



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, TUESDAY, 23 MAY, 2017

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All public Acts appearing in this gazette are to be considered official, and obeyed as such

Department of the Premier and Cabinet
Adelaide, 23 May 2017

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

No. 16 of 2017—South Australian Employment Tribunal (Miscellaneous) Amendment Act 2017. An Act to amend the South Australian Employment Tribunal Act 2014; and to make related amendments to various Acts.

By command,

JOHN ROBERT RAU, for Premier

DPC06/0875

Department of the Premier and Cabinet
Adelaide, 23 May 2017

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Local Government Grants Commission, pursuant to the provisions of the South Australian Local Government Grants Commission Act 1992:

Member: (from 23 May 2017 until 22 May 2020)
David James Burgess

By command,

JOHN ROBERT RAU, for Premier

17LG03CS

Department of the Premier and Cabinet
Adelaide, 23 May 2017

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Susan Elizabeth Close, MP, Minister for Education and Child Development and Minister for Higher Education and Skills to be also Acting Minister for Communities and Social Inclusion, Acting Minister for Social Housing, Acting Minister for the Status of Women, Acting Minister for Ageing, Acting Minister for Multicultural Affairs, Acting Minister for Youth and Acting Minister for Volunteers for the periods from 8 July 2017 to 23 July 2017 inclusive, and from 30 December 2017 to 14 January 2018 inclusive, during the absence of the Honourable Zoe Lee Bettison, MP.

By command,

JOHN ROBERT RAU, for Premier

DCSICS/17/009

ELECTORAL ACT 1985

Part 6—Registration of Political Parties

NOTICE is hereby given that the following application for registration as a registered political party under the provisions of Part 6 of the Electoral Act 1985, has been received.

Name of Party: Australian Conservatives (SA)
Abbreviation of Party Name: Conservatives
Name of Applicant: Cory Bernardi

Any elector who believes that the party should not be registered because:

- the party does not have as a purpose, the promotion of the election to the State Parliament of its endorsed candidate(s); or
- the application does not fulfil the technical requirements specified in the Act; or
- the party's name is likely to be confused with that of another registered party, parliamentary party or prominent public body,

can formally object in writing to the Electoral Commissioner, Level 6, 60 Light Square, Adelaide, S.A. 5000 by 5 p.m. (ACST) on Monday, 26 June 2017. Objections must contain the postal address and signature of the objector and detail the grounds upon which the objection is made.

Dated 23 May 2017.

M. SHERRY, Electoral Commissioner

ECSA 80/2017

FISHERIES MANAGEMENT ACT 2007: SECTION 90 (2)

*Department of Primary Industries and
Regions SA—Fisheries Division*

NOTICE is hereby given pursuant to Section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by Officers of the Department of Primary Industries and Regions SA, Fisheries and Aquaculture:

- 5 mesh nets
- 2 anchors with rope attached
- yellow buoy

The above items were suspected to have been used, or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Lake Alexandrina on 12 May 2017.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Largs North office of the Department of Primary Industries and Regions SA, Fisheries and Aquaculture.

Dated 17 May 2017.

B. BALMER, Prosecutions Co-ordinator

FISHERIES MANAGEMENT ACT 2007: SECTION 90 (2)

*Department of Primary Industries and
Regions SA—Fisheries Division*

NOTICE is hereby given pursuant to Section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by Officers of the Department of Primary Industries and Regions SA, Fisheries and Aquaculture:

- 6 Opera House nets with lead weight and red buoy and smaller white buoy

The above items were suspected to have been used, or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Lake Alexandrina on 13 May 2017.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Largs North office of the Department of Primary Industries and Regions SA, Fisheries and Aquaculture.

Dated 17 May 2017.

B. BALMER, Prosecutions Co-ordinator

FISHERIES MANAGEMENT ACT 2007: SECTION 90 (2)

*Department of Primary Industries and
Regions SA—Fisheries Division*

NOTICE is hereby given pursuant to Section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by Officers of the Department of Primary Industries and Regions SA, Fisheries and Aquaculture:

- 1 black drum float and anchor
- 1 yellow drum float and anchor

The above items were suspected to have been used, or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at South of Long Point on the Coorong on 13 May 2017.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Largs North office of the Department of Primary Industries and Regions SA, Fisheries and Aquaculture.

Dated 17 May 2017.

B. BALMER, Prosecutions Co-ordinator

FISHERIES MANAGEMENT ACT 2007: SECTION 90 (2)

*Department of Primary Industries and
Regions SA—Fisheries Division*

NOTICE is hereby given pursuant to Section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by Officers of the Department of Primary Industries and Regions SA, Fisheries and Aquaculture:

- 1 Rock lobster pot, black cane plastic coated neck, black mesh, slashed with green rope and maroon and orange rope on the base, seal spike, double base ring, blue strop then orange, green and approximately one metre of blue rope with shark clip attached. Black wire bait basket.

The above items were suspected to have been used, or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Cape Bedout Kangaroo Island.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Kingscote office of the Department of Primary Industries and Regions SA, Fisheries and Aquaculture.

Dated 26 April 2017.

B. BALMER, Prosecutions Co-ordinator

NOTICE TO MARINERS

NO. 7 OF 2017

South Australia—Yorke Peninsula—Cape Elizabeth

MARINERS are advised that the unlit west cardinal beacon at Cape Elizabeth on Yorke Peninsula in position 34°07'39.3"S, 137°26'16.8"E has been replaced with a new lit west cardinal beacon in the same position. The flash characteristics of the light are Q(9)W 15s, range 2 nm.

Charts affected: Aus 777.

Adelaide, 15 May 2017.

STEPHEN MULLIGHAN, Minister for
Transport and Infrastructure

DPTI 2017/02277/01

NOTICE TO MARINERS

NO. 8 OF 2017

South Australia—Yorke Peninsula—Carrickalinga

MARINERS are advised that a new navigation light Fl Y 4s, range 2M, has been installed on the wave energy generator in position 35°25'13.5"S, 138°18'19.7"E near Carrickalinga, and that a 100 metre exclusion zone applies around the structure.

Notice to Mariners No. 15 of 2016 is now superseded by this Notice.

Mariners are advised to navigate with extreme caution in the vicinity.

Chart affected: Aus 780

Adelaide, 15 May 2017.

STEPHEN MULLIGHAN, Minister for
Transport and Infrastructure

DPTI 2017/02277/01

MINING ACT 1971

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

Applicant: Sathya Holdings Pty Ltd

Location: Florina Station area—Approximately 35 km west-south-west of Olary

Pastoral Leases: Florina, Oulnina, Outalpa, Weekeroo

Term: 2 years

Area in km²: 148

Reference number: 2017/00017

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices
or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information
or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
Department of the Premier and Cabinet,
Delegate of the Minister for Mineral Resources and Energy

MINING ACT 1971

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

Applicant: Sathya Holdings Pty Ltd

Location: Melton Station area—Approximately 35 km north-north-west of Yunta

Pastoral Leases: Minburra, Melton, Koonamore

Term: 2 Years

Area in km²: 139

Reference number: 2017/00018

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices
or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information
or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
Department of the Premier and Cabinet,
Delegate of the Minister for Mineral Resources and Energy

MINING ACT 1971

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

Applicant: Red Metal Limited

Location: South Gap area—Approximately 90 km north-north-west of Port Augusta

Pastoral Leases: South Gap

Term: 2 years

Area in km²: 99

Reference number: 2017/00047

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices
or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information
or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
Department of the Premier and Cabinet,
Delegate of the Minister for Mineral Resources and Energy

NATIONAL ELECTRICITY LAW

THE Australian Energy Market Commission (AEMC) gives notice under the National Electricity Law as follows:

Under ss 102 and 103, the making of the *National Electricity Amendment (Transmission Connection and Planning Arrangements) Rule 2017 No. 4* (Ref. ERC0192) and related final determination. Schedules 3 and 7 commence on **30 May 2017**. Schedules 1, 2, 4, 5 and 6 commence on **1 July 2018**.

Documents referred to above are available on the AEMC's website and are available for inspection at the AEMC's office.

Australian Energy Market Commission,
Level 6, 201 Elizabeth Street,
Sydney, N.S.W. 2000.
Telephone: (02) 8296 7800
www.aemc.gov.au

23 May 2017.

NATIONAL PARKS AND WILDLIFE ACT 1972

Ikara-Flinders Ranges National Park Management Plan

I, IAN HUNTER, Minister for Sustainability, Environment and Conservation, hereby give notice under the provisions of Section 38 of the National Parks and Wildlife Act 1972, that, on 1 May 2017, I adopted a plan of management for Ikara-Flinders Ranges National Park.

The plan may be inspected or obtained at the following locations:

- Department of Environment, Water and Natural Resources (DEWNR) website:
<http://www.environment.sa.gov.au/parkmanagement>.
- Natural Resources Centre, Adelaide, Ground Floor, 81-95 Waymouth Street, Adelaide, S.A. 5000.
- Natural Resources Centre SA Arid Lands, Level 1, 9 Mackay Street, (P.O. Box 78), Port Augusta, S.A. 5700.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Application for the Renewal of Pipeline Licence—PL 8

PURSUANT to Section 65 (6) of the Petroleum and Geothermal Energy Act 2000 (the Act) and Delegation dated 31 March 2017, notice is hereby given that an application for the renewal of Pipeline Licence PL 8 has been received from Gorodok Pty Ltd.

The application for renewal will be determined after 6 June 2017.

Description of Application Area

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

A line joining points of co-ordinates set out in the following table:

MGA Zone 54

422043.52mE	6889723.05mN
422055.52mE	6889581.05mN
422010.52mE	6889451.05mN
422378.72mE	6889133.95mN
424941.51mE	6886926.06mN
441136.48mE	6874224.06mN
476701.42mE	6843747.08mN
497254.38mE	6828267.09mN
499935.27mE	6826371.32mN South Australia/ Queensland border.

Length: 100.58 kilometres approximately.

Date 19 May 2017.

B. A. GOLDSTEIN,
Executive Director,
Energy Resources Division,
Department of the Premier and Cabinet,
Delegate of the Minister for Mineral Resources and Energy

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24NOTICE OF CONFIRMATION OF
ROAD PROCESS ORDER*Road Closure—Public Road, Kadina*

BY Road Process Order made on 19 April 2017, the District Council of Grant ordered that:

1. The whole of the Public Road, situated between Allotment 9 in Deposited Plan 61485 and Section 180, Hundred of Caroline, more particularly delineated and lettered 'A' in Preliminary Plan No. 16/0036 be closed.

2. Transfer the whole of the land subject to closure lettered 'A' to Peter Robert Said and Grace Said in accordance with the agreement for transfer dated 11 April 2017, entered into between the District Council of Grant, Peter Robert Said and Grace Said.

On 18 May 2017 that order was confirmed by the Minister for Transport and Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 115704 being the authority for the new boundaries.

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

Dated 23 May 2017.

M. P. BURDETT, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER*Road Closure—Public Road, Kadina*

BY Road Process Order made on 19 July 2016, the District Council of Copper Coast ordered that:

1. The whole of the Public Road, situated between Thomas Plains Road and Copper Coast Highway and adjacent to Sections 657, 658 and 706, Hundred of Kadina, more particularly delineated and lettered 'A' in Preliminary Plan No. 14/0041 be closed.

2. Transfer the whole of the land subject to closure lettered 'A' to Engage International Inc. in accordance with the agreement for transfer dated 16 November 2015, entered into between District Council of Copper Coast and Engage International Inc.

On 16 May 2017 that order was confirmed by the Minister for Transport and Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 114090 being the authority for the new boundaries.

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

Dated 23 May 2017.

M. P. BURDETT, Surveyor-General

South Australia

Motor Vehicles (Conditional Registration—Recognition of Motor Vehicle Clubs) Notice 2017

under the *Motor Vehicles Act 1959*

1—Short title

This notice may be cited as the *Motor Vehicles (Conditional Registration—Recognition of Motor Vehicle Clubs) Notice 2017*.

2—Commencement

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

3—Interpretation

In this notice—

Act means the *Motor Vehicles Act 1959*;

Code of Practice means the ‘Code of Practice for Historic Vehicles, Prescribed Left Hand Drive Vehicles and Street Rod Vehicles’ published by the Department of Planning, Transport and Infrastructure;

Conditional Registration Scheme or *Scheme* means the scheme for conditional registration of historic, prescribed left hand drive and street rod motor vehicles under section 25 of the Act and regulations 15 and 16 of the Motor Vehicles Regulations 2010;

Federation means the Federation of Historic Motoring Clubs Inc;

MR334 form means an ‘Approval for Conditional Registration of a Historic, Prescribed Left Hand Drive or Street Rod Vehicle MR334 Form’;

Registrar means the Registrar of Motor Vehicles;

Regulations means the Motor Vehicles Regulations 2010.

4—Recognition of motor vehicle clubs

The motor vehicle clubs specified in Schedule 1 are, subject to the conditions set out in Clause 5, recognised for the purposes of Regulation 16 of the Regulations.

5—Conditions of recognition

A motor vehicle club specified in Schedule 1 must comply with the following conditions:

- (a) The club must maintain a constitution approved by the Registrar;
- (b) the club must nominate and have members authorised by the Registrar (*authorised persons*) to approve motor vehicles for registration under the Scheme; to inspect members’ vehicles; and to issue prescribed log books to club members for each of their vehicles to record vehicle use;

- (c) the club must obtain from each member before the end of each year a statutory declaration made by the member verifying the eligibility of their motor vehicle to be registered under section 25 of the Act for the Scheme and detailing any modifications made to the vehicle during that year;
- (d) the club's authorised persons must undertake inspections of members' motor vehicles and ensure that the vehicles are eligible, in keeping with the requirements in regulations 15 and 16 of the Regulations and the criteria set out in the Code of Practice, to be registered under section 25 of the Act—
 - (i) on entry to the Conditional Registration Scheme;
 - (ii) when requested to do so by the Registrar;
 - (iii) when members' annual statutory declarations disclose that their vehicles have been modified since the entry inspection and/or previous inspection;
 - (iv) periodically at least once every 3 years;
- (e) the club's authorised persons must validate a member's log book annually and must not do so unless a member's statutory declaration has been received for the purposes of paragraph (c) and the relevant vehicle inspection requirements of paragraph (d) have been met;
- (f) the club must cancel a member's log book when a member resigns, must record all approved variations to a vehicle's condition in a member's log book for that vehicle, must ensure that a statutory declaration is provided when a member's log book is lost or destroyed and must forward copies of log book return sheets to the Federation annually;
- (g) the club must create and maintain records detailing all its financial members, its authorised persons, all members' motor vehicles for which a MR334 form has been issued, all motor vehicle inspections undertaken for the purposes of paragraph (d), all statutory declarations received and log books issued;
- (h) the club must keep records for a period of 5 years from the date of the document and these records include all duplicate MR334 forms, all records of motor vehicle inspections undertaken in accordance with paragraph (d), all statutory declarations provided by members for the purposes of paragraphs (c) and (f), all log books issued by reference to their serial number, the member's name and the vehicle for which it was issued, all copy exemption documents issued to members for their motor vehicles in accordance with section 163AA of the *Road Traffic Act 1961* and to make all such records available for inspection or provide copies of the records at the request of the Registrar for audit purposes;
- (i) the club must ensure, as far as practicable, that all members comply with the Code of Practice and all members' motor vehicles continue to meet the eligibility requirements set out in the Regulations and Code of Practice;
- (j) the club, as far as practicable, must report to the Registrar or the Federation details of members and motor vehicles not complying with the conditions and criteria set out in the Code of Practice for the Scheme;
- (k) the club must provide to the Registrar, within 2 months after the end of the club's financial year, an annual report detailing members from that financial year with vehicles registered under the Scheme who are no longer financial members of the club;

- (l) the club must notify the Registrar within 14 days on official club letterhead of resolution to cease operation as a club and must provide the club records specified in paragraph (h) to the Registrar within 7 days of its dissolution.

Note—

Under regulation 16(3)(c) of the *Motor Vehicles Regulations 2010*, the Registrar may, by notice in the *Gazette*, withdraw the recognition of a motor vehicle club if satisfied that the club has contravened or failed to comply with a condition applying to its recognition by the Registrar, or if there is other good cause to withdraw the recognition.

Schedule 1—Recognised motor vehicle clubs

Historic, Left Hand Drive and Street Rod motor vehicle club

Monarchs Hot Rod Club Incorporated

Made by the Registrar of Motor Vehicles

On 17 May 2017

RETURN TO WORK ACT 2014

RTWSA Premium Order (Retro-Paid Loss Arrangement) 2017-2018

THE Board of the Return to Work Corporation of South Australia ('the Corporation') after consultation with the Minister publishes the principles fixing the manner in which a premium payable by an employer (or person who proposes to become an employer) will be calculated for the purposes of Section 143 of the *Return to Work Act 2014* ('the Act'), referred to as the 'RTWSA Premium Order (Retro-Paid Loss Arrangement) 2017-2018' ('this Order'). This Order fixes the manner in which such a premium is to be calculated for the Retro-Paid Loss Arrangement authorised under subsection 143 (7) (e) of the Act for the period beginning 1 July 2017 to, and including, 30 June 2018.

Part 1—Preliminary Matters

1. This Order is the RTWSA Premium Order (Retro-Paid Loss Arrangement) 2017-2018 published pursuant to subsection 143 (3) of the Act.
2. This Order takes effect on 1 July 2017.

Part 2—Application

1. This Order applies to employers who, in accordance with subsection 143 (7) (e) of the Act, on application and at the discretion of the Corporation, satisfy specified criteria so as to pay a premium determined according to an alternative set of principles. The Corporation delegates to its Chief Executive Officer the function and power to specify such criteria.
2. In accordance with subsection 143 (7) (e) of the Act and as determined in Part 7 of the RTWSA Premium Order (Return to Work Premium System) 2017-2018 this Order fixes such an alternative set of principles for calculating premiums (to be known as the Retro-Paid Loss Arrangement premium calculation).
3. In accordance with subsection 143 (7) (f) of the Act, this Order also determines under Part 6 the financial guarantee in respect of an employer or group of employers the subject of an existing arrangement for such premium period(s) that those employers participate in the Retro-Paid Loss Arrangement.
4. If, before 1 July 2018, a RTWSA Premium Order (Retro-Paid Loss Arrangement) has not been made for the 2018-2019 period (or such further period thereafter), this Order continues to apply pending the making of such an order.
5. The terms and conditions in the RTWSA Premium Provisions 2017-2018 apply to, and in respect of, a Retro-Paid Loss Arrangement unless this Order provides otherwise.
6. In this Order, words and expressions have the same meaning as they have in the RTWSA Premium Provisions 2017-2018, unless this Order provides otherwise.

Part 3—Retro-Paid Loss Arrangement premium calculation

1. The Retro-Paid Loss Arrangement premium calculated at the commencement of the premium period is the deposit premium, determined in accordance with Part 7 of this Order.
2. The Retro-Paid Loss Arrangement premium is then recalculated at each adjustment date as the adjusted premium, determined in accordance with Part 7 of this Order.

Part 4—Returns and payment terms

Any deposit premium will be payable in accordance with the provisions in the then current Payment of Statutory Payments Notice.

1. Any adjusted premium is to be paid in full on the date specified on the adjustment note.
2. The required financial guarantee for existing arrangements is to be in place on the date specified by the Corporation.
3. Despite the Payment of Statutory Payments Notice 2015, for the purposes of subsection 149 (1) of the Act the date for the provision of a return is 31 May.
4. Despite the Publication of Designated Manners and Forms Notice 2015, the designated manner for the provision of a return excludes providing the information online.

Part 5—Adjustment dates

1. In this Order:
 - 1.1 adjustment date, in relation to the Retro-Paid Loss Arrangement, means each of the following dates:
 - (a) the date that is 15 months after the date of the commencement of the premium period (the first adjustment date),
 - (b) the date that is 27 months after the date of the commencement of the premium period (the second adjustment date),
 - (c) the date that is 39 months after the date of the commencement of the premium period (the third adjustment date),
 - (d) the date that is 48 months after the date of the commencement of the premium period (the fourth adjustment date).

Part 6—Calculation of adjusted financial guarantee for existing arrangements

For the purpose of this Order "existing arrangement" means a Retro-Paid Loss Arrangement to which the RTWSA Premium Order (Retro-Paid Loss Arrangement) for 2016-17 had application and for which a financial guarantee has previously been calculated.

1. For the purposes of subsection 143 (7) (f) of the Act, in relation to an employer or group of employers the subject of an existing arrangement, the required adjusted financial guarantee is to be calculated according to the following formula:

$$FG_A = (FG_1 + FG_2 + FG_3)$$

Where:

$$FG_1 = ((BP_1 - A_1) \times 0.7 + GST_1 + WHS_1)$$

But is not more than $(2.5 \times BP_1) - P_1$; and

$$FG_2 = ((BP_2 - A_2) \times 0.5 + GST_2 + WHS_2)$$

But is not more than $(2.5 \times BP_2) - P_2$; and

$$FG_3 = ((BP_3 - A_3) \times 0.4 + GST_3 + WHS_3)$$

But is not more than $(2.5 \times BP_3) - P_3$

Reference year (n)	Adjustment date	Formula reference
1	15 th month adjustment	FG ₁ , P ₁ , BP ₁ , A ₁ , GST ₁ , WHS ₁
2	27 th month adjustment	FG ₂ , P ₂ , BP ₂ , A ₂ , GST ₂ , WHS ₂
3	39 th month adjustment	FG ₃ , P ₃ , BP ₃ , A ₃ , GST ₃ , WHS ₃

FG_A is the financial guarantee in respect of the existing arrangements for previous premium period(s).

FG_n is the financial guarantee in respect of each reference year for previous premium period(s).

P_n is the premium payable by an employer or group of employers calculated in accordance with Part 7 of this Order or the applicable order for the reference year.

A_n is the Apprentice and Trainee incentive amount, if any, for the employer or group of employers determined with respect to the reference year n or part thereof in accordance with Part 5 of the RTWSA Premium Provisions 2017-2018.

GST_n is the Goods and Services Tax as defined in Part 2 of the RTWSA Premium Provisions 2017-2018.

WHS_n is the work health and safety registration fee as defined in Part 2 of the RTWSA Premium Provisions 2017-2018.

BP_n is the base premium calculated in accordance with Part 4 of the RTWSA Premium Provisions 2017-2018.

n is the reference year 1, 2 and 3 and refers to the premium year corresponding to adjustment dates 15, 27 and 39 respectively.

Part 7—Calculation of deposit premium and adjusted premium

1. The method for calculating the premium for an employer or group of employers:

1.1 at the commencement of the premium period (the deposit premium) is calculated as defined in the RTWSA Premium Order (RTW Premium System) 2017-2018,

1.2 at the 15 month adjustment date (the adjusted premium) is as follows:

$$P = (BP - A) \times 0.6 + C + SUR + GST + WHS$$

but not more than **P_{max}**.

1.3 at the 27 month adjustment date (the adjusted premium) is as follows:

$$P = (BP - A) \times 0.5 + C + SUR + GST + WHS$$

but not more than **P_{max}**.

1.4 at the 39 month adjustment date (the adjusted premium) is as follows:

$$P = (BP - A) \times 0.4 + C + SUR + GST + WHS$$

but not more than **P_{max}**.

1.5 at the 48 month adjustment date (the adjusted premium) is as follows:

$$P = (BP - A) \times 0.4 + C + SUR + GST + WHS$$

but not more than **P_{max}**.

Where:

BP is the base premium calculated in accordance with Part 4 of the RTWSA Premium Provisions 2017-2018.

A is the Apprentice and Trainee incentive amount, if any, for an employer or group of employers determined with respect to the premium period or part thereof in accordance with Part 5 of the RTWSA Premium Provisions 2017-2018.

SUR is the Supplementary Underwriting Rate being a premium adjustment (either a decrease or an increase) to allow the premium of an employer, within a particular category or class, to be adjusted. Any adjustment is at the discretion of the Corporation and subject to the claims experience and a specific risk assessment of the employer by the Corporation.

GST is the Goods and Services Tax as defined in Part 2 of the RTWSA Premium Provisions 2017-2018.

WHS is the work health and safety registration fee as defined in accordance with Part 2 of the RTWSA Premium Provisions 2017-2018.

P is the adjusted premium for the time being payable by an employer or group of employers in respect of the premium period (including, where adjustments are required to be made to that premium by reason of the operation of this Order, the premium so payable by reason of those adjustments).

C is the total of the cost of claims for an employer or group of employers as defined in Part 9 of this Order in respect of claims with a date of injury in the premium period. For this purpose date of injury is the date the person suffered the injury, or the deemed date of injury under the Act.

P_{max} is the maximum premium that is payable by an employer or group of employers calculated in accordance with Part 9 of this Order.

2. The method to apportion adjusted premium for each member of a group at each adjustment date (the adjusted premium) is as follows:

$$P_E = P \times \frac{BP - A}{BP_G - A_G}$$

Where:

P_E is the premium for the time being payable by an employer who is a member of a group in respect of the premium period calculated in accordance with 1.2, 1.3, 1.4 and 1.5 of Part 7 of this Order (including, where adjustments are required to be made to that premium by reason of the operation of this Order, the premium so payable by reason of those adjustments).

BP is the base premium for an employer that is a member of a group calculated in accordance with Part 4 of the RTWSA Premium Provisions 2017-2018.

A is the Apprentice and Trainee incentive amount, if any, for an employer determined with respect to the premium period or part thereof in accordance with Part 5 of the RTWSA Premium Provisions 2017-2018.

BP_G is the sum of the BP for all the members of a group of which the employer is a member.

A_G is the sum of A for all members of a group of which the employer is a member.

Part 8—Maximum and minimum premium payable

1. For the purposes of this Order, the maximum premium (P_{\max}) that is payable by an employer or group of employers in respect of the premium period is calculated as follows:

$$P_{\max} = [(BP \times 2) - A] + SUR + GST + WHS$$

2. Despite any other provision of this Order, a deposit premium or an adjusted premium is to be no less than the minimum premium specified in the RTWSA Premium Provisions 2017-2018.

Part 9—Cost of claims

1. Cost of claims means the total of:
 - 1.1 costs paid on, and in respect of, each claim for compensation allocated to a particular employer (irrespective of whether the claim for compensation was withdrawn by the worker, accepted or rejected); and
 - 1.2 for claims in which a worker has or is expected to have an entitlement for a lump sum payment in accordance with Part 4 Division 6 and/or Part 4 Division 7 of the Act where the payment has not been made, the cost of claims will include an estimate assessed by the Corporation of the outstanding liability for expected lump sum payment(s); and
 - 1.3 for claims in which a worker is a seriously injured worker (as defined in Part 2 Division 4 of the Act), the current and most accurate estimate assessed by the Corporation of the outstanding liability for each claim.
2. The costs of each claim are the total costs for the claim, as described in Clause 1 of this Part, based on the evidence available at the time of the relevant adjustment date.
3. Excluded from the costs of each claim are:
 - 3.1 Costs associated with claims for unrepresentative injuries,
 - 3.2 Costs associated with successfully prosecuted fraudulent claims,
 - 3.3 Actual recoveries for compulsory third party and common law actions under Section 66 of the Act,
 - 3.4 The amount of income support paid in the first two weeks of a worker's incapacity where the Corporation has undertaken the liability of the employer in accordance with subsection 64 (14) of the Act, and
 - 3.5 Claims costs in excess of \$500,000.
4. But, in any case where a single event leads to 3 or more individual claims, the maximum total combined costs of all those claims in relation to that event will not exceed \$1,000,000.

I confirm that this is a true and correct record of the decision of the Board of the Corporation made on the 27th day, March 2017.

Dated 27 March 2017.

J. YUILE, Board Chair

RETURN TO WORK ACT 2014

Industry Premium Rates Determination 2017-2018

IN accordance with the power delegated to me by the Board of the Return to Work Corporation of South Australia ('the Corporation') under the current Instrument of Delegation of the Corporation I, Rob Cordiner, Chief Executive Officer, determine that the Industry Premium Rates for the purpose of Section 142 of the *Return to Work Act 2014* ('the Act') are as follows:

Part 1—Preliminary Matters

1. This determination may be cited as the *Industry Premium Rates Determination 2017-2018*.
2. The Industry Premium Rates Determination is made pursuant to subsection 142 (1) of the Act and published in the *Government Gazette* in accordance with subsection 142 (2) (a) of the Act.
3. This determination commences on 1 July 2017.
4. If before 1 July 2018, an Industry Premium Rates Determination has not been made for the 2018-2019 period, this determination will apply pending the making of such a determination.

Part 2—Terms of Industry Premium Rates Determination

1. Establish the Industry Premium Rates set out in the Appendix to this determination.
2. The industry premium rate for each South Australian Industry Classification (SAIC) referred to in Column 2 of the Appendix, is fixed by the Corporation as the industry premium rate (expressed as a percentage) opposite each SAIC in Column 3 of the Appendix.
3. Any *RTWSA Premium Provisions*, *RTWSA Premium Order (Return to Work Premium System)* and *RTWSA Premium Order (Retro-Paid Loss Arrangement)* having application for the 2017-2018 premium period will be applied for the purpose of detailing how the industry premium rate is used in the premium calculation for an employer in respect of whom those Premium Orders apply.

Part 3—Specified criteria for fixing Industry Premium Rates

1. In respect of the premium rate applicable to the classes of industry, the Industry Premium Rates Determination takes into account the criteria prescribed in Regulation 56 of the *Return to Work Regulations 2015*.

Confirmed as a true and correct record of the decision of the Corporation made in the exercise of my delegated authority.

Dated 10 May 2017.

R. CORDINER, Chief Executive Officer

APPENDIX

RETURN TO WORK CORPORATION OF SOUTH AUSTRALIA
ReturnToWorkSA Industry Premium Rates 2017-2018

Column 1 SAIC Code Number	Column 2 Industry description	Column 3 Industry Premium Rate per \$100
	AGRICULTURE, FORESTRY AND FISHING	
011101	Nursery Production	3.390%
011301	Turf Growing	3.427%
011401	Floriculture Production	3.385%
012101	Mushroom Growing	3.866%
012201	Vegetable Growing	3.647%
013101	Grape Growing	2.032%
013201	Kiwifruit Growing	3.553%
013301	Berry Fruit Growing	3.514%
013406	Apple, Pear, Stone Fruit and Citrus Growing	3.450%
013701	Olive Growing	3.537%
013901	Other Fruit and Tree Nut Growing	3.587%
014101	Sheep Farming	4.880%
014201	Beef Cattle Farming	5.145%
014406	Sheep-Beef Cattle Farming	4.782%
014501	Grain-Sheep or Grain-Beef Cattle Farming	2.406%
014901	Grain Growing	2.686%
015901	Other Crop Growing n.e.c.	4.578%
016001	Dairy Cattle Farming	5.464%
017101	Poultry Farming (Meat)	4.186%
017201	Poultry Farming (Eggs)	4.230%
018001	Deer Farming	4.581%
019101	Horse Farming	4.561%
019201	Pig Farming	6.059%
019306	Beekeeping	4.550%
019901	Other Livestock Farming n.e.c.	4.562%
020101	Offshore Longline and Rack Aquaculture	3.036%
020201	Offshore Caged Aquaculture	2.963%
020301	Onshore Aquaculture	3.011%
030101	Forestry	2.882%
030201	Logging	4.052%
041101	Rock Lobster and Crab Potting	3.194%
041201	Prawn Fishing	2.734%
041301	Line Fishing	4.110%
041401	Fish Trawling, Seining and Netting	5.141%
041901	Other Fishing	5.136%
042001	Hunting and Trapping	5.259%
051001	Forestry Support Services	3.123%
052201	Shearing Services	6.138%
052901	Other Agriculture and Fishing Support Services	3.452%
	MINING	
060001	Coal Mining	3.054%
070001	Oil and Gas Extraction	1.442%
080101	Iron Ore Mining	3.274%
080201	Bauxite Mining	3.550%
080301	Copper Ore Mining	2.121%
080401	Gold Ore Mining	3.238%
080501	Mineral Sand Mining	2.660%
080601	Nickel Ore Mining	3.550%
080701	Silver-Lead-Zinc Ore Mining	3.077%
080901	Other Metal Ore Mining	3.402%
091101	Gravel and Sand Quarrying	3.300%
091901	Other Construction Material Mining	3.748%
099001	Other Non-Metallic Mineral Mining and Quarrying	2.442%
101101	Petroleum Exploration	3.369%
101201	Mineral Exploration	1.275%
109001	Other Mining Support Services	1.901%
109002	Drilling and Boring Support Services	2.164%
	MANUFACTURING	
111106	Meat Processing	7.478%
111107	Livestock Processing	5.750%
111201	Poultry Processing	4.514%
111301	Cured Meat and Smallgoods Manufacturing	6.803%
112001	Seafood Processing	3.805%
113101	Milk and Cream Processing	3.706%

Column 1	Column 2	Column 3
SAIC Code Number	Industry description	Industry Premium Rate per \$100
113201	Ice Cream Manufacturing	1.214%
113301	Cheese and Other Dairy Product Manufacturing	3.401%
114001	Fruit and Vegetable Processing	4.698%
115001	Oil and Fat Manufacturing	3.544%
116101	Grain Mill Product Manufacturing	1.443%
116201	Cereal, Pasta and Baking Mix Manufacturing	3.209%
117101	Bread Manufacturing (Factory based)	5.188%
117201	Cake and Pastry Manufacturing (Factory based)	3.038%
117301	Biscuit Manufacturing (Factory based)	5.364%
117401	Bakery Product Manufacturing (Non-factory based)	1.679%
118101	Sugar Manufacturing	4.063%
118201	Confectionery Manufacturing	4.047%
119101	Potato, Corn and Other Crisp Manufacturing	4.609%
119201	Prepared Animal and Bird Feed Manufacturing	3.806%
119901	Other Food Product Manufacturing n.e.c.	4.269%
121101	Soft Drink, Cordial and Syrup Manufacturing	2.240%
121201	Beer Manufacturing	1.394%
121301	Spirit Manufacturing	1.713%
121401	Wine and Other Alcoholic Beverage Manufacturing	1.715%
122001	Cigarette and Tobacco Product Manufacturing	4.609%
131101	Wool Scouring	3.380%
131201	Natural Textile Manufacturing	2.511%
131301	Synthetic Textile Manufacturing	2.499%
132001	Leather Tanning, Fur Dressing and Leather Product Manufacturing	2.810%
133101	Textile Floor Covering Manufacturing	2.191%
133201	Rope, Cordage and Twine Manufacturing	2.470%
133301	Cut and Sewn Textile Product Manufacturing	3.001%
133401	Textile Finishing and Other Textile Product Manufacturing	2.371%
134001	Knitted Product Manufacturing	2.355%
135101	Clothing Manufacturing	2.319%
135201	Footwear Manufacturing	2.789%
141101	Log Sawmilling	4.656%
141201	Wood Chipping	4.478%
141301	Timber Resawing and Dressing	7.213%
149101	Prefabricated Wooden Building Manufacturing	3.369%
149201	Wooden Structural Fitting and Component Manufacturing	3.432%
149301	Veneer and Plywood Manufacturing	5.501%
149401	Reconstituted Wood Product Manufacturing	2.969%
149901	Other Wood Product Manufacturing n.e.c.	2.992%
149902	Wooden Containers Manufacturing	4.533%
151001	Pulp, Paper and Paperboard Manufacturing	3.521%
152101	Corrugated Paperboard and Paperboard Container Manufacturing	4.177%
152201	Paper Bag Manufacturing	5.425%
152301	Paper Stationery Manufacturing	2.809%
152401	Sanitary Paper Product Manufacturing	3.720%
152901	Other Converted Paper Product Manufacturing	3.757%
161106	Printing	1.346%
161206	Printing Support Services	0.971%
162007	Reproduction of Recorded Media	0.336%
170101	Petroleum Refining and Petroleum Fuel Manufacturing	1.251%
170901	Other Petroleum and Coal Product Manufacturing	1.728%
181101	Industrial Gas Manufacturing	1.709%
181201	Basic Organic Chemical Manufacturing	2.445%
181301	Basic Inorganic Chemical Manufacturing	2.452%
182101	Synthetic Resin and Synthetic Rubber Manufacturing	5.127%
182901	Other Basic Polymer Manufacturing	4.359%
183101	Fertiliser Manufacturing	2.676%
183201	Pesticide Manufacturing	2.409%
184101	Human Pharmaceutical and Medicinal Product Manufacturing	2.236%
184201	Veterinary Pharmaceutical and Medicinal Product Manufacturing	2.276%
185101	Cleaning Compound Manufacturing	2.470%
185201	Cosmetic and Toiletry Preparation Manufacturing	1.419%
189101	Photographic Chemical Product Manufacturing	2.332%
189201	Explosive Manufacturing	2.756%
189901	Other Basic Chemical Product Manufacturing n.e.c.	2.298%
191101	Polymer Film and Sheet Packaging Material Manufacturing	3.305%
191201	Rigid and Semi-Rigid Polymer Product Manufacturing	4.541%
191301	Polymer Foam Product Manufacturing	4.365%

