers

- (1) Scholarships and awards which were available to teachers immediately prior to the date of making these regulations shall—
- (a) continue in force under the conditions existing immediately prior to that date; and
 - (b) continue to be known by the names by which they were known immediately prior to that date,
- until such conditions and names are altered by the Minister, or until any or every scholarship or award is withdrawn by the Minister.
- (2) In any case where money or property, real or personal, is made available for the purpose of founding any scholarship or awards for teachers the Minister may accept such money or property and may grant scholarships or make awards in accordance with any agreement entered into at the time such money or property becomes available, or, where no agreement is entered into, on such terms as he or she thinks fit.
- (3) The Minister may provide scholarships to teachers for such purposes and on such conditions as he or she may determine and may withdraw such provision if circumstances make such withdrawal desirable.

99—Compulsory medical examination of teachers

- (1) A teacher shall, whenever required to do so by the Director-General, submit himself or herself to examination by a legally qualified medical practitioner selected by the Director-General. The medical practitioner selected by the Director-General shall consult with a legally qualified medical practitioner selected by the teacher, if he or she or his or her family so desires. The expense of any such examination shall be borne by the Minister.
- (2) The Director-General shall inform the Australian Education Union (SA Branch) of his or her decision before making any requirement under this regulation.

100—Notice to a teacher

- (1) Where by the Act or these regulations it is provided that any notice or other written notification shall or may be given to a teacher it shall be sufficient if such notice or other written notification is delivered to the school or other place of his or her employment, or sent to him or her by prepaid post at the school or place where he or she is employed or at his or her last known address.

- (2) A notice or other written notification to any teacher shall, unless the contrary is shown, be deemed to have been received by that teacher on the day on which such notice or other written notification was delivered to him or her personally, or delivered to the school or other place of his or her employment, or, where such notice or other written notification is sent by prepaid post, the day on which the letter or other packet would be delivered in the ordinary course of post.
- (3) Except where the Act or these regulations provide that a notice or other notification to be given to a teacher shall be in writing, a notice or other notification may be given directly to a teacher by word of mouth or by telephone.

101—Education Gazette, directions and instructions

- (1) The Minister may from time to time issue such directions and instructions not being inconsistent with the Act or these regulations as may be necessary or convenient in the exercise of the powers and functions conferred upon him or her by the Act or prescribed by these regulations.
- (2) The Minister may issue a publication to be called the Education Gazette which shall contain instructions to teachers concerning their professional duties and such other matters as the Minister may determine.

102—School funds

- (1) Funds provided by the Minister to a school, school council or affiliated committee—
 - (a) may only be expended for school related purposes; and
 - (b) together with any property purchased with the funds, belong to the Minister, subject to any direction or instruction of the Minister to the contrary.
- (2) A school council or affiliated committee is responsible for ensuring that proper accounts are kept of its funds.

103—Forwarding of property on school closure

A head teacher, school council or affiliated committee of a school must comply with any directions of the Director-General as to the forwarding of property (including books and records) on the closure of the school.

104—Records and documents property of Minister

Subject to the Act, these regulations or any other Act or law, all school records and documents shall be deemed to be the property of the Minister, and the information contained therein confidential. The head teacher shall not permit any of them to be removed from the school without the sanction in writing of the Director-General.

Schedule 1—Revocation of *Education Regulations 1997*

1—Revocation of *Education Regulations 1997*

The *Education Regulations 1997* are revoked.

Note—

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

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 16 August 2012

No 188 of 2012

MECD12/053-CS

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CAMPBELLTOWN CITY COUNCIL

Exclusion of Land from Classification of Community Land

NOTICE is hereby given that pursuant to Section 193 (4) of the Local Government Act 1999, the Council resolved at its meeting held on 7 August 2012, that the whole of the land in Certificate of Title Volume 5589, Folio 260, 166 Montacute Road, Rostrevor, be excluded from Classification of Community Land.

P. DI IULIO, Chief Executive Officer

CAMPBELLTOWN CITY COUNCIL

Street and Place Naming Policy

NOTICE is hereby given that Campbelltown City Council has amended its Street and Place Naming Policy, effective 3 July 2012. The revised document is available from:

www.campbelltown.sa.gov.au/policies

P. DI IULIO, Chief Executive Officer

CAMPBELLTOWN CITY COUNCIL

Urban Trees Fund

NOTICE is hereby given that the City of Campbelltown Urban Trees Fund has been established in accordance with Section 50B of the Development Act 1993. The Fund applies to all of the Council area as delineated in the Campbelltown (City) Development Plan and shall commence operation on 10 August 2012.