Column 1	Column 2	Column 3
SAIC Code Number	Industry description	Industry Premium Rate per \$100
191401	Tyre Manufacturing	3.555%
191501	Adhesive Manufacturing	2.335%
191601	Paint and Coatings Manufacturing	2.870%
191602	Inks and Toners Manufacturing	0.650%
191901	Other Polymer Product Manufacturing	4.284%
192001	Natural Rubber Product Manufacturing	3.537%
201001	Glass and Glass Product Manufacturing	3.358%
202101	Clay Brick Manufacturing	3.640%
202901	Other Ceramic Product Manufacturing	2.251%
203101	Cement and Lime Manufacturing	1.072%
203201	Plaster Product Manufacturing	4.384%
203301	Ready-Mixed Concrete Manufacturing	4.560%
203401	Concrete Product Manufacturing	6.423%
209001	Other Non-Metallic Mineral Product Manufacturing	5.435%
211001	Iron Smelting and Steel Manufacturing	3.877%
212106	Iron and Steel Casting	5.669%
212201	Steel Pipe and Tube Manufacturing	2.644%
213106	Alumina Production	2.709%
213201	Aluminium Smelting	3.951%
213301	Copper, Silver, Lead and Zinc Smelting and Refining	3.936%
213901	Other Basic Non-Ferrous Metal Manufacturing	5.807%
214101	Non-Ferrous Metal Casting	2.653%
214201	Aluminium Rolling, Drawing, Extruding	2.675%
214901	Other Basic Non-Ferrous Metal Product Manufacturing	2.708%
221001	Iron and Steel Forging	5.753%
222101	Structural Steel Fabricating	4.591%
222201	Prefabricated Metal Building Manufacturing	4.457%
222301	Architectural Aluminium Product Manufacturing	3.365%
222401	Metal Roof and Guttering Manufacturing (except Aluminium)	2.661%
222901	Other Structural Metal Product Manufacturing	4.383%
223101	Boiler, Tank and Other Heavy Gauge Metal Container Manufacturing	5.178%
223901	Other Metal Container Manufacturing	2.671%
224001	Sheet Metal Product Manufacturing (except Metal Structural and Container Products)	2.782%
229101	Spring and Wire Product Manufacturing	4.474%
229201	Nut, Bolt, Screw and Rivet Manufacturing	2.455%
229301	Metal Coating and Finishing	4.962%
229901	Other Fabricated Metal Product Manufacturing n.e.c.	3.211%
229902	Cutlery and Hand Tool Manufacturing	10.296%
231101	Motor Vehicle Manufacturing	2.463%
231201	Motor Vehicle Body and Trailer Manufacturing	4.897%
231301	Automotive Electrical Component Manufacturing	2.775%
231901	Other Motor Vehicle Parts Manufacturing	3.514%
239101	Shipbuilding and Repair Services	5.342%
239102	Submarine Building and Repair Services	1.406%
239201	Boatbuilding and Repair Services	3.482%
239301	Railway Rolling Stock Manufacturing and Repair Services	2.201%
239401	Aircraft Manufacturing and Repair Services	0.596%
239901	Other Transport Equipment Manufacturing n.e.c.	2.708%
241101	Photographic, Optical and Ophthalmic Equipment Manufacturing	0.480%
241201	Medical and Surgical Equipment Manufacturing	1.867%
241901	Other Professional and Scientific Equipment Manufacturing	0.571%
242101	Computer and Electronic Office Equipment Manufacturing	0.503%
242201	Communication Equipment Manufacturing	0.473%
242901	Other Electronic Equipment Manufacturing	0.467%
243101	Electric Cable and Wire Manufacturing	2.704%
243201	Electric Lighting Equipment Manufacturing	2.175%
243901	Other Electrical Equipment Manufacturing	2.637%
244101	Whiteware Appliance Manufacturing	2.674%
244901	Other Domestic Appliance Manufacturing	2.739%
245101	Pump and Compressor Manufacturing	3.608%
245201	Fixed Space Heating, Cooling and Ventilation Equipment Manufacturing	2.038%
246101	Agricultural Machinery and Equipment Manufacturing	3.316%
246201	Mining and Construction Machinery Manufacturing	3.024%
246301	Machine Tool and Parts Manufacturing	2.334%
246901	Other Specialised Machinery and Equipment Manufacturing	2.877%
249101	Lifting and Material Handling Equipment Manufacturing	4.066%
249901	Other Machinery and Equipment Manufacturing n.e.c.	2.877%
251101	Wooden Furniture and Upholstered Seat Manufacturing	3.342%
251201	Metal Furniture Manufacturing	3.912%

Column 1 SAIC Code Number	Column 2 Industry description	Column 3 Industry Premium Rate per \$100
251301	Mattress Manufacturing	4.463%
251901	Other Furniture Manufacturing	3.304%
259101	Jewellery and Silverware Manufacturing	1.372%
259201	Toy, Sporting and Recreational Product Manufacturing	3.204%
259901	Other Manufacturing n.e.c.	1.990%
	ELECTRICITY, GAS, WATER AND WASTE SERVICES	
261101	Fossil Fuel Electricity Generation	0.605%
261901	Other Electricity Generation	0.607%
262001	Electricity Transmission and Distribution	0.600%
264001	On Selling Electricity and Electricity Market Operation	0.605%
270001	Gas Supply	0.900%
281101	Water Supply	0.800%
281201	Sewerage and Drainage Services	2.097%
291101	Solid Waste Collection Services	5.333%
291901	Other Waste Collection Services	5.551%
292101	Waste Treatment and Disposal Services	5.699%
292201	Waste Remediation and Materials Recovery Services	5.606%
	CONSTRUCTION	
301101	House Construction	2.510%
301901	Other Residential Building Construction	2.941%
302001	Non-Residential Building Construction	2.347%
310101	Heavy and Civil Engineering Construction	2.556%
321101	Land Development and Subdivision	1.459%
321201	Site Preparation Services	3.770%
322101	Concreting Services	5.423%
322201	Bricklaying Services	6.576%
322301	Roofing Services	7.555%
322401	Structural Steel Erection Services	6.688%
323106	Plumbing Services	2.918%
323206	Electrical Services	1.592%
323306	Air Conditioning and Heating Services	2.725%
323406	Fire and Security Alarm Installation Services	2.303%
323901	Other Building Installation Services	4.344%
324106	Plastering and Ceiling Services	5.135%
324206	Carpentry Services	5.054%
324306	Tiling and Carpeting Services	3.691%
324406	Painting and Decorating Services	4.216%
324506	Glazing Services	4.975%
329101	Landscape Construction Services	3.120%
329201	Hire of Construction Machinery with Operator	3.189%
329901	Other Construction Services n.e.c.	5.490%
329902	Scaffolding Services	4.950%
	WHOLESALE TRADE	
331101	Wool Wholesaling	2.824%
331201	Cereal Grain Wholesaling	2.925%
331901	Other Agricultural Produce Wholesaling	1.760%
331902	Other Agricultural Supply Wholesaling	0.527%
332101	Petroleum Product Wholesaling	1.117%
332201	Metal Wholesaling	3.632%
332202	Mineral Wholesaling	1.696%
332301	Industrial and Agricultural Chemical Product Wholesaling	1.086%
333101	Timber Wholesaling	3.527%
333201	Plumbing Goods Wholesaling	2.038%
333901	Builders Hardware Goods Wholesaling	2.107%
333902	Household Hardware Goods Wholesaling	0.911%
341101	Agricultural and Construction Machinery Wholesaling	1.228%
341901	Other Specialised Industrial Machinery and Equipment Wholesaling	1.354%
349101	Professional and Scientific Goods Wholesaling	0.630%
349201	Computer and Computer Peripheral Wholesaling	0.300%
349301	Telecommunication Goods Wholesaling	0.670%
349401	Other Electrical and Electronic Goods Wholesaling	0.706%
349402	Photographic Equipment Wholesaling	0.336%
349901	Other Machinery and Equipment Wholesaling n.e.c.	1.223%
350101	Car Wholesaling	1.362%
350201	Commercial Vehicle Wholesaling	2.073%
350301	Trailer and Other Motor Vehicle Wholesaling	2.015%
350401	Motor Vehicle New Parts Wholesaling	2.093%
350501	Motor Vehicle Dismantling and Used Parts Wholesaling	2.227%

Column 1 SAIC Code Number	Column 2 Industry description	Column 3 Industry Premium Rate per \$100
360101	General Line Grocery Wholesaling	3.133%
360201	Meat Wholesaling	4.577%
360202	Poultry and Smallgoods Wholesaling	1.949%
360301	Dairy Produce Wholesaling	2.472%
360302	Milk Vending	3.524%
360401	Fish and Seafood Wholesaling	2.958%
360501	Fruit and Vegetable Wholesaling	4.220%
360601	Liquor and Tobacco Product Wholesaling	1.169%
360901	Other Grocery Wholesaling	3.082%
360902	Confectionery and Soft Drink Wholesaling	1.771%
371101	Textile Product Wholesaling	0.760%
371201	Clothing and Footwear Wholesaling	0.384%
372001	Pharmaceutical and Toiletry Goods Wholesaling	0.851%
373101	Furniture and Floor Covering Wholesaling	0.983%
373201	Jewellery and Watch Wholesaling	0.844%
373301	Kitchen and Dining ware Wholesaling	0.919%
373401	Toy and Sporting Goods Wholesaling	0.957%
373501	Book and Magazine Wholesaling	1.266%
373601	Paper Product Wholesaling	1.172%
373901	Other Goods Wholesaling n.e.c.	1.297%
380001	Commission-Based Wholesaling	1.204%
380002	Wholesaling goods not physically handling any stock	0.622%
	RETAIL TRADE	
391101	Car Retailing	1.309%
391201	Motor Cycle Retailing	1.374%
391301	Trailer and Other Motor Vehicle Retailing	1.528%
392101	Motor Vehicle Parts Retailing	1.370%
392201	Tyre Retailing	3.284%
400001	Fuel Retailing	2.793%
411001	Supermarket and Grocery Stores	1.671%
412102	Fresh Fish Retailing	1.318%
412106	Fresh Meat and Poultry Retailing	2.967%
412206	Fruit and Vegetable Retailing	1.767%
412301	Liquor Retailing	1.265%
412901	Other Specialised Food Retailing	1.596%
421101	Furniture Retailing	2.322%
421201	Floor Coverings Retailing	1.750%
421301	Housewares Retailing	1.690%
421401	Manchester and Other Textile Goods Retailing	2.569%
422101	Electrical , Electronic and Gas Appliance Retailing	1.297%
422102	Photographic Equipment Retailing	0.488%
422201	Computer and Computer Peripheral Retailing	1.213%
422901	Other Electrical and Electronic Goods Retailing	1.239%
423106	Hardware and Building Supplies Retailing	1.633%
423206	Garden Supplies Retailing	2.061%
424106	Sport and Camping Equipment Retailing	0.669%
424206	Entertainment Media and Musical Instrument Retailing	0.392%
424306	Toy and Game Retailing	0.303%
424406	Newspaper and Book Retailing	0.817%
424506	Marine Equipment Retailing	1.437%
425101	Clothing Retailing	1.286%
425201	Footwear Retailing	0.938%
425301	Watch and Jewellery Retailing	0.774%
425901	Other Personal Accessory Retailing	1.103%
426001	Department Stores	1.460%
426002	General Variety Stores	2.542%
427101	Pharmaceutical, Cosmetic and Toiletry Goods Retailing	0.763%
427201	Stationery Goods Retailing	0.865%
427301	Antique and Used Goods Retailing	2.989%
427302	Coin and stamp dealing	0.300%
427401	Flower Retailing	2.735%
427901	Other Store-Based Retailing n.e.c.	1.007%
427902	Tobacco Products Retailing	1.693%
431001	Non-Store Retailing	0.774%
432001	Retail Commission-Based Buying and/or Selling	0.743%
	ACCOMMODATION AND FOOD SERVICES	
440001	Accommodation	2.495%
451101	Cafes and Restaurants	2.111%
451201	Takeaway Food Services	1.254%

Column 1 SAIC Code Number	Column 2 Industry description	Column 3 Industry Premium Rate per \$100
451301	Catering Services	2.330%
452001	Pubs, Taverns and Bars	1.958%
453001	Clubs (Hospitality)	2.113%
	TRANSPORT, POSTAL AND WAREHOUSING	
461001	Road Freight Transport	6.127%
461002	Towing Services	3.702%
462101	Interurban and Rural Bus Transport	3.092%
462201	Urban Bus Transport (Including Tramway)	2.314%
462301	Taxi and Other Road Transport	3.758%
471006	Rail Freight Transport	1.931%
472001	Rail Passenger Transport	2.201%
481001	Water Freight Transport	3.824%
482001	Water Passenger Transport	2.641%
490001	Scheduled Air and Space Transport	1.461%
490002	Non-Scheduled Air and Space Transport	0.896%
501001	Scenic and Sightseeing Transport	2.996%
502101	Pipeline Transport	0.989%
502901	Other Transport n.e.c.	1.095%
510101	Postal Services	1.278%
510201	Courier Pick-up and Delivery Services	6.088%
521101	Stevedoring Services	3.933%
521201	Port and Water Transport Terminal Operations	2.656%
521901	Other Water Transport Support Services	1.736%
522001	Airport Operations and Other Air Transport Support Services	0.413%
529101	Customs Agency Services	0.875%
529201	Freight Forwarding Services	2.035%
529202	Freight Forwarding Services - not physically handling any stock	0.300%
529206	Freight Forwarding Services (Water)	1.270%
529901	Other Transport Support Services n.e.c.	2.726%
529902	Radio Base Operation	1.436%
530101	Grain Storage Services	2.670%
530906	Other Warehousing and Storage Services	3.004%
530907	Cold Storage	6.562%
	INFORMATION MEDIA AND TELECOMMUNICATIONS	
541101	Newspaper Publishing	0.779%
541201	Magazine and Other Periodical Publishing	0.748%
541301	Book Publishing	0.749%
541401	Directory and Mailing List Publishing	0.804%
541901	Other Publishing (except Software, Music and Internet)	0.753%
542001	Software Publishing	0.300%
551101	Motion Picture and Video Production	0.700%
551201	Motion Picture and Video Distribution	0.597%
551301	Motion Picture Exhibition	1.133%
551401	Post-production Services and Other Motion Picture and Video Activities	0.695%
552101	Music Publishing	0.754%
552201	Music and Other Sound Recording Activities	0.342%
561001	Radio Broadcasting	0.304%
562101	Free-to-Air Television Broadcasting	0.413%
562201	Cable and Other Subscription Broadcasting	0.420%
570001	Internet Publishing and Broadcasting	0.753%
580106	Wired Telecommunications Network Operation	0.630%
580206	Other Telecommunications Network Operation	0.628%
580901	Other Telecommunications Services	0.625%
591001	Internet Service Providers and Web Search Portals	0.625%
592101	Data Processing and Web Hosting Services	0.358%
592201	Electronic Information Storage Services	0.768%
601001	Libraries and Archives	0.300%
602001	Other Information Services	0.347%
	FINANCIAL AND INSURANCE SERVICES	
621001	Central Banking	0.408%
622101	Banking	0.418%
622201	Building Society Operation	0.300%
622301	Credit Union Operation	0.376%
622901	Other Depository Financial Intermediation	0.300%
623001	Non-Depository Financing	0.300%
624006	Financial Asset Investing	0.300%
631006	Life Insurance	0.300%
632101	Health Insurance	0.526%

Column 1 SAIC Code Number	Column 2 Industry description	Column 3 Industry Premium Rate per \$100
632206	General Insurance	0.387%
633001	Superannuation Funds	0.300%
641101	Financial Asset Broking Services	0.300%
641901	Other Auxiliary Finance and Investment Services	0.300%
642001	Auxiliary Insurance Services	0.416%
	RENTAL, HIRING AND REAL ESTATE SERVICES	
661101	Passenger Car Rental and Hiring	1.353%
661901	Other Motor Vehicle and Transport Equipment Rental and Hiring	1.364%
662001	Farm Animal and Bloodstock Leasing	3.038%
663101	Heavy Machinery and Scaffolding Rental and Hiring	3.104%
663201	Video and Other Electronic Media Rental and Hiring	0.871%
663901	Other Goods and Equipment Rental and Hiring n.e.c.	3.233%
663902	Party Hire	4.407%
664001	Non-Financial Intangible Assets (Except Copyrights) Leasing	0.300%
671101	Residential Property Operators	1.450%
671201	Non-Residential Property Operators	1.428%
672001	Real Estate Services	0.384%
	PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES	
691001	Scientific Research Services	0.300%
692101	Architectural Services	0.300%
692201	Surveying and Mapping Services	0.801%
692301	Engineering Design and Engineering Consulting Services	0.323%
692401	Other Specialised Design Services	0.300%
692501	Scientific Testing and Analysis Services	0.399%
693101	Legal Services	0.560%
693201	Accounting Services	0.301%
694001	Advertising Services	0.365%
695001	Market Research and Statistical Services	0.334%
696101	Corporate Head Office Management Services	0.336%
696201	Management Advice and Related Consulting Services	0.334%
697001	Veterinary Services	1.197%
699101	Professional Photographic Services	1.207%
699901	Other Professional, Scientific and Technical Services n.e.c.	0.363%
700001	Computer System Design and Related Services	0.300%
	ADMINISTRATIVE AND SUPPORT SERVICES	
721101	Employment Placement and Recruitment Services	1.492%
721201	Labour Supply Services	0.515%
721202	Employment Programs	2.344%
722001	Travel Agency and Tour Arrangement Services	0.368%
729101	Office Administrative Services	0.388%
729201	Document Preparation Services	1.182%
729301	Credit Reporting and Debt Collection Services	0.742%
729401	Call Centre Operation	0.670%
729901	Other Administrative Services n.e.c.	0.551%
731101	Building and Other Industrial Cleaning Services	5.260%
731201	Building Pest Control Services	3.564%
731301	Gardening Services	2.967%
731302	Tree Lopping and Arborist Services	5.486%
732001	Packaging Services	2.473%
	PUBLIC ADMINISTRATION AND SAFETY	
751001	Central Government Administration	0.417%
752001	State Government Administration	0.412%
753001	Local Government Administration	2.860%
754001	Justice	0.586%
755101	Domestic Government Representation	0.487%
755201	Foreign Government Representation	0.487%
760001	Defence	2.997%
771101	Police Services	1.999%
771201	Investigation and Security Services	4.772%
771202	Security Support Services	1.850%
771301	Fire Protection and Other Emergency Services	3.493%
771401	Correctional and Detention Services	4.044%
771901	Other Public Order and Safety Services	3.196%
772001	Regulatory Services	0.446%
	EDUCATION AND TRAINING	
801001	Preschool Education	1.479%
802101	Primary Education	0.639%
802201	Secondary Education	0.828%
802301	Combined Primary and Secondary Education	0.883%

Column 1 SAIC Code Number	Column 2 Industry description	Column 3 Industry Premium Rate per \$100
802401	Special School Education	1.420%
810101	Technical and Vocational Education and Training	1.437%
810201	Higher Education	0.586%
821101	Sports and Physical Recreation Instruction	1.385%
821201	Arts Education	1.318%
821901	Adult, Community and Other Education n.e.c.	1.032%
822001	Educational Support Services	1.327%
	HEALTH CARE AND SOCIAL ASSISTANCE	
840101	Hospitals (Except Psychiatric Hospitals)	2.507%
840201	Psychiatric Hospitals	1.866%
851101	General Practice Medical Services	0.404%
851201	Specialist Medical Services	0.333%
852001	Pathology Services	1.357%
852002	Diagnostic Imaging Services	0.334%
853101	Dental Services	0.413%
853201	Optometry, Optical Dispensing and Audiology Services	0.383%
853301	Physiotherapy Services	0.661%
853401	Chiropractic and Osteopathic Services	0.303%
853901	Other Allied Health Services	0.942%
853902	Nursing Services (own account)	2.906%
859101	Ambulance Services	2.817%
859901	Other Health Care Services n.e.c.	0.887%
859902	Community Health Centres (Medical)	1.696%
859903	Community Health Centres (Paramedical)	3.629%
860101	Aged Care Residential Services	4.216%
860901	Other Residential Care Services	4.640%
871001	Child Care Services	2.080%
879001	Other Social Assistance Services	2.937%
	ARTS AND RECREATION SERVICES	
891001	Museum Operation	1.361%
892101	Zoological and Botanical Gardens Operation	2.958%
892201	Nature Reserves and Conservation Parks Operation	2.966%
900101	Performing Arts Operation	2.015%
900201	Creative Artists, Musicians, Writers and Performers	0.305%
900301	Performing Arts Venue Operation	1.461%
911101	Health and Fitness Centres and Gymnasias Operation	1.413%
911201	Sports and Physical Recreation Clubs and Sports Professionals	1.404%
911202	Thoroughbred Horse Racing	11.388%
911301	Sports and Physical Recreation Venues, Grounds and Facilities Operation	1.531%
911401	Sports and Physical Recreation Administrative Service	0.732%
912101	Horse and Dog Racing Administration and Track Operation	1.461%
912901	Other Horse Racing Activities	7.500%
912902	Other Dog Racing Activities	1.442%
913106	Amusement Parks and Centres Operation	1.522%
913901	Amusement and Other Recreational Activities n.e.c.	1.508%
920101	Casino Operation	1.829%
920201	Lottery Operation	0.788%
920901	Other Gambling Activities	0.715%
	OTHER SERVICES	
941101	Automotive Electrical Services	1.923%
941201	Automotive Body and Paint Repair	3.462%
941202	Automotive Cleaning and Interior Repair Services	3.050%
941203	Automotive Glass Replacement and Repair Services	1.600%
941901	Other Automotive Repair and Maintenance	2.681%
942101	Domestic Appliance Repair and Maintenance	2.075%
942201	Electronic (except Domestic Appliance) and Precision Equipment Repair and Maintenance	0.481%
942901	Other Machinery and Equipment Repair and Maintenance	2.403%
942902	Agricultural, Farm, Construction and Earthmoving Machinery and Equipment Repair and Maintenance	1.149%
949101	Clothing and Footwear Repair	1.116%
949901	Other Repair and Maintenance n.e.c.	2.201%
951101	Hairdressing and Beauty Services	1.046%
951201	Diet and Weight Reduction Centre Operation	2.029%
952001	Funeral Services	1.800%
952002	Crematorium and Cemetery Services	5.940%
953101	Commercial Laundries and Linen Hire Services	6.707%
953102	Laundrettes and Dry-Cleaners	3.508%

Column 1	Column 2	Column 3
SAIC Code Number	Industry description	Industry Premium Rate per \$100
953201	Photographic Film Processing	0.798%
953301	Parking Services	2.635%
953401	Brothel Keeping and Prostitution Services	1.733%
953901	Other Personal Services n.e.c.	1.732%
953902	Pet Care Services	4.281%
954001	Religious Services	0.770%
955101	Business and Professional Association Services	0.651%
955201	Labour Association Services	1.133%
955901	Other Interest Group Services n.e.c.	1.560%
955902	Political Parties	0.300%
960101	Private Households Employing Staff	3.136%
	NON-CLASSIFIABLE	
990001	Non-classifiable Economic Units	12.0000%

RETURN TO WORK ACT 2014*Publication of Designated Forms Notice 2017**Preamble*

SUBSECTION 4 (15) of the *Return to Work Act 2014* ('the Act') provides that the Return to Work Corporation of South Australia ('the Corporation') may, by notice in the *Gazette*, designate forms for the purposes of the Act.

In accordance with the power delegated to me by the Board of the Return to Work Corporation of South Australia ('the Corporation') under the current Instrument of Delegation of the Corporation, I, Rob Cordiner, Chief Executive Officer, designate pursuant to the sections of the Act specified herein the forms by which information is to be provided by an employer.

Part 1—Preliminary Matters

1. This notice may be cited as the Publication of Designated Forms Notice 2017.
2. This notice commences on 1 July 2017.

Part 2—Designated Forms

3. Remuneration return

Pursuant to subsection 149 (1) of the Act, I give notice that the form at Attachment 1 is the designated form for the purpose of that subsection in respect of a return required at the beginning of the 2017-18 premium period.

4. Reconciliation statement

Pursuant to subsection 150 (1) of the Act, I give notice that the form at Attachment 2 is the designated form for the purpose of that subsection applicable for the premium period 2017-18.

5. Revised estimate of remuneration

Pursuant to subsection 150 (1) (c) of the Act, I give notice that the form at Attachment 3 is the designated form for the purpose of that section when required at any time in the premium period by an event specified by the Corporation.

6. Application to amend employer registration details

Pursuant to Section 132 of the Act, I give notice that the form at Attachment 4 is the designated form for the purpose of that section.

7. Application to provide additional location details

Pursuant to Section 132 of the Act, where an employer is only seeking to change the details of their registration by providing additional location details, the form at Attachment 5 is the designated form for the purposes of that section.

These forms will come into effect on 1 July 2017 and supersede only the forms designated under subsections 149 (1) and 150 (1) of the Act published in *Government Gazette* No. 27, dated 12 May 2016 and Section 132 and subsection 150 (1) (c) of the Act published in *Government Gazette* No. 29, dated 14 May 2015.

Confirmed as a true and correct record of the decision of the Corporation made in the exercise of my delegated authority.

Dated 10 May 2017.

R. CORDINER, Chief Executive Officer

Attachment 2


 www.rtwsa.com
13 18 55

ABN 83 687 543 305

Reconciliation statement

Return to Work Act 2014

Visit our website www.rtwsa.com to complete this form online

Employer name

Employer number

Postal address

Location number

Location address

Provide completed
statement by

31 July 2018

You are required under section 150 of the *Return to Work Act 2014* (the Act) to complete this statement by 31 July 2018 and provide it to us in relation to the financial year 2017-18.

Please fill in the actual remuneration paid by you as an employer to workers employed by you for this location during the 2017-18 financial year for each period indicated. If nil please write 'nil'. If you have more than one location, you must provide a separate reconciliation statement for each location.

	Period	Actual remuneration
Section 1 – All workers (include superannuation, working directors in SA and apprentices)		\$. 0 0
		\$. 0 0
Section 2 – Apprentices (see note below)		\$. 0 0
		\$. 0 0

Please note - only complete section 2 if you employed during the 2017-18 financial year:

- an apprentice who was trained under an approved training contract in an occupation declared to be a 'trade' under section 6 of the *Training and Skills Development Act 2008* (or former Act); or
- for group training organisations only - a trainee who was trained under an approved training contract in an occupation which is a declared 'vocation' under section 6 of the *Training and Skills Development Act 2008* (or former Act).

Please fill in details of **all businesses (labour hire suppliers)** who have supplied labour to you during the period.

You may be liable for premiums for labour provided by any of your labour suppliers that are not registered with ReturnToWorkSA. Please check by using our *employer lookup* on www.rtwsa.com.

Labour supply business name	ABN	Total contract amount paid during 2017-18

If more, attach list.

Declaration – I have included all relevant items of remuneration such as wages (including the wages of working directors in SA), superannuation payments, salary sacrifice amounts, non-cash components of remuneration and payments to subcontractors as deemed workers. I hereby declare that:

- the information in this reconciliation is true and complete in every respect; and
- all workers have been paid the correct wages and entitlements in accordance with the law.

I have documents which verify that such payments were made. I understand that ReturnToWorkSA relies upon this reconciliation statement to calculate premiums under the *Return to Work Act 2014* (maximum penalty for deception under section 139 of the *Criminal Law Consolidation Act 1935* is imprisonment for 10 years).

I have documents to support the employment of apprentices, or trainees with a group training organisation, in regard to remuneration recorded above in respect of the apprentices or trainees. ReturnToWorkSA may require a Director of a corporate employer or the principal of a non-corporate employer to verify the information provided by statutory declaration. For assistance please refer to the Remuneration guide on the ReturnToWorkSA website www.rtwsa.com.

I declare that the information I have given on this form is complete and correct.

Date ____ / ____ / ____

Name (BLOCK LETTERS)

Position/title

Organisation

Signature of employer, public officer or authorised person

Phone

Provide your completed form to ReturnToWorkSA by: **Post** 400 King William Street, Adelaide SA 5000 or **GPO** Box 2668, Adelaide SA 5001

Fax (08) 8233 2990 **Email** premium@rtwsa.com **Phone** 13 18 55 **Visit our website** www.rtwsa.com

 Return to *work*.
 Return to *life*.


Attachment 4



www.rtwsa.com
13 18 55

ABN 83 687 563 395

Application to amend employer registration details

Return to Work Act 2014

Please note: for assistance in completing this form contact ReturnToWorkSA.

People with hearing/speech impairments can contact ReturnToWorkSA using the National Relay Service.

Languages other than English: call the Interpreting and Translating Centre - 1800 280 203 and ask for an interpreter to call ReturnToWorkSA on 13 18 55.

This service is available at no cost to you.

Visit our website or register online at www.rtwsa.com

Please complete the form in **BLOCK LETTERS** using a black pen and return to ReturnToWorkSA by:

Post 400 King William Street, Adelaide SA 5000 or GPO Box 2668, Adelaide SA 5001

Fax (08) 8233 2990 Email premium@rtwsa.com Phone 13 18 55 Visit our website www.rtwsa.com

To amend details about you as an employer or your business, complete details on this page and Part A.

For a change which results in (or is expected to result in) a new Australian Business Number (ABN) being issued, do not use this form.

A new *Application for registration as an employer* form is required to be completed and provided to ReturnToWorkSA.

To amend the address or contact details of an existing location, complete details on this page and Part B.

For changes involving an additional location, do not use this form. An *Application to provide additional location details* is required to be completed and provided to ReturnToWorkSA.

To cancel your registration complete details on this page and Part C.

Employer name	Employer number
---------------	-----------------

Australian Business Number (ABN)

Declaration

I declare that the information I have given in this form is complete and correct.

Signature of employer, public officer or authorised person	Date
Full name of the person who signed this declaration (BLOCK LETTERS)	
Position (BLOCK LETTERS)	
Organisation (BLOCK LETTERS)	
Contact number	

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Part A - Amend details about you or your business

1. What is the DATE OF EFFECT of the following change? ____ / ____ / ____

Now complete only those questions 2 to 12 in Part A for which your details have changed.

2. To inform a change of business activity carried out at any location.

If you have changed your business activity/industry at any location, tick this box:

Please attach a brief explanation of the type of business now carried out at each location where a change in your business/activity has occurred including the number of workers and remuneration paid in each type of activity, if more than one type of industry is carried out at each relevant location. An officer from ReturnToWorkSA will be in contact with you to discuss this change.

3. To amend employer name details

(a) To amend the type of employer, tick one box to indicate current type and provide details of new employer name.

Sole proprietor (one person) Partnership Public company Private company Other

New employer name (in full)

b) To amend directors

Please provide the full names of all incoming directors and all outgoing directors. Tick the appropriate box to indicate working or non-working director. Under section 5(8) of the Act an estimated remuneration is required for a working director for a full 12 month period. If you need more space, please attach a sheet.

Incoming directors

Family name	First and Middle names	Working	Estimated remuneration	Non-working

Outgoing directors

Family name	First and Middle names	Working	Non-working

4. Trust

Is the employer appointed as a trustee of a trust? If so, state the name and Australian Business Number (ABN) of the trust.

Trust name
Trust ABN

5. To amend business/trading names – only where ABN has not changed.

New business/trading name

6. To amend address details

New postal address for service of notices and correspondence	
	Postcode
New email address	
New website address	

7. To amend employer contact person

Name	Position
Phone	Mobile
Email	

8. Return to Work Coordinator (only complete the following if a change has occurred)

If during the financial year you employ or expect to employ 30 or more workers continuously for three or more months:

- you are required to appoint a Return to Work Coordinator within six months of registering with ReturnToWorkSA
- you are required to fill a vacancy within three months of a vacancy occurring in the role of coordinator
- the Return to Work Coordinator must be based in South Australia.

Under section 26(3) a maximum penalty of \$10,000 applies for failing to comply.

Please provide details of the appointment or a change in the appointment of your Return to Work Coordinator.

Name		
Phone	Mobile	
Email		
Date appointed ____ / ____ / ____	Date of vacancy ____ / ____ / ____	Date of new appointment ____ / ____ / ____

9. To amend business records address

Please provide the full address (not post office box). For farms include the road name, the sections and hundreds.

Address	
	Postcode
Phone	Mobile
Email	

10. GST status

- (a) Is your business registered for GST? Yes Go to Question 10(b) No
- (b) Is your business claiming (or entitled to claim) as an input tax credit all of the GST paid on the ReturnToWorkSA premium? Yes Go to Question 10(d) No Go to Question 10(c)
- (c) If your business is not claiming (or entitled to claim) all of the input tax credits for GST paid, what percentage of the GST is your business claiming (or entitled to claim)? %
- (d) On what date did (or will) your business become eligible to claim input tax credits for the GST paid? Date: ____ / ____ / ____

11. Grouping provisions

- a) Are you treated as a member of a group under the Payroll Tax Act 2009? Yes No
Under Section 145(6) of the Act, serious consequences (including a fine) can apply for providing insufficient or misleading information relating to grouping.

(b) Other registrations as an employer

Please list ALL other businesses in which the employer, or any director are currently or have been previously involved in the past five years. If more, attach list.

Name	ReturnToWorkSA employer number (if applicable)

12. Employer EFT banking details

To receive premium refund(s) from ReturnToWorkSA by EFT, all fields are required. Any consequence arising from incorrect details supplied will be the sole responsibility of the employer.

BSB	Account name
Account number	Bank name

If there are any changes to these account details, ReturnToWorkSA should be informed without delay.

Part B - To amend the address or contact details of an existing location

1. What is the DATE OF EFFECT of the following change? ____/____/____

Now complete only those questions 2 to 3 in Part B for which your details have changed.

2. To amend the physical address of an existing location

If the business activity or industry has changed, please attach details (refer Part A - Question 2)

Location number	
New location address	
	Postcode

3. To amend location contact details

Name	
Address	Postcode
Phone	Mobile
Email	

Part C - Cancellation of location(s)

1. Do you wish to cancel your registration Yes, contact ReturnToWorkSA No, location only (see question 2)

2. Do you wish to cancel one or more locations? If yes, tick box:

Location numbers of those locations you wish to cancel	Date employment ceased at each location

3. Why do you wish to cancel your location(s)?

Business/location sold Business/location merged

Who was it sold to/merged with?

Name	
Address	
	Postcode
Phone	Mobile
Email	

Other (Please give details)

Attachment 5



www.rtwsa.com
13 18 55

AGN 83 687 963 395

Application to provide additional location details

Return to Work Act 2014

Visit our website www.rtwsa.com to complete this form online

You must register within 14 days of employing a worker. Please supply, in writing, reason(s) if you are registering after the 14-day period. A penalty may apply. Use this form to provide additional location details to ReturnToWorkSA about your registration as an employer. If you have moved your business activity from your currently registered location to a new location, or closed a business or location, use the *Application to amend employer registration details* form. For further information contact ReturnToWorkSA on 13 18 55.

Please complete the form in BLOCK LETTERS using a black pen.

ReturnToWorkSA employer number

Do you employ any worker who is (or is to be) usually employed outside South Australia? Yes No

Workers who usually work in another state or territory may not be covered under the South Australian legislation. You should consider also arranging coverage in the appropriate state or territory.

1. Why are you registering this location? (Please tick one box only)

Purchased existing location

Purchased existing business

Takeover

Merger

Changed legal status

Set up your own new business/location

Other (please provide details below)

If you have purchased an existing location, changed legal status or merged, please provide the following information:

Previous employer name

Their ReturnToWorkSA employer number(s)

Location number(s)

Phone number

Their Australian Business Number (ABN)

2. When did/will you start employing at this location? ____/____/____

3. Address of location

Please provide full address (not a post office box). For farms, include road name, or if no road name, sections and hundreds.

(For workers working on various sites, only a base location is required.)

	Postcode

4. Trading name used by the employer at this location (if applicable)

5. Australian Business Number (ABN) to be used for this location

OFFICE USE ONLY

Date form received:

Registration no:

SAIC code:

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6. Contact person at this location

Give details of the person in South Australia we should talk to if we have any questions about the location. This will be a person with full knowledge of the workplace concerned (not your accountant/solicitor).