P. DI IULIO, Chief Executive Officer

CITY OF NORWOOD PAYNEHAM & ST PETERS

DEVELOPMENT ACT 1993

*Stepney Community Zone Development Plan Amendment—
Public Consultation*

NOTICE is hereby given that the City of Norwood Payneham & St Peters, pursuant to Sections 24 and 25 of the Development Act 1993, has commenced the preparation of a Development Plan Amendment (DPA) to amend its Development Plan.

The Amendment will change the Norwood Payneham and St Peters (City) Development Plan by proposing to:

- replace the Public Purpose Zone at Stepney with a new Community Zone;
- rezone 46 and 48 Nelson Street, Stepney, from Public Purpose Zone to Mixed Use A Zone;
- rezone 84 and 88 Payneham Road, Stepney, from Public Purpose Zone to District Centre (St Peters) Zone; and
- rezone 37, 39, 47-49, 51, 53, 55 and 57 Stepney Street, Stepney, from Public Purpose Zone to Mixed Use A Zone.

The DPA will be on public consultation from 16 August 2012 until 12 October 2012. The DPA can be viewed or copies can be obtained at the following locations:

- Norwood Town Hall Customer Service Centre, 175 The Parade, Norwood;
- Norwood Library, 110 The Parade, Norwood;
- Payneham Library, 2 Turner Street, Felixstow; and
- St Peters Library, 2 Cornish Street, Stepney.

Alternatively the DPA can be viewed on the Internet at www.npsp.sa.gov.au.

Written submissions regarding the DPA should be submitted no later than 5 p.m. on Friday, 12 October 2012. All submissions should be addressed to:

Chief Executive Officer,
City of Norwood Payneham & St Peters,
P.O. Box 204,
Kent Town, S.A. 5071.

If you wish to lodge your submission electronically, please email it to townhall@npsp.sa.gov.au. You should clearly indicate whether you wish to be heard in support of your submission at the public meeting.

Copies of all submissions will be available for inspection at the Norwood Town Hall Customer Service Centre, 175 The Parade, Norwood from Monday, 15 October 2012, until the conclusion of the public meeting.

A public meeting will be held on Tuesday, 23 October 2012, in the Mayor's Parlour, Norwood Town Hall, 175 The Parade, Norwood at 7 p.m., at which time interested persons will be heard in relation to the DPA and the submissions. The public meeting will not be held if no submissions are received or if no submission makes a request to be heard.

If you would like further information about the DPA, contact Kathryn Clausen on 8366 4560 or at kclausen@npsp.sa.gov.au.

Dated 16 August 2012.

M. BARONE, Chief Executive Officer

CITY OF ONKAPARINGA

DEVELOPMENT ACT 1993

*Supplementary Local Heritage Development Plan Amendment—
Public Consultation*

NOTICE is hereby given that the City of Onkaparinga, pursuant to Sections 24 and 25 of the Development Act 1993, has prepared a Development Plan Amendment Report (DPA) to amend its Development Plan.

The Amendment will change the Development Plan by substantiating and updating the local heritage list by considering listing, de-listing or changing the scope of listing over additional places with local heritage significance.

The DPA report will be on public consultation from 15 August 2012 until 10 October 2012.

Copies of the DPA report are available during normal office hours at Council's Aberfoyle Park, Noarlunga and Willunga offices. Alternatively, the DPA report can be viewed on the Internet at www.onkaparingacity.com.

Written submissions regarding the DPA should be submitted no later than 5 p.m. on 10 October 2012. All submissions should be addressed to:

The Chief Executive Officer,
City of Onkaparinga,
P.O. Box 1,
Noarlunga Centre, S.A. 5168.
Attention: Craig Jones

and should clearly indicate whether you wish to be heard in support of your submission at the public hearing. If you wish to lodge your submission electronically, please email it to crajon@onkaparinga.sa.gov.au.

Copies of all submissions will be available for inspection at Council's Aberfoyle Park, Noarlunga and Willunga offices, and on Council's website www.onkaparingacity.com from 20 October 2012 until the conclusion of the public hearing.