Name		Position/Title
Phone	Mobile	Email

7. Business of employer at this workplace/location

This information will help us to assign the correct industry classification.

(a) What is the ONE MAIN TYPE of goods produced or service provided by the business at this location?

--

(b) Describe all different types of work (activities) carried out at this location. If you need more space, attach a sheet.

8. Give details of the NUMBER of workers who will be or are employed in each occupation at this location

Include working directors in South Australia and apprentices. Do not include people listed as the employer (ie, partners or sole-proprietors).

Estimate the total gross remuneration (including wages, superannuation, monetary benefits, other payments and allowances) that you expect to pay to workers at this location.

Occupation	Full-time (35 hrs or more a week) includes permanent, casual and seasonal	Part-time (less than 35 hrs a week) includes permanent, casual and seasonal	Gross remuneration for the remainder of the financial year from date employment commenced	Gross remuneration for a full 12 month period
Total gross remuneration (Include apprentices)				

Only complete the box below if you employ or expect to employ:

- an apprentice who is or will be trained under an approved training contract in an occupation declared to be a 'trade' under section 6 of the *Training and Skills Development Act 2008* (or former Act); or
- for group training organisations only - a trainee who is or will be trained under an approved training contract in an occupation which is a declared 'vocation' under section 6 of the *Training and Skills Development Act 2008* (or former act)

Apprentices (Occupation)	Full-time (35 hrs or more a week) includes permanent, casual and seasonal	Part-time (less than 35 hrs a week) includes permanent, casual and seasonal	Gross remuneration for the remainder of the financial year from date employment commenced	Gross remuneration for a full 12 month period

Declaration - Before completing this declaration, please make sure you have answered each question as it applies to your business and you have included any other attachments. To provide false or misleading information is a serious offence under the *ReturnToWork Act 2014* which can involve you incurring a significant penalty.

I declare that the information I have given on this form and any attachment(s) is complete and correct. Date ____ / ____ / ____

	Name (BLOCK LETTERS)
	Position/title
	Organisation
Signature of employer, public officer or authorised person	Contact number

Provide your completed form to ReturnToWorkSA by: Post 400 King William Street, Adelaide SA 5000 or GPO Box 2660, Adelaide SA 5001
 Fax (08) 8233 2990 Email premium@rtwsa.com Phone 13 18 55 Visit our website www.rtwsa.com

RETURN TO WORK ACT 2014*Payment of Statutory Payments Notice 2017*

IN accordance with the power delegated to me by the Board of the Return to Work Corporation of South Australia ('the Corporation') under the current Instrument of Delegation of the Corporation, I, Rob Cordiner, Chief Executive Officer determine pursuant to Section 144 of the *Return to Work Act 2014* ('the Act') that an employer is liable to the Corporation for payment of statutory payments on the dates specified or indicated in this notice.

Part 1—Preliminary Matters

1. This notice may be cited as the Payment of Statutory Payments Notice 2017.
2. This notice commences on 1 July 2017.

Part 2—Notice

3. For the purposes of subsection 144 (2) of the Act where the initial premium payable for a premium period is \$2,000 or less, the employer is required to make payment in full of the premium payable by 7 September of that premium period (or before such other date or dates as may be specified to an individual employer in the tax invoice).
4. Subject to any alternative requirements specified by the Corporation to a particular employer (or by notice in the *South Australian Government Gazette*) for the purpose of subsections 144 (2) and 144 (5) of the Act, where the initial premium is greater than \$2,000, the initial premium payment shall, at the option of the Corporation in the case of each employer, be made:
 - 4.1. In full by 7 September of that premium period, or
 - 4.2. By way of 10 monthly instalments commencing on 7 September and thereafter on the seventh day of each month up to and including 7 June, or
 - 4.3. In the manner and at the time specified in a tax invoice for that premium.
5. Where the Corporation has issued a tax invoice for premium payable but has not specified the manner of payment in that tax invoice then the premium referred to in the tax invoice shall be payable in full by 7 September of that premium period or on such other date or dates communicated to the relevant employer by the Corporation.
6. Where an employer has elected to make payments by instalments and fails to make a payment as required, the Corporation may issue a tax invoice requiring the outstanding balance to be paid as a lump sum on the date specified by the Corporation in a tax invoice.
7. Where an employer fails to submit a return by the required date, the Corporation will issue an estimate pursuant to Sections 149 or 150 of the Act and a tax invoice. The premium is payable on the date or dates specified in that tax invoice.
8. For the purpose of subsection 144 (3) of the Act, when an adjustment is made to a premium the Corporation will issue a tax invoice and any amount that becomes due on account of that adjustment will be payable on the date or dates specified on that tax invoice.

Hindsight premium

9. For the purposes of subsection 144 (4) of the Act, the hindsight premium for a premium period (including a hindsight premium which has been revised) must be paid in full by the due date specified on the tax invoice.

Part 3—Notice of Determination

That notice of this determination be published in the *South Australian Government Gazette*.

Confirmed as a true and correct record of the decision of the Corporation made in the exercise of my delegated authority.

Dated 10 May 2017.

R. CORDINER, Chief Executive Officer

TRAINING AND SKILLS DEVELOPMENT ACT 2008

Part 4—Apprenticeships/Traineeships

Pursuant to the provision of the Training and Skills Development Act 2008, the Training and Skills Commission (TaSC) gives notice that determines the following Trades or Declared Vocations in addition to the *Gazette* notices of:

1. 25 September 2008	2. 23 October 2008	3. 13 November 2008	4. 4 December 2008
5. 18 December 2008	6. 29 January 2009	7. 12 February 2009	8. 5 March 2009
9. 12 March 2009	10. 26 March 2009	11. 30 April 2009	12. 18 June 2009
13. 25 June 2009	14. 27 August 2009	15. 17 September 2009	16. 24 September 2009
17. 9 October 2009	18. 22 October 2009	19. 3 December 2009	20. 17 December 2009
21. 4 February 2010	22. 11 February 2010	23. 18 February 2010	24. 18 March 2010
25. 8 April 2010	26. 6 May 2010	27. 20 May 2010	28. 3 June 2010
29. 17 June 2010	30. 24 June 2010	31. 8 July 2010	32. 9 September 2010
33. 23 September 2010	34. 4 November 2010	35. 25 November 2010	36. 16 December 2010
37. 23 December 2010	38. 17 March 2011	39. 7 April 2011	40. 21 April 2011
41. 19 May 2011	42. 30 June 2011	43. 21 July 2011	44. 8 September 2011
45. 10 November 2011	46. 24 November 2011	47. 1 December 2011	48. 8 December 2011
49. 16 December 2011	50. 22 December 2011	51. 5 January 2012	52. 19 January 2012
53. 1 March 2012	54. 29 March 2012	55. 24 May 2012	56. 31 May 2012
57. 7 June 2012	58. 14 June 2012	59. 21 June 2012	60. 28 June 2012
61. 5 July 2012	62. 12 July 2012	63. 19 July 2012	64. 2 August 2012
65. 9 August 2012	66. 30 August 2012	67. 13 September 2012	68. 4 October 2012
69. 18 October 2012	70. 25 October 2012	71. 8 November 2012	72. 29 November 2012
73. 13 December 2012	74. 25 January 2013	75. 14 February 2013	76. 21 February 2013
77. 28 February 2013	78. 7 March 2013	79. 14 March 2013	80. 21 March 2013
81. 28 March 2013	82. 26 April 2013	83. 23 May 2013	84. 30 May 2013
85. 13 June 2013	86. 20 June 2013	87. 11 July 2013	88. 1 August 2013
89. 8 August 2013	90. 15 August 2013	91. 29 August 2013	92. 6 February 2014
93. 12 June 2014	94. 28 August 2014	95. 4 September 2014	96. 16 October 2014
96. 23 October 2014	97. 5 February 2015	99. 26 March 2015	100. 16 April 2015
101. 27 May 2015	102. 18 June 2015	103. 3 December 2015	104. 7 April 2016
105. 30 June 2016	106. 28 July 2016	107. 8 September 2016	108. 22 September 2016
109. 27 October 2016	110. 29 November 2016	111. 15 December 2016	112. 7 March 2017
113. 21 March 2017	114. 23 May 2017		

Trades or Declared Vocations and Required Qualifications and Training Contract Conditions for the Gas Industry Training Package UEG

*Trade/ #Declared Vocation/ Other Occupation	Code	Title	Nominal Term of Training Contract	Probationary Period
Assistant Gas Supply Technician-Pipeline Operations #	UEG	Certificate II in Gas Supply Industry Operations	12 Months	60 Days
Assistant Gas Supply Technician-Pipeline Construction #	UEG	Certificate II in Gas Supply Industry Operations	12 Months	60 Days
Assistant Gas Supply Technician-Cylinder Operations #	UEG	Certificate II in Gas Supply Industry Operations	12 Months	60 Days
Assistant Gas Supply Technician-Gaseous Fuel Delivery Operations #	UEG	Certificate II in Gas Supply Industry Operations	12 Months	60 Days
Gas Supply Technician *	UEG	Certificate III in Gas Supply Industry Operations	36 Months	90 Days
Advanced Gas Supply Technician *	UEG	Certificate IV in Gas Supply Industry Operations	48 Months	90 Days
Technician Specialist-Gas Supply *	UEG	Diploma in Gas Supply Industry Operations	48 Months	90 Days
Advanced Technical Specialist-Gas Supply *	UEG	Advanced Diploma in Gas Supply Industry Operations	48 Months	90 Days

VALUATION OF LAND ACT 1971

Schedule of Land Services Unregulated Enquiry and Information Products—Effective from 1 July 2017

LAND Services provides a guaranteed system of land titling, survey infrastructure, impartial property valuation services and property information within South Australia.

The attached products offer access to information that is either related to land ownership, valuation or a combination of both.

Dated 26 April 2017.

STEPHEN MULLIGHAN, Minister for Transport and Infrastructure

Lands Title Office

Category	GST Exempt	2016-17 Fee \$	2017-18 Fee \$	Change \$
Title for Owner Name	GST Exempt	7.30	7.50	0.20
Title Detail	GST Exempt	9.75	10.00	0.25
Valuation Detail	GST Exempt	9.75	10.00	0.25
Title and Valuation Detail	GST Exempt	14.15	14.50	0.35
Building Detail	GST Exempt	1.80	1.85	0.05
Replacement of LTO Delivery Box Key	GST Exempt	30.00	30.75	0.75
Historical Valuation Listing	GST Exempt	9.75	10.00	0.25
Reproduction of Certificate of Title	Subject to GST	141.90	145.00	3.10
Production of documents to Stamp Duty Office	Subject to GST	49.00	50.00	1.00

State Valuation Office

Category	GST Exempt	2016-17 Fee \$	2017-18 Fee \$	Change \$
Annual Property Valuation Listing Subscription	Subject to GST	345.00	353.00	8.00
Stamp Duty Opinion	Subject to GST	266.00	272.00	6.00
Special Valuations – General (per hour)	Subject to GST	266.00	272.00	6.00
Special Valuations – Freeholding (per hour)	Subject to GST	266.00	272.00	6.00
Special Valuations – Native Vegetation (per hour)	Subject to GST	266.00	272.00	6.00
Special Valuations – Purchase/Acquisition (per hour)	Subject to GST	266.00	272.00	6.00
Special Valuations – Rentals (per hour)	Subject to GST	266.00	272.00	6.00
Special Valuations – Disposals (per hour)	Subject to GST	266.00	272.00	6.00
Special Valuations – FBT (per hour)	Subject to GST	266.00	272.00	6.00
Site History report	Subject to GST	161.00	165.00	4.00
Travelling Time	Subject to GST	131.00	134.00	3.00
Special Valuation – SACHA Full Inspection	Subject to GST	397.00	406.00	9.00
Special Valuation – SAHT Sale to Tenant	Subject to GST	397.00	406.00	9.00

South Australia

Births, Deaths and Marriages Registration (Gender Identity) Amendment Act (Commencement) Proclamation 2017

1—Short title

This proclamation may be cited as the *Births, Deaths and Marriages Registration (Gender Identity) Amendment Act (Commencement) Proclamation 2017*.

2—Commencement of Act

The *Births, Deaths and Marriages Registration (Gender Identity) Amendment Act 2016* (No 65 of 2016) will come into operation on 23 May 2017.

Made by the Governor

with the advice and consent of the Executive Council
on 23 May 2017

DPC17/026CS

South Australia

Statutes Amendment (Judicial Registrars) Act (Commencement) Proclamation 2017

1—Short title

This proclamation may be cited as the *Statutes Amendment (Judicial Registrars) Act (Commencement) Proclamation 2017*.

2—Commencement of Act

The *Statutes Amendment (Judicial Registrars) Act 2017* (No 10 of 2017) will come into operation on 23 May 2017.

Made by the Governor

with the advice and consent of the Executive Council
on 23 May 2017

AGO0061/16CS

South Australia

Shop Trading Hours (Abolition of Proclaimed Shopping Districts) Proclamation 2017

under section 11 of the *Shop Trading Hours Act 1977*

Preamble

- 1 The shopping districts listed in column 2 of the table in Schedule 1 were proclaimed as Shopping Districts on the dates specified opposite the shopping district in column 3 of the table (see the Gazette references specified opposite the shopping district in column 4 of the table).
- 2 The Council specified in column 1 of the table has made application to the Minister, in accordance with section 12 of the *Shop Trading Hours Act 1977*, that the list of Proclaimed Shopping Districts set out opposite the Council in column 2 be abolished.
- 3 It is now intended that the Proclaimed Shopping Districts referred to in column 2 of the table in Schedule 1 be abolished.

1—Short title

This proclamation may be cited as the *Shop Trading Hours (Abolition of Proclaimed Shopping Districts) Proclamation 2017*.

2—Commencement

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

3—Abolition of certain Proclaimed Shopping Districts

The Proclaimed Shopping Districts listed in column 2 of the table in Schedule 1 are abolished.

Schedule 1—Proclaimed Shopping Districts

Council	Shopping District	Date Proclaimed	Gazette Reference
District Council of Mount Remarkable	Booleroo Centre	23 January 1922	22.12.1921 p1458
	Melrose	4 September 1922	27.7.1922 p165
	Wilmington	24 September 1923	23.8.1923 p414

Made by the Governor

with the advice and consent of the Executive Council
on 23 May 2017

MIR0010/17CS

South Australia

Development (Electricity Generators) Variation Regulations 2017

under the *Development Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Development Regulations 2008*

- 4 Variation of regulation 70—Related provisions
 - 5 Insertion of regulation 119
 - 119 Applications relating to certain electricity generators—fee for issue of certificate by Technical Regulator
 - 6 Variation of Schedule 1A—Development that does not require development plan consent
 - 7 Variation of Schedule 3—Acts and activities that are not development
 - 8 Variation of Schedule 5—Application to relevant authority
 - 12 Additional requirements for certain electricity generators
 - 9 Variation of Schedule 10—Decisions by Development Assessment Commission
 - 14 Certain electricity generators
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Development (Electricity Generators) Variation Regulations 2017*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Development Regulations 2008*

4—Variation of regulation 70—Related provisions

Regulation 70(1)—delete subregulation (1) and substitute:

- (1) For the purposes of sections 49(2) and 49A(1) of the Act, the prescribed particulars are—
 - (a) a description of the nature of the proposed development; and
 - (b) details of the location, siting, layout and appearance of the proposed development; and
 - (c) if the proposed development is for the purposes of the provision of electricity generating plant with a generating capacity of more than 5 MW that is to be connected to the State's power system—a certificate from the Technical Regulator certifying that the proposed development complies with the requirements of the Technical Regulator in relation to the security and stability of the State's power system.
- (1a) In subregulation (1)—
 - (a) a reference to *electricity generating plant* is a reference to electricity generating plant within the ambit of paragraph (a) of the definition of *electricity infrastructure* in section 4(1) of the *Electricity Act 1996*; and
 - (b) *power system* has the same meaning as in the *Electricity Act 1996*.

5—Insertion of regulation 119

After regulation 118 insert:

119—Applications relating to certain electricity generators—fee for issue of certificate by Technical Regulator

A fee of \$375 is payable to the Technical Regulator for the issue of a certificate required by these regulations to accompany an application in respect of a proposed development for the purposes of the provision of electricity generating plant with a generating capacity of more than 5 MW that is to be connected to the State's power system.

6—Variation of Schedule 1A—Development that does not require development plan consent

Schedule 1A, clause 10—after its present contents (now to be designated as subclause (1)) insert:

- (2) Subclause (1) does not apply to a system comprising solar photovoltaic panels with a generating capacity of more than 5 MW that is to be connected to the State's power system.

- (3) In this clause—

power system has the same meaning as in the *Electricity Act 1996*.

7—Variation of Schedule 3—Acts and activities that are not development

Schedule 3, clause 15(2)—delete subclause (2) and substitute:

- (2) Subclause (1) does not apply—
- (a) to a designated photovoltaic system with a generating capacity of more than 5 MW that is to be connected to the State's power system; or
 - (b) if the place where the designated photovoltaic system is installed is a local heritage place and, when installed, it is able to be seen by a person standing at ground level in a public street.

8—Variation of Schedule 5—Application to relevant authority

Schedule 5—after clause 11 insert:

12—Additional requirements for certain electricity generators

- (1) An application in respect of a proposed development for which the Development Assessment Commission is the relevant authority in accordance with Schedule 10 clause 14 must be accompanied by a certificate from the Technical Regulator certifying that the proposed development complies with the requirements of the Technical Regulator in relation to the security and stability of the State's power system.
- (2) In this clause—

power system has the same meaning as in the *Electricity Act 1996*.

9—Variation of Schedule 10—Decisions by Development Assessment Commission

Schedule 10—after clause 13 insert:

14—Certain electricity generators

- (1) Development for the purposes of the provision of electricity generating plant with a generating capacity of more than 5 MW that is to be connected to the State's power system.
 - (2) A reference in subclause (1) to *electricity generating plant* is a reference to electricity generating plant within the ambit of paragraph (a) of the definition of *electricity infrastructure* in section 4(1) of the *Electricity Act 1996*.
 - (3) In this clause—
- power system* has the same meaning as in the *Electricity Act 1996*.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 23 May 2017

No 59 of 2017

PLN0010/17CS

South Australia

Births, Deaths and Marriages Registration (Gender Identity) Variation Regulations 2017

under the *Births, Deaths and Marriages Registration Act 1996*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Births, Deaths and Marriages Registration Regulations 2011*

- 4 Variation of regulation 4—Particulars required in notification of birth
- 5 Variation of regulation 5—Information to be included in birth registration statement
- 6 Variation of regulation 6—Particulars of birth to be included in the Register
- 7 Variation of regulation 7—Particulars of change of name to be included in the Register
- 8 Insertion of Part 3A

Part 3A—Registration of change of sex or gender identity

- 7A Recognised sex or gender identity
 - 7B Particulars of change of sex or gender identity to be included in the Register
 - 7C Appropriate clinical treatment—prescribed period in relation to counselling
 - 7D Access to Register etc—prescribed persons and bodies
 - 9 Variation of regulation 8—Particulars required in notification by doctor
 - 10 Variation of regulation 9—Particulars required in notification by funeral director etc
 - 11 Variation of regulation 10—Particulars of death to be included in the Register
 - 12 Variation of Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Births, Deaths and Marriages Registration (Gender Identity) Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which the *Births, Deaths and Marriages Registration (Gender Identity) Amendment Act 2016* comes into operation.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Births, Deaths and Marriages Registration Regulations 2011*

4—Variation of regulation 4—Particulars required in notification of birth

Regulation 4(c)—after "sex" insert:

(if determined)

5—Variation of regulation 5—Information to be included in birth registration statement

(1) Regulation 5(c)—after "sex" insert:

(if determined)

(2) Regulation 5(ea)(ii)—after "sex" insert:

or gender identity

(3) Regulation 5(m)—after "sex" insert:

or gender identity

(4) Regulation 5(n)—after "sex" insert:

or gender identity

6—Variation of regulation 6—Particulars of birth to be included in the Register

(1) Regulation 6(c)—after "sex" insert:

(if determined)

(2) Regulation 6(da)(ii)—after "sex" insert:

or gender identity

(3) Regulation 6(j)—after "sex" insert:

or gender identity

7—Variation of regulation 7—Particulars of change of name to be included in the Register

Regulation 7(d)—after "sex" insert:

or gender identity

8—Insertion of Part 3A

After Part 3 insert:

Part 3A—Registration of change of sex or gender identity**7A—Recognised sex or gender identity**

For the purposes of Part 4A of the Act, each of the following is a recognised sex or gender identity:

- (a) male;
- (b) female;
- (c) non-binary;
- (d) indeterminate/intersex/unspecified.

7B—Particulars of change of sex or gender identity to be included in the Register

An entry to be made in the Register under section 29L of the Act about a person's change of sex or gender identity must include the following particulars:

- (a) the person's name;
- (b) the person's sex or gender identity following registration of the change;
- (c) the person's date and place of birth;
- (d) the date on which the entry was made.

7C—Appropriate clinical treatment—prescribed period in relation to counselling

In accordance with section 29H(3) of the Act, for the purposes of determining whether or not clinical treatment constituted by counselling only is to be regarded as a sufficient amount of appropriate clinical treatment, the prescribed period may be comprised of—

- (a) at least 3 separate counselling sessions aggregating 135 minutes;
or
- (b) counselling sessions occurring over a period of at least 6 months.

7D—Access to Register etc—prescribed persons and bodies

For the purposes of section 29M(2)(b)(v) of the Act, the following persons and bodies may be allowed access to information on, or the issue of an extract or certificate from, the Register showing a person's sex or gender identity before the registration of a change in sex or gender identity of that person:

- (a) the person's spouse or domestic partner;
- (b) a parent or guardian of the person;
- (c) an executor or administrator of the person's estate;
- (d) an officer or employee of any of the following bodies:
 - (i) South Australia Police, or the police force of another State, or of a Territory;
 - (ii) the Australian Federal Police;
 - (iii) the Australian Crime Commission;
 - (iv) the office of the Director of Public Prosecutions of this State, or of the Commonwealth, or of another State, or of a Territory;
 - (v) the Independent Commissioner Against Corruption;
 - (vi) the Office for Public Integrity;
- (e) a legal practitioner authorised to access such information by the person, a child of the person or a person referred to in a preceding paragraph.

9—Variation of regulation 8—Particulars required in notification by doctor

- (1) Regulation 8(c)—delete "his or her" and insert:
the deceased's
- (2) Regulation 8(d)—after "sex" insert:
or gender identity (if known)

10—Variation of regulation 9—Particulars required in notification by funeral director etc

- (1) Regulation 9(b), (f), (g), (h), (i) and (l)—delete "his or her" wherever occurring and substitute in each case:
the deceased's
- (2) Regulation 9(c)—after "sex" insert:
or gender identity (if known)
- (3) Regulation 9(g) and (i)—delete "he or she" wherever occurring and substitute in each case:
the deceased

- (4) Regulation 9(j)—after "sex" insert:
or gender identity

11—Variation of regulation 10—Particulars of death to be included in the Register

- (1) Regulation 10(1)(d), (h), (i), (j) and (k)—delete "his or her" wherever occurring and substitute in each case:
the deceased's
- (2) Regulation 10(1)(e)—after "sex" insert:
or gender identity (if known)
- (3) Regulation 10(1)(i) and (k)—delete "he or she" wherever occurring and substitute in each case:
the deceased
- (4) Regulation 10(1)(l)—after "sex" insert:
or gender identity

12—Variation of Schedule 1—Fees

Schedule 1, table—after item 2 insert:

2A	Application to register change of sex or gender identity (section 29I or 29J of Act)	\$47.75
2B	Application for identity acknowledgment certificate (section 29O or 29P of Act)	\$47.75

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 23 May 2017

No 60 of 2017

DPC17/026CS

South Australia

Real Property (Fees) Variation Regulations 2017

under the *Real Property Act 1886*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Real Property Regulations 2009*

- 4 Substitution of Schedule 1
Schedule 1—Fees payable to Registrar-General
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Real Property (Fees) Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on 1 July 2017.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Real Property Regulations 2009*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees payable to Registrar-General

- | | | |
|---|---|----------|
| 1 | For the registration or entry of each instrument (irrespective of the number of folios to be endorsed)—other than any registration or entry specifically provided for | \$160.00 |
|---|---|----------|

2	For registering a transfer—	
	(a) where the consideration, or the value as assessed under the <i>Stamp Duties Act 1923</i> (whichever is the greater)—	
	(i) does not exceed \$5 000	\$160.00
	(ii) does not exceed \$20 000	\$178.00
	(iii) does not exceed \$40 000	\$195.00
	(iv) exceeds \$40 000	\$274.00
	plus \$80.50 for every \$10 000 (or part of \$10 000) above \$50 000	
	(b) where the Commissioner of State Taxation has adjudged the transfer to be exempt from stamp duty or where no <i>ad valorem</i> stamp duty is payable	\$160.00
	(c) that has been assessed pursuant to sections 71CA, 71CB, 71CBA or 71CC of the <i>Stamp Duties Act 1923</i>	\$160.00
3	On lodgment of a caveat under sections 39, 80F or 223D of the Act	\$160.00
4	On lodgment of a priority notice under section 154A of the Act	\$20.80
5	On lodgment of an application to extend the duration of a priority notice under section 154G of the Act	\$10.40
6	On lodgment of notice of withdrawal of a priority notice under section 154E of the Act	no fee
7	For a search of the details of a priority notice	no fee
8	For the deposit, or noting the revocation, of a duplicate or attested copy of a power of attorney	\$160.00
9	For the registration of an application to note a change of address	no fee
10	For entry of a foreclosure order (exclusive of the cost of advertising in the Gazette)	\$265.00
11	For a certified copy of—	
	(a) a certificate of title under section 51A of the Act	\$31.50
	(b) a statement under section 51D of the Act	\$31.50
12	Unless otherwise specified—	
	(a) (except where paragraph (b) applies) for the issue of a new certificate of title	\$85.50
	(b) for the issue of a new certificate of title on the amalgamation of allotments wholly within the Mount Lofty Catchment Area	no fee
13	For the issue of a certificate of title—	
	(a) (limited or ordinary) on the land first being brought under the Act	no fee
	(b) to a corporation or district council for a road, street or reserve	no fee

	(c) to effect correction or amendment of title or for the convenience of the Lands Titles Registration Office in effecting registration or redesignation	no fee
14	For an application for the division of land—	
	(a) where deposit of the plan of division will not vest an estate or interest in land (except a street, road, thoroughfare, reserve or other similar open space that vests in a council or other authority or reverts to the Crown or an easement that will vest in an authority or entity in accordance with section 223LG of the Act) in any person	\$160.00
	(b) in all other cases	\$395.00
	Note—	
	Fees for the examination of the plan of division, deposit or acceptance for filing of the plan and for the issue of new certificates of title are payable under this Schedule in addition to this amount.	
15	For an application for the amalgamation of allotments—	
	(a) for the amalgamation of allotments that are wholly within the Mount Lofty Catchment Area	no fee
	(b) for any other amalgamation of allotments	\$160.00
	Note—	
	Fees for the examination of the plan of amalgamation, deposit or acceptance for filing of the plan and for the issue of new certificates of title are payable under this Schedule in addition to this amount.	
16	For the deposit or acceptance for filing by the Registrar-General—	
	(a) of a plan of amalgamation of allotments wholly within the Mount Lofty Catchment Area	no fee
	(b) of any other plan	\$145.00
17	Unless otherwise specified, for the examination—	
	(a) of a plan of survey certified correct by a licensed surveyor and lodged with or submitted to the Registrar-General (for freehold or Crown land)—plus a further \$472, payable by the surveyor, if the plan is relodged or resubmitted following rejection by the Registrar-General (However, the Registrar-General may waive or reduce the further fee if the Registrar-General considers that appropriate in a particular case having regard to the work involved in examining the relodged or resubmitted plan.)	\$942.00
	(b) of an uncertified data plan (except a plan of a kind referred to in paragraph (c)) lodged with or submitted to the Registrar-General (for freehold or Crown land)	\$472.00
	(c) of an uncertified data plan lodged with or submitted to the Registrar-General for the amalgamation of allotments wholly within the Mount Lofty Catchment Area	no fee

	(d) of a plan lodged with or submitted to the Registrar-General for the purposes of a lease of part of an allotment	\$190.00
18	For the examination—	
	(a) of a plan of survey certified correct by a licensed surveyor and lodged with the Registrar-General for information purposes only	no fee
	(b) of an uncertified data plan lodged with the Registrar-General for information purposes only	no fee
	(c) of a plan of survey certified by a licensed surveyor and lodged with the Registrar-General by the Surveyor-General	no fee
	(d) of plans submitted under the <i>Roads (Opening and Closing) Act 1991</i>	no fee
19	Unless otherwise specified, for the deposit or acceptance for filing of any plan (for freehold or Crown land)	\$145.00
20	For the deposit or acceptance for filing of a plan prepared by the Registrar-General or under the Registrar-General's authorisation	no fee
21	For the withdrawal of any instrument, application or plan submitted for registration, deposit or acceptance for filing	\$62.00
22	For the withdrawal of any plan of survey certified correct by a licensed surveyor and lodged with or submitted to the Registrar-General for examination	\$127.00
23	For an application under section 146 of the Act (exclusive of the cost of registration of the instrument of discharge)	\$208.00
24	For searching the Register Book—	
	(a) comprising a search statement from the Registrar-General's unregistered document system, a copy of the certificate of title and a check search	\$28.25
	(b) comprising a search of the electronic records of the certificate of title, the Registrar-General's unregistered document system and a check search, including access to the relevant plan image and all registered instruments and dealings recorded on that certificate of title	\$33.75
25	For a copy—	
	(a) of a registered instrument	\$10.40
	(b) of a plan deposited or accepted for filing by the Registrar-General	\$11.20
	(c) of a cancelled certificate of title	no fee
	(d) of any instrument, entry, document or record not otherwise specifically provided for	\$10.40
26	For requesting any of the following under the South Australian Integrated Land Information System (<i>SAILIS</i>):	
	(a) a check search of a specified certificate of title	no fee
	(b) the details of a specified document	no fee

	(c)	the location of a specified document or plan	no fee
	(d)	the details of a specified plan	no fee
	(e)	a list of the numbers assigned to plans lodged in respect of a specified Section of land in a Hundred	no fee
	(f)	the details of the delivery of a specified item	no fee
	(g)	the details of the delivery of documents relating to—	
	(i)	a specified agent code	no fee
	(ii)	a specified delivery slip	no fee
	(h)	the details of a specified agent code	no fee
	(i)	in respect of a specified document—a search of—	
	(i)	the series in which the document was lodged; and	no fee
	(ii)	any other series into which the document may, subsequently, have been moved, prior to registration of the document	no fee
	(j)	a search of the location of, and the numbers assigned to, documents lodged in a specified series	no fee
	(k)	a record of all documents lodged or registered under a specified name	no fee
27		For advertising in the Gazette—	
	(a)	an application for a foreclosure	no fee
	(b)	an application under Part 4 of the Act	no fee
	(c)	an application under Part 7A of the Act	no fee
28		For reporting to a local government authority—	
	(a)	a change of ownership of land (for each change of ownership reported)	\$2.20
	(b)	a converted certificate of title (for each converted certificate of title reported)	\$2.20
	(c)	on the subdivision of land—details of—	\$2.20
	(i)	cancelled certificates of title; and	
	(ii)	newly created parcels of land and new certificates of title issued in respect of those parcels; and	
	(iii)	the valuation assessment for each new certificate of title issued,	
		(for each valuation assessment reported)	
29		For reporting to the South Australian Water Corporation—	
	(a)	a change of ownership of land (for each change of ownership reported)	\$2.20
	(b)	on the subdivision of land—details of—	\$2.20
	(i)	cancelled certificates of title; and	
	(ii)	newly created parcels and new certificates of title issued in respect of those parcels,	
		(for each new certificate of title reported)	

30	For providing miscellaneous reports of changes of ownership of land to government agencies (other than the South Australian Water Corporation)	no fee
31	For providing reports of Heritage Agreements to the administrative unit of the Public Service that is, under a Minister, responsible for the administration of the <i>Heritage Places Act 1993</i>	no fee
32	For reporting to SA Power Networks a change of ownership of land (plus an additional fee of \$4.70 for each change of ownership reported)	\$33.50
33	For a copy of any of the following documents under the <i>Bills of Sale Act 1886</i> :	
	(a) a document filed under section 11A of the <i>Bills of Sale Act 1886</i>	\$10.40
	(b) a registered bill of sale or a discharge, extension or renewal of a bill of sale	\$10.40
	(c) any other document	\$10.40
34	For a copy of a plan under the <i>Strata Titles Act 1988</i> (including provision of the unit entitlement sheet)	\$11.20
35	For a copy of a plan under the <i>Community Titles Act 1996</i> (including provision of the lot entitlement sheet)	\$11.20
36	For providing a lodgement support service suite in respect of electronic lodgement (known as LSS 1) consisting of—	\$14.30
	(a) supply of title data for completion of electronic document forms	
	(b) unlimited title activity checks	
	(c) unlimited lodgement verifications for lodgements which reference title	
37	For providing a lodgement support service suite in respect of electronic lodgement (known as LSS 2) consisting of—	\$11.20
	(a) supply of title data for completion of electronic document forms	
	(b) unlimited lodgement verifications, for lodgements which reference title	
38	For providing a lodgement support service suite in respect of electronic lodgement (known as LSS3) consisting of the resupply of title data for electronic documents forms if original data for the title has already been supplied	no fee

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 23 May 2017

No 61 of 2017

T&F17/008CS

South Australia

Community Titles (Fees) Variation Regulations 2017

under the *Community Titles Act 1996*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Community Titles Regulations 2011*

- 4 Substitution of Schedule 2
Schedule 2—Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Community Titles (Fees) Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on 1 July 2017.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Community Titles Regulations 2011*

4—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees

- | | | |
|---|--|----------|
| 1 | Examination of plan to be lodged with application under Act before application is lodged (section 144 of Act)— | |
| | (a) for application for division of land by plan of community division (section 14 of Act)— | |
| | (i) if there are 5 lots or less | \$472.00 |
| | (ii) if there are more than 5 lots | \$942.00 |
| | (b) for any other application | \$472.00 |

2	Application for division of land by plan of community division (section 14 of Act)—	
	(a) for examination of application	\$395.00
	(b) for examination of plan of community division not subject to prior approval under section 144 of Act—	
	(i) if there are 5 lots or less	\$472.00
	(ii) if there are more than 5 lots	\$942.00
	(c) for deposit of plan of community division	\$145.00
	(d) for each lot requiring issue of certificate of title	\$85.50
	(e) for filing of scheme description	\$160.00
	(f) for filing of by-laws	\$160.00
	(g) for filing of development contract	\$160.00
3	Application to amend schedule of lot entitlements (section 21 of Act)	\$160.00
4	Filing of copy of certified scheme description as amended (section 31 of Act)	\$160.00
5	Filing of certified copy of by-laws as varied (section 39 of Act)	\$160.00
6	Maximum fee for purchase from corporation of copy of by-laws (section 44 of Act)	\$48.25
7	Fee for purchase from Registrar-General of copy of by-laws filed with plan of community division (section 44 of Act)	\$10.40
8	Filing of certified copy of development contract as varied or agreement to terminate development contract (section 50 of Act)	\$160.00
9	Maximum fee for purchase from corporation of copy of development contract (section 51 of Act)	\$48.25
10	Fee for purchase from Registrar-General of copy of development contract filed with plan of community division (section 51 of Act)	\$10.40
11	Application for amendment of deposited community plan (section 52 of Act)—	
	(a) for examination of application	\$300.00
	(b) for examination of plan to be substituted or sheets of plan to be substituted or added if plan not subject to prior approval under section 144 of Act	\$472.00
	(c) for each lot requiring issue of certificate of title	\$85.50
	(d) for filing of amended scheme description	\$160.00
12	Application for division of development lot in pursuance of development contract and consequential amendment of community plan (section 58 of Act)—	
	(a) for examination of application	\$300.00
	(b) for examination of plan to be substituted or sheets of plan to be substituted or added if plan not subject to prior approval under section 144 of Act	\$472.00
	(c) for each lot requiring issue of certificate of title	\$85.50