A public hearing will be held on 26 November 2012 at Council's Noarlunga Office Civic Centre, Ramsay Place, Noarlunga Centre at 7 p.m. at which time interested persons may be heard in relation to the DPA and the submissions. The public hearing will not be held if no submissions are received or if no submission makes a request to be heard.

If you would like further information about the DPA, contact either:

- Craig Jones, 8384 0617, crajon@onkaparinga.sa.gov.au; or
- Divya Bali Dogra, 8384 0552, divbal@onkaparinga.sa.gov.au.

Dated 15 August 2012.

M. DOWD, Chief Executive Officer

CITY OF PROSPECT

Supplementary Election for Area Councillor

NOMINATIONS to be a candidate for election as a member of the City of Prospect will be received between Thursday, 23 August 2012 and 12 noon Thursday, 6 September 2012. Candidates must submit a profile of not more than 150 words with their nomination form and may also provide a photograph, predominantly head and shoulders, taken within the previous 12 months.

Nomination kits are available from the Council office, 128 Prospect Road, Prospect.

A briefing session for intending candidates will be held at 6 p.m. on Wednesday, 22 August 2012 at the Prospect Chamber, Civic Centre, 128 Prospect Road, Prospect.

K MOUSLEY, Returning Officer

ADELAIDE HILLS COUNCIL

*Supplementary Election for 1 Councillor in Onkaparinga Valley Ward**Nominations Received*

AT the close of nominations at 12 noon on Thursday, 9 August 2012, the following people were accepted as candidates and are listed in the order in which they will appear on the ballot paper.

Councillor for Onkaparinga Valley Ward—1 Vacancy

Buckerfield, Mark
Stratford, Andrew Mark

Postal Voting

The election will be conducted by post. Ballot papers and pre-paid envelopes for each voting entitlement will be posted between Tuesday, 21 August 2012 and Monday, 27 August 2012, to every person, or designated person of a body corporate or group listed on the voters roll at roll close on Friday 29 June 2012. Voting is voluntary.

A person who has not received voting material by 27 August 2012 and believes they are entitled to vote should contact the Deputy Returning Officer on 08 7424 7420.

Completed voting material must be returned to reach the Returning Officer no later than 12 noon on Monday, 10 September 2012.

A ballot box will be provided at the Council office, 28 Onkaparinga Valley Road, Woodside for electors wishing to hand deliver their completed voting material during office hours.

Vote Counting Location

The scrutiny and counting of votes will take place at the Council Chambers, Nairne Road, Woodside as soon as practicable after 12 noon on Monday, 10 September 2012. A provisional declaration will be made at the conclusion of the election count.

Campaign Donations Return

All candidates must forward a Campaign Donations Return to the Council Chief Executive Officer within 30 days after the conclusion of the election.

K. MOUSLEY, Returning Officer

DISTRICT COUNCIL OF GRANT

ROAD (OPENING AND CLOSING) ACT 1991

Road Closure—Jess Road, Eight Mile Creek

NOTICE is hereby given, pursuant to Section 10 of the Roads (Opening and Closing) Act 1991, that the District Council of Grant hereby gives notice of its intent to implement a Road Process Order to close the whole of Jess Road situated between Locks and Earls Cave Roads and merge with the adjoining Allotment 93 in Filed Plan 213391, more particularly delineated and lettered as 'A' in Preliminary Plan 12/0030.

A copy of the plan and a statement of persons affected are available for public inspection at the office of the Council, 324 Commercial Street West, Mount Gambier and the Adelaide office of the Surveyor-General during normal office hours or can be viewed on Council's website: www.dcgrant.sa.gov.au.

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons. The application for easement or objection must be made in writing to the Council, P.O. Box 724, Mount Gambier, S.A. 5290 within 28 days of this notice and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated 16 August 2012.