13	Application for amalgamation of deposited community plans (section 60 of Act)—	
	(a) for examination of application	\$300.00
	(b) for examination of plan of community division not subject to prior approval under section 144	\$472.00
	(c) for deposit of plan of community division	\$145.00
	(d) for each lot requiring issue of certificate of title	\$85.50
	(e) for filing of scheme description	\$160.00
	(f) for filing of by-laws	\$160.00
14	Application for cancellation of deposited community plan (sections 64 and 65 of Act)—	
	(a) for examination of application	\$300.00
	(b) if application is for cancellation of primary plan—	
	(i) for examination of plan that delineates outer boundaries of primary parcel	\$472.00
	(ii) for filing of plan	\$145.00
	(c) for each certificate of title to be issued	\$85.50
15	Application to note Court order for cancellation of community plan (sections 64 and 67 of Act)—	
	(a) for noting the order	\$300.00
	(b) if application is for cancellation of primary plan—	
	(i) for examination of plan that delineates outer boundaries of primary parcel	\$472.00
	(ii) for filing of plan	\$145.00
	(c) for each certificate of title to be issued	\$85.50
16	Filing of notice of appointment, removal or replacement of administrator (section 100 of Act)	\$160.00
17	Filing of resolution to elect to use Act (Schedule clause 2)	\$160.00
18	Submission of outer boundary plan (regulation 8)—	
	(a) for examination of plan	\$942.00
	(b) for filing of plan	\$145.00
19	Fee for re-examination of plan when amended after approval for deposit is given	\$145.00
20	Lodgement of any other document required by Act	\$160.00

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 23 May 2017

No 62 of 2017

T&F17/008CS

South Australia

Strata Titles (Fees) Variation Regulations 2017

under the *Strata Titles Act 1988*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Strata Titles (Fees) Regulations 2016*

- 4 Substitution of Schedule 1
Schedule 1—Fees payable to Registrar-General
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Strata Titles (Fees) Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on 1 July 2017.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Strata Titles (Fees) Regulations 2016*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees payable to Registrar-General

- 1 For lodgement of an application for—
 - (a) amendment of a strata plan \$300.00
 - (b) amalgamation of 2 or more strata plans \$300.00
- 2 For the examination of—
 - (a) an amendment to a strata plan \$472.00
 - (b) an amalgamation of 2 or more strata plans \$472.00

3	For the deposit of a strata plan	\$145.00
4	For the issue of a certificate of title—	
	(a) for each unit added to a strata plan or amended by a strata plan	\$85.50
	(b) for each unit comprised in an amalgamated plan	\$85.50
5	For the amendment of a schedule of unit entitlements	\$160.00
6	Application for cancellation of a strata plan—	
	(a) for examination of application (including fees for entering necessary memorials in the Register Book)	\$300.00
	(b) for each certificate of title issued	\$85.50
7	On lodging a certified copy of a special resolution of a strata corporation amending the articles of the corporation	\$160.00
8	On lodging any other document with the Registrar-General under the Act	\$160.00
9	On giving written notice—	
	(a) of the appointment of an administrator of a strata corporation	\$160.00
	(b) of the removal or replacement of an administrator of a strata corporation	\$160.00

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 23 May 2017

No 63 of 2017

T&F17/008CS

South Australia

Worker's Liens (Fees) Variation Regulations 2017

under the *Worker's Liens Act 1893*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Worker's Liens Regulations 2014*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Worker's Liens (Fees) Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on 1 July 2017.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Worker's Liens Regulations 2014*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- | | | |
|---|---|-------|
| 1 | For lodging a notice of lien (section 10(3)) | \$160 |
| 2 | For entering a memorandum of cessation of lien (section 16) | \$160 |
| 3 | If a notice of lien or an application to enter a memorandum of cessation of lien is withdrawn before the appropriate memorandum is entered, the fee payable is reduced to | \$62 |

Note—

A fee is payable for entering a memorandum of withdrawal of lien under the *Real Property Act 1886*.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 23 May 2017

No 64 of 2017

T&F17/008CS

South Australia

Registration of Deeds (Fees) Variation Regulations 2017

under the *Registration of Deeds Act 1935*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Registration of Deeds (Fees) Regulations 2004*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Registration of Deeds (Fees) Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on 1 July 2017.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Registration of Deeds (Fees) Regulations 2004*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- 1 For registering—
 - (a) an instrument of conveyance, a legal or equitable mortgage or any other instrument \$145.00
 - (b) an instrument of conveyance, mortgage or other instrument that has been dated 30 years or more prior to production for registration No fee

2	For depositing a deed, agreement, writing, assurance, map or plan	\$21.60
3	For enrolling an instrument	\$21.60
4	For a copy of an instrument that has been registered, deposited or enrolled	\$10.40

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 23 May 2017

No 65 of 2017

T&F17/008CS

South Australia

Bills of Sale (Fees) Variation Regulations 2017

under the *Bills of Sale Act 1886*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Bills of Sale Regulations 2009*

- 4 Substitution of Schedule 1
- Schedule 1—Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Bills of Sale (Fees) Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on 1 July 2017.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Bills of Sale Regulations 2009*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- | | | |
|---|---|---------|
| 1 | For registering or filing— | |
| | (a) a document under section 11A of the Act | \$74.50 |
| | (b) a bill of sale | \$74.50 |
| | (c) the discharge, extension, transfer or renewal of a bill of sale | \$74.50 |
| | (d) any other document | \$74.50 |
| 2 | For withdrawing a bill of sale from registration or filing | \$62.00 |

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 23 May 2017

No 66 of 2017

T&F17/008CS

South Australia

Roads (Opening and Closing) (Fees) Variation Regulations 2017

under the *Roads (Opening and Closing) Act 1991*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Roads (Opening and Closing) (Fees) Regulations 2006*

- 4 Substitution of Schedule 1
Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Roads (Opening and Closing) (Fees) Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on 1 July 2017.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Roads (Opening and Closing) (Fees) Regulations 2006*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- | | | |
|---|---|----------|
| 1 | On deposit with the Surveyor-General of preliminary plan and statement under section 9 of Act | \$251.00 |
|---|---|----------|

2	For notification of a proposed road process by the Surveyor-General under section 10 of Act (payable, on deposit of the preliminary plan and statement, by the council commencing the road process)	\$706.00
3	On deposit with the Surveyor-General of a survey plan under section 20 of Act—	
	(a) examination fee—	
	(i) where the plan is an uncertified data plan	\$472.00
	(ii) where the plan is a survey plan certified by a licensed surveyor	\$942.00
	plus a further \$472.00, payable by the surveyor, if the plan is resubmitted following rejection by the Surveyor-General. (However, the Surveyor-General may waive or reduce the further fee if he or she considers that appropriate in a particular case having regard to the work involved in examining the resubmitted plan.)	
	(b) administration fee (payable in addition to examination fee)	\$232.00
4	On deposit of any other document with the Surveyor-General under section 20 for which a fee is not otherwise provided in this Schedule (in addition to the fees payable in relation to the deposit of a survey plan)	\$173.00 per document
5	For notification of an order or a notice by the Surveyor-General under section 34 or section 37 of Act (payable prior to notification)	\$173.00
6	For the withdrawal of a document (other than a survey plan) submitted to the Surveyor-General	\$62.00
7	On application for a road width declaration by the Surveyor-General under section 38	\$66.50

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 23 May 2017

No 67 of 2017

T&F17/008CS

South Australia

Valuation of Land (Fees) Variation Regulations 2017

under the *Valuation of Land Act 1971*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Valuation of Land Regulations 2005*

- 4 Substitution of Schedule 2
Schedule 2—Fees and allowances
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Valuation of Land (Fees) Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on 1 July 2017.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Valuation of Land Regulations 2005*

4—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees and allowances

1—Interpretation

In this Schedule—

residential land means—

- (a) land designated on the valuation roll as being subject to residential land use; or

- (b) other vacant land (not exceeding 5 000 square metres) zoned for residential purposes under a Development Plan under the *Development Act 1993*.

2—Fees

- | | |
|---|-------------|
| (1) For a copy of the valuation roll (section 21 of Act)—for each \$10 000 of capital value of the land comprised in the roll for the immediate preceding general valuation calculated as at the day it came into force | 13.22 cents |
| (2) On an application for a review of a valuation (section 25B of Act)— | |
| (a) of land used by the applicant solely as his or her principal place of residence | \$105.00 |
| (b) of any other land | \$260.00 |
| (3) For a certified copy of, or extract from, any entry in a valuation roll (section 32 of Act) | \$39.50 |

3—Allowances for review of valuation under *Valuation of Land Act 1971* (section 25A(8)) or *Local Government Act 1999*

- | | |
|---|------------|
| (1) Review not completed—if the panel member has received a copy of the application for review and submissions of the applicant and Valuer-General but the review is not completed because the review involves a question of law, the application for review is withdrawn or for some other reason approved by the Valuer-General | \$100.00 |
| (2) Completed review—residential land | |
| (a) ordinary review | \$300.00 |
| (b) complex review | \$400.00 |
| (3) Completed review—land other than residential land | |
| (a) ordinary review | \$400.00 |
| (b) review of some complexity | \$600.00 |
| (c) review of medium complexity | \$800.00 |
| (d) review of high complexity | \$1 000.00 |
| (4) The complexity, or level of complexity, of a review will be determined having regard to the following: | |
| (a) the nature and scale of the review (including the number of hours reasonably required to conduct the review); | |
| (b) the need for consultation by the valuer with an engineer, planner, surveyor or other expert. | |

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 23 May 2017

No 68 of 2017

T&F17/008CS

South Australia

Land and Business (Sale and Conveyancing) (Fees) Variation Regulations 2017

under the *Land and Business (Sale and Conveyancing) Act 1994*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Land and Business (Sale and Conveyancing) Regulations 2010*

- 4 Substitution of Schedule 8
Schedule 8—Contracts for sale of land or businesses—fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Land and Business (Sale and Conveyancing) (Fees) Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on 1 July 2017.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Land and Business (Sale and Conveyancing) Regulations 2010*

4—Substitution of Schedule 8

Schedule 8—delete the Schedule and substitute:

Schedule 8—Contracts for sale of land or businesses— fees

1—Fees payable to councils

For a council search report to be provided by a council—

- | | | |
|-----|--|---------|
| (a) | for particulars in the report— | |
| | (i) in relation to 1 strata unit | \$23.30 |
| | (ii) in relation to 2 strata units on the same strata plan | \$46.50 |
| | (iii) in relation to 3 or more strata units on the same strata plan | \$69.50 |
| | (iv) for each certificate of title to land under the <i>Real Property Act 1886</i> , or Crown lease, in respect of which particulars are to be provided— | |
| | (A) if the applicant requests that the particulars be provided within 24 hours after receipt of the request | \$34.75 |
| | (B) in any other case | \$23.30 |
| (b) | for documentary material in the report—the actual cost incurred by the council in producing a copy of the document. | |

2—Fees payable to statutory authorities or prescribed bodies

- | | | |
|-----|---|----------|
| (1) | For particulars and documentary material to be provided by a statutory authority or prescribed body (other than where particulars are to be provided for the purposes of a property interest report)— | |
| | (a) for particulars— | |
| | (i) in relation to 1 strata unit | \$17.50 |
| | (ii) in relation to 2 strata units on the same strata plan | \$32.50 |
| | (iii) in relation to 3 or more strata units on the same strata plan | \$50.00 |
| | (iv) in any other case—in relation to each certificate of title to land under the <i>Real Property Act 1886</i> , or Crown lease, in respect of which particulars are to be provided | \$17.50 |
| | (b) for documentary material—the actual cost incurred by the statutory authority or prescribed body in producing a copy of the document. | |
| (2) | For a property interest report or update— | |
| | (a) for a property interest report to be provided by the Department in relation to a certificate of title to land under the <i>Real Property Act 1886</i> or a Crown lease | \$290.00 |

- | | | |
|-----|--|----------|
| (b) | for an update of such a report (where the application is made not more than 90 days after the original report was issued) to be provided by the Department | \$145.00 |
| (3) | For a property interest report or update for a related title— | |
| (a) | for a property interest report to be provided by the Department in relation to a related title | \$43.75 |
| (b) | for an update of such a report (where the application is made not more than 90 days after the original report was issued) to be provided by the Department | \$11.10 |

3—Interpretation

In this Schedule—

Department means the Department of Planning, Transport and Infrastructure;

related title means a certificate of title to, or a Crown lease of, land that—

- (a) is contiguous with, and owned or held pursuant to a Crown lease by the same person as, land in relation to which a property interest report is to be provided by the Department; and
- (b) is valued by the Valuer-General under the *Valuation of Land Act 1971* conjointly with, and is to be sold at the same time as, the land in relation to which the property interest report is to be provided;

strata unit includes a community lot (or development lot) and **strata plan** includes a community plan.

Note—

The fees payable to a strata corporation or a community corporation for the provision of information are fixed by regulations under the *Strata Titles Act 1988* and the *Community Titles Act 1996*, respectively.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 23 May 2017

No 69 of 2017

T&F17/008CS

South Australia

Firearms Regulations 2017

under the *Firearms Act 2015*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Certain devices declared to be firearms
- 5 Certain devices excluded from definition of firearm
- 6 Prohibited firearm accessories
- 7 Prescribed firearms
- 8 Firearms not within the definition of handgun
- 9 Categories of firearms expanded to include imitation firearms
- 10 Prescribed offences—fit and proper person
- 11 Prescribed offences—possession and use of firearms—aggravated offence
- 12 Prescribed offences—disqualification of employment of person by licensed dealer

Part 2—Licences

Division 1—Licence categories

- 13 Licence categories

Division 2—Special provisions relating to licence categories

- 14 Category 1 (shooting club) licences
- 15 Category 2 (target shooting) licences
- 16 Category 3 (hunting) licences
- 17 Category 4 (paint-ball shooting) licences
- 18 Category 5 (primary production) licences
- 19 Category 6 (security guard) licences
- 20 Category 7 (contract shooter) licences
- 21 Category 8 (commercial range) licences
- 22 Category 9 (shooting gallery) licences
- 23 Category 10 (collector) licences
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1 Prescribed offences—fit and proper person

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2 Prescribed offences—possession and use of firearms—aggravated offence

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4 Prescribed offences—grant of firearms licence

Schedule 3—Revocation of *Firearms Regulations 2008*

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Firearms Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which the *Firearms Act 2015* comes into operation.

3—Interpretation

- (1) In these regulations, unless the contrary intention appears—

Act means the *Firearms Act 2015*;

captive bolt gun means a firearm designed to kill animals by firing a bolt that remains part of the firearm during and after firing;

contract shooter means a person who—

- (a) enters into formal engagements or contracts to shoot animals; or
- (b) satisfies the Registrar that the person is a contract shooter according to other requirements determined by the Registrar for the purposes of this definition;

deactivated firearm means a firearm that has been rendered permanently unusable in a manner stipulated by the Registrar;

dog retriever means a firearm designed to fire a projectile for a dog to retrieve;

enrolled nurse means a person registered under the *Health Practitioner Regulation National Law*—

- (a) to practise in the nursing and midwifery profession as a nurse (other than as a student); and
- (b) in the enrolled nurses division of that profession;

firearms manufacturer means a person who carries on the business of manufacturing firearms or firearm parts;

home-made firearm means a firearm that was manufactured in Australia by a person who was not authorised by a firearms licence, permit or other authorisation (whether under the Act or corresponding legislation of another State or Territory of the Commonwealth) to manufacture firearms and includes (without limitation)—

- (a) such a firearm manufactured by use of a milling machine; and
- (b) such a firearm, or such a firearm that contains a firearm part, manufactured by use of a 3D printer or 3D printer technology;

licence number, in relation to a firearms licence, or a corresponding authority issued under a law of another jurisdiction, means the numbers or characters that make up the identifying reference of the firearms licence or corresponding authority;

licence year of a licence means the 12 months from the beginning of the term of the licence or, if the term of the licence exceeds 12 months, each subsequent period of 12 months during the term of the licence;

nurse means a registered nurse or an enrolled nurse;

operator of a primary production business means—

- (a) a person who carries on a business of primary production; or
- (b) if the person who carries on a business of primary production is a company—a director of the company who resides on or near the land on which the business is carried on or visits the land frequently for the purposes of the business; or

- (c) a person employed to manage a business of primary production who resides on or near the land on which the business is carried on or visits the land frequently for the purposes of the business;

power head means a firearm (not being a captive bolt gun) designed to kill animals by striking the muzzle against the animal;

prescribed firearm—see regulation 7;

registered nurse means a person registered under the *Health Practitioner Regulation National Law*—

- (a) to practise in the nursing and midwifery profession as a nurse (other than as a student); and
- (b) in the registered nurses division of that profession;

regulated imitation firearm—see regulation 4;

rocket line launcher means a firearm that is designed to throw a rope, cable or line of any other kind;

RSL means the Returned & Services League of Australia (S.A. Branch) Incorporated or a sub-branch of the Returned & Services League of Australia (S.A. Branch) Incorporated;

underwater firearm means a firearm—

- (a) designed to fire projectiles by means of compressed air or other compressed gas; and
- (b) designed to be used underwater; and
- (c) kept solely for use underwater;

Very pistol means a handgun designed to fire signalling or emergency distress flares or pyrotechnic shells.

- (2) For the purposes of these regulations, unless the contrary intention appears, the length of the barrel of a firearm will be taken to be the distance from the breech face to the muzzle.
- (3) For the purposes of these regulations, in determining whether a regulated imitation firearm closely resembles another firearm, consideration must be given to—
 - (a) the functionality of the firearm or device; and
 - (b) the features, characteristics or components of the firearm (including, for example, the barrel length, the overall length or the magazine capacity of the firearm or device).

4—Certain devices declared to be firearms

- (1) Pursuant to paragraph (b) of the definition of **firearm** in section 4(1) of the Act, a regulated imitation firearm is declared to be a firearm.
- (2) A **regulated imitation firearm** is a device that—
 - (a) can be adapted to function as a firearm with a moderate exercise of effort and skill; and

- (b) is constructed of material (or materials) of sufficient strength such that it would, if it were adapted to function as a firearm, be capable of sustaining the firing of ammunition, paint-balls, airgun pellets or other similar projectiles,
but does not include an item determined by the Registrar under subregulation (3) not to be a regulated imitation firearm.
- (3) The Registrar may, on application or on the Registrar's own initiative, determine that a particular device is not a regulated imitation firearm.
- (4) The Registrar may, by notice in the Gazette, declare an item of a specified class to be a regulated imitation firearm (and such a notice has effect according to its terms despite subregulation (2)).
- (5) The Registrar may, by subsequent notice in the Gazette, vary or revoke a notice made under this regulation.

5—Certain devices excluded from definition of firearm

- (1) Pursuant to paragraph (d) of the definition of *firearm* in section 4(1) of the Act, a device designed for the purposes of children's play (a *children's toy*) that fires toy projectiles is declared not to be a firearm.
- (2) For the avoidance of doubt, a children's toy does not include—
 - (a) a device known as, or that is similar to, a BB gun; or
 - (b) a device known as, or that is similar to, an Airsoft gun; or
 - (c) a device that is a regulated imitation firearm.

6—Prohibited firearm accessories

- (1) For the purposes of the definition of *prohibited firearm accessory* in section 4(1) of the Act, an item to which this regulation applies is prescribed.
- (2) This regulation applies to an item, being an accessory, that is designed, or may be adapted, to enable a firearm, when the item is fitted to or used in conjunction with the firearm (and whether the item is used on its own or in conjunction with another item), to have any of the following capabilities:
 - (a) burst fire operation;
 - (b) bump fire operation;
 - (c) semi-automatic operation;
 - (d) fully automatic operation,other than—
 - (e) an item possessed by a person for the purposes of altering a firearm in accordance with the written approval of the Registrar under section 38 of the Act; or
 - (f) a restricted firearm mechanism possessed by a person in accordance with the written approval of the Registrar under section 39 of the Act.

(3) In this regulation—

bump fire operation means a method of firing a firearm that utilises the recoil of the firearm to cause rapid depressions of the trigger so as to fire multiple rounds in rapid succession;

burst fire operation means a method of firing a firearm that enables the firing of a predetermined number of multiple rounds by a single depression of the trigger;

fully automatic operation means a method of firing a firearm such that, following the firing of a round on the depression of the trigger, the firearm continues to fire 1 or more rounds automatically while the trigger is held in that position;

semi-automatic operation means a method of firing a firearm such that, following the firing of a round on the depression of the trigger, the firearm automatically loads a further round thereby allowing the rapid firing of another round on another depression of the trigger.

7—Prescribed firearms

- (1) Pursuant to section 5(1)(f)(v) of the Act, the following firearms are declared to be prescribed firearms:
- (a) firearms having 1 or more barrels of less than 330 millimetres in length (but not handguns, air guns, power heads or paint-ball firearms);
 - (b) shotguns having 1 or more barrels of less than 400 millimetres in length;
 - (c) air guns having 1 or more barrels of less than 250 millimetres in length;
 - (d) firearms having an overall length of less than 750 millimetres (but not handguns, power heads or paint-ball firearms);
 - (e) paint-ball firearms having an overall length of less than 400 millimetres;
 - (f) firearms (but not handguns) designed to be reduced in overall length by folding, telescoping or any other means to a length of less than 750 millimetres and then to be capable of being fired;
 - (g) home-made firearms of any kind or category;
 - (h) firearms (other than handguns) that have been permanently modified by reducing the length of the barrel to less than 400 millimetres—
 - (i) in contravention of section 38(2) of the Act or section 27AA(1)(b) of the repealed Act; or
 - (ii) in contravention of a provision of legislation of another State or Territory of the Commonwealth that corresponds, or substantially corresponds, to either of those sections;
 - (i) regulated imitation firearms that closely resemble a firearm referred to in a preceding paragraph or section 5(1)(f)(i) to (iv) (inclusive) of the Act, or that do not closely resemble such a firearm or a firearm of category A, B, C, D or H;
 - (j) receivers of firearms referred to in a preceding paragraph.

- (2) When determining the overall length of a paint-ball firearm for the purposes of subregulation (1)(e), the gas cylinder and the hose connecting the cylinder to the firearm (if any) is to be excluded.

8—Firearms not within the definition of handgun

Pursuant to section 5(4) of the Act, the definition of *handgun* in section 5(2) of the Act does not include a paint-ball firearm with a barrel of less than 400 millimetres.

9—Categories of firearms expanded to include imitation firearms

Pursuant to section 5(4) of the Act, the definitions of category A, B, C, D and H firearms and prescribed firearms in section 5(1) of the Act are amended so that, if a regulated imitation firearm closely resembles a firearm of a particular category, the category will be taken to encompass the regulated imitation firearm.

10—Prescribed offences—fit and proper person

Schedule 2 Part 1 sets out the offences for the purposes of section 7(3)(d) of the Act.

11—Prescribed offences—possession and use of firearms—aggravated offence

Schedule 2 Part 2 sets out the offences against the *Controlled Substances Act 1984* for the purposes of section 9(7)(c) of the Act.

12—Prescribed offences—disqualification of employment of person by licensed dealer

Schedule 2 Part 3 sets out the offences for the purposes of section 11(7)(c)(iii) of the Act.

Part 2—Licences

Division 1—Licence categories

13—Licence categories

For the purposes of section 12 of the Act, the following categories of firearms licence are prescribed:

- category 1 (shooting club) licences
- category 2 (target shooting) licences
- category 3 (hunting) licences
- category 4 (paint-ball shooting) licences
- category 5 (primary production) licences
- category 6 (security guard) licences
- category 7 (contract shooter) licences
- category 8 (commercial range) licences
- category 9 (shooting gallery) licences
- category 10 (collector) licences
- category 11 (dealer) licences
- category 12 (miscellaneous) licences.

Division 2—Special provisions relating to licence categories

14—Category 1 (shooting club) licences

- (1) Subject to this regulation, a category 1 (shooting club) licence authorises the licensee to possess firearms of a category specified on the licence for the purpose only of use as, or by a member of, a shooting club.
- (2) A category 1 (shooting club) licence must be limited to category A, B, C or H firearms (or a combination of such categories).
- (3) A category 1 (shooting club) licence is subject to the following conditions:
 - (a) the licensee must be a shooting club or a person who is a member of a shooting club for each licence year of the licence;
 - (b) the licensee must, within 28 days of becoming a member of a shooting club, notify the Registrar of that fact and the contact details of the club;
 - (c) a firearm may only be used under the licence for hunting in the course of activities of a shooting club if the use of the firearm for that purpose is authorised under a category 3 (hunting) licence;
 - (d) in the case of a licence authorising the licensee to possess a category C firearm for use as a member of a shooting club—
 - (i) the licensee must be a member of The South Australian Clay Target Association Incorporated or the Australian Clay Target Association Incorporated and an active member of a shooting club affiliated with either of those associations for each licence year of the licence; and
 - (ii) the firearm may only be used for the purpose of an activity of the shooting club conducted in accordance with the rules of the Australian Clay Target Association Incorporated; and
 - (iii) either—
 - (A) the licensee must have a special need for the firearm that cannot be met by a firearm of any other category because of the licensee's lack of strength or dexterity, or because of some other physical characteristic (as supported by such evidence or documents as may be required by the Registrar); or
 - (B) the licensee was a person who, immediately before 15 November 1996, was a member of a shooting club affiliated with the Australian Clay Target Association and was, at that time, in lawful possession of a self-loading or pump action shotgun used for competitive clay target shooting;
 - (e) in the case of a licence authorising the licensee to possess a category H firearm for use as a member of a shooting club—

- (i) the licensee must be an active member of a shooting club for each licence year of the licence; and
 - (ii) the licensee may only possess a category H firearm if the licensee has held a category 1 (shooting club) licence authorising the possession of a category H firearm for 6 months or more; and
 - (iii) unless the licensee has held a category 1 (shooting club) licence authorising the possession of a category H firearm for 12 months or more, the licensee is limited to the possession of handguns as follows:
 - (A) one .177 calibre air pistol or one .22 calibre rim fire handgun (long rifle or short) or one centre fire handgun;
 - (B) one .177 calibre air pistol and one .22 calibre rim fire handgun (long rifle or short);
 - (C) one .177 calibre air pistol and one centre fire handgun; and
 - (iv) subject to subregulations (4) and (5), the licensee may not possess—
 - (A) a self-loading handgun (other than a revolver) with a barrel length of less than 120 mm; or
 - (B) a revolver or single shot handgun in either case with a barrel length of less than 100 mm; or
 - (C) a handgun with a manufactured or a modified magazine or cylinder capacity of more than 10 rounds; or
 - (D) a handgun of more than .38 calibre; and
 - (v) the licensee must use at least 1 handgun of each of the following kinds in the licensee's possession on at least 4 occasions in each licence year of the licence at shooting club organised shoots:
 - (A) air or gas operated handguns;
 - (B) .22 calibre rim fire handguns (long rifle or short);
 - (C) centre fire handguns of not more than .38 calibre;
 - (D) handguns of more than .38 calibre (if the licensee is allowed possession of such handguns under these regulations).
- (4) Despite a restriction on barrel length set out in subregulation (3)(e)(iv), a category 1 (shooting club) licence may authorise the possession of a category H firearm with a shorter barrel if the Registrar is satisfied that the firearm is a visually distinctive and highly specialised target pistol.
- (5) Despite the restriction on firearms of not more than .38 calibre in subregulation (3)(e)(iv)(D), a category 1 (shooting club) licence may authorise the possession of a category H firearm of more than .38 calibre if the Registrar is satisfied that the firearm is not of more than .45 calibre and is required for shooting events of the kind known as metallic silhouette or single (western) action.
- (6) Subregulation (3)(e) does not apply to muzzle-loading handguns or percussion cap and ball handguns.

- (7) A person 12 years of age or more and under the age of 18 years may be granted a category 1 (shooting club) licence subject to the following additional conditions and limitations:
 - (a) the person must need the licence in order to participate in a competition or competitions held in another State or Territory of the Commonwealth or in another country;
 - (b) the licence may only be granted for a term not exceeding 3 years;
 - (c) the person may not apply for a permit authorising the acquisition of a firearm.
- (8) Pursuant to section 15(8) of the Act, a licence may be granted to a person referred to in subregulation (7) before 28 days have elapsed from the date of the application for the licence.
- (9) For the purposes of this regulation, the barrel length of a category H firearm is to be measured as follows:
 - (a) in the case of a revolver, the length is to be measured from the muzzle to the breech end immediately in front of the cylinder;
 - (b) in the case of any other category H firearm, the length is to be measured from the muzzle to the breech face (including where the chamber is incorporated in the barrel);
 - (c) if the firearm is self-loading, the measurement must be taken when the slide is forward and the breech face or bolt is in a closed position;
 - (d) any alteration to the barrel that is permanently attached is to be included in the portion measured.
- (10) For the purposes of subregulations (3)(d)(i) and (3)(e)(i), a person is an active member of a shooting club for a 12 month period if the person is—
 - (a) in the case of a member whose firearms licence authorises the use of category C firearms—a member of the club who has participated in shooting club organised competitive shooting matches for category C firearms on at least 4 occasions during the 12 months; or
 - (b) in the case of a member whose firearms licence authorises the use of category H firearms—a member of the club who has participated in shooting club organised competitive shooting matches for category H firearms on at least 6 occasions during the 12 months; or
 - (c) a member of the club who satisfies the Registrar that the member failed to meet the requirements of paragraph (b) during the 12 months, due to the member's ill health or employment obligations or some other reason accepted by the Registrar.

15—Category 2 (target shooting) licences

- (1) Subject to this regulation, a category 2 (target shooting) licence authorises the licensee to possess firearms of a category specified on the licence for the purpose only of use in target shooting.
- (2) A category 2 (target shooting) licence must be limited to category A or B firearms (or both such categories).

16—Category 3 (hunting) licences

- (1) Subject to this regulation, a category 3 (hunting) licence authorises the licensee to possess firearms of a category specified on the licence for the purpose only of use in hunting.
- (2) A category 3 (hunting) licence must be limited to category A or B firearms (or both such categories).

17—Category 4 (paint-ball shooting) licences

- (1) A category 4 (paint-ball shooting) licence authorises the licensee to possess paint-ball firearms for the purpose only of—
 - (a) use in the business of a recognised paint-ball operator as the operator of the business; or
 - (b) use on the grounds of a recognised paint-ball operator who holds a licence under this regulation in the ordinary course of paint-ball shooting operations on the grounds.
- (2) A category 4 (paint-ball shooting) licence held by a person under subregulation (1)(b) is subject to the condition that the use of the paint-ball firearm must be under the supervision of a recognised paint-ball operator who holds a licence under subregulation (1)(a) or an accredited paint-ball employee engaged as an employee in the business of the operator.

18—Category 5 (primary production) licences

- (1) Subject to this regulation, a category 5 (primary production) licence authorises the licensee to possess firearms of a category specified on the licence for the purpose only of use in a primary production business.
- (2) A category 5 (primary production) licence must be limited to category A, B, C or H firearms (or a combination of such categories).
- (3) A category 5 (primary production) licence is subject to the following conditions:
 - (a) the licensee must be—
 - (i) the operator of a primary production business; or
 - (ii) a person who is engaged in such a business as an employee or relative of the operator;
 - (b) in the case of a licence authorising the possession of a category C firearm—
 - (i) the licensee must be—
 - (A) the operator of a primary production business; or
 - (B) a person who is engaged in such a business as an employee or relative of the operator and lives on or near the land on which the business is carried on, or frequently visits the land for the purposes of the business; and
 - (ii) the licensee must have a special need for the firearm in the business that cannot be met by a firearm of any other category; and
 - (iii) the category C firearm must, when not in use for the purposes of the business, be kept at the licensee's principal place of residence; and

- (iv) the licensee may not possess, under the licence, more than—
 - (A) 1 self-loading rifle; and
 - (B) 1 shotgun that is either a self-loading or pump action shotgun;
- (c) the licensee may only possess or use a category H firearm for the purpose of the business of primary production on a property that—
 - (i) is at least 15 000 hectares in area; or
 - (ii) was specified in a firearms licence granted under the repealed Act that—
 - (A) was purportedly granted to a person for a term expiring on or after 27 September 2002; and
 - (B) authorised the person to use a class H firearm on the property in relation to carrying on the business of primary production or in the course of employment by a person who carries on such a business.
- (4) A person 15 years of age or more may hold a category 5 (primary production) licence as an employee or relative of the operator of a primary production business, but if the person is under 18 years of age—
 - (a) the licence must be limited to category A or B firearms (or a combination of such categories); and
 - (b) the person may not apply for a permit authorising the acquisition of a firearm.

19—Category 6 (security guard) licences

- (1) A category 6 (security guard) licence authorises the licensee to possess category H firearms for the purpose only of use in the business of guarding property.
- (2) A category 6 (security guard) licence is subject to the following conditions:
 - (a) the licensee must be—
 - (i) a person carrying on the business of guarding property; or
 - (ii) a person who is engaged in such a business as an employee of the person carrying on the business;
 - (b) the licensee must hold an appropriate licence in force under the *Security and Investigation Industry Act 1995*.
- (3) A category 6 (security guard) licence expires if the licensee ceases to hold an appropriate licence in force under the *Security and Investigation Industry Act 1995*.

20—Category 7 (contract shooter) licences

- (1) Subject to this regulation, a category 7 (contract shooter) licence authorises the licensee to possess firearms of a category specified on the licence for the purpose only of use as a contract shooter.
- (2) A category 7 (contract shooter) licence must be limited to category A, B, C or D firearms (or a combination of such categories).

- (3) A category 7 (contract shooter) licence authorising the possession of a category C or D firearm is subject to the condition that the licensee must have a special need for the firearm as a contract shooter that cannot be met by a firearm of any other category.

21—Category 8 (commercial range) licences

- (1) Subject to this regulation, a category 8 (commercial range) licence authorises the licensee to possess firearms of a category specified on the licence for the purpose only of use in the business of a recognised commercial range operator.
- (2) A category 8 (commercial range) licence must be limited to category A, B or H firearms (or a combination of such categories).
- (3) A category 8 (commercial range) licence is subject to the condition that the licensee must be—
 - (a) a recognised commercial range operator; or
 - (b) a person who is engaged in the business of a recognised commercial range operator as an employee of the operator.

22—Category 9 (shooting gallery) licences

- (1) Subject to this regulation, a category 9 (shooting gallery) licence authorises the licensee to possess firearms of a category specified on the licence for the purpose only of use in the business of operating a shooting gallery.
- (2) A category 9 (shooting gallery) licence must be limited to—
 - (a) category A firearms that are .177 calibre air guns; or
 - (b) category H firearms that are handguns designed to fire shot, bullets or other projectiles by means of compressed air or other compressed gas and not by means of burning propellant; or
 - (c) a combination of such firearms.
- (3) A category 9 (shooting gallery) licence is subject to the following conditions:
 - (a) the licensee must be—
 - (i) a person carrying on the business of operating a shooting gallery; or
 - (ii) a person who is engaged in such a business as an employee of the person carrying on the business;
 - (b) the licensee must ensure that any firearm used in the course of the business of operating a shooting gallery under the licence is securely attached to a shooting bench in a manner approved by the Registrar.

23—Category 10 (collector) licences

- (1) Subject to this regulation, a category 10 (collector) licence authorises the licensee to possess firearms of a category specified on the licence for the purpose only of collecting or collecting and displaying the firearms.
- (2) Subject to subregulation (3), a category 10 (collector) licence must be limited to category A, B, C, D or H firearms (or a combination of such categories).
- (3) A category 10 (collector) licence may not authorise possession of a category D firearm unless the firearm is a deactivated firearm.

- (4) An applicant for the initial grant of a category 10 (collector) licence must have been an active member of a collectors' club for the preceding 12 months.
- (5) A category 10 (collector) licence is subject to the following conditions:
- (a) the licensee must be an active member of a collectors' club for each licence year of the licence;
 - (b) the licensee must, within 28 days of becoming a member of a collector's club, notify the Registrar of that fact and the contact details of the club;
 - (c) the licensee must have, or genuinely intend to acquire, a collection of firearms that has, or will have, significant commemorative, historical, investment or other value and each firearm in the licensee's possession under the licence must contribute to the value of the collection;
 - (d) if a licensee possesses a regulated imitation firearm under the licence, the licensee must not, without the approval of the Registrar, alter the firearm in a manner that would enable it to function as a firearm;
 - (e) the licensee must ensure that each firearm in the licensee's possession under the licence that was manufactured after 1900 is kept secured—
 - (i) by locking the bolt, breech block or firing pin of the firearm in a container kept separately from the firearm; or
 - (ii) by immobilising the trigger of the firearm by means of a trigger lock; or
 - (iii) in some other manner approved by the Registrar;
 - (f) the licensee must ensure that—
 - (i) no firearm in the licensee's possession under the licence is fired without the written approval of the Registrar; and
 - (ii) any firearm fired with the approval of the Registrar is fired in accordance with any conditions of the approval;
 - (g) the licensee must not have possession of any ammunition that can be used in a firearm in the licensee's possession (excluding ammunition for use in a firearm that the licensee may possess and use under a lawful authority other than the category 10 (collector) licence) unless—
 - (i) the person has the approval of the Registrar under paragraph (f)(i); and
 - (ii) the person holds a permit to possess the ammunition under section 32 of the Act for the purposes of that approval;
 - (h) the licensee may not possess a category H firearm that was manufactured after 1946 unless the licensee is a genuine student of arms who—
 - (i) has been an active member of a collectors' club for at least the preceding 2 years; and
 - (ii) has a significant collection of handguns with a proper thematic structure; and
 - (iii) has provided displays or published articles to advance the body of knowledge of firearms history and development.

- (6) In determining whether a person meets the requirements referred to in subregulation (5)(h), the Registrar must have regard to any certificate lodged by the person that has been prepared and signed by an office holder of the collectors' club of which the applicant is a member (being an office holder nominated by the club for the purpose) stating that the applicant meets those requirements and setting out details in support of that statement.
- (7) Subregulation (5)(h) does not apply in relation to muzzle-loading handguns or percussion cap and ball handguns.
- (8) For the purposes of this regulation, a person is an active member of a collectors' club for a 12 month period if the person is—
 - (a) a member of the club who has attended at least 4 meetings of the club during the 12 months; or
 - (b) a member of the club who has made a personal contribution (not being a financial contribution) to the club during the 12 months in a manner and to an extent that satisfies the Registrar that the person should be regarded as an active member of the club.
- (9) For the purposes of satisfying the requirements of subregulation (8)(a), a person may attend a meeting of a club by teleconference, audio conference or video conference or by other electronic means, provided that the person physically attends at least 1 meeting of the club in the 12 month period.

24—Category 11 (dealer) licences

- (1) Subject to this regulation, a category 11 (dealer) licence authorises the licensee to possess and use firearms, firearm parts and ammunition of a category or kind specified on the licence for the purpose only of the business of a dealer.
- (2) A category 11 (dealer) licence may not apply to prescribed firearms or firearm parts suitable only for use in prescribed firearms.
- (3) A category 11 (dealer) licence authorises the licensee to carry on the business of a dealer if it bears the statement "licensed dealer".
- (4) A category 11 (dealer) licence authorises possession of ammunition but not firearms or firearm parts if it bears the statement "ammunition only".
- (5) A category 11 (dealer) licence authorises the licensee to possess and use firearms, or possess ammunition, only as an employee of a licensed dealer if it bears the statement "employee only".
- (6) A category 11 (dealer) licence is subject to—
 - (a) except as provided for in subregulation (7), a condition that the licensee may only have possession of a firearm, firearm part or ammunition under the licence at the premises specified in the licence; and
 - (b) a condition that the licensee must not, when those premises are open to the public, leave any firearm, firearm part or ammunition unattended in any area of the premises to which the public has access; and
 - (c) in the case of a licensed dealer, the following conditions:

- (i) the dealer must keep records relating to the dealer's business in accordance with these regulations and allow a police officer, on request, to inspect the records;
 - (ii) the dealer must provide returns relating to the dealer's business to the Registrar in accordance with these regulations;
 - (iii) the dealer must identify, in a manner approved by the Registrar, each firearm owned or held by the dealer in the course of the dealer's business;
 - (iv) the dealer must, whenever required to do so by the Registrar or a police officer, provide the Registrar or the officer with information relating to a firearm that is, or has been, in the possession of the dealer in the course of the dealer's business;
 - (v) the dealer must ensure that, when supplying a firearm to another (not being a licensed dealer), the firearm is delivered directly to the person, or in the case of a company, to the company's principal nominee or secondary nominee and not to any agent or carrier;
 - (vi) the dealer must—
 - (A) within 24 hours, unless the dealer has a reasonable excuse for not doing so, provide an oral report to a police officer; and
 - (B) within 7 days, give the Registrar written notice, in a form approved by the Registrar,

of the theft, loss or destruction of a firearm owned or held by the dealer in the course of the dealer's business or the theft or loss of a sound moderator or ammunition owned or held by the dealer in the course of the business;
 - (vii) the dealer must not deal in restricted firearm mechanisms;
 - (viii) the dealer must, during the hours that members of the public have access to the dealer's premises, display a copy of the licence (excluding any photograph) in the premises in a position in which it is likely to be seen and read by members of the public.
- (7) A dealer may possess a firearm, firearm part or ammunition under the licence other than at the premises specified in the licence—
- (a) for the purpose of testing or repairing a firearm; or
 - (b) for the purpose of exhibiting and selling a firearm, firearm part or ammunition by auction; or
 - (c) in the case of a category A, B or H firearm or a firearm part for a category A, B or H firearm—for the purpose of exhibiting or selling firearms or firearm parts at an arms fair, provided that the dealer does not exhibit 2 or more identical firearms or firearm parts; or
 - (d) for the purpose of exhibiting or selling ammunition at an arms fair, provided that the dealer does not exhibit more than 50 rounds of identical ammunition.

25—Category 12 (miscellaneous) licences

- (1) Subject to this regulation, a category 12 (miscellaneous) licence authorises the licensee to possess a particular firearm or firearms of a category specified on the licence—
 - (a) for a purpose approved by the Registrar; or
 - (b) for 1 or more of the following purposes:
 - (i) use in the provision of training in respect of the safe handling, carriage and use of firearms;
 - (ii) the collection, or collection and display, of firearms in museums;
 - (iii) the collection, or collection and display, of firearms by the RSL;
 - (iv) the collection, or collection and display, of firearms to which, and in circumstances in which, a category 10 (collectors) licence does not apply;
 - (v) use by the Royal Zoological Society of South Australia Incorporated in relation to the operation of its zoos;
 - (vi) use by a veterinary surgeon registered under the *Veterinary Practice Act 2003* for the purpose of the humane destruction of animals;
 - (vii) use on land by persons who maintain the land for conservation purposes;
 - (viii) use in film, television or theatre productions;
 - (ix) use in historical re-enactments;
 - (x) use in commemorative and ceremonial events;
 - (xi) the purpose of the business of a firearms manufacturer.
- (2) The Registrar may not approve a purpose under this regulation that consists of or involves the protection of property.
- (3) The purpose or purposes for which the licensee is authorised to possess a firearm under a category 12 (miscellaneous) licence must be specified on the licence.
- (4) A category 12 (miscellaneous) licence may apply to any firearms, including prescribed firearms, deactivated firearms and regulated imitation firearms.
- (5) A category 12 (miscellaneous) licence may not authorise possession of a regulated imitation firearm or deactivated firearm of a particular category unless it is specifically endorsed to that effect.
- (6) A category 12 (miscellaneous) licence that authorises the manufacture of firearms or firearm parts must be specifically endorsed to that effect.
- (7) The Registrar may refuse an application for a category 12 (miscellaneous) licence authorising the holder of the licence to manufacture firearms or firearm parts for the purpose of the business of a firearms manufacturer if the Registrar is not satisfied that the person has sufficient knowledge, skills and expertise to manufacture firearms or firearm parts.

- (8) A category 12 (miscellaneous) licence authorising the holder of the licence to manufacture firearms or firearm parts is subject to the following conditions:
- (a) the licensee must be—
 - (i) a person carrying on the business of manufacturing firearms or firearm parts; or
 - (ii) a person who is engaged in such a business as an employee of the person carrying on the business;
 - (b) the licence may not apply to prescribed firearms or firearm parts for prescribed firearms;
 - (c) the licensee must not carry on the business of purchasing or selling firearms, firearms parts or ammunition, or repairing, modifying or testing firearms or firearm parts, unless the person is authorised to do so under a category 11 (dealer) licence.
- (9) It is a condition of a category 12 (miscellaneous) licence that authorises possession of a regulated imitation firearm that the licensee must not, without the approval of the Registrar, alter the firearm in a manner that would enable it to function as a firearm.
- (10) A category 12 (miscellaneous) licence may only authorise a person other than a museum or the RSL to possess, for the purpose of collection, or collection and display, a prescribed firearm of a kind not designed to be carried by hand and that has not been deactivated if—
- (a) the firearm was in the lawful possession of the person before the commencement of this regulation; and
 - (b) the person registered the firearm in the person's name before the end of the transition period.
- (11) A category 12 (miscellaneous) licence authorising the possession of a category C or D firearm is subject to the condition that the licensee must have a special need for the firearm that cannot be met by a firearm of any other category.
- (12) A category 12 (miscellaneous) licence authorising the possession of a prescribed firearm is subject to the following conditions:
- (a) the licensee must have a special need for the firearm that cannot be met by a firearm of any other category;
 - (b) the firearm must not be used to fire a projectile except in accordance with the written approval of the Registrar obtained by the licensee;
 - (c) the firearm must be kept—
 - (i) at the premises and in the manner specified in the licence; or
 - (ii) if written approval to the contrary is given by the Registrar—in accordance with that approval;
 - (d) the licensee must not surrender control of the firearm except when disposing of the firearm.
- (13) In this regulation—

museum means a museum to which access is permitted to the public on a regular basis, whether for free or on payment of a fee;

transition period has the same meaning as in Schedule 1 Part 15 clause 25 of the Act.

Division 3—Grant and term of licence

26—Prescribed offences—grant of firearms licence

Schedule 2 Part 4 sets out the offences for the purposes of section 15(5) of the Act.

27—Term of licence

For the purposes of section 17(1)(b) of the Act, the term prescribed is 3 years.

Division 4—Qualifications to hold licence

28—Training and examinations

- (1) The Registrar may, by notice in writing, require an applicant for—
 - (a) a firearms licence; or
 - (b) the addition of categories of firearms to which a licence relates; or
 - (c) the endorsement of a further purpose or purposes on a licence,to complete to the satisfaction of the Registrar 1 or more of the following:
 - (d) a course in the safe handling, carriage and use of firearms nominated by the Registrar;
 - (e) a written examination in the safe handling, carriage and use of firearms nominated by the Registrar;
 - (f) a practical examination in the safe handling, carriage and use of firearms nominated by the Registrar.
- (2) Subregulation (1) does not apply to an application for the renewal of a licence unless—
 - (a) a period of 1 year or more has elapsed since the licence expired; or
 - (b) the licence will authorise the possession and use of additional categories of firearm or will authorise the possession and use of firearms for additional purposes; or
 - (c) the licence is endorsed for use in the course of carrying on the business of guarding property or use in guarding property in the course of employment by a person who carries on that business.

29—Instructors and examiners

- (1) The Registrar may authorise any suitable person to conduct a course or examination for the purposes of this Division.
- (2) A person who conducts a course or examination under this Division—
 - (a) must not allow a person (the *attende*) to attend the course or sit for the examination unless the attendee produces, for the person's inspection, a notice issued by the Registrar under regulation 28; and

- (b) must compile, in a form approved by the Registrar, and keep for at least 3 years, a record of the names and addresses of all persons who attend the course or sit for the examination.

Maximum penalty: \$2 500.

- (3) A person referred to in subregulation (1) must provide the Registrar with such information as the Registrar requests relating to courses or examinations conducted by the person.

Maximum penalty: \$2 500.

Division 5—Company Nominees

30—Application for approval of nominees of licensed companies

- (1) For the purposes of section 16 of the Act, an application for approval of a person as a company's principal or secondary nominee—
 - (a) must be made to the Registrar in the manner and form approved by the Registrar; and
 - (b) must be accompanied by any documents required under these regulations or by the Registrar; and
 - (c) must be accompanied by the prescribed application fee.
- (2) An application for approval of a person as a company's nominee must be accompanied by—
 - (a) documentation provided by the company supporting the application; and
 - (b) details of the firearms in the possession of the company over which the nominee is intended to exercise control and the place at which those firearms will be kept.
- (3) The Registrar may require an applicant to provide any information the Registrar requires to determine the application.
- (4) The Registrar may only refuse an application for approval of a person as a company's nominee if the Registrar is not satisfied—
 - (a) that the applicant has made the application in accordance with the Act (and these regulations) and met the requirements of the Registrar in connection with the application; or
 - (b) that the person holds a firearms licence that authorises possession of the firearms in the possession of the company for the purpose for which the company is authorised by its licence to have possession of the firearms; or
 - (c) that the person is an officer or employee of the company who is an Australian citizen or permanent resident usually resident in South Australia; or
 - (d) that the person is a fit and proper person to have control of the firearms in the possession of the company under the company's licence.

31—Revocation of approval

- (1) The Registrar may revoke the approval of a company's nominee—
 - (a) on application of the company or the nominee; or

- (b) on the Registrar's own initiative by written notice to the company and the nominee, on any ground on which the Registrar might refuse to approve the person as a nominee of the company.
- (2) If the Registrar revokes the approval of a company's secondary nominee, written notice of the revocation must also be given to the company's principal nominee.

32—Records to be kept by company nominee

A person approved as a company's nominee must keep a record of—

- (a) the firearms under the person's control as the company's nominee; and
- (b) the names of the persons who have possession of those firearms and the periods during which they have possession of them.

Maximum penalty: \$2 500.

Expiation fee: \$210.

33—Registrar to be notified of change of address

A company nominee must, within 14 days, give the Registrar written notice, in a form approved by the Registrar, of a change of the person's address.

Maximum penalty: \$2 500.

Expiation fee: \$210.

Division 6—General provisions relating to licences

34—Registrar to be notified of change of address etc

A licensee must, within 14 days, give the Registrar written notice, in a form approved by the Registrar, of a change of the licensee's name or address or any other detail recorded on the licence.

Maximum penalty: \$2 500.

Expiation fee: \$210.

35—Duty to carry licence

- (1) A licensee must carry the licensee's firearms licence, or a legible copy of the licensee's firearms licence (which may be in electronic form), when the licensee has physical possession or control of a firearm under the licence or is supervising the use of a firearm by another person in circumstances authorised under the Act.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) Subregulation (1) does not apply to a licensed dealer who has possession of a firearm in the ordinary course of the person's business under the licence.

36—Return of licence to Registrar

- (1) A person whose licence has been suspended or cancelled must immediately return the licence to the Registrar.

Maximum penalty: \$5 000.

- (2) A licensee must return the licence to the Registrar in accordance with any directions given by the Registrar in order to vary the licence.

Maximum penalty: \$5 000.

37—Replacement of licence

If a person applies for replacement of a licence, and the Registrar is satisfied, on the information provided by the applicant or on such other evidence as the Registrar requires, that the licence has been lost, stolen or destroyed, the Registrar may, on payment of the prescribed fee, issue a replacement for the licence.

38—Licences granted to natural persons to include photographs

- (1) A firearms licence granted to a natural person must include a photograph of the licensee.
- (2) The Registrar may require an applicant for a licence or the holder of a licence that is to be varied or replaced—
 - (a) to attend at a specified place for the purpose of having the applicant's photograph taken; or
 - (b) to supply the Registrar with 1 or more photographs of the applicant or holder of the licence specified by the Registrar.
- (3) If—
 - (a) an application is made for a licence or the variation or replacement of a licence; and
 - (b) —
 - (i) the applicant fails to comply with a requirement under subregulation (2); or
 - (ii) a photograph taken or supplied under subregulation (2) is not suitable, in the Registrar's opinion, for inclusion in a licence,

the Registrar may suspend consideration of the application until the applicant complies with the requirement or a suitable photograph is taken or supplied.

- (4) If the Registrar varies a licence on the Registrar's own initiative and the licensee refuses or fails to comply with a requirement under subregulation (2)(a), the Registrar may suspend or cancel the licence.
- (5) The Registrar may issue an interim licence that does not include a photograph of the licensee if the Registrar determines that it is appropriate to do so.
- (6) An interim licence comes into force on the day specified on the licence and remains in force for 90 days or until a licence that includes a photograph is issued to the applicant, whichever first occurs.

Part 3—Exemptions and permits

Division 1—Exemptions

39—Exemptions for persons visiting or moving to South Australia

- (1) This regulation authorises the possession or use of a firearm for a purpose in South Australia only if the possession or use of that firearm for that purpose could be authorised by a firearms licence other than, subject to subregulation (3), a category 11 (dealer) licence or a category 12 (miscellaneous) licence.
- (2) Pursuant to section 8(5) of the Act, but subject to this regulation, a person whose usual place of residence is in another State or a Territory of the Commonwealth may possess or use a firearm for a purpose in South Australia, without holding a firearms licence, if the person is authorised to possess or use that firearm for that purpose under the law of the person's usual place of residence.
- (3) This regulation authorises a person whose usual place of residence is in another State or a Territory of the Commonwealth to—
 - (a) possess or use a category A or B firearm; or
 - (b) possess a firearm of any category (including a prescribed firearm) that has been rendered permanently unusable,
in South Australia for the purpose of historical re-enactment without holding a firearms licence, if the person is authorised to possess or use that firearm for that purpose under the law of the person's usual place of residence.
- (4) Pursuant to section 8(5) of the Act, but subject to this regulation, a person who moves the person's usual place of residence to South Australia may, for the period of 3 months after moving, possess or use a firearm for a purpose in South Australia, without holding a firearms licence, if the person could possess or use that firearm for that purpose under the law of the person's former place of residence.
- (5) Subregulation (4) does not authorise a person to use a category C, D or H firearm in South Australia.
- (6) A person referred to in subregulation (2), (3) or (4) who has been issued with a licence or other authority authorising the possession or use of the firearm under the law of the person's usual or former place of residence must carry the licence or other authority when the firearm is in the person's physical possession or control in South Australia, and must produce the licence or other authority to a police officer on request.
- (7) A person referred to in subregulation (4) must, within 7 days after moving the person's usual place of residence to South Australia, apply under the Act for a firearms licence in respect of the firearm and for registration of the firearm.
- (8) An exemption provided by this regulation does not apply in favour of—
 - (a) a person who fails to comply with subregulation (6) or (7); or
 - (b) a person who handles a firearm while so much under the influence of intoxicating liquor or a drug as to be incapable of exercising effective control of the firearm.

40—Further exemptions from requirement to hold firearms licence

- (1) Pursuant to section 8(5) of the Act, the following persons are, subject to subregulation (2), exempt from the requirement to hold a firearms licence under the Act:
 - (a) a person who has possession of or uses a category C firearm on the grounds of a recognised firearms club that is affiliated with The South Australian Clay Target Association Incorporated or the Australian Clay Target Association Incorporated for the purpose of shooting in an activity of the club conducted in accordance with the rules of the Australian Clay Target Association Incorporated if that person is with, and is under the continuous supervision of, a person who holds a firearms licence authorising possession of the firearm for the purpose for which it is being used;
 - (b) a person 14 years of age or more but under the age of 18 years who has possession of or uses a firearm at facilities provided by the South Australian Sports Institute if that person is (with the consent of the person's parent or guardian) with, and under the continuous supervision of, a person who holds a firearms licence authorising possession of the firearm for the purpose for which it is being used;
 - (c) a person of any age who has possession of or uses a firearm (including a prescribed firearm)—
 - (i) in the course of rehearsal for, or the performance of, a theatrical production; or
 - (ii) in the course of rehearsal for, or the filming of, a scene in the production of a film,

if that person is under the continuous supervision of a person who holds a firearms licence, or a foreign theatrical armourer permit, authorising possession of the firearm for the purpose for which it is being used.
- (2) A person is not exempt from holding a firearms licence in circumstances referred to in subregulation (1) if the person—
 - (a) is suspended from holding a firearms licence, or a similar licence or authorisation under corresponding legislation of another State or Territory of the Commonwealth; or
 - (b) has been the holder of a firearms licence, or a similar licence or authorisation under corresponding legislation of another State or Territory of the Commonwealth, that has been cancelled; or
 - (c) is prohibited from possessing or using a firearm by an order of a court whether in South Australia or any other State or Territory of the Commonwealth or by a firearms prohibition order or a similar order under corresponding legislation of another State or Territory of the Commonwealth; or
 - (d) handles a firearm while so much under the influence of intoxicating liquor or a drug as to be incapable of exercising effective control of the firearm.
- (3) If a person is exempt from holding a firearms licence in circumstances referred to in subregulation (1), the Act does not apply to the acquisition of the firearm by the person in those circumstances.

41—Exemption relating to employment of persons by licensed dealers

Pursuant to section 8(5) of the Act, if a licensed dealer employs a disqualified person who holds a category 11 (dealer) licence in the business of the dealer, and the person is a disqualified person solely by virtue of having been found guilty of an offence under this Act or the repealed Act that is not—

- (a) an offence prescribed for the purposes of paragraph (c)(iii) of the definition of *disqualified person* in section 11(7) of the Act, or
- (b) an offence prescribed for the purposes of section 15(5) of the Act,

the licensed dealer and the person are exempt from the operation of section 11(1) of the Act in relation to that employment (and do not commit an offence against section 11(1)).

42—Exemption in relation to gas cylinders

Pursuant to section 8(5) of the Act, a person who acquires, owns, possesses or supplies a cylinder of compressed gas designed for use in a firearm is exempt from the application of section 31 of the Act in relation to that acquisition, ownership, possession or supply.

43—Exemption from certain provisions of Act for collectors of Very pistols

Pursuant to section 8(5) of the Act, a person who holds—

- (a) a category 10 (collector) licence; or
- (b) a category 12 (miscellaneous) licence that authorises the collection, or collection and display, of firearms,

and who acquires, owns or possesses a Very pistol for the purposes only of collection, or collection and display, is exempt from the application of sections 22, 27 and 29 of the Act in relation to that acquisition, ownership or possession subject to the condition that the Very pistol must not be used to fire signalling or emergency distress flares, pyrotechnic shells or other projectiles.

44—Exempt firearms

Pursuant to section 8(5) of the Act, the following are excluded from the provisions of the Act and these regulations:

- (a) captive bolt guns;
- (b) tools or instruments powered by burning propellant or by compressed air or other compressed gas;
- (c) rocket line launchers;
- (d) devices designed to throw a net to catch animals;
- (e) devices designed to throw an object for shotgun target practice;
- (f) dog retrievers;
- (g) Very pistols, the possession and use of which is only for the purpose of signalling distress or rescuing persons in distress;

- (h) firearms that—
 - (i) have been fitted with a transmitter of infrared electromagnetic waves or a receiver of such waves or both; and
 - (ii) have been modified so as to be incapable of firing a projectile; and
 - (iii) cannot easily be modified to fire projectiles;
- (i) underwater firearms;
- (j) firearms that are not designed to be carried by hand and that have a calibre that exceeds 19.1 millimetres and—
 - (i) have been rendered permanently unusable so as to be incapable of firing a projectile; or
 - (ii) for which ammunition is not commercially available;
- (k) receivers of firearms referred to in a preceding paragraph.

Note—

The definition of *firearm* in section 4(1) of the Act excludes an antique firearm. *Antique firearm* is defined in section 5(2) of the Act.

Division 2—Permits

45—International visitor firearms permits (section 8(2)(a) of Act)

- (1) Subject to this regulation, the Registrar may, on the application of a person who is visiting, or who intends visiting, Australia, issue an international visitor firearms permit to the applicant authorising the applicant to possess and use a firearm for 1 or more of the following purposes as specified in the permit:
 - (a) competitive shooting;
 - (b) hunting;
 - (c) providing personal security services for a foreign dignitary or official;
 - (d) commemorative and ceremonial events;
 - (e) historical re-enactment or display;
 - (f) testing or demonstrating firearms for a government department, agency or instrumentality.
- (2) The application must—
 - (a) be made in a manner and form approved by the Registrar; and
 - (b) include such information as the Registrar requires; and
 - (c) be accompanied by the prescribed application fee.
- (3) The Registrar may require an applicant to provide any further information the Registrar requires to determine the application.
- (4) The Registrar may exempt the holder of a permit issued under this regulation from provisions of the Act or these regulations, absolutely or subject to conditions.

- (5) A permit issued under this regulation is subject to the following conditions:
- (a) the permit holder must allow a police officer to inspect, at any reasonable time, the firearms in the person's possession and the person's facilities for the storage and safe keeping of the firearms;
 - (b) the permit holder must—
 - (i) within 24 hours, unless the person has a reasonable excuse for not doing so, provide an oral report to a police officer; and
 - (ii) within 7 days, give the Registrar written notice, in a form approved by the Registrar,of the theft or loss of a firearm in the person's possession.
- (6) A permit—
- (a) may be issued for such term as the Registrar thinks fit; and
 - (b) is subject to (in addition to the limitations and conditions prescribed by other provisions of this regulation) any limitations or conditions imposed by the Registrar; and
 - (c) may be varied or revoked by the Registrar at any time.
- (7) A permit issued under this regulation—
- (a) must identify the firearm or firearms to which it applies; and
 - (b) must not be issued in relation to a category D firearm or a prescribed firearm; and
 - (c) must specify any exemption that applies under subregulation (4).

46—Foreign theatrical armourer permits (section 8(2)(b) of Act)

- (1) Subject to this regulation, the Registrar may, on the application of a foreign theatrical armourer, grant a foreign theatrical armourer permit to the armourer authorising the armourer to possess or use a firearm for the purpose of film, television or theatre production in South Australia.
- (2) The application must—
- (a) be made in a manner and form approved by the Registrar; and
 - (b) include such information as the Registrar requires; and
 - (c) be accompanied by the prescribed application fee.
- (3) The Registrar may require an applicant to provide any information the Registrar requires to determine the application.
- (4) The Registrar may exempt the holder of a permit issued under this regulation from provisions of the Act or these regulations, absolutely or subject to conditions.
- (5) A permit issued under this regulation is subject to the following conditions:
- (a) in the case of a permit authorising the possession of a prescribed firearm—that the firearm must not be used to fire a projectile;

- (b) the permit holder must allow a police officer to inspect, at any reasonable time, the firearms in the person's possession and the person's facilities for the storage and safe keeping of the firearms;
 - (c) the permit holder must carry the permit when a firearm is in the person's physical possession or control in South Australia or the permit holder is supervising a person who has possession of, or is using, a firearm for the purposes of a film, television or theatrical production in South Australia, and must produce the permit to a police officer on request;
 - (d) the permit holder must—
 - (i) within 24 hours, unless the person has a reasonable excuse for not doing so, provide an oral report to a police officer; and
 - (ii) within 7 days, give the Registrar written notice, in a form approved by the Registrar,of the theft or loss of a firearm in the person's possession.
- (6) A permit—
- (a) may be issued for such term as the Registrar thinks fit; and
 - (b) is subject to (in addition to the limitations and conditions prescribed by other provisions of this regulation) any limitations or conditions imposed by the Registrar; and
 - (c) may be varied or revoked by the Registrar at any time.
- (7) A permit may only apply to a category of firearm that the foreign theatrical armourer is authorised to possess or use for the purpose of film, television or theatre production under the law of the armourer's usual place of residence.
- (8) A permit issued under this regulation must specify any exemption that applies under subregulation (4).

47—Foreign firearms dealer permits (section 8(2)(c) of Act)

- (1) Subject to this regulation, the Registrar may, on the application of a foreign firearms dealer who is attending, or intends to attend, an arms fair, grant a foreign firearms dealer permit to the dealer authorising the possession or use of a firearm or ammunition, or the possession of a firearm part, for 1 or more of the following purposes as specified in the permit:
- (a) the display of firearms, firearm parts or ammunition by the dealer at the arms fair;
 - (b) the sale of firearms, firearm parts or ammunition by the dealer at the arms fair;
 - (c) the purchase of firearms, firearm parts or ammunition by the dealer at the arms fair;
 - (d) the use of firearms, firearm parts or ammunition by the dealer at the arms fair;
 - (e) supervising the use of a firearm (at a specified place) by a person who is considering acquiring the firearm from the dealer, for the purpose of testing the firearm.

- (2) Subject to subregulation (3), a permit may only apply to a category of firearm or to firearm parts or ammunition of a kind that a foreign firearms dealer is authorised to possess or use under the law of the jurisdiction authorising the dealer to carry on the business of a firearms dealer in that jurisdiction.
- (3) A permit with respect to the possession or use of firearms or firearm parts may only be granted in relation to category A, B or H firearms or firearm parts for a category A, B or H firearm.
- (4) The application must—
 - (a) be made in a manner and form approved by the Registrar; and
 - (b) include such information as the Registrar requires; and
 - (c) be accompanied by the prescribed application fee.
- (5) The Registrar may require an applicant to provide any further information the Registrar requires to determine the application.
- (6) The Registrar may exempt the holder of a permit issued under this regulation from provisions of the Act or these regulations, absolutely or subject to conditions.
- (7) A permit issued under this regulation is subject to the following conditions:
 - (a) the permit holder must, before bringing a firearm into the State under the permit, provide the Registrar with the details of—
 - (i) the category, make, model, type, action, calibre and magazine capacity of the firearm; and
 - (ii) the number or characters constituting the identifying mark of the firearm;
 - (b) the permit holder must not display 2 or more identical firearms or firearm parts or more than 50 rounds of identical ammunition;
 - (c) the permit holder must not supply a firearm, firearm part or ammunition to a person under the permit other than to a licensed dealer or a person the permit holder is satisfied, after inspecting the relevant permit or licence (or both) held by the person, is entitled to acquire and possess the firearm, firearm part or ammunition;
 - (d) in relation to a firearm acquired or supplied by the permit holder under the permit, the permit holder must record in duplicate, in a form approved by the Registrar—
 - (i) the name and address of the person from whom the firearm was acquired, or to whom the firearm was supplied (as the case requires) and licence number of the person's firearms licence; and
 - (ii) the category, make, model, type, action, calibre and magazine capacity of the firearm; and
 - (iii) the number or characters constituting the identifying mark of the firearm; and
 - (iv) any other information as required by the Registrar;

- (e) the permit holder must allow a police officer to inspect, at any reasonable time, the firearms in the permit holder's possession and the permit holder's facilities for the storage and safe keeping of the firearms;
 - (f) the permit holder must carry the permit when carrying on the business of a dealer at an arms fair and must produce the permit to a police officer on request;
 - (g) the permit holder must—
 - (i) within 24 hours, unless the permit holder has a reasonable excuse for not doing so, provide an oral report to a police officer; and
 - (ii) within 7 days, give the Registrar written notice, in a form approved by the Registrar,
of the theft or loss of a firearm in the permit holder's possession.
- (8) A permit—
- (a) may be issued for such term as the Registrar thinks fit; and
 - (b) is subject to (in addition to the limitations and conditions prescribed by this regulation) any limitations or conditions imposed by the Registrar; and
 - (c) may be varied or revoked by the Registrar at any time.
- (9) A permit issued under this regulation must specify any exemption that applies under subregulation (6).
- (10) In subregulation (7)(d)(i), a reference to a firearms licence includes a reference to a firearms licence or a similar licence or authorisation issued under a corresponding law of another jurisdiction.

48—Keeping and provision of records by holder of foreign firearms dealer permit

A person who holds, or has held, a foreign firearms dealer permit must—

- (a) within 28 days of the end of an arms fair attended by the person pursuant to the permit—
 - (i) in respect of the records required to be made in accordance with regulation 47(7)(d), provide the Registrar with the original records, or an electronic copy of the original records; or
 - (ii) if no firearms were acquired or supplied by the holder at the arms fair under the permit, provide a statement of "Nil Return" to the Registrar, in a form approved by the Registrar (which may be by electronic means); and
- (b) —
 - (i) if the original records were provided to the Registrar under paragraph (a)(i), keep the duplicate copy of the records; or
 - (ii) if an electronic copy of the original records was provided to the Registrar under paragraph (a)(i), keep the original records,

for at least 3 years.

Maximum penalty: \$5 000.

49—Firearm refurbishment permits (section 8(2)(d) of Act)

- (1) Subject to this regulation, the Registrar may, on application, grant a firearm refurbishment permit to a person authorising the person to possess firearms for the purpose of carrying on the business of refurbishing firearms.
- (2) The application must—
 - (a) be made in a manner and form approved by the Registrar; and
 - (b) include such information as the Registrar requires; and
 - (c) be accompanied by the prescribed application fee.
- (3) The Registrar may require an applicant to provide any further information the Registrar requires to determine the application.
- (4) The Registrar must not grant a permit under this regulation unless the Registrar is satisfied that the person is a fit and proper person to hold the permit.
- (5) The Registrar may exempt the holder of a permit issued under this regulation from provisions of the Act or these regulations, absolutely or subject to conditions.
- (6) A permit issued under this regulation is subject to the following conditions:
 - (a) the permit holder must, in respect of a firearm that comes into or leaves the possession of the permit holder for refurbishing, record in duplicate, in a form approved by the Registrar—
 - (i) the name and address of the person giving possession of the firearm to the permit holder and the licence number of the person's firearms licence; and
 - (ii) the name and address of the person taking possession of the firearm from the permit holder and the licence number of the person's firearms licence; and
 - (iii) the category, make, model, type, action, calibre and magazine capacity of the firearm; and
 - (iv) the number or characters constituting the identifying mark of the firearm; and
 - (v) the date on which the firearm came into, and left, the permit holder's possession; and
 - (vi) any other information as required by the Registrar;
 - (b) the permit holder must—
 - (i) keep the records made under the permit in accordance with paragraph (a) for at least 3 years; and
 - (ii) at the request of the Registrar, provide the original records, or a copy of the original records, (including by electronic means) to the Registrar within the time specified by the Registrar;
 - (c) the permit holder must allow a police officer to inspect, at any reasonable time, the firearms in the person's possession and the person's facilities for the storage and safe keeping of the firearms;

- (d) the permit holder must, on the request of a police officer, produce the permit to the officer;
 - (e) the permit holder must—
 - (i) within 24 hours, unless the person has a reasonable excuse for not doing so, provide an oral report to a police officer; and
 - (ii) within 7 days, give the Registrar written notice, in a form approved by the Registrar,
of the theft or loss of a firearm in the person's possession.
- (7) A permit—
- (a) may be issued for such term (not exceeding 5 years) as the Registrar thinks fit; and
 - (b) is subject to (in addition to the limitations and conditions prescribed by this regulation) any limitations or conditions imposed by the Registrar; and
 - (c) may be varied or revoked by the Registrar at any time.
- (8) A permit may not be granted in relation to a prescribed firearm.
- (9) A permit issued under this regulation must specify any exemption that applies under subregulation (5).
- (10) In subregulation (6)(a), a reference to a firearms licence includes a reference to a firearms licence or a similar licence or authorisation issued under a corresponding law of another State or Territory of the Commonwealth.

50—Return of permit to Registrar

- (1) If a permit granted to a person under this Division is revoked, the person must immediately return the permit to the Registrar.
Maximum penalty: \$5 000.
- (2) A permit holder must return the permit to the Registrar in accordance with any directions given by the Registrar in order to vary the permit.
Maximum penalty: \$5 000.

Part 4—Acquisition, supply and transfer of possession of firearms

51—Prescribed process for acquisition of firearm

Note—

For requirements that apply to the acquisition of a firearm by or from a licensed dealer (including the acquisition of a firearm by or from a licensed dealer as the agent of the owner of the firearm)—see regulation 53.

- (1) For the purposes of section 22(1)(b) of the Act, but subject to this regulation, the prescribed process for a person's acquisition of a firearm from another (the *supplier*) is as follows:
 - (a) the firearm must be delivered into the person's physical possession by the supplier while they are together in the presence of a prescribed person;

- (b) the delivery of the firearm must be witnessed by the prescribed person;
 - (c) the person and the supplier must produce the licences and permit and provide the prescribed person with the information necessary to enable the prescribed person to comply with the prescribed person's obligations under paragraph (d);
 - (d) the prescribed person must—
 - (i) be satisfied, by inspecting the relevant licence and permit that the person acquiring the firearm is entitled to acquire and possess it; and
 - (ii) at the time of the transaction, record in a form approved by the Registrar—
 - (A) the name and address of the supplier and the person acquiring the firearm and the licence number of the firearms licence held by each person; and
 - (B) the category, make, model, type, action, calibre and magazine capacity of the firearm; and
 - (C) the number or characters constituting the identifying mark of the firearm; and
 - (D) the date and time of the transaction; and
 - (iii) provide the Registrar with the original of the record within 7 days after the end of the month in which the transaction occurred, or as requested by the Registrar.
- (2) If a firearm is acquired from a person outside South Australia—
- (a) subregulation (1) does not apply; and
 - (b) the person must acquire the firearm through a licensed dealer in this State, acting as an agent of the person.
- (3) If the person acquiring the firearm is a company or the supplier is a company, the requirements of subregulation (1) must be satisfied by the company's principal or secondary nominee on behalf of the company.
- (4) If a prescribed person is unable to comply with subregulation (1) because a person fails to produce the necessary licence or permit or to provide the necessary information, the prescribed person must prepare and submit a report to the Registrar setting out such information as the Registrar requires in relation to the matter.
- (5) A prescribed person may refuse to witness the delivery of a firearm under subregulation (1) if the person is not first paid the prescribed fee.
- (6) A licensed dealer, licensed employee of a dealer or a responsible officer of a recognised firearms club who agrees to witness the delivery of a firearm under subregulation (1) but fails to comply with a requirement under that provision or subregulation (4) is guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (7) A licensed dealer must make a copy of a record made by the dealer or a licensed employee of the dealer under this regulation and the licensed dealer must keep the copy of the record at the premises specified in the dealer's licence for a period of not less than 3 years from the date on which the record was made.
Maximum penalty: \$5 000.
Expiation fee: \$315.
- (8) A responsible officer of a recognised firearms club must make a copy of a record made by the responsible officer under this regulation and the officer must keep the copy of the record at a place approved by the Registrar for a period of not less than 3 years from the date on which the record was made.
Maximum penalty: \$5 000.
Expiation fee: \$315.
- (9) In this regulation—
licensed employee of a licensed dealer means a person who holds a category 11 (dealer) licence as an employee of a licensed dealer;
prescribed person means—
- (a) a police officer; or
 - (b) a licensed dealer or a licensed employee of a licensed dealer who is acting in the ordinary course of the employee's employment; or
 - (c) a responsible officer of a recognised firearms club authorised by the Registrar to be a prescribed person for the purposes of this regulation; or
 - (d) a Public Service employee authorised by the Registrar to be a prescribed person for the purposes of this regulation.
- (10) In subregulations (1)(c), (1)(d) and (4), a reference to a firearms licence or permit includes a reference to a firearms licence or other licence, permit or corresponding authorisation, issued under a corresponding law of another State or Territory of the Commonwealth.