T. SMART, Chief Executive Officer

DISTRICT COUNCIL OF GRANT

ROADS (OPENING AND CLOSING) ACT 1991

Road Opening and Closing—Waterloo Road, Wepar/Tarpeena

NOTICE is hereby given, pursuant to Section 10 of the Roads (Opening and Closing) Act 1991, that the District Council of Grant hereby gives notice of its intent to implement a Road Process Order to:

- (i) open as road portions of Sections 71 and 72, Hundred of Young, more particularly delineated and numbered '1' and '2' in Preliminary Plan 12/0028, forming a realignment of Waterloo Road.
- (ii) close portions of the unmade Road (Waterloo Road) and merge with the adjoining Sections 71 and 72, Hundred of Young, in exchange for land taken for new road '1' and '2' (above), more particularly delineated and lettered as 'A' and 'B' in Preliminary Plan 12/0028.

A copy of the plan and a statement of persons affected are available for public inspection at the office of the Council, 324 Commercial Street West, Mount Gambier and the Adelaide office of the Surveyor-General during normal office hours or can be viewed on Council's website: www.dcgrant.sa.gov.au.

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons. The application for easement or objection must be made in writing to the Council, P.O. Box 724, Mount Gambier, S.A. 5290, within 28 days of this notice and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated 16 August 2012.

T. SMART, Chief Executive Officer

NARACOORTE LUCINDALE COUNCIL

Adoption of 2012-2013 Annual Business Plan

NOTICE is hereby given that at its meeting held on 12 June 2012, the Council, in accordance with Section 123 of the Local Government Act 1999, adopted its 2012-2013 Annual Business Plan.

Adoption of Valuation and Declaration of Rates

Notice is hereby given that at its meeting held on 12 June 2012, the Council, in exercise of the powers contained in Chapter 10 of the Local Government Act 1999, adopted the following resolutions:

Adoption of Assessment

That pursuant to Section 167 (2) (a) of the Local Government Act 1999, Council adopts for the year ending 30 June 2013 the most recent valuations of the Valuer-General available to the Council of the capital value of land within the Council's area being:

| | |
|-------------------------|-----------------|
| Rateable Properties | \$2 108 946 921 |
| Non Rateable Properties | \$48 569 620 |

and specifies 1 July 2012, as the day from which such valuations shall become the valuations of the Council.

Adoption of Budget

That pursuant to the provisions of Section 123 of the Local Government Act 1999, the 2012-2013 financial budget, as presented, including the:

- Budgeted Operating Statement;
- Budgeted Statement of Financial Position;
- Budgeted Statement of Changes in Equity;
- Budgeted Statement of Cash Flow; and
- Budgeted Financial Indicators

is adopted involving:

- a total operating deficit of \$150 028;
- a total operating expenditure of \$16 412 624;
- a total capital expenditure and loan principle payments of \$5 830 402;
- a total estimated income & borrowings (other than rates) of \$7 456 754; and
- a total amount required to be raised from general rates of \$9 479 621.

Rate Capping

That pursuant to Section 153 (3) of the Local Government Act, 1999 the Council has determined that it will not fix a maximum increase in the general rate to be charged on any rateable land within its area that constitutes the principal place of residence.

Declaration of the Rates

That pursuant to Section 156 (1) (c) of the Local Government Act 1999, the Council declares differential general rates according to the locality and the use of the land and based upon the capital value of the land on all rateable properties within the area of the Council, for the year ending 30 June 2013 as follows:

| | |
|--|-------|
| Rural Living | 0.444 |
| Deferred Urban | 0.444 |
| Residential (Naracoorte) Zone | 0.619 |
| Recreation (Naracoorte) Zone | 0.619 |
| Conservation (Naracoorte) Zone | 0.619 |
| Caravan and Tourist Park (Naracoorte) Zone | 0.619 |
| Mixed Use (Naracoorte) Zone | 0.619 |
| Commercial (Naracoorte) Zone | 0.646 |
| Light Industry (Naracoorte) Zone | 0.646 |
| Industry (Naracoorte) Zone | 0.646 |
| Town Centre (Naracoorte) Zone | 0.646 |
| Infrastructure (Naracoorte) Zone | 0.646 |
| Industry Zone | 0.590 |
| Primary Production Zone | 0.379 |
| Airfield Zone | 0.379 |
| Town Centre (Lucindale) Zone | 0.526 |
| Commercial (Lucindale) Zone | 0.526 |
| Townships Zone | 0.526 |
| Residential (Lucindale) Zone | 0.526 |
| Recreation (Lucindale) Zone | 0.526 |

Minimum Rate

Pursuant to Section 158 of the Local Government Act, 1999, the Council fixes a minimum amount of \$310.00 payable by way of rates for the year ending 30 June 2013.