52—Retention and production of written loan or hire agreements for acquisition of firearms (other than from licensed dealers)

- (1) For the purposes of section 22(8) of the Act, the following provisions apply to a written agreement for the loan or hire of a firearm:
- (a) each party must retain a copy of the agreement for the duration of the period for which the firearm is loaned or hired;
 - (b) the licensee borrowing or hiring the firearm must carry a copy of the agreement when the licensee has physical possession or control of the firearm to which the agreement relates;
 - (c) a party to the agreement must, at the request of a police officer, produce a copy of the agreement for inspection by the police officer as soon as is reasonably practicable after the request is made;
 - (d) a police officer may retain a copy of the agreement for such reasonable period of time as is necessary to make a copy of the agreement.

- (2) A person is guilty of an offence if the person fails or refuses, without reasonable excuse, to comply with a requirement under this regulation.

Maximum penalty: \$2 500.

53—Requirements in relation to supply of firearm by licensed dealer (section 22(9) of Act)

- (1) For the purposes of section 22(9) of the Act, a licensed dealer must, in respect of a firearm supplied by the dealer in the ordinary course of the dealer's business (including by the licensed dealer as the agent of the owner of the firearm) be satisfied that the person acquiring the firearm is entitled to acquire and possess the firearm—
- (a) in the case of a firearm supplied to another licensed dealer in the ordinary course of that dealer's business (including by that dealer as the agent of a person acquiring the firearm)—by inspecting the firearms licence (or if the dealer is not present in this State, a copy of the firearms licence) held by the dealer authorising the person to carry on the business of a dealer; or
 - (b) in the case of a firearm supplied to a person other than a licensed dealer—by inspecting the relevant firearms licence and permit held by the person.
- (2) In subregulation (1), a reference to a firearms licence or permit includes a reference to a firearms licence or other licence, permit or corresponding authorisation, issued under a corresponding law of another State or Territory of the Commonwealth.

54—Licensed dealer records and returns relating to firearms and ammunition

- (1) A licensed dealer must compile records and provide returns as required by this regulation in the manner and form approved by the Registrar for that purpose.
- (2) A licensed dealer must, in respect of a firearm acquired or supplied by the dealer, or that otherwise comes into or leaves the possession of the dealer in the ordinary course of the dealer carrying on the business of a dealer (including for hire, repair, consignment or safe keeping), record in duplicate, as the case requires—
- (a) the name and address of the owner of the firearm and the licence number of the firearms licence held by the owner of the firearm acquired by, or that otherwise comes into the possession of, the dealer (including if the dealer is acting as the agent of the owner of the firearm); and
 - (b) in the case of a firearm supplied by, or otherwise leaving the possession of, the dealer (including by the dealer acting as the agent of the owner of the firearm)—the name and address of the person acquiring, or otherwise taking possession of, the firearm, and the licence number of the firearms licence held by that person; and
 - (c) in the case of a firearm hired out by the dealer—the duration and terms of the hire agreement; and
 - (d) the category, make, model, type, action, calibre and magazine capacity of the firearm; and
 - (e) the number or characters constituting the identifying mark of the firearm; and
 - (f) any other information required by the Registrar.
- (3) Subregulation (2) does not apply to a transaction in respect of which records have been made by a dealer under regulation 51.

- (4) Within 7 days after the end of each month the dealer must, in respect of records required under subregulation (2)—
 - (a) deliver the original records in respect of that month to the Registrar; or
 - (b) provide a copy of the original records in respect of that month to the Registrar by electronic means.
- (5) If, during a month, no firearms have been acquired by or have otherwise come into the possession of the dealer, or no firearms have been supplied by or otherwise left the possession of the dealer, the dealer must provide a copy (including by electronic means) of the appropriate form to the Registrar containing the statement "Nil Return".
- (6) A licensed dealer must—
 - (a) compile such records as required by the Registrar with respect to ammunition bought or sold by the dealer in the ordinary course of the dealer carrying on the business of a dealer; and
 - (b) provide the Registrar with the original or an electronic copy of the records (as specified by the Registrar) at such times required by the Registrar.
- (7) The dealer must, in respect of records required under this regulation—
 - (a) if the original records have been delivered to the Registrar under this regulation—keep a duplicate copy of the records; or
 - (b) if the original records have been retained by the dealer—keep the original records, at the premises specified in the dealer's licence for a period of not less than 3 years from the date on which the record was made.
- (8) In subregulation (2), a reference to a firearms licence includes a reference to a firearms licence or similar licence or authorisation issued under a corresponding law of another jurisdiction.

55—Requirements relating to agreements for hire of firearms made with licensed dealers

- (1) The following provisions apply to and in respect of agreements for the hire of firearms made between a person and a licensed dealer:
 - (a) the agreement for the hire of the firearm must include—
 - (i) the name and address of the dealer hiring the firearm to the person; and
 - (ii) the name and address of the person hiring the firearm from the dealer and the licence number of the firearms licence held by that person; and
 - (iii) the category, make, model, type, action, calibre and magazine capacity of the firearm; and
 - (iv) the duration and the terms of the hire agreement; and
 - (v) any other information required by the Registrar and notified to the dealer from time to time;

- (b) the dealer must provide a copy of the agreement for the hire of the firearm to the person hiring the firearm, at the time the person takes possession of the firearm;
 - (c) the person hiring the firearm must retain a copy of the agreement for the duration of the period for which the firearm is hired from the dealer;
 - (d) the person hiring the firearm must carry a copy of the agreement when the licensee has physical possession or control of the firearm to which the agreement relates;
 - (e) the person hiring the firearm must, at the request of a police officer, produce a copy of the agreement for inspection by the police officer as soon as is reasonably practicable after the request is made;
 - (f) a police officer may retain a copy of the agreement for such reasonable period of time as is necessary to make a copy of the agreement.
- (2) A person is guilty of an offence if the person fails or refuses, without reasonable excuse, to comply with a requirement under this regulation.
Maximum penalty: \$2 500.
- (3) In subregulation (1)(a)(ii), a reference to a firearms licence includes a reference to a firearms licence or similar licence or authorisation issued under a corresponding law of another jurisdiction.

56—Return of permit to Registrar

A person whose permit to acquire a firearm has been suspended or cancelled under the Act must immediately return the permit to the Registrar.

Maximum penalty: \$5 000.

57—Transfer of possession of firearms

- (1) For the purposes of section 25 of the Act, the owner, or a person to whom the owner has transferred possession, of a firearm, has possession of the firearm (and therefore has not transferred possession of the firearm for the purposes of section 25) while the firearm is in his or her physical possession or under his or her control.
- (2) Without limiting subregulation (1), a firearm will be taken to be in the physical possession or under the control of the owner or a person to whom the owner has transferred possession—
- (a) while he or she is handling the firearm or the firearm is under his or her control; or
 - (b) while the firearm is—
 - (i) on premises at which the owner or other person usually resides or which he or she usually occupies or premises at which he or she is for the time being residing or which he or she is for the time being occupying; or
 - (ii) in a vehicle, vessel or aircraft in which the owner or other person is for the time being travelling or residing; or

- (c) where the firearm is in the possession of, or used by, the owner or other person in the course of carrying on a business—while the firearm is on premises at which that business is carried on; or
 - (d) while the firearm is in the physical possession or under the control of an employee of the owner of the firearm or other person in the course of that employment; or
 - (e) while the firearm is in the possession of a person on behalf of the owner or other person in the normal course of the first mentioned person—
 - (i) carrying on the business of transporting or storing goods; or
 - (ii) carrying on the business of refurbishing firearms; or
 - (iii) carrying on the business of manufacturing firearms or firearm parts.
- (3) For the purposes of section 25(1)(d) of the Act, the owner of a firearm who is the operator of a primary production business may transfer possession of the firearm to a person who holds a category 5 (primary production) licence who is engaged in the primary production business as an employee or relative of the operator of the business, for the purpose of transporting the firearm to the owner of the firearm in relation to the business, provided that the firearm is of a category that the person is authorised to possess under a firearms licence held by the person.

Part 5—Registration of firearms

58—Registration of firearms—Application of Part 4 of Act

Pursuant to section 26(b) of the Act, Part 4 of the Act does not apply to a firearm in the possession of a person under, and in accordance with, an agreement for the hire of the firearm from a licensed dealer made in the ordinary course of the dealer carrying on the business of a dealer.

59—Registration

A person applying for registration of a firearm must produce the firearm to a police officer at the time the application is made.

60—Certificate of registration

- (1) The Registrar must issue a certificate of registration, in the form approved by the Registrar, to the person in whose name the firearm is registered.
- (2) The Registrar may, on payment of the prescribed fee, issue a certificate of registration to replace a certificate that has been lost, stolen or destroyed.

61—Registrar to be notified of certain events relating to registered firearms

- (1) The person in whose name a firearm is registered must—
 - (a) within 24 hours, unless the person has a reasonable excuse for not doing so, provide an oral report to a police officer; and
 - (b) within 7 days, give the Registrar written notice, in a form approved by the Registrar,

of the loss, theft or destruction of the firearm or of any alteration made to the firearm that affects the nature or performance of the firearm.

Maximum penalty: \$5 000.

- (2) Without limiting subregulation (1), an alteration to a firearm will be taken to affect the nature and performance of the firearm if, as a result of the alteration, the firearm becomes a firearm of a different category.
- (3) The person in whose name a firearm is registered must, within 14 days, give the Registrar written notice, in a form approved by the Registrar, of a change of the person's address or name or any other detail recorded on the certificate of registration.
Maximum penalty: \$2 500.
Expiation fee: \$210.
- (4) The person in whose name a firearm is registered must, within 7 days, give the Registrar written notice, in a form approved by the Registrar, if the firearm is disposed of to a person outside South Australia.
Maximum penalty: \$5 000.

Part 6—Possession of ammunition

62—Restriction on possession of certain ammunition

- (1) Pursuant to section 34(4) of the Act, a person must not have possession of a round of ammunition that includes high explosives or that is designed to kill, injure or incapacitate by means of smoke or chemicals.
Maximum penalty: \$5 000.
- (2) Pursuant to section 34(4) of the Act, a person must not have possession of a round of military ammunition unless—
 - (a) it has been modified so that it is incapable of being fired; or
 - (b) it is of *United Nations Hazard classification Code 1.4S* and has a calibre of less than 19.1 mm.Maximum penalty: \$5 000.

63—Return of permit to Registrar

A person whose permit to possess ammunition has been suspended or cancelled must immediately return the permit to the Registrar.

Maximum penalty: \$1 250.

Part 7—Security of firearms and ammunition

64—Code of practice

For the purposes of section 35 of the Act, the Code of Practice for the Security, Storage and Transport of Firearms, Ammunition and Related Items is set out in Schedule 1.

Part 8—Prohibited practices relating to firearms and ammunition

65—Alteration of firearms

An alteration of a firearm, other than a category H firearm, that results in the firearm becoming a firearm of a different category by changing the barrel of the firearm, is permitted for the purposes of section 38(2)(b) of the Act, provided that the firearm, as so altered, is not a category H firearm.

66—Possession of sound moderators by licensed dealers for purpose of business of dealer

- (1) An approval of the Registrar under section 39 of the Act held by a licensed dealer to acquire, own or possess a sound moderator in the ordinary course of the dealer's business is subject to the following conditions:
 - (a) the dealer must, before supplying a sound moderator to another person, be satisfied that the other person holds a written approval of the Registrar under section 39 of the Act to acquire, own or possess the sound moderator;
 - (b) the dealer must ensure that, when supplying a sound moderator to another (not being a licensed dealer), the sound moderator is delivered directly to the person, or in the case of a company that holds a firearms licence, to the company's principal nominee or secondary nominee, and not to any agent or carrier;
 - (c) the dealer must, in respect of a sound moderator acquired or supplied by the dealer (as the case requires), record in duplicate in the manner and form approved by the Registrar—
 - (i) the name and address of the person from whom the dealer acquired the sound moderator, and the number of the firearms licence held by the person; and
 - (ii) the name and address of the person acquiring the sound moderator and the number of the firearms licence held by the person; and
 - (iii) the number or characters constituting the identifying mark (if any) of the sound moderator; and
 - (iv) if the sound moderator is the subject of a hire agreement—the duration and terms of the hire agreement; and
 - (v) any other information required by the Registrar;
 - (d) the dealer must allow a police officer, on request, to inspect the records made under this regulation;
 - (e) the dealer must provide the Registrar with the information recorded under paragraph (c) in accordance with subregulations (3) and (4).
- (2) A licensed dealer who fails to comply with a condition of an approval under this regulation is guilty of an offence.

Maximum penalty: \$5 000.

- (3) Within 7 days after the end of each month the dealer must, in respect of records required under subregulation (1)(c)—
- (a) deliver the original records in respect of that month to the Registrar; or
 - (b) provide a copy of the original records in respect of that month to the Registrar by electronic means.

Maximum penalty: \$2 500.

- (4) The dealer must, in respect of records required under this regulation—
- (a) if the original records have been delivered to the Registrar under subregulation (3)(a)—keep a duplicate copy of the records; or
 - (b) if the original records have been retained by the dealer—keep the original records, at the dealer's premises for at least 3 years.

Maximum penalty: \$2 500.

67—Conditions of approvals imposed by Registrar relating to sound moderators and restricted firearm mechanisms

- (1) Pursuant to section 39(14) of the Act, the Registrar may impose conditions or limitations on approvals granted with respect to sound moderators and restricted firearm mechanisms under that section.
- (2) A person who fails to comply with a condition or limitation of an approval imposed by the Registrar is guilty of an offence.

Maximum penalty: \$5 000.

68—Assembly of ammunition

- (1) Pursuant to section 41(3)(e) of the Act, a junior licensee is excluded from the operation of section 41(3)(a) of the Act (and is not permitted to assemble ammunition) if—
- (a) the junior licensee is not, while assembling ammunition, under the immediate supervision of an adult who holds a firearms licence; and
 - (b) the ammunition is not for the personal use of—
 - (i) the junior licensee in a firearm lawfully in the junior licensee's possession in circumstances in which the junior licensee is authorised under the Act to use the firearm; or
 - (ii) the adult who is supervising the junior licensee, in the course of that supervision.

- (2) In this regulation—

junior licensee means—

- (a) a person 12 years of age or more and under 18 years of age who holds a category 1 (shooting club) licence; or
- (b) a person 15 years of age or more and under 18 years of age who holds a category 5 (primary production) licence as an employee or relative of the operator of a primary production business.

Part 9—Firearms clubs, commercial range operators and paint-ball operators

Division 1—Firearms clubs

69—Recognition of firearms clubs

- (1) The Registrar may, on application, declare a firearms club to be a recognised firearms club by notice in the Gazette.
- (2) An application for recognition of a firearms club—
 - (a) must be made to the Registrar in the manner and form approved by the Registrar; and
 - (b) must be accompanied by—
 - (i) a copy of the rules relating to the constitution, powers, management and administration of the club, and in the case of an application by a company, a copy of its constitution; and
 - (ii) a list of the names and addresses of the members of the controlling body of the club and the office (if any) held by each member or, if the club is a company, a list of the names and addresses of the directors and shareholders of the company; and
 - (iii) a statement of the number of members of the club; and
 - (iv) a description of the current and proposed activities of the club; and
 - (v) if the activities of the club include shooting—
 - (A) a plan of the grounds regularly used by the club and a map showing the location of the grounds used for shooting activities; and
 - (B) a list of the names and addresses of members of the club who are authorised to supervise the activities of club members at the grounds; and
 - (C) evidence that the club has permission of the owner of the land on which the grounds are situated for the club's use of the grounds for shooting activities; and
 - (D) evidence that the club has permission of the owner of adjoining land over which projectiles may pass in the course of shooting activities at the grounds; and
 - (E) evidence of compliance with the requirements of any other Act relating to the use of land for shooting activities; and
 - (vi) such other information as the Registrar requires; and
 - (vii) the prescribed application fee.
- (3) The Registrar may require an applicant to provide any further information the Registrar requires to determine the application.

- (4) The Registrar may only refuse an application under this regulation if the Registrar is not satisfied that the club—
 - (a) has made the application in accordance with this regulation and met the requirements of the Registrar in connection with the application; or
 - (b) has at least 5 members; or
 - (c) is a company or an incorporated association; or
 - (d) conducts, or will conduct, its activities in a safe and responsible manner; or
 - (e) will hold at least 4 meetings in the 12 month period commencing on the day on which notice of recognition is published in the Gazette and in each subsequent 12 month period.
- (5) The Registrar must, if the Registrar refuses an application under this regulation, provide the applicant with a written statement setting out the reasons for the refusal.
- (6) The Registrar may, if at any time the Registrar is satisfied that a recognised firearms club—
 - (a) no longer conducts its activities in a safe and responsible manner; or
 - (b) no longer satisfies or has not satisfied the other requirements referred to in subregulation (4); or
 - (c) has failed to comply with the Act or these regulations,by notice in the Gazette, revoke the recognition of the club.
- (7) Before revoking the recognition of a firearms club, the Registrar must—
 - (a) give the club at least 2 months written notice of the proposed action setting out the Registrar's reasons for the proposed action; and
 - (b) give the club a reasonable opportunity to make written or oral submissions to the Registrar in relation to the proposed action.
- (8) The club must, on receiving notice of the proposed action, inform its members in writing of the proposed action.

70—Approval of grounds of recognised firearms clubs

- (1) If any activity involving the use of a firearm takes place on grounds of a recognised firearms club and the grounds are not approved under this regulation in relation to that activity, recognition of the club under this Division is by force of this regulation revoked.
- (2) An application for approval of grounds for use in connection with the activities of a recognised firearms club may be made to the Registrar by the club and must—
 - (a) be in the manner and form approved by the Registrar; and
 - (b) contain such information as the Registrar requires; and
 - (c) be accompanied by the prescribed application fee.
- (3) The Registrar may require an applicant to provide any further information the Registrar requires to determine the application.

- (4) If the Registrar is satisfied that—
- (a) the activities of the recognised firearms club involving the use of a firearm (if any) may be conducted safely at the grounds of the club; and
 - (b) the grounds of the recognised firearms club are suitable for the purpose of the activities of the club,
- the Registrar may approve the grounds for use in connection with those activities.
- (5) If the Registrar refuses an application for approval, the Registrar must provide the applicant with a written statement setting out the reasons for the refusal.
- (6) An approval under this regulation is subject to the following conditions:
- (a) no activity involving the possession or use of a firearm may take place at the grounds of the recognised firearms club unless the activity is approved by the Registrar;
 - (b) the grounds of the recognised firearms club, as approved by the Registrar, must not be subject to significant alteration without the further approval of the Registrar;
 - (c) the recognised firearms club must ensure that the activities of the club that involve the use of a firearm are under the supervision of—
 - (i) in the case of a club that is a company that holds a category 1 (shooting club) licence—
 - (A) the company's principal or secondary nominee; or
 - (B) a member of the club authorised by the governing body of the club to supervise such activities; or
 - (ii) in any other case—a member of the controlling body of the club, or a member of the club authorised by the controlling body of the club to supervise such activities;
 - (d) the Registrar, a police officer or some other person authorised by the Registrar may at any reasonable time enter the grounds of the recognised firearms club to do 1 or more of the following:
 - (i) inspect the grounds;
 - (ii) inspect any firearms on the grounds;
 - (iii) inspect any records required to be kept under the Act or condition of an approval of the grounds;
 - (e) if the safety of persons is adversely affected or threatened by an incident involving the use of a firearm that occurs on the grounds of the recognised firearms club, or in the course of an activity of the club, the club must—
 - (i) notify the Registrar of the occurrence and the surrounding circumstances as soon as reasonably practicable; and
 - (ii) provide a written report to the Registrar within 7 days of the occurrence that contains such information in relation to the matter that the Registrar requires.

- (7) In addition to the conditions set out in subregulation (6), an approval under this regulation is subject to any conditions imposed by the Registrar (which may include a condition limiting the periods during which the grounds may be used by the operator).
- (8) The Registrar may impose conditions under subregulation (7) on the approval of the grounds or subsequently.
- (9) The Registrar may, on the Registrar's own initiative or on application by a recognised firearms club, vary or revoke conditions of an approval.
- (10) If at any time the Registrar is satisfied that grounds approved under this regulation would not be approved if application for approval were made at that time or that a condition of the approval has been contravened, the Registrar may, by written notice to the club, revoke the approval.
- (11) Before revoking an approval or varying conditions of an approval on the Registrar's own initiative, the Registrar must—
 - (a) give the club at least 2 months written notice of the proposed revocation or variation setting out the Registrar's reasons for the proposed revocation or variation; and
 - (b) give the club a reasonable opportunity to make written or oral submissions to the Registrar in relation to the proposed revocation or variation.
- (12) The Registrar, a police officer or some other person authorised by the Registrar, may, for the purposes of determining an application for approval under this regulation, enter and inspect the proposed grounds of a firearms club at any reasonable time.

71—Breach of conditions of approval of grounds of recognised firearms club

A recognised firearms club that fails to comply with a condition of the approval of the grounds of the club is guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$1 250.

72—Certificate of recognition of club

- (1) If the Registrar has declared a firearms club to be a recognised firearms club, the Registrar must provide the club with a certificate setting out—
 - (a) the date of recognition; and
 - (b) the location of the club's grounds; and
 - (c) the current activities (and the proposed activities if any) of the club.
- (2) The recognised firearms club must display the certificate, or a copy of the certificate, in a prominent position on its premises or at the grounds used by it.

Maximum penalty: \$2 500.

Expiation fee: \$210.

73—Registrar to be notified of certain changes

- (1) A recognised firearms club must, within 28 days after variation in or addition to the activities of the club involving the possession or use of a firearm has been approved by Registrar, provide the Registrar with a description of the variation in or addition to the activities of the club.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) A recognised firearms club must, within 28 days after a variation to the rules of the club, or in the case of a club that is a company, a variation of its constitution, comes into force, provide the Registrar with the text of the variation to the rules or the constitution.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) A recognised firearms club must, within 28 days after a change in the membership of the controlling body of the club, or in the case of a club that is a company, a change in the directors or shareholders of the company has occurred, provide the Registrar with the following (as the case requires):

- (a) the names and addresses of the controlling body and the office (if any) held by each member;
- (b) the names of the persons who have ceased to be directors or shareholders of the company and the names and addresses of persons who have become directors or shareholders of the company.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (4) A recognised firearms club must, from time to time, at the request of the Registrar, provide the Registrar with such information in relation to the affairs and activities of the club as the Registrar requires.

Maximum penalty: \$2 500.

Expiation fee: \$210.

74—Acceptance of new members

- (1) A recognised firearms club that is a shooting club must not grant an application for membership of the club unless—

- (a) the applicant has produced to the club—
 - (i) a firearms licence held by the applicant; or
 - (ii) a notice issued by the Registrar under regulation 28 to the applicant within the preceding 60 days; or
 - (iii) a notice issued by the Registrar within the preceding 60 days, stating that the Registrar is satisfied that the applicant is a fit and proper person to be granted membership of a shooting club; and

- (b) if the applicant holds a licence authorising the applicant to possess a category H firearm for use as a member of a shooting club or the applicant intends to use a category H firearm in the course of the applicant's membership of the club—the applicant has, in addition, produced to the club—
 - (i) 2 references each of which appears to have been signed by a person within the preceding 60 days and to state that the person has known the applicant for at least the preceding 2 years and that the applicant is a person of good character and a suitable person to be a member of a firearms club; and
 - (ii) a criminal history report (such as a National Police Certificate) relating to the person provided by South Australia Police or the ACC or an ACC accredited agency or broker within the preceding 12 months.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) A recognised firearms club that is a collectors' club must not grant an application for membership of the club unless the applicant has produced to the club—
 - (a) a firearms licence held by the applicant; or
 - (b) a notice issued by the Registrar under regulation 28 to the applicant within the preceding 60 days; or
 - (c) a notice issued by the Registrar within the preceding 60 days, stating that the Registrar is satisfied that the applicant is a fit and proper person to be granted membership of a collectors' club.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) In this regulation—

ACC means the Australian Crime Commission established under the *Australian Crime Commission Act 2002* of the Commonwealth.

75—Records to be kept by clubs

- (1) A recognised firearms club must make records, in the manner and form approved by the Registrar, of—
 - (a) in respect of each person granted membership of the club, the actions taken in compliance with regulation 74; and
 - (b) participation by members of the club, or visitors to the club, in activities of the club that involve the shooting of firearms; and
 - (c) attendance by members of the club at meetings of the club including those of the kind referred to in paragraph (b) (if any).

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) Records referred to in subregulation (1)—
 - (a) may be made and kept in electronic form; and

- (b) must be kept by the club for at least 3 years; and
- (c) must be produced for inspection (including by electronic means) when requested by the Registrar.

Maximum penalty: \$2 500.

Expiation fee: \$210.

76—Registrar to be notified of change in membership

Within 28 days after a person ceases to be a member of a recognised firearms club, the club must give the Registrar written notice of the member's name and last known address and the date on which the membership terminated and, in the case of expulsion, the reason or reasons for the expulsion.

Maximum penalty: \$2 500.

Expiation fee: \$210.

Division 2—Commercial range operators

77—Recognition of commercial range operators

- (1) The Registrar may, on application, declare a person to be a recognised commercial range operator by notice in the Gazette.
- (2) An application under this regulation—
 - (a) must be made to the Registrar in the manner and form approved by the Registrar; and
 - (b) must be accompanied by—
 - (i) a description of the proposed activities of the operator; and
 - (ii) a plan of the range proposed to be used by the operator and a map showing the location of the range; and
 - (iii) a list of the names and addresses of the persons who are authorised to supervise the activities of persons on the range; and
 - (iv) evidence that the operator has permission of the owner of the land on which the range is situated for the operator's use of the range; and
 - (v) evidence of the operator's intention to install firearm tethering devices or other protective safety devices that satisfy the requirements of the Registrar for the safe use of firearms at the range; and
 - (vi) evidence of compliance with the requirements of any other Act relating to the use of land as the range of a commercial range operator; and
 - (vii) in the case of an application by a company—
 - (A) a copy of the constitution of the applicant; and
 - (B) a list of the names and addresses of the directors and shareholders of the applicant; and
 - (viii) such other information as the Registrar requires; and
 - (ix) the prescribed application fee.

- (3) The Registrar may require an applicant to provide any further information the Registrar requires to determine the application.
- (4) The Registrar may only refuse an application under this regulation if the Registrar is not satisfied that the person—
 - (a) has made the application in accordance with this regulation and met the requirements of the Registrar in connection with the application; or
 - (b) would conduct the person's activities as a commercial range operator in a safe and responsible manner.
- (5) The Registrar must, if the Registrar refuses an application under this regulation, provide the applicant with a written statement setting out the reasons for the refusal.
- (6) The Registrar may, if at any time the Registrar is satisfied that a recognised commercial range operator has failed to comply with the Act or these regulations, or no longer conducts the operator's activities in a safe and responsible manner, by notice in the Gazette, revoke the recognition of the operator.
- (7) Before revoking the recognition of a commercial range operator, the Registrar must—
 - (a) give the operator at least 2 months written notice of the proposed action setting out the Registrar's reasons for the proposed action; and
 - (b) give the operator a reasonable opportunity to make written or oral submissions to the Registrar in relation to the proposed action.

78—Approval of ranges of recognised commercial range operators

- (1) If any activity involving the use of a firearm takes place at the range of a recognised commercial range operator and the range is not approved under this regulation in relation to that activity, recognition of the operator under this Division is by force of this regulation revoked.
- (2) An application for approval of the range for use in connection with the activities of a recognised commercial range operator may be made to the Registrar by the operator and must—
 - (a) be in the manner and form approved by the Registrar; and
 - (b) contain such information as the Registrar requires; and
 - (c) be accompanied by the prescribed application fee.
- (3) The Registrar may require an applicant to provide any further information the Registrar requires to determine the application.
- (4) If the Registrar is satisfied that—
 - (a) the activities of the recognised commercial range operator involving the use of a firearm may be conducted safely at the range; and
 - (b) the range of the recognised commercial range operator is suitable for the purpose of the activities of the operator,the Registrar may approve the range for use in connection with those activities.

- (5) If the Registrar refuses an application for approval, the Registrar must provide the applicant with a written statement setting out the reasons for the refusal.
- (6) An approval under this regulation is subject to the following conditions:
- (a) no activity involving the possession or use of a firearm may take place at the range of the recognised commercial range operator unless the activity is approved by the Registrar;
 - (b) firearm tethering devices and other protective safety devices, as specified and approved by the Registrar, must be installed at the range;
 - (c) the range of the recognised commercial range operator, as approved by the Registrar, must not be subject to significant alteration without the further approval of the Registrar;
 - (d) the recognised commercial range operator must ensure that a person who does not hold a firearms licence is not permitted to use a firearm at the approved range of the operator unless—
 - (i) —
 - (A) the firearm being used by the person is fixed to a firearm tethering device approved by the Registrar, in a manner that complies with the requirements of the Registrar; and
 - (B) any other protective safety devices, as specified and approved by the Registrar are operating, or being used, in accordance with the requirements of the Registrar; or
 - (ii) the person is undertaking a course in the safe handling, carriage and use of firearms nominated by the Registrar, and the person is using the firearm for that purpose, under the immediate supervision of a person authorised by the Registrar to conduct such a course;
 - (e) the recognised commercial range operator must ensure that the use of firearms at the approved range of the operator is under the continuous supervision of the operator or a person who holds a category 8 (commercial range) licence, who is engaged in the business of the operator as an employee of the operator;
 - (f) the Registrar, a police officer or some other person authorised by the Registrar may, at any reasonable time, enter the range of a recognised commercial range operator to do 1 or more of the following:
 - (i) inspect the range;
 - (ii) inspect any firearms on the range;
 - (iii) inspect any records required to be kept under the Act or a condition of an approval of the range;
 - (g) if the safety of persons is adversely affected or threatened by an incident involving the use of a firearm that occurs at the range of the recognised commercial range operator, the operator must—
 - (i) notify the Registrar of the occurrence and the surrounding circumstances as soon as reasonably practicable; and

- (ii) provide a written report to the Registrar within 7 days of the occurrence that contains such information in relation to the matter that the Registrar requires.
- (7) In addition to the conditions set out in subregulation (6), an approval under this regulation is subject to any conditions imposed by the Registrar (which may include a condition limiting the periods during which the range may be used by the operator).
- (8) The Registrar may impose conditions under subregulation (7) on the approval of the range or subsequently.
- (9) The Registrar may, on the Registrar's own initiative or on application by a recognised commercial range operator, vary or revoke conditions of an approval.
- (10) If at any time the Registrar is satisfied that a range approved under this regulation would not be approved if application for approval were made at that time or that a condition of the approval has been contravened, the Registrar may, by written notice to the operator, revoke the approval.
- (11) Before revoking an approval or varying conditions of an approval on the Registrar's own initiative, the Registrar must—
 - (a) give the operator at least 2 months written notice of the proposed revocation or variation setting out the Registrar's reasons for the proposed revocation or variation; and
 - (b) give the operator a reasonable opportunity to make written or oral submissions to the Registrar in relation to the proposed revocation or variation.
- (12) The Registrar, a police officer or some other person authorised by the Registrar may, for the purposes of determining an application for approval under this regulation, enter and inspect the proposed range of a commercial range operator at any reasonable time.

79—Breach of conditions of approval of range of recognised commercial range operator

If a recognised commercial range operator fails to comply with a condition of the approval of the range of the operator, the operator is guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$1 250.

80—Certificate of recognition of commercial range operator

- (1) If the Registrar has declared a person to be a recognised commercial range operator, the Registrar must provide the operator with a certificate setting out—
 - (a) the date of recognition; and
 - (b) the location of the operator's range; and
 - (c) the proposed activities of the operator.
- (2) The operator must display the certificate, or a copy of the certificate, in a prominent position at the range used by the operator.

Maximum penalty: \$2 500.

Expiation fee: \$210.

81—Registrar to be notified of certain changes

- (1) A recognised commercial range operator must, within 28 days after a variation in or addition to the activities of the operator has been approved by the Registrar, provide the Registrar with a description of the variation in or addition to the activities of the operator.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) A recognised commercial range operator that is a company must, within 28 days after—

- (a) a variation to the constitution of the operator comes into force; or
- (b) a change in the directors or shareholders of the operator has occurred,

provide the Registrar with (as the case requires)—

- (c) the text of the variation to the constitution; or
- (d) the names of the persons who have ceased to be directors or shareholders of the operator and the names and addresses of persons who have become directors or shareholders of the operator.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) A recognised commercial range operator must, from time to time, at the request of the Registrar, provide the Registrar with such information in relation to the affairs and activities of the operator as the Registrar requires.

Maximum penalty: \$2 500.

Expiation fee: \$210.

82—Employees engaged in business of recognised commercial range operator

If a person is engaged in the business of a recognised commercial range operator as an employee of the operator and is supervising the use of firearms on the approved range of the operator, the employee must not permit a person who does not hold a firearms licence to use a firearm at the range unless—

- (a) —
 - (i) the firearm being used by the person is fixed to a firearm tethering device installed by the operator; and
 - (ii) any other protective safety devices installed by the operator are operating, or being used, as required by the operator; or
- (b) the employee is satisfied on reasonable grounds that the person—
 - (i) is undertaking a course in the safe handling, carriage and use of firearms; and
 - (ii) is using the firearm for that purpose under the immediate supervision of a person authorised by the Registrar to conduct such a course.

Maximum penalty: \$5 000.

Expiation fee: \$315.

Division 3—Paint-ball operators

83—Recognition of paint-ball operators

- (1) The Registrar may, on application, declare a person to be a recognised paint-ball operator by notice in the Gazette.
- (2) An application under this regulation—
 - (a) must be made to the Registrar in the manner and form approved by the Registrar; and
 - (b) must be accompanied by—
 - (i) a description of the proposed activities of the operator; and
 - (ii) a plan of the grounds proposed to be used by the operator and a map showing the location of the grounds; and
 - (iii) a list of the names and addresses of the persons who are authorised to supervise the activities of persons on those grounds; and
 - (iv) evidence that the operator has permission of the owner of the land on which the grounds are situated for the operator's use of the grounds; and
 - (v) evidence of compliance with the requirements of any other Act relating to use of land as grounds of a paint-ball operator; and
 - (vi) in the case of an application by a company—
 - (A) a copy of the constitution of the applicant; and
 - (B) a list of the names and addresses of the directors and shareholders of the applicant; and
 - (vii) such other information as the Registrar requires; and
 - (viii) the prescribed application fee.
- (3) The Registrar may require an applicant to provide any further information the Registrar requires to determine the application.
- (4) The Registrar may only refuse an application under this regulation if the Registrar is not satisfied that the person—
 - (a) has made the application in accordance with this regulation and met the requirements of the Registrar in connection with the application; or
 - (b) would conduct the person's activities as a paint-ball operator in a safe and responsible manner.
- (5) The Registrar must, if the Registrar refuses an application under this regulation, provide the applicant with a written statement setting out the reasons for the refusal.
- (6) The Registrar may, if at any time the Registrar is satisfied that a recognised paint-ball operator has failed to comply with the Act or these regulations, or no longer conducts the operator's activities in a safe and responsible manner, by notice in the Gazette, revoke the recognition of the operator.

- (7) Before revoking the recognition of a paint-ball operator, the Registrar must—
- (a) give the operator at least 2 months written notice of the proposed action setting out the Registrar's reasons for the proposed action; and
 - (b) give the operator a reasonable opportunity to make written or oral submissions to the Registrar in relation to the proposed action.

84—Approval of grounds of recognised paint-ball operators

- (1) If any activity involving the use of a firearm takes place on grounds of a recognised paint-ball operator and the grounds are not approved under this regulation in relation to that activity, recognition of the operator under this Division is by force of this regulation revoked.
- (2) An application for approval of grounds for use in connection with the activities of a recognised paint-ball operator may be made to the Registrar by the operator and must—
- (a) be in the manner and form approved by the Registrar; and
 - (b) contain such information as the Registrar requires; and
 - (c) be accompanied by the prescribed application fee.
- (3) The Registrar may require an applicant to provide any further information the Registrar requires to determine the application.
- (4) If the Registrar is satisfied that—
- (a) the activities of the recognised paint-ball operator involving the use of a firearm may be conducted safely at the grounds of the operator; and
 - (b) the grounds of the recognised paint-ball operator are suitable for the purpose of the activities of the operator,
- the Registrar may approve the grounds for use in connection with those activities.
- (5) If the Registrar refuses an application for approval, the Registrar must provide the applicant with a written statement setting out the reasons for the refusal.
- (6) An approval under this regulation is subject to the following conditions:
- (a) no activity involving the possession or use of a firearm may take place at the grounds of the recognised paint-ball operator unless the activity is approved by the Registrar;
 - (b) the grounds of the recognised paint-ball operator, as approved by the Registrar, must not be subject to significant alteration without the further approval of the Registrar;
 - (c) the recognised paint-ball operator must ensure that the use of firearms at the approved grounds of the operator is under the supervision of the operator or an accredited paint-ball employee engaged as an employee in the business of the operator;
 - (d) the Registrar, a police officer or some other person authorised by the Registrar may, at any reasonable time, enter the grounds of a recognised paint-ball operator to do 1 or more of the following:
 - (i) inspect the grounds;
 - (ii) inspect any firearms on the grounds;

- (iii) inspect any records required to be kept under the Act or condition of an approval of the grounds;
 - (e) if the safety of persons is adversely affected or threatened by an incident involving the use of a firearm that occurs on the grounds of the recognised paint-ball operator, or in the course of the conduct of paint-ball operations on those grounds, the operator must—
 - (i) notify the Registrar of the occurrence and the surrounding circumstances as soon as reasonably practicable; and
 - (ii) provide a written report to the Registrar within 7 days of the occurrence that contains such information in relation to the matter that the Registrar requires.
- (7) In addition to the conditions set out in subregulation (6), an approval under this regulation is subject to any conditions imposed by the Registrar (which may include a condition limiting the periods during which the grounds may be used by the operator).
- (8) The Registrar may impose conditions under subregulation (7) on the approval of the grounds or subsequently.
- (9) The Registrar may, on the Registrar's own initiative or on application by a recognised paint-ball operator, vary or revoke conditions of an approval.
- (10) If at any time the Registrar is satisfied that grounds approved under this regulation would not be approved if application for approval were made at that time or that a condition of the approval has been contravened, the Registrar may, by written notice to the operator, revoke the approval.
- (11) Before revoking an approval or varying conditions of an approval on the Registrar's own initiative, the Registrar must—
 - (a) give the operator at least 2 months written notice of the proposed revocation or variation setting out the Registrar's reasons for the proposed revocation or variation; and
 - (b) give the operator a reasonable opportunity to make written or oral submissions to the Registrar in relation to the proposed revocation or variation.
- (12) The Registrar, a police officer or some other person authorised by the Registrar may, for the purposes of determining an application for approval under this regulation, enter and inspect the proposed grounds of the paint-ball operator at any reasonable time.

85—Breach of conditions of approval of grounds of recognised paint-ball operator

If a recognised paint-ball operator fails to comply with a condition of the approval of the grounds of the operator, the operator is guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$1 250.

86—Certificate of recognition of recognised paint-ball operator

- (1) If the Registrar has declared a person to be a recognised paint-ball operator, the Registrar must provide the operator with a certificate setting out—
 - (a) the date of recognition; and
 - (b) the location of the operator's grounds; and
 - (c) the proposed activities of the operator.
- (2) The operator must display the certificate, or a copy of the certificate, in a prominent position at the grounds used by the operator.

Maximum penalty: \$2 500.

Expiation fee: \$210.

87—Registrar to be notified of certain changes

- (1) A recognised paint-ball operator must, within 28 days after a variation in or addition to the activities of the operator has been approved by the Registrar, provide the Registrar with a description of the variation in or addition to the activities of the operator.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) A recognised paint-ball operator that is a company must, within 28 days after—

- (a) a variation to the constitution of the operator comes into force; or
- (b) a change in the directors or shareholders of the operator has occurred,

provide the Registrar with the following (as the case requires):

- (c) the text of the variation to the constitution;
- (d) the names of the persons who have ceased to be directors or shareholders of the operator and the names and addresses of persons who have become directors or shareholders of the operator.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) A recognised paint-ball operator must, from time to time, at the request of the Registrar, provide the Registrar with such information in relation to the affairs and activities of the operator as the Registrar requires.

Maximum penalty: \$2 500.

Expiation fee: \$210.

88—Accreditation of paint-ball employees

- (1) This regulation applies in relation to both the initial grant of accreditation and the renewal of accreditation of a person as an accredited paint-ball employee.
- (2) The Registrar may, on the application of a person in a manner approved by the Registrar, grant the person accreditation as an accredited paint-ball employee if the Registrar is satisfied—
 - (a) as to the identity and the residential address of the person; and

- (b) that the person is a fit and proper person to be an accredited paint-ball employee; and
 - (c) that the person has satisfactorily completed a course of training (and in the case of an application for renewal of accreditation, any further training) in the safe handling, management and use of paint-ball firearms nominated by the Registrar.
- (3) The Registrar may require the applicant to provide—
 - (a) written verification of the completion of specified training; and
 - (b) any other documents or information the Registrar requires to determine the application.
- (4) The accreditation of a person as an accredited paint-ball employee may be granted for such term (not exceeding 5 years) as specified by the Registrar, and subject to such conditions as the Registrar thinks fit.
- (5) If the Registrar grants a person accreditation as an accredited paint-ball employee, the Registrar must provide the person with a certificate of accreditation in the form approved by the Registrar.
- (6) The Registrar may cancel the accreditation of a person as an accredited paint-ball employee if the Registrar is no longer satisfied that the person is a fit and proper person to be so accredited.
- (7) If the Registrar cancels the accreditation of a person as an accredited paint-ball employee, the person must immediately return the person's certificate of accreditation to the Registrar.
Maximum penalty: \$750.

89—Training of accredited paint-ball employees

- (1) A recognised paint-ball operator, or such other person authorised by the Registrar, may conduct a course in the safe handling, management and use of paint-ball firearms nominated by the Registrar for the purposes of the accreditation of persons as accredited paint-ball employees under regulation 88.
- (2) A person who conducts a course under this regulation must—
 - (a) compile, in a form approved by the Registrar, and keep for at least 3 years, a record of the names and addresses of all persons who attend the course; and
 - (b) produce those records to the Registrar, as and when required by the Registrar.Maximum penalty: \$2 500.
- (3) A person who conducts a course under this regulation must provide the Registrar with information relating to courses conducted by the person as and when required by the Registrar.
Maximum penalty: \$2 500.

90—Employment of persons by recognised paint-ball operators

- (1) A recognised paint-ball operator must not, on or after the first anniversary of the commencement of this regulation, employ a person who is not an accredited paint-ball employee for the purposes of the business of the operator if the person will, in the course of the person's employment, possess or use a paint-ball firearm or supervise paint-ball operations on the grounds of the operator.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) In this section—

employ a person includes engage the person as an agent.

Part 10—Reviews by Tribunal

91—Reviewable decision

For the purposes of section 47(1)(h) of the Act, the following decisions of the Registrar are reviewable:

- (a) a decision to refuse to recognise a firearms club, commercial range operator or paint-ball operator or to revoke such recognition;
- (b) a decision to refuse to approve the grounds or range of a recognised firearms club, recognised commercial range operator or recognised paint-ball operator or to revoke such approval;
- (c) a decision to impose conditions on an approval of the grounds or range of a recognised firearms club, recognised commercial range operator or recognised paint-ball operator or to revoke or vary such conditions.

Part 11—Mandatory reporting and other obligations

92—Report of unsafe situations in relation to place where firearm kept

- (1) If a person who resides at, or has access to, premises where a firearm is kept has reasonable cause to suspect that another person who resides at, or has access to, those premises is suffering from a physical or mental illness, condition or disorder, or that other circumstances exist in relation to that other person, such that there is a threat to the safety of the first mentioned person, or the safety of another associated with the continued keeping of the firearm at those premises, the first mentioned person must, as soon as practicable after the suspicion is formed, make a report to the Registrar including—

- (a) the name and address of the person the subject of the suspicion; and
- (b) the location of the premises in which the firearm is kept (if different from the address referred to in paragraph (a)); and
- (c) the suspected threat to safety and the circumstances giving rise to the threat (including the nature of any physical or mental illness, condition or disorder contributing to the threat).

Maximum penalty: \$2 500.

Expiation fee: \$315.

- (2) A person incurs no civil or criminal liability in making a report in good faith in compliance, or purported compliance, with this regulation.

93—Report of failure to secure firearms, ammunition, sound moderators and restricted firearm mechanisms

- (1) If a person becomes aware that another person who has possession of a firearm or ammunition, or a sound moderator or restricted firearm mechanism, has failed to secure the firearm, ammunition, sound moderator or restricted firearm mechanism in accordance with the requirements of the Act or these regulations, the person must, as soon as is reasonably practicable, make a report to the Registrar including—
- (a) the name and address of the other person; and
 - (b) the location of the premises at which the firearm, ammunition, sound moderator or restricted firearm mechanism is located (if different from the address referred to in paragraph (a)); and
 - (c) the circumstances giving rise to the report.

Maximum penalty: \$2 500.

Expiation fee: \$315.

- (2) A person incurs no civil or criminal liability in making a report in good faith in compliance, or purported compliance, with this regulation.

94—Clubs and commercial range and paint-ball operators to report unsafe situations associated with firearms

- (1) If the controlling body of a recognised firearms club has reasonable cause to suspect in relation to a member of the club that the member is suffering from a physical or mental illness, condition or disorder, or that other circumstances exist, such that there is a threat to the member's own safety or the safety of another associated with the member's possession or use of a firearm, the club must, as soon as practicable after the suspicion is formed, make a report to the Registrar including—
- (a) the name and address of the person the subject of the suspicion; and
 - (b) the suspected threat to safety and circumstances giving rise to the threat (including the nature of any physical or mental illness, condition or disorder contributing to the threat).
- (2) If a member of a recognised firearms club or a person employed or engaged at the grounds of a recognised firearms club has reasonable cause to suspect that a person who has gained or attempted to gain access to the grounds of the club is prohibited from possessing or using a firearm by an order of a court whether in South Australia or any other State or Territory of the Commonwealth or by a firearms prohibition order or a similar order under corresponding legislation of another State or Territory of the Commonwealth, the member or person must, as soon as practicable after the suspicion is formed, report the matter to a police officer.

- (3) If a commercial range operator or a person employed or engaged at the range of a commercial range operator has reasonable cause to suspect that a person who has gained or attempted to gain access to the range of the operator is prohibited from possessing or using a firearm by an order of a court whether in South Australia or any other State or Territory of the Commonwealth or by a firearms prohibition order or a similar order under corresponding legislation of another State or Territory of the Commonwealth, the operator or person must, as soon as practicable after the suspicion is formed, report the matter to a police officer.
- (4) If a paint-ball operator or an accredited paint-ball employee or other person employed or engaged at the grounds of a paint-ball operator has reasonable cause to suspect that a person who has gained or attempted to gain access to the grounds of the operator is prohibited from possessing or using a firearm by an order of a court whether in South Australia or any other State or Territory of the Commonwealth or by a firearms prohibition order or a similar order under corresponding legislation of another State or Territory of the Commonwealth, the operator, accredited paint-ball employee or other person must, as soon as practicable after the suspicion is formed, report the matter to a police officer.
- (5) A person incurs no civil or criminal liability in making a report in good faith in compliance, or purported compliance, with this regulation.

95—Clubs to expel certain persons from membership

- (1) If the controlling body of a recognised firearms club has reasonable cause to believe that—
 - (a) the actions or behaviour of a member of the club has been such that there is a threat to the member's own safety or the safety of others associated with the member's possession or use of a firearm; or
 - (b) a member of the club is prohibited from possessing or using a firearm by an order of a court whether in South Australia or any other State or Territory of the Commonwealth or by a firearms prohibition order or a similar order under corresponding legislation of another State or Territory of the Commonwealth,the controlling body must expel the person from membership of the club.
- (2) Subregulation (1)(b) does not apply—
 - (a) to an interim firearms prohibition order; or
 - (b) to any other order until the period allowed for an appeal against the order has expired or, if an appeal has been instituted, until the appeal lapses or is finally determined.
- (3) A person incurs no civil or criminal liability as a result of action taken in good faith in compliance, or purported compliance, with this regulation.

96—Medical practitioners, employers etc to report unsafe situations associated with firearms

- (1) If a designated person has reasonable cause to suspect in relation to a person whom the designated person has seen in the designated person's professional capacity—
 - (a) that the person is suffering from a physical or mental illness, condition or disorder, or that other circumstances exist, such that there is a threat to the person's own safety or the safety of another associated with the person's possession or use of a firearm; and
 - (b) that the person has, or might be intending to acquire, a firearm,the designated person must make a report to the Registrar under this regulation.
- (2) If an employer has reasonable cause to suspect in relation to an employee whose work with the employer involves the possession or use of a firearm that the employee is suffering from a physical or mental illness, condition or disorder, or that other circumstances exist, such that there is a threat to the employee's own safety or the safety of another associated with the employee's possession or use of a firearm, the employer must make a report to the Registrar under this regulation.
- (3) A report under this regulation—
 - (a) must be made as soon as practicable after the suspicion is formed; and
 - (b) must include—
 - (i) the name and address of the person the subject of the suspicion; and
 - (ii) the suspected threat to safety and circumstances giving rise to the threat (including the nature of any physical or mental illness, condition or disorder contributing to the threat).
- (4) A person incurs no civil or criminal liability in making a report in good faith in compliance, or purported compliance, with this regulation.
- (5) In subregulation (1)—

designated person means—

 - (a) a medical practitioner; or
 - (b) a nurse; or
 - (c) a psychologist; or
 - (d) a professional counsellor; or
 - (e) a social worker.

97—Obligations of medical practitioners in relation to wounds inflicted by firearms

- (1) If a medical practitioner or nurse has reasonable cause to suspect in relation to a person whom the medical practitioner or nurse has seen in a professional capacity, that the person is suffering from a wound inflicted by a firearm, the medical practitioner or nurse must make a report to the Registrar under this regulation.
- (2) A report under this regulation—
 - (a) must be made as soon as practicable after the suspicion is formed; and

- (b) must include—
 - (i) the name and address of the person the subject of the suspicion or, if the name and address are not known, a description of the person; and
 - (ii) details of the wound including whether any ammunition or fragment of ammunition has been, or may be recovered from the wound; and
 - (iii) any information provided to the practitioner or nurse about the circumstances leading to the infliction of the wound.
- (3) A medical practitioner or nurse who treats a person for a wound that the practitioner or nurse has reasonable cause to suspect was inflicted by a firearm must take reasonable steps to retain any ammunition or fragment of ammunition recovered from the wound until it can be collected by a police officer.
- (4) A person incurs no civil or criminal liability in making a report in good faith in compliance, or purported compliance, with this regulation.

Part 12—Miscellaneous

98—Possession of certain firearms and ammunition at arms fairs

- (1) This regulation applies to a person other than the holder of a category 11 (dealer) licence or a foreign firearms dealer permit.
- (2) A person to whom this regulation applies must not—
 - (a) have possession of a firearm at an arms fair, other than a category A, B or H firearm; or
 - (b) have possession of a firearm part at an arms fair, other than a firearm part for a category A, B or H firearm.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (3) A person to whom this regulation applies must not display 2 or more identical firearms or firearm parts or more than 50 rounds of identical ammunition at an arms fair.

Maximum penalty: \$5 000.

Expiation fee: \$315.

99—Register of firearms prohibition orders

A register of firearms prohibition orders maintained for the purposes of section 50 of the Act must contain the following information in relation to each order:

- (a) the full name of the person to whom the order applies;
- (b) the date on which the order was issued;
- (c) the details of any exemption from a provision of section 45 of the Act (including any conditions that apply to the exemption) granted by the Registrar under section 45(17) of the Act.

100—Prescribed health professional

For the purposes of paragraph (c) of the definition of *health professional* in section 53(2) of the Act, a nurse is a person of a prescribed class.

101—Advertising firearms for sale

- (1) A person (other than a licensed dealer) who advertises a firearm for sale must include in the advertisement—
 - (a) the number or characters constituting the identifying mark of the firearm; and
 - (b) a statement that delivery of the firearm to a purchaser in South Australia must take place in the presence of, and be witnessed by, a police officer, a licensed dealer or a licensed employee of a licensed dealer, a responsible officer of a recognised firearms club authorised by the Registrar or an authorised Public Service employee in accordance with regulation 51 of the *Firearms Regulations 2017*.

Maximum penalty: \$2 500.

Expiation fee: \$315.

- (2) It is a defence to a charge of an offence against subregulation (1)(b) to prove—
 - (a) in the case of an advertisement that is published (including by electronic means)—that the statement was included by the publisher so as to appear alongside or near the advertisement for the sale of the firearm (whether or not the statement also appeared alongside or near 1 or more other advertisements for the sale of firearms); and
 - (b) in the case of an advertisement placed on a noticeboard—that the statement was placed in a prominent position on the noticeboard alongside or near the advertisement for the sale of the firearm (whether or not the statement also appeared alongside or near 1 or more other advertisements for the sale of firearms).

102—Disposal of forfeited or surrendered firearms etc

- (1) For the purposes of sections 59(8), 62(6) and (10) and 65(4) and (5)(d) of the Act, before paying the proceeds of sale or disposal of a forfeited or surrendered item into the Consolidated Account, the Registrar may deduct expenses incurred in connection with the sale, disposal or storage of the forfeited or surrendered item and other expenses incurred in relation to the item.
- (2) For the purposes of section 62(9)(a) of the Act, the Registrar will be taken to have made a reasonable attempt to notify the person by giving or serving notice on the person by a method set out in section 77 of the Act.
- (3) Before paying the proceeds of a sale or disposal of a surrendered item to a person under section 65(5)(b)(i)(B) of the Act, the Registrar may deduct expenses incurred in connection with the sale, disposal or storage of the surrendered item and other expenses incurred in relation to the item.
- (4) For the purposes of section 65(5)(d) of the Act, the period for which a surrendered item must be made available for collection is 1 month.

103—Return or disposal of seized item

- (1) If a seized item may no longer be held in accordance with section 63(3) of the Act, and the Registrar is satisfied that the person from whom the item was seized, or some other person, is entitled to lawful possession of the item, the Registrar may authorise the collection of the item by that person.
- (2) If—
 - (a) the Registrar—
 - (i) has authorised collection of the seized item; and
 - (ii) has made a reasonable attempt to notify the person that the item is available for collection by means of a method set out in section 77 of the Act; and
 - (b) the item is not collected within 1 month of the notice or such other longer period as may be agreed by the Registrar,then the seized item is forfeited to the Registrar by force of this regulation.
- (3) An item forfeited under subregulation (2) may be sold or otherwise disposed of by the Registrar, and any proceeds of sale or disposal (following the deduction of expenses incurred in connection with the sale, disposal or storage of the item) must be paid into the Consolidated Account.

104—Records and returns

- (1) If a person is, under a condition of a licence, permit, approval or other authority, required to keep records for a specified period of time or to provide records or returns to the Registrar at specified times, the person must comply with that requirement despite the fact that the licence, permit, approval or other authority is suspended, cancelled, revoked or has otherwise lapsed.
Maximum penalty: \$2 500.
- (2) Records that a person is required to compile and keep under the Act, these regulations (including subregulation (1)) or the conditions of a licence, permit, approval or other authority, must (if not otherwise so required) be produced on demand to the Registrar or a police officer.
Maximum penalty: \$2 500.
- (3) All alterations made to records compiled and kept under the Act, these regulations or the conditions of a licence, permit, approval or other authority must be made so that the entry that is altered remains clearly legible.
Maximum penalty: \$2 500.

105—Form of applications

An application to the Registrar under the Act or these regulations must, unless otherwise provided, be in a form approved by the Registrar.

106—Transitional provision

A person who is an employee of a licensed dealer immediately before the commencement of this regulation will not be taken to be a disqualified person for the purposes of section 11(1) of the Act by reason of having been found guilty of—

- (a) an offence referred to in section 11(7)(c)(i) of the Act; or
- (b) an offence referred to in section 11(7)(c)(ii) of the Act, being an offence under the repealed Act; or
- (c) an offence prescribed in Schedule 2 Part 3 of these regulations for the purposes of section 11(7)(c)(iii) of the Act,

committed by the person before the commencement of this regulation.

Schedule 1—Code of Practice for the Security, Storage and Transport of Firearms, Ammunition and Related Items

Note—

The penalty for each category of offence is set out in Part 6 of the Act.

Part 1—Preliminary

1—Short title

This code may be cited as the *Code of Practice for the Security, Storage and Transport of Firearms, Ammunition and Related Items*.

2—Interpretation

- (1) In this code of practice, unless the contrary intention appears—

building does not include an outbuilding;

cctv system means a closed circuit television system or digital equivalent that is maintained and in good working order;

container means a container that is strong and structurally sound, made of timber, metal, fibreglass or injection moulded hard thermoplastic and is fitted with a substantial locking mechanism and strong hinges;

display level 1—a firearm or firearm part or ammunition is secured in accordance with the requirements of display level 1 if it is—

- (a) secured in a locked display cabinet fitted with glass or other material that is of sufficient strength so as to be reasonably expected to prevent unlawful entry; or
- (b) in the case of a firearm or firearm part or ammunition that is of a design or type to which the following requirements are capable of applying—secured to a solid wooden or metal bench, or a solid and structurally strong plastic table, by means of a steel cable—
 - (i) that is not less than 4 millimetres in diameter; and
 - (ii) that passes through the trigger guard (if present) or some other part of the firearm, firearm part or ammunition; and

- (iii) that is fixed to the bench or table with a locking mechanism of sufficient strength so as to be reasonably expected to prevent unlawful removal of the firearm, firearm part or ammunition;

display level 2—a firearm is secured in accordance with the requirements of display level 2 if—

- (a) the firearm is secured to a strong metal rack by means of—
 - (i) a steel cable not less than 4 millimetres in diameter that passes through the trigger guard or some other part of the firearm and is locked with a locking mechanism of sufficient strength so as to be reasonably expected to prevent unlawful removal of the firearm from the rack; or
 - (ii) a solid steel rod or bar not less than 10 millimetres in diameter that is fitted in such a manner, and locked with a locking mechanism of sufficient strength, so as to be reasonably expected to prevent unlawful removal of the firearm from the rack; and
- (b) the rack to which the firearm is secured is attached to the premises in which the firearm is kept by securing it to a solid concrete, brick, metal or timber floor, wall or other permanent internal structure of the premises;

display level 3—a firearm is secured in accordance with the requirements of display level 3 if—

- (a) the firearm is secured in a locked display cabinet that is of solid construction made of metal and laminated glass that is of a thickness of not less than 7.5 millimetres; and
- (b) the display cabinet referred to in paragraph (a) is attached to the premises in which the firearm is kept by securing it to a solid concrete, brick, metal or timber floor, wall or other permanent internal structure of the premises; and
- (c) either—
 - (i) the trigger of the firearm within the display cabinet is immobilised by means of a trigger lock or other immobilisation device; or
 - (ii) the firearm is secured to the display cabinet by means of a steel cable of not less than 4 millimetres in diameter that passes through the trigger guard or other part of the firearm and is locked with a locking mechanism of sufficient strength so as to be reasonably expected to prevent unlawful removal of the firearm; or
 - (iii) the firing pin of the firearm is removed and the firing pin is not secured in the display cabinet with the firearm;

intruder alarm system means an intruder alarm system that is maintained and in good working order and complies with the following requirements:

- (a) the alarm system must be connected to the mains power of the premises in which it is installed and contain a battery backup in case of power failure;
- (b) the alarm system must incorporate a sensor system to detect the breaking of external glass windows or to detect movement by way of a microwave, passive infrared, ultrasonic or other similar detection system;

- (c) each sensor of a sensor system referred to in paragraph (b) must have an anti-tamper circuit that operates continuously whether the alarm is activated or not;
- (d) the controls for the alarm system must, so far as is reasonably practicable, be located out of sight and protected against access by an unauthorised person;

key includes a key or key card, combination or key code, electronic access code or other means of unlocking or disabling a lock or other security mechanism;

level 1 safe means a safe that complies with the following requirements:

- (a) the body and door of the safe must be made of structural grade mild steel that is of a thickness of not less than 2 millimetres;
- (b) the door of the safe must be—
 - (i) recessed or flush fitted and sized to prevent leverage points; and
 - (ii) fitted with—
 - (A) a 3 point locking mechanism activated by an internal key or electronic lock, or a pin combination lock or pick resistant deadlock or biometric fingerprint scanner; or
 - (B) an external lock—
 - the body of which is not less than 40 millimetres wide and has a hardened steel shackle; and
 - that is fitted with a cover so as to prevent the lock from being cut, removed, breached or otherwise tampered with;

level 2 safe means a safe that complies with the following requirements:

- (a) the body and door of the safe must be made of structural grade mild steel that is of a thickness of not less than 3 millimetres;
- (b) the door of the safe must be—
 - (i) recessed or flush fitted and sized to prevent leverage points; and
 - (ii) fitted with—
 - (A) a 3 point locking mechanism activated by an internal key or electronic lock, or a pin combination lock, pick resistant deadlock or biometric fingerprint scanner; or
 - (B) an external lock—
 - the body of which is not less than 40 millimetres wide and has a hardened steel shackle; and
 - that is fitted with a cover so as to prevent the lock from being cut, removed, breached or otherwise tampered with;

outbuilding means a building subordinate to the main building on premises (including a garage or shed)—

- (a) that is affixed to land (whether or not it is detached from the main building of the premises on which it is located); and
- (b) that is fully enclosed, strong and in a structurally sound condition; and
- (c) the door or point of entry of which is capable of being securely locked,

(but does not include a fully enclosed garage that is under the main roof of a residence or place of business);

prescribed safe means a safe (other than a level 1 safe or a level 2 safe) that has a body and door made of steel of a thickness of not less than 1.6 millimetres;

storage level 1—a firearm is secured in accordance with the requirements of storage level 1 if—

- (a) it is locked in a level 2 safe located in a building or outbuilding on the premises in which it is kept; and
- (b) unless the safe weighs at least 150 kilograms when empty, the safe is bolted to a solid concrete, brick, metal or timber floor, wall or other permanent internal structure of the building or outbuilding in which it is located with at least 2 solid anchor bolts; and
- (c) the premises on which the safe is located are installed with either—
 - (i) a cctv system that is activated and operating at any time the premises are unoccupied in order to detect and record any unauthorised entry to the premises, building, outbuilding or room in which a firearm is kept, or any unauthorised interference with a firearm; or
 - (ii) an intruder alarm system that is activated and operating at any time the premises are unoccupied in order to detect, to the maximum extent reasonably practicable, any unauthorised entry of the premises, building, outbuilding or room in which a firearm is kept, or any unauthorised interference with a firearm, by means of either or both of the following:
 - (A) an externally visible alarm warning light and a loud audible alarm;
 - (B) a remote alarm monitored by a private security company approved by the Registrar;

storage level 2—a firearm is secured in accordance with the requirements of storage level 2 if—

- (a) it is locked in a level 2 safe located in a building or outbuilding on the premises in which it is kept; and
- (b) unless the safe weighs at least 150 kilograms when empty, the safe is bolted to a solid concrete, brick, metal or timber floor, wall or other permanent internal structure of the building or outbuilding in which it is located with at least 2 solid anchor bolts; and
- (c) the premises on which the safe is located are installed with both—

- (i) a cctv system that is activated and operating at any time the premises are unoccupied in order to detect and record any unauthorised entry of the premises, building, outbuilding or room in which a firearm is kept, or any unauthorised interference with a firearm; and
- (ii) an intruder alarm system that is activated and operating at any time the premises are unoccupied in order to detect, to the maximum extent reasonably practicable, any unauthorised entry of the premises, building, outbuilding or room in which a firearm is kept, or any unauthorised interference with a firearm, by means of either or both of the following:
 - (A) an externally visible alarm warning light and a loud audible alarm;
 - (B) a remote alarm monitored by a private security company approved by the Registrar;

storage level 3—a firearm is secured in accordance with the requirements of storage level 3 if—

- (a) it is locked in a strongroom located in a building or outbuilding; and
- (b) the premises on which the strongroom is located are installed with both—
 - (i) a cctv system that is activated and operating at any time the premises are unoccupied in order to detect and record any unauthorised entry of the premises, building, outbuilding or strongroom in which a firearm is kept, or any unauthorised interference with a firearm; and
 - (ii) an intruder alarm system that is activated and operating at any time the premises are unoccupied in order to detect, to the maximum extent reasonably practicable, any unauthorised entry of the premises, building, outbuilding or strongroom in which a firearm is kept, or any unauthorised interference with a firearm, by means of either or both of the following:
 - (A) an externally visible alarm warning light and a loud audible alarm;
 - (B) a remote alarm monitored by a private security company approved by the Registrar;

strongroom means a strongroom that complies with the following requirements:

- (a) the strongroom must not have any windows or skylights;
- (b) the floor, ceilings and walls of the strongroom must be made of—
 - (i) reinforced concrete; or
 - (ii) double brick; or
 - (iii) reinforced besser blocks,of a thickness of not less than 140 millimetres;
- (c) any door to the strongroom must be made of—
 - (i) solid sheet structural grade mild steel of a thickness of not less than 10 millimetres; or

- (ii) solid sheet cut resistant steel of a thickness of not less than 3 millimetres that—
 - (A) has a chemical composition that includes at least 12% manganese; and
 - (B) is encased within, or reinforced by, solid sheet timber of a thickness of not less than 40 millimetres;
 - (d) any door to the strongroom must be fitted with—
 - (i) internal hinges that are concealed or have the hinge pins welded; and
 - (ii) —
 - (A) a 3 point locking mechanism; or
 - (B) 4 shoot bolts that are located on the inside of the strongroom at the top and bottom of the door,
- that is, or are, activated by an internal key or electric lock, or a pin combination lock, pick resistant deadlock or biometric fingerprint scanner;

under the main roof, of a residence or place of business, means within the enclosed internal structures of the building constituting the residence or place of business.

- (2) For the purposes of this code of practice, a firearm will be taken to be loaded if a round is in the breech, barrel or chamber of the firearm or in a magazine comprising part of or attached to the firearm.

3—Application

- (1) Except for the provisions of clauses 5, 25 and 26(4), this code of practice does not apply to a deactivated firearm.
- (2) Unless the contrary intention appears, this code of practice applies to the possession of a firearm by a person whether the person is in possession of the firearm under a firearms licence or not.

4—Security requirements of code are minimum requirements

- (1) A reference in a provision of this code of practice to a particular level of display, safe or storage is to be taken to be a reference to the minimum security requirements in respect of the item to which the reference relates, that must be satisfied in order to comply with the relevant provision of the code whereby, the use of the number 1 indicates the lowest level of security requirements that must be satisfied, the use of the number 2 indicates the next level of security requirements, and the use of the number 3 (where applicable) indicates the highest level of security requirements that must be satisfied.
- (2) Furthermore, a reference in a provision of this code of practice to—
 - (a) a requirement to use a prescribed safe, level 1 safe or level 2 safe to secure a specified item, is to be taken to be a lower level of security than a requirement to comply with storage level 1, storage level 2 or storage level 3; and

- (b) a requirement to use a prescribed safe to secure a specified item, is to be taken to be a requirement for a lower level of security than the use of a level 1 safe or a level 2 safe; and
 - (c) a requirement to use a strongroom to secure a specified item, is to be taken to be a requirement for a higher level of security than the use of a prescribed safe, level 1 safe or a level 2 safe or compliance with storage level 1 or storage level 2.
- (3) Nothing in this code of practice is to be taken to prevent a person from complying with a higher level of security with respect to a particular item than the requirements specified by a particular provision.

Part 2—Security and storage of firearms and ammunition etc

Division 1—General provisions relating to security of firearms and ammunition etc

5—General duty to prevent loss or theft of firearm and ammunition etc

- (1) A person who has possession of a firearm or ammunition, or a sound moderator or restricted firearm mechanism, must take all reasonable precautions to prevent the firearm, ammunition, sound moderator or restricted firearm mechanism from being lost or stolen or coming into the possession of an unauthorised person.
- (2) A contravention of subclause (1) is—
 - (a) in the case of a prescribed firearm—a category C offence;
 - (b) in the case of a category C, D or H firearm—a category D offence;
 - (c) in the case of any other kind of firearm or a sound moderator or restricted firearm mechanism—a category E offence;
 - (d) in the case of ammunition—a category F offence.

6—Firearm must not be loaded while stored or displayed

- (1) A person (including a licensed dealer and a person who carries on the business of storing goods) must not store or display a firearm that is loaded.
- (2) A contravention of subclause (1) is a category C offence.
- (3) Subclause (1) does not apply in relation to a firearm if the ammunition cannot be removed from the breech, barrel or chamber or the magazine of the firearm because of a malfunction of the firearm.

7—Security of keys to safes etc

- (1) A person who uses a security device to secure a firearm or ammunition, or a firearm part, sound moderator or restricted firearm mechanism, including while being transported in a vehicle, vessel or aircraft, must take all reasonable precautions to prevent the key to the security device from being lost or stolen, or coming into the possession or knowledge of an unauthorised person.
- (2) A contravention of subclause (1) is a category C offence.

- (3) A key for a container used to secure ammunition must not be kept in a security device that is used to secure a firearm in which the ammunition may be used.
- (4) A contravention of subclause (3) is a category C offence.
- (5) A key for a security device that is used to secure a firearm must not be kept in a container used to secure ammunition suitable for use in that firearm.
- (6) A contravention of subclause (5) is a category C offence.
- (7) A person who is transporting a firearm or ammunition in a vehicle, vessel or aircraft (including in the ordinary course of the person carrying on the business of transporting goods) must keep the key to the vehicle, vessel or aircraft on or about their person, or under the person's immediate physical control, while the firearm or ammunition is in the vehicle, vessel or aircraft.
- (8) A contravention of subclause (7) is a category C offence.
- (9) For the purposes of subclause (1), a person will be taken not to have taken all reasonable precautions to prevent the key to the security device from being lost or stolen, or coming into the possession or knowledge of an unauthorised person if—
 - (a) in the case of a combination or key code or electronic access code, the person—
 - (i) tells another person the combination or key code or electronic access code (other than a person who may have lawful access to the firearm, ammunition, firearm part, sound moderator or restricted firearm mechanism (as the case requires) secured in the security device); or
 - (ii) leaves a record of the combination or key code or electronic access code in a place where it may be discovered by an unauthorised person; or
 - (b) in the case of a key, the person leaves the key in the lock of the security device; or
 - (c) in the case of a key or key card, the person—
 - (i) gives the key or key card to another person (other than a person who may lawfully access the security device); or
 - (ii) tells another person the place in which the key or key card is kept (other than a person who may lawfully access the security device); or
 - (iii) leaves the key or key card in a place where it may be discovered by an unauthorised person.
- (10) Subclause (9) does not limit the circumstances in which a person will be taken not to have taken all reasonable precautions to prevent the key to the security device from being lost or stolen, or coming into the possession or knowledge of an unauthorised person.
- (11) A person who is the operator of a primary production business does not contravene subclause (1) if the operator provides the means of access to a security device used to secure firearms or ammunition for the purposes of the business to a person who—
 - (a) is engaged in the business of the operator as an employee or relative of the operator; and

- (b) is the holder of a category 5 (primary production) licence; and
 - (c) is authorised under a firearms licence held by the person to possess firearms of the category secured in the security device; and
 - (d) is authorised by the operator to access the security device.
- (12) In the case of keys to a vehicle, vessel or aircraft, this clause only applies to—
- (a) a key used to access or operate a vehicle, vessel, or aircraft that is also the key used to lock a separate compartment or cavity (including a boot or glove box) of the vehicle, vessel or aircraft while the vehicle, vessel or aircraft contains a firearm or ammunition; or
 - (b) a key used to lock a boot or glove box of a vehicle (whether or not it is also the key used to access or operate the vehicle) while the boot or glove box contains a firearm or ammunition.