Declaration of CWMS Service Charge

Pursuant to Section 155 of the Local Government Act, 1999 the Council fixes an annual service charge for the Lucindale Community Wastewater Management Scheme (CWMS) for the year ending 30 June 2013 as follows:

- in respect of all occupied properties serviced by that scheme in the township of Lucindale \$434.00; and
- in respect of all vacant properties serviced by that scheme in the township of Lucindale \$157.00.

Declaration of Waste and Recycling Collection Service Charge

Pursuant to Section 155 of the Local Government Act, 1999, the Council fixes an annual service charge for the Waste and Recycling Collection for the year ending 30 June 2013 as follows:

in respect of all occupied properties in the townships of Naracoorte, Lucindale, Frances, Hynam and Kybybolite and properties zoned Rural Living \$276.00.

Declaration of South East Natural Resources Management Board Levy

Pursuant to the powers contained in The Natural Resource Management Act 2004, and Section 154 (1) of the Local Government Act 1999, in order to reimburse the Council the amount contributed to the South East Natural Resources Management Board, the Council fixed a separate levy of \$40.00 in respect of each rateable property in the area of the Council in the catchment area of the Board.

Payment of Rates—Payment of Rates by Quarterly Instalments

That pursuant to Section 181 of the Act, that the payment of rates may be made by four approximately equal instalments, the first of which shall be due on the first working day of September 2012, the second on the first working day of December 2012, the third on the first working day of March 2013 and the fourth on the first working day of June 2013.

H. MACDONALD, Chief Executive Officer

NARACOORTE LUCINDALE COUNCIL

Appointment of Authorised Officer

NOTICE is hereby given that at its meeting held on 24 July 2012, the Council made the following appointments:

That pursuant to the provisions of Section 85 (3) of the Environment Protection Act 1993, Robert Donald Dunstone is appointed as an Authorised Officer;

That pursuant to the provisions of Sections 23 and 67 of the Housing Improvement Act 1940, Robert Donald Dunstone is appointed as an Authorised Officer;

That pursuant to the provisions of Section 260 (1) of the Local Government Act 1999, Robert Donald Dunstone is appointed as an Authorised Officer;

That pursuant to the provisions of Section 94 (1) of the Food Act 2001, Robert Donald Dunstone is appointed as an Authorised Officer;

That pursuant to the provisions of Section 7 (1) of the Public and Environmental Health Act 1987, Robert Donald Dunstone is appointed as an Authorised Officer;

That pursuant to the provisions of Section 21 (1) of the Supported Residential Facilities Act 1992, Robert Donald Dunstone is appointed as an Authorised Officer;

That pursuant to Section 27 of the Dog and Cat Management Act 1995, Robert Donald Dunstone is appointed as a Dog Management Officer; and

That pursuant to Section 81 of the Fire and Emergency Services Act 2005, Robert Donald Dunstone is appointed as an Authorised Officer.

H. MACDONALD, Chief Executive Officer

SOUTHERN MALLEE DISTRICT COUNCIL

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that the Southern Mallee District Council at the meeting held on Tuesday, 31 July 2012, resolved as follows:

Adoption of Valuation

The rates assessed on rateable property in the area of the Council will be based on the capital value of the land and as set out in Section 167 of the Local Government Act 1999, the Council determines, for the 2012 2013 financial year, that the assessment, as prepared by the Valuer-General, be adopted as from the 1 July 2012.

The assessed capital value of rateable properties is \$443 483 200 and shall become the assessment of the Council, within a total valuation of \$462 364 400 less non-rateable properties.

Declaration of Rates—Differential General Rate

As set out in Section 153 and Section 156 of the Local Government Act 1999, the Council for the year ending 30 June 2013, declares the following differential rates of:

- 0.6860 of a cent in the dollar on capital value of rateable land within the townships of Parrakie, Geranium, Lameroo, Parilla and Pinnaroo; and
- 0.6230 of a cent in the dollar for all other rateable land in the Council's area

Minimum Amount Payable by Way of Rates

As set out in Section 158 of the Local Government Act 1999, the Council declares a minimum amount payable by way of general rates of \$486.40 upon all rateable properties within its area