- (13) In this clause—

security device means a safe, strongroom, rack, display cabinet, container, boot, glove box or other compartment, or other item or device, in which, or by which, things may be secured.

8—Change of location and manner of storing firearm

- (1) A person who holds a firearms licence must not change the place at which the person keeps a firearm in the possession of the person under the licence when not in use—
- (a) from the place specified, when the person applied for the firearms licence, as being the place at which the person intends to keep a firearm under the licence, unless the person gives the Registrar prior written notice of that change; or
 - (b) if the person has previously given notice under this subclause—from the place so notified unless the person gives further prior written notice of the change to the Registrar.
- (2) A contravention of subclause (1) is a category E offence that is expiable.
- (3) A person who holds a firearms licence must not change the manner in which a firearm in the possession of the person under the licence is secured when not in use—
- (a) from the manner specified when the person applied for the firearms licence as being the manner in which the person intends to secure a firearm under the licence, without the approval of the Registrar; or
 - (b) if the person has previously obtained the approval of the Registrar under this subclause—from the manner so approved unless the person has the further approval of the Registrar.
- (4) A contravention of subclause (3) is a category E offence that is expiable.
- (5) Subclauses (1) and (3) do not apply if—
- (a) the person is residing at residential premises other than the person's usual place of residence on a short term, temporary basis and—
 - (i) the firearm is only kept at those premises for the duration of the person's residence at those premises; and

- (ii) the person otherwise complies with the requirements of this code; or
- (b) the person is occupying business premises other than the person's usual place of business on a short term, temporary basis and—
 - (i) the firearm is only kept at those premises for the duration of the person's occupation of the premises for the purposes of the person's business; and
 - (ii) the person otherwise complies with the requirements of this code.

9—Written notice of storage of firearms

- (1) A person who has delivered a firearm to a person who carries on the business of storing goods in order for the firearm to be kept in storage for more than 14 days must, within 14 days after the period of storage commences, provide the Registrar with written notice, in a form approved by the Registrar, of—
 - (a) the number or characters constituting the identifying mark of the firearm; and
 - (b) the name and address of the person to whom the firearm has been delivered; and
 - (c) the place at which the firearm is stored.
- (2) A contravention of subclause (1) is a category E offence that is expiable.

Division 2—Storage of firearms and ammunition etc

10—Storage and security of paint-ball firearms

- (1) This clause—
 - (a) does not apply to a licensed dealer who has possession of a paint-ball firearm in the ordinary course of the business of dealing in firearms; and
 - (b) does not apply to a person who has possession of a paint-ball firearm in the ordinary course of the business of storing goods; and
 - (c) does not derogate from, and applies subject to, the conditions of a firearms licence or permit held by a person.
- (2) For the purposes of this clause, the total number of paint-ball firearms taken to be kept at particular premises will be determined by—
 - (a) aggregating the total number of paint-ball firearms kept at the premises on a permanent basis by a person who resides at the premises as the person's principal place of residence, or occupies the premises as the person's principal place of business (as the case requires); and
 - (b) if more than 1 person resides at the premises as the person's principal place of residence, or occupies the premises as the person's principal place of business (as the case requires)—by aggregating the total number of firearms kept at the premises on a permanent basis by each such person.

- (3) When a paint-ball firearm in the possession of a person is not in use, the person—
- (a) must keep the paint-ball firearm in a building or outbuilding at premises that constitute the person's principal place of residence or, if the paint-ball firearm is in the possession of the person for the purposes of the person's business, the person's principal place of business; and
 - (b) must secure the paint-ball firearm at the premises as follows:
 - (i) if the total number of paint-ball firearms kept at the premises is less than 20—
 - (A) subject to subclause (6), by locking the paint-ball firearm in a level 1 safe located in a building or outbuilding on the premises; or
 - (B) subject to subclauses (6) and (7), by locking the paint-ball firearm in a prescribed safe located in a building or outbuilding on the premises; or
 - (C) in some other manner approved by the Registrar;
 - (ii) if the total number of paint-ball firearms kept at the premises is 20 or more—
 - (A) in accordance with the requirements of storage level 1; or
 - (B) in some other manner approved by the Registrar.
- (4) The categories of offences for contraventions of subclause (3) are as follows:
- (a) a contravention of subclause (3)(a) is a category C offence;
 - (b) a contravention of subclause (3)(b)(i) is a category D offence;
 - (c) a contravention of subclause (3)(b)(ii) is a category C offence.
- (5) Subclause (3)(a) does not apply if the person has obtained the approval of the Registrar to keep the paint-ball firearm at some other premises and the person complies with the conditions of the approval (if any) imposed by the Registrar.
- (6) If a prescribed safe or a level 1 safe weighs less than 150 kilograms when empty, a person may only secure a paint-ball firearm in the safe under this clause if the safe is bolted to a solid concrete, brick, metal or timber floor, wall or other permanent internal structure of the building or outbuilding (as the case may be) in which it is located, with at least 2 solid anchor bolts.
- (7) A person may only secure a paint-ball firearm in a prescribed safe under subclause (3)(b)(i)(B) if—
- (a) —
 - (i) the person was the owner of the safe, and the safe was used by the person to secure the person's firearms, immediately before the commencement of this clause; and
 - (ii) either—
 - (A) a period of not more than 12 months has passed from the commencement of this clause; or

- (B) notice is given in writing by the person to the Registrar not more than 12 months after the commencement of this clause that paragraph (a)(i) applies to the person (supported by such evidence as is required by the Registrar), and the Registrar has confirmed to the person in writing that the notice was received by the Registrar; or
- (b) —
 - (i) the person resides at, or occupies, premises with another person who was the owner of the safe, and the safe was used by the owner to secure the owner's firearms, immediately before the commencement of this clause; and
 - (ii) either—
 - (A) a period of not more than 12 months has passed from the commencement of this clause; or
 - (B) the requirements of paragraph (a)(ii)(B) have been satisfied.

Note—

Clause 23 of this code of practice sets out further requirements in relation to the shared use of safes by persons who reside at or occupy the same premises.

11—Storage and security of firearms other than paint-ball firearms

- (1) This clause—
 - (a) does not apply to, or in respect of, paint-ball firearms; and
 - (b) does not apply to a licensed dealer who has possession of a firearm in the ordinary course of the business of dealing in firearms; and
 - (c) does not apply to a person who has possession of a firearm in the ordinary course of the business of storing goods; and
 - (d) does not derogate from, and applies subject to, the conditions of a firearms licence or permit held by a person.
- (2) For the purposes of this clause, the total number of firearms taken to be kept at particular premises will be determined by—
 - (a) aggregating the total number of firearms (other than paint-ball firearms) kept at the premises on a permanent basis by a person who resides at the premises as the person's principal place of residence, or occupies the premises as the person's principal place of business (as the case requires); and
 - (b) if more than 1 person resides at the premises as the person's principal place of residence, or occupies the premises as the person's principal place of business (as the case requires)—by aggregating the total number of firearms (other than paint-ball firearms) kept at the premises on a permanent basis by each such person.

- (3) When a firearm in the possession of a person is not in use, the person—
- (a) must keep the firearm in a building or, subject to this clause, in an outbuilding, at premises that constitute the person's principal place of residence or, if the firearm is in the possession of the person for the purposes of the person's business, the person's principal place of business; and
 - (b) must secure the firearm at the premises as follows:
 - (i) if the total number of firearms kept at the premises is less than 20 firearms and none of those firearms is a category C, D or H firearm—
 - (A) where the firearm is kept under the main roof of the person's residence or place of business—subject to subclause (6), by locking the firearm in a level 1 safe; or
 - (B) where the firearm is not kept under the main roof of the person's residence or place of business, or the firearm is kept in an outbuilding—subject to subclause (6), by locking the firearm in a level 2 safe; or
 - (C) subject to subclauses (6) and (7)—by locking the firearm in a prescribed safe located in a building or outbuilding on the premises; or
 - (D) in some other manner approved by the Registrar;
 - (ii) if the total number of firearms kept at the premises is less than 20 firearms and at least 1 of those firearms is a category C, D, or H firearm (whether or not such a category of firearm is in possession of the person)—
 - (A) subject to subclause (6), by locking the firearm in a level 2 safe located in a building or outbuilding on the premises; or
 - (B) subject to subclauses (6) and (7), by locking the firearm—
 - in a level 1 safe located in a building or outbuilding on the premises; or
 - in a prescribed safe, located in a building or outbuilding on the premises; or
 - (C) in some other manner approved by the Registrar;
 - (iii) subject to subparagraph (vi), if the total number of firearms kept at the premises is 20 or more, but less than 35, firearms and not more than 29 of those firearms are category H firearms (whether or not the person possesses a category H firearm)—
 - (A) in accordance with the requirements of storage level 1; or
 - (B) in some other manner approved by the Registrar;
 - (iv) subject to subparagraph (vi), if the total number of firearms kept at the premises is 35 or more, but less than 50, firearms and not more than 29 of those firearms are category H firearms (whether or not the person possesses a category H firearm)—

- (A) in accordance with the requirements of storage level 2; or
 - (B) in some other manner approved by the Registrar;
 - (v) subject to subparagraph (vi), if the total number of firearms kept at the premises is 50 or more firearms—
 - (A) in accordance with the requirements of storage level 3; or
 - (B) in some other manner approved by the Registrar;
 - (vi) if the total number of firearms kept at particular premises is made up of, or includes, 30 or more category H firearms (regardless of whether the person possesses a category H firearm, or whether firearms of another category or categories are kept at the premises)—
 - (A) in accordance with the requirements of storage level 3; or
 - (B) in some other manner approved by the Registrar.
- (4) The categories of offences for contraventions of subclause (3) are as follows:
 - (a) a contravention of subclause (3)(a) is a category B offence;
 - (b) a contravention of subclause (3)(b)(i) is a category C offence;
 - (c) a contravention of subclause (3)(b)(ii) is a category C offence;
 - (d) a contravention of subclause (3)(b)(iii) is a category B offence;
 - (e) a contravention of subclause (3)(b)(iv) is a category B offence;
 - (f) a contravention of subclause (3)(b)(v) is a category A offence;
 - (g) a contravention of subclause (3)(b)(vi) is a category A offence.
- (5) Subclause (3)(a) does not apply if the person has obtained the approval of the Registrar to keep the firearm at some other premises and the person complies with the conditions of the approval (if any) imposed by the Registrar.
- (6) If a prescribed safe, level 1 safe or level 2 safe weighs less than 150 kilograms when empty, a person may only secure a firearm in the safe under this clause if the safe is bolted to a solid concrete, brick, metal or timber floor, wall or other permanent internal structure of the building or outbuilding (as the case may be) in which it is located, with at least 2 solid anchor bolts.
- (7) A person may only secure firearms in a prescribed safe or a level 1 safe under subclause (3)(b)(i)(C) or (3)(b)(ii)(B) if—
 - (a) —
 - (i) the person was the owner of the safe, and the safe was used by the person to secure the person's firearms, immediately before the commencement of this clause; and
 - (ii) either—
 - (A) a period of not more than 12 months has passed from the commencement of this clause; or

- (B) notice is given in writing by the person to the Registrar not more than 12 months after the commencement of this clause that paragraph (a)(i) applies to the person (supported by such evidence as is required by the Registrar), and the Registrar has confirmed to the person in writing that the notice was received by the Registrar; or
- (b) —
 - (i) the person resides at, or occupies, premises with another person who was the owner of the safe, and the safe was used by the owner to secure the owner's firearms, immediately before the commencement of this clause; and
 - (ii) either—
 - (A) a period of not more than 12 months has passed from the commencement of this clause; or
 - (B) the requirements of paragraph (a)(ii)(B) have been satisfied.

Note—

Clause 23 of this code of practice sets out further requirements in relation to the shared use of safes by persons who reside at or occupy the same premises.

12—Storage and security of ammunition

- (1) This clause—
 - (a) does not apply to a licensed dealer who has possession of ammunition in the ordinary course of the dealer's business; and
 - (b) does not apply to a person who has possession of ammunition in the ordinary course of the business of storing goods; and
 - (c) does not derogate from, and applies subject to, the conditions of a firearms licence or permit held by a person.
- (2) When ammunition in the possession of a person is not in use, the person must keep the ammunition at premises that constitute the person's principal place of residence or, if the ammunition is in the possession of the person for the purposes of the person's business, the person's principal place of business unless—
 - (a) the person has obtained the approval of the Registrar to keep the ammunition at some other premises; and
 - (b) the person complies with the conditions of the approval (if any) imposed by the Registrar.
- (3) A contravention of subclause (2) is a category B offence.
- (4) A person who has possession of ammunition must, when the ammunition is not in use, keep the ammunition—
 - (a) subject to any other Act or law, inside a building or outbuilding; and
 - (b) in a locked container separately from firearms.
- (5) A contravention of subclause (4) is a category F offence that is expiable.

- (6) For the purposes of subclause (4), if ammunition is kept in a safe or strongroom that holds a firearm, the ammunition will be taken to be kept separately from the firearm if—
- (a) the ammunition is secured in a separate compartment or container within the safe or strongroom to the firearm; and
 - (b) the compartment or container is secured with a key that cannot be used to access the safe or strongroom.

13—Storage and security of sound moderators and restricted firearm mechanisms

- (1) This clause—
- (a) does not derogate from, and applies subject to, an approval of the Registrar under section 39 of the Act; and
 - (b) does not apply in respect of a sound moderator in the possession of a licensed dealer in the ordinary course of the dealer's business pursuant to an approval of the Registrar under section 39 of the Act.
- (2) When a sound moderator or restricted firearm mechanism in the possession of a person is not in use, the person—
- (a) must keep the sound moderator or restricted firearm mechanism in a building or, subject to this clause, in an outbuilding, at premises that constitute the person's principal place of residence, or if the sound moderator or restricted firearm mechanism is in the possession of the person for the purposes of the person's business, the person's principal place of business; and
 - (b) must secure the sound moderator or restricted firearm mechanism as follows:
 - (i) where the sound moderator or restricted firearm mechanism is kept under the main roof of the person's residence or place of business—subject to subclause (5), by locking it in a level 1 safe; or
 - (ii) where the sound moderator or restricted firearm mechanism is not kept under the main roof of the person's residence or place of business, or the sound moderator or restricted firearm mechanism is kept in an outbuilding—subject to subclause (5), by locking it in a level 2 safe; or
 - (iii) subject to subclauses (5) and (6), by locking it in a prescribed safe located in a building or outbuilding on the premises; or
 - (iv) in some other manner approved by the Registrar.
- (3) The categories of offences for contraventions of subclause (2) are as follows:
- (a) a contravention of subclause (2)(a) is a category B offence;
 - (b) a contravention of subclause (2)(b) is a category C offence.
- (4) Subclause (2)(a) does not apply if the person has obtained the approval of the Registrar to keep the sound moderator or restricted firearm mechanism at some other premises and the person complies with the conditions of the approval (if any) imposed by the Registrar.

- (5) If a prescribed safe, level 1 safe or level 2 safe weighs less than 150 kilograms when empty, a person may only secure a sound moderator or restricted firearm mechanism in the safe under this clause if the safe is bolted to a solid concrete, brick, metal or timber floor, wall or other permanent internal structure of the building or outbuilding (as the case may be) in which it is located, with at least 2 solid anchor bolts.
- (6) A person may only secure a sound moderator or a restricted firearm mechanism in a prescribed safe under subclause (2)(b)(iii) if—
- (a) —
- (i) the person was the owner of the safe immediately before the commencement of this clause; and
- (ii) either—
- (A) a period of not more than 12 months has passed from the commencement of this clause; or
- (B) notice is given in writing by the person to the Registrar not more than 12 months after the commencement of this clause that paragraph (a)(i) applies to the person (supported by such evidence as is required by the Registrar), and the Registrar has confirmed to the person in writing that the notice was received by the Registrar; or
- (b) —
- (i) the person resides at, or occupies, premises with another person who was the owner of the safe, and the safe was used by the owner to secure the owner's firearms, immediately before the commencement of this clause; and
- (ii) either—
- (A) a period of not more than 12 months has passed from the commencement of this clause; or
- (B) the requirements of paragraph (a)(ii)(B) have been satisfied.

Note—

Clause 23 of this code of practice sets out further requirements in relation to the shared use of safes by persons who reside at or occupy the same premises.

14—Storage and security of firearms and ammunition in the course of use

- (1) This clause—
- (a) does not apply to a licensed dealer who has possession of a firearm or ammunition in the ordinary course of the business of dealing in firearms; and
- (b) does not derogate from, and applies subject to, the conditions of a firearms licence or permit held by a person.

- (2) If a person, in the course of using a firearm for a purpose authorised by a firearms licence held by the person, is not residing at, or occupying, the premises at which the firearm is ordinarily kept, the person must, when the firearm is not in actual use, secure the firearm and any ammunition in the possession of the person for use in that firearm, by using the best means reasonably available to the person in the circumstances.
- (3) A contravention of subclause (2) is—
 - (a) in the case of a firearm—a category C offence;
 - (b) in the case of ammunition—a category F offence.
- (4) Subclause (2) only applies if the person is, in the course of using the firearm, not residing at, or occupying, the premises at which the firearm is ordinarily kept, on a short term, temporary basis.

15—Storage and security of sound moderators and restricted firearm mechanisms in the course of use

- (1) This clause—
 - (a) does not derogate from, and applies subject to, an approval of the Registrar under section 39 of the Act; and
 - (b) does not apply in respect of a sound moderator in the possession of a licensed dealer in the ordinary course of the dealer's business pursuant to an approval of the Registrar under section 39 of the Act.
- (2) If a person, in the course of using a sound moderator or restricted firearm mechanism for a purpose authorised by an approval under the Act held by the person, is not residing at, or occupying, the premises at which the sound moderator or restricted firearm mechanism is ordinarily kept, the person must, when the sound moderator or restricted firearm mechanism is not in actual use, secure the sound moderator or restricted firearm mechanism by using the best means reasonably available to the person in the circumstances.
- (3) A contravention of subclause (2) is a category C offence.
- (4) Subclause (2) only applies if the person is, in the course of using the sound moderator or restricted firearm mechanism, not residing at, or occupying, the premises at which the sound moderator or restricted firearm mechanism is ordinarily kept, on a short term, temporary basis.

Division 3—Licensed dealers

16—Storage and security of paint-ball firearms by licensed dealers

- (1) This clause—
 - (a) applies to paint-ball firearms in the possession of a person in the person's capacity as a licensed dealer at the premises specified in the firearms licence authorising the person to carry on the business of a dealer; and
 - (b) does not derogate from, and applies subject to, the conditions of the firearms licence held by the person authorising the person to carry on the business of a dealer.

- (2) A person who, in the person's capacity as a licensed dealer, has possession of less than 20 paint-ball firearms, must secure any paint-ball firearm in the person's possession kept on the premises at which the person carries on business—
 - (a) by locking the paint-ball firearm—
 - (i) subject to subclause (6), in a level 1 safe; or
 - (ii) subject to subclauses (6) and (7), in a prescribed safe; or
 - (b) in some other manner approved by the Registrar.
- (3) A contravention of subclause (2) is a category D offence.
- (4) A person who, in the person's capacity as a licensed dealer, has possession of 20 or more paint-ball firearms, must secure every paint-ball firearm in the person's possession kept on the premises at which the person carries on business—
 - (a) subject to subclause (6), by locking the paint-ball firearms in a level 2 safe; or
 - (b) in some other manner approved by the Registrar.
- (5) A contravention of subclause (4) is a category C offence.
- (6) If a prescribed safe, level 1 safe or level 2 safe weighs less than 150 kilograms when empty, a person may only secure a paint-ball firearm in the safe under this clause if the safe is bolted to a solid concrete, brick, metal or timber floor, wall or other permanent internal structure of the premises at which the person carries on business, with at least 2 solid anchor bolts.
- (7) A dealer may only secure a paint-ball firearm in a prescribed safe under subclause (2)(a)(ii) if—
 - (a) the dealer was the owner of the safe, and the safe was used by the dealer to secure firearms for the purposes of the dealer's business, immediately before the commencement of this clause; and
 - (b) either—
 - (i) a period of not more than 12 months has passed from the commencement of this clause; or
 - (ii) notice is given in writing by the dealer to the Registrar not more than 12 months after the commencement of this clause that paragraph (a) applies to the dealer (supported by such evidence as is required by the Registrar), and the Registrar has confirmed to the dealer in writing that the notice was received by the Registrar.
- (8) Despite anything in this clause, during periods that a licensed dealer's premises are open to the public, the dealer is not required to comply with this clause in respect of paint-ball firearms that are on display to members of the public entering the premises provided that—
 - (a) the public does not have access to the paint-ball firearms; and
 - (b) the paint-ball firearms are under the immediate and continuous supervision of the licensed dealer or a licensed employee of the dealer; and
 - (c) the paint-ball firearms are displayed—
 - (i) in accordance with the requirements of display level 2; or
 - (ii) in some other manner approved by the Registrar.

17—Storage and security of firearms other than paint-ball firearms by licensed dealers

- (1) This clause—
 - (a) applies to firearms, other than paint-ball firearms, in the possession of a person in the person's capacity as a licensed dealer at the premises specified in the firearms licence authorising the person to carry on the business of a dealer; and
 - (b) does not derogate from, and applies subject to, the conditions of the firearms licence held by the person authorising the person to carry on the business of a dealer.
- (2) A person who, in the person's capacity as a licensed dealer, has possession of less than 20 firearms, none of which is a category C, D or H firearm, must secure any firearm in the dealer's possession kept on the premises at which the dealer carries on business as a dealer—
 - (a) subject to subclause (8), by locking the firearm in a level 1 safe; or
 - (b) subject to subclauses (8) and (9), by locking the firearm in a prescribed safe; or
 - (c) in some other manner approved by the Registrar.
- (3) A contravention of subclause (2) is a category B offence.
- (4) A person who, in the person's capacity as a licensed dealer, has possession of—
 - (a) at least 1, but less than 30, category C, D or H firearms (or a combination of these categories); or
 - (b) 20 or more, but less than 50, firearms (less than 30 of which are category C, D or H firearms (or a combination of these categories)),must secure every firearm in the dealer's possession kept on the premises at which the dealer carries on business as a dealer—
 - (c) subject to subclause (8), by locking the firearms in a level 2 safe; or
 - (d) subject to subclauses (8) and (9), by locking the firearms—
 - (i) in a level 1 safe; or
 - (ii) in a prescribed safe; or
 - (e) in some other manner approved by the Registrar.
- (5) A contravention of subclause (4) is a category B offence.
- (6) A person who, in the person's capacity as a licensed dealer, has possession of—
 - (a) 30 or more category C, D or H firearms (or a combination of these categories), whether or not the dealer also has possession of 1 or more firearms of another category; or
 - (b) if paragraph (a) does not apply, 50 or more firearms,must secure every firearm in the person's possession kept on the premises at which the person carries on business as a dealer—
 - (c) by locking the firearms in a strongroom; or
 - (d) in some other manner approved by the Registrar.

- (7) A contravention of subclause (6) is a category A offence.
- (8) If a prescribed safe, level 1 safe or level 2 safe weighs less than 150 kilograms when empty, a person may only secure a firearm in the safe under this clause if the safe is bolted to a solid concrete, brick, metal or timber floor, wall or other permanent internal structure of the premises at which the person carries on business, with at least 2 solid anchor bolts.
- (9) A dealer may only secure firearms in a level 1 safe or a prescribed safe under subclause (2)(b) or (4)(d) (as the case requires) if—
 - (a) the dealer was the owner of the safe, and the safe was used by the dealer to secure firearms for the purposes of the dealer's business, immediately before the commencement of this clause; and
 - (b) either—
 - (i) a period of not more than 12 months has passed from the commencement of this clause; or
 - (ii) notice is given in writing by the dealer to the Registrar not more than 12 months after the commencement of this clause that paragraph (a) applies to the dealer (supported by such evidence as is required by the Registrar), and the Registrar has confirmed to the dealer in writing that the notice was received by the Registrar.
- (10) Despite anything in this clause, during periods that a licensed dealer's premises are open to the public, the dealer is not required to comply with this clause in respect of category A, B or H firearms that are on display to members of the public entering the premises provided that—
 - (a) the public does not have access to the firearms; and
 - (b) the firearms are under the immediate and continuous supervision of the licensed dealer or a licensed employee of the dealer; and
 - (c) the firearms are displayed—
 - (i) in the case of category A or B firearms—in accordance with the requirements of display level 2, or in some other manner approved by the Registrar; or
 - (ii) in the case of category H firearms—in accordance with the requirements of display level 3, or in some other manner approved by the Registrar.

18—Storage and security of ammunition by dealers

- (1) This clause—
 - (a) applies to ammunition in the possession of a person in the person's capacity as a licensed dealer at the premises specified in the firearms licence authorising the person to carry on the business of a dealer; and
 - (b) does not derogate from, and applies subject to, the conditions of the firearms licence authorising the person to carry on the business of a dealer held by the person.

- (2) Subject to subclause (5), a person who has possession of ammunition in the person's capacity as a licensed dealer must secure the ammunition in a locked container separately from firearms.
- (3) A contravention of subclause (2) is a category D offence.
- (4) For the purposes of subclause (2), if ammunition is kept in a safe or strongroom that holds a firearm, the ammunition will be taken to be kept separately from the firearm if—
 - (a) the ammunition is secured in a separate compartment or container within the safe or strongroom to the firearm; and
 - (b) the compartment or container is secured with a key that cannot be used to access the safe or strongroom.
- (5) During periods that a licensed dealer's premises are open to the public, the dealer is not required to comply with the requirements of subclause (2) in respect of ammunition provided that—
 - (a) the public does not have access to the ammunition; and
 - (b) the ammunition is under the immediate and continuous supervision of the licensed dealer or a licensed employee of the dealer; and
 - (c) the ammunition is kept—
 - (i) in a container or display cabinet; or
 - (ii) in some other manner approved by the Registrar.

19—Storage and security of sound moderators by dealers

- (1) A licensed dealer who has possession of a sound moderator in the ordinary course of the dealer's business pursuant to an approval of the Registrar under section 39 of the Act, must keep the sound moderator at the premises at which the dealer carries on business as a dealer—
 - (a) subject to subclause (3), in a level 1 safe; or
 - (b) subject to subclauses (3) and (4), in a prescribed safe.
- (2) A contravention of subclause (1) is a category B offence.
- (3) If a prescribed safe or level 1 safe weighs less than 150 kilograms when empty, a person may only secure a sound moderator in the safe under this clause if the safe is bolted to a solid concrete, brick, metal or timber floor, wall or other permanent internal structure of the premises at which the dealer carries on business, with at least 2 solid anchor bolts.
- (4) A dealer may only secure a sound moderator in a prescribed safe under subclause (1)(b) if—
 - (a) the dealer was the owner of the safe, and the safe was used by the dealer for the purposes of the dealer's business, immediately before the commencement of this clause; and

- (b) either—
 - (i) a period of not more than 12 months has passed from the commencement of this clause; or
 - (ii) notice is given in writing by the dealer to the Registrar not more than 12 months after the commencement of this clause that paragraph (a) applies to the dealer (supported by such evidence as is required by the Registrar), and the Registrar has confirmed to the dealer in writing that the notice was received by the Registrar.

20—Security of premises of licensed dealer dealing in firearms

- (1) Subject to subclause (3), a licensed dealer must ensure that the premises at which the dealer carries on the business of dealing in firearms comply with the following requirements:
 - (a) the premises must be in a structurally sound condition and the walls, floor and ceiling of the premises must be constructed of stone, brick or concrete, or lined with steel mesh of a thickness of not less than 5 millimetres;
 - (b) any external doors to the premises must be—
 - (i) in a structurally sound condition; and
 - (ii) constructed of metal, or lined with steel mesh of a thickness of not less than 5 millimetres; and
 - (iii) in a metal frame with substantial hinges and fitted with a deadlock;
 - (c) any windows, skylights or other covers of openings giving access to the premises must comply with the following:
 - (i) they must be in a structurally sound condition;
 - (ii) in the case of windows and skylights—they must be fitted with steel bars or other material that provides a strong covering, that cannot be removed from the outside of the premises;
 - (iii) they must be capable of being secured against unlawful entry;
 - (iv) any locks, bolts or hinges fitted to, or forming part of, the window, skylight or other means of access to the premises must be strong and in a structurally sound condition;
 - (d) the premises must be fitted with an intruder alarm system that is able to detect, to the maximum extent reasonably practicable, any unauthorised entry of the premises or room in which a firearm is kept, or any unauthorised interference with a firearm, by means of—
 - (i) an externally visible alarm warning light and a loud audible alarm; and
 - (ii) a remote alarm permanently monitored by a private security company approved by the Registrar;
 - (e) the premises must be fitted with a cctv system that is installed so as to be able to detect and record unauthorised access to or interference with, or removal of, any firearm kept on the premises.

- (2) A contravention of subclause (1) is a category A offence.
- (3) The Registrar may, on the application of a licensed dealer, exempt the dealer from complying with 1 or more of the requirements referred to in subclause (1), subject to such conditions (including conditions as to the security of the premises) as specified by the Registrar in the exemption.
- (4) A contravention of a condition of an exemption by the Registrar under subclause (3) is—
 - (a) a contravention of this code; and
 - (b) a category A offence.
- (5) A licensed dealer must ensure that the cctv system installed at the premises is activated and operating at all times.
- (6) A contravention of subclause (5) is a category A offence.
- (7) A licensed dealer must, whenever the premises at which the dealer carries on business are unoccupied, ensure that—
 - (a) the premises are properly secured against unlawful entry; and
 - (b) the intruder alarm system is activated and operating.
- (8) A contravention of subclause (7) is a category A offence.

21—Security of premises of licensed dealer dealing in ammunition only

- (1) This clause applies to a licensed dealer who holds a category 11 (dealer) licence that bears the statement "ammunition only".
- (2) Subject to subclause (4), a licensed dealer to whom this clause applies must ensure that the premises at which the dealer carries on the business of dealing in ammunition comply with the following requirements:
 - (a) the premises must be fitted with an intruder alarm system that is able to detect, to the maximum extent reasonably practicable, any unauthorised entry of the premises or room in which ammunition is kept, or any unauthorised interference with any ammunition, by means of—
 - (i) an externally visible alarm warning light and a loud audible alarm; and
 - (ii) a remote alarm permanently monitored by a private security company approved by the Registrar;
 - (b) the premises must be fitted with a cctv system that is installed so as to be able to detect and record unauthorised access to or interference with, or removal of, any ammunition kept on the premises.
- (3) A contravention of subclause (2) is a category A offence.
- (4) The Registrar may, on the application of a licensed dealer to whom this clause applies, exempt the dealer from complying with 1 or more of the requirements referred to in subclause (2), subject to such conditions (including conditions as to the security of the premises) as specified by the Registrar in the exemption.

- (5) A contravention of a condition of an exemption by the Registrar under subclause (4) is—
 - (a) a contravention of this code; and
 - (b) a category A offence.
- (6) A licensed dealer to whom this clause applies must ensure that the cctv system installed at the premises at which the dealer carries on business is activated and operating at all times.
- (7) A contravention of subclause (6) is a category A offence.
- (8) A licensed dealer to whom this clause applies must, whenever the premises at which the dealer carries on business are unoccupied, ensure that—
 - (a) the premises are properly secured against unlawful entry; and
 - (b) the intruder alarm system is activated and operating.
- (9) A contravention of subclause (8) is a category A offence.

Division 4—Display of firearms, firearm parts or ammunition at arms fair

22—Display of firearms, firearm parts or ammunition at arms fair

- (1) A person who displays a category A, B, or H firearm or a firearm part for a category A, B, or H firearm, or ammunition, at an arms fair must comply with the following requirements:
 - (a) the person must take all reasonable precautions to prevent the firearm, firearm part or ammunition from being lost or stolen or coming into the possession of an unauthorised person;
 - (b) the firearm, firearm part or ammunition must be under the immediate and continuous supervision of the person, or in the case of a person who holds a category 11 (dealer) licence, a licensed employee of the dealer;
 - (c) the firearm, firearm part or ammunition must be secured in accordance with the requirements of display level 1 or in some other manner approved by the Registrar;
 - (d) the person must, subject to subclause (3), only display a firearm, firearm part or ammunition at times when the arms fair is open to members of the public.
- (2) A contravention of subclause (1) is a category B offence.
- (3) A person may only keep a firearm, firearm part or ammunition at an arms fair during periods when the arms fair is not open to the public if—
 - (a) the firearm, firearm part or ammunition is secured—
 - (i) in accordance with the requirements of display level 1; or
 - (ii) in some other manner approved by the Registrar; and
 - (b) the firearm, firearm part or ammunition is under the immediate and continuous supervision of a person who—
 - (i) holds a category 6 (security guard) licence; and
 - (ii) holds a security agents licence in force under the *Security and Investigation Industry Act 1995* that authorises the person to protect or guard property or keep property under surveillance.

- (4) A contravention of subclause (3) is a category B offence.

Division 5—Shared use of safes and strongrooms by persons residing at or occupying same premises

23—Shared use of safes and strongrooms by persons residing at or occupying same premises

- (1) Subject to this code of practice, a person who resides at, or occupies, premises (whether residential or business) on a permanent basis, together with 1 or more other persons who also reside at, or occupy, those premises on a permanent basis, may only secure a firearm, sound moderator or restricted firearm mechanism owned or in the lawful possession of the person in a safe or strongroom located at the premises, in which a firearm, sound moderator or restricted firearm mechanism owned by or in the lawful possession of the other person (or persons) is secured, if—
- (a) the person secures the person's firearm, sound moderator or restricted firearm mechanism within the safe or strongroom in a separate locked compartment of the safe or strongroom or with a separate cable or other device so as to prevent the unauthorised access, removal or possession of the firearm, sound moderator or restricted firearm mechanism by the other person (or persons) also using the safe or strongroom to secure a firearm, sound moderator or restricted firearm mechanism; and
 - (b) in addition, in the case of a firearm—the person has complied with the requirements under the Act (including these regulations) relating to the provision of notice to the Registrar as to the place and manner in which the firearm is kept.
- (2) A contravention of subclause (1) is a category C offence.
- (3) Subject to this code of practice, a person who resides at, or occupies, premises (whether residential or business) on a permanent basis, together with 1 or more other persons who also reside at, or occupy, those premises on a permanent basis, may only secure ammunition owned or in the lawful possession of the person in a safe or strongroom located at the premises, in which ammunition owned by or in the lawful possession of the other person (or persons) is secured, if the ammunition is kept in a separate locked compartment or container within the safe or strong room so as to prevent the unauthorised access, removal or possession of the ammunition by the other person (or persons) also using the safe or strongroom.
- (4) A contravention of subclause (3) is a category F offence that is expiable.

Division 6—Persons who carry on business of storing goods

24—Commercial storage of firearms and ammunition

- (1) Unless it is not reasonably practicable in the circumstances, and subject to any other Act or law, a person (other than a licensed dealer) must not, in the ordinary course of carrying on the business of storing goods, keep a firearm or ammunition in a container or compartment that is marked in any way, or has anything on or attached to it, indicating that it contains a firearm or ammunition.
- (2) A contravention of subclause (1) is a category E offence.
- (3) A person (other than a licensed dealer) who stores a firearm or ammunition in the ordinary course of carrying on the business of storing goods must—
 - (a) within 24 hours, unless the person has a reasonable excuse for not doing so, provide an oral report to a police officer; and
 - (b) within 7 days, give the Registrar written notice, in a form approved by the Registrar,
of the theft or loss of that firearm or ammunition.
- (4) A contravention of subclause (3) is a category D offence.

Part 3—Transport of firearms and ammunition

25—General duty to prevent loss or theft of firearm or ammunition while being transported

- (1) A person who is transporting a firearm or ammunition in a vehicle, vessel or aircraft (including a person who transports a firearm or ammunition in the ordinary course of carrying on the business of transporting goods) must take all reasonable precautions to prevent the firearm or ammunition from being lost or stolen or coming into the possession of an unauthorised person while being transported.
- (2) A contravention of subclause (1) is—
 - (a) in the case of a prescribed firearm—a category C offence;
 - (b) in the case of a category C, D or H firearm—a category D offence;
 - (c) in the case of any other kind of firearm—a category E offence;
 - (d) in the case of ammunition—a category F offence.

26—Security of firearms