Rate Rebates

As set out in Division 5 of the Local Government Act 1999, the Council shall grant rebates on rates to achieve the following effects:

| | |
|---|---------|
| Maximum residential only rate payable in towns: | \$1 525 |
| Parilla and Geranium vacant unused land: | \$220 |
| Lameroo and Pinnaroo vacant unused land: | \$315 |
| Rest of area unused vacant land: | \$110 |

Service Charges

As set out in Section 155 of the Local Government Act 1999, the Council imposes an annual service charge on each piece of occupied land of \$530.00 and on each piece of vacant land of \$256.00 to which the prescribed service (Community Wastewater Management Scheme) is available

Natural Resource Management Levy

As set out in Section 95 of the Natural Resource Management Act 2004 and Section 154 of the Local Government Act 1999, in order to reimburse to the Council the amount of \$45 412, contributed to the SA Murray Darling Basin Natural Resource Management Board for the year ending 30 June 2013, a separate rate of 0.000103 in the dollar be declared on all rateable land in the Council's area within the board area

Payment of Rates

The due dates for the payment of Council rates by instalment shall be 19 September 2012, 12 December 2012, 13 March 2013 and 12 June 2013.

Early Payment Discount

That the Council provide a discount of 5% only on their general rate to any ratepayer, who pays their rates in full by the 19 September 2012.

A. RENSHAW, Chief Executive Officer

IN the matter of the estates of the undermentioned deceased persons:

- Atkins, Maxwell Herbert*, late of 58 Chief Street, Brompton, of no occupation, who died on 29 February 2012.
- Biddle, Carolyn Eve*, late of 60 Davis Avenue, Christies Beach, home duties, who died on 21 June 2012.
- Douglass, Dudley George*, late of 4 Verran Avenue, Berri, retired factory hand, who died on 14 April 2012.
- Everton, Gloria Dawn*, late of 10 Morton Road, Christie Downs, of no occupation, who died on 6 June 2012.

Kearns, William James, late of 58 Heysen Avenue, Hope Valley, retired sales representative, who died on 20 April 2012.

Little, Elaine Mary, late of 342 Marion Road, North Plympton, of no occupation, who died on 3 June 2012.

Lunnis, Reginald Edward, late of 36 Bideford Avenue, Clarence Gardens, retired aircraft engineer, who died on 11 June 2012.

Maguire, Mona Ruby, late of 160 Walkerville Terrace, Walkerville, married woman, who died on 17 May 2012.

Swift, William David, late of Grainger Road, Somerton Park, retired accounts officer, who died on 26 March 2012.

Tabur, Evi Loona, late of 86 Bacchus Circuit, Kambah, A.C.T., married woman, who died on 9 March 2012.

Taverner, Evelyn Beatrice, late of 147 Frost Road, Salisbury South, widow, who died on 9 May 2012.

Wilkinson, Gwendoline, late of 58 Chief Street, Brompton, of no occupation, who died on 11 June 2012.

Notice is hereby given pursuant to the Trustee Act 1936, 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 14 September 2012, 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 16 August 2012.

D. A. CONTALA, Public Trustee

SALE OF PROPERTY

Auction Date: Friday, 7 September 2012 at 12.30 p.m.

Location: 13A Bagot Street, Wallaroo.

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 District Court, Action No. 616 of 2011, directed to the Sheriff of South Australia, in an action wherein Commonwealth of Australia is the Plaintiff and Christie Dawn Neil 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 Christie Dawn Neil the registered proprietor of an estate in fee simple in the following:

That piece of land situated in the area named Allotment 6, Filed Plan 102583, in the Area named Wallaroo, Hundred of Adelaide, being the property comprised in Certificate of Title Register Book Volume 5141, Folio 689.

Further particulars from the auctioneers:

Griffin Real Estate
8 Greenhill Road
Wayville, S.A. 5034
Telephone (08) 8372 7872

ATTENTION

CUSTOMERS requiring a proof of their notice for inclusion in the *Government Gazette*, please note that the onus is on you to inform **Government Publishing SA** of any subsequent corrections.

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before** 4 p.m. on Wednesday.

If we do not receive any communication by 10 a.m. on Thursday (day of publication) we will presume the notice is correct and will print it as it is.

Remember—the onus is on you to inform us of any corrections necessary to your notice.

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Fax: 8207 1040

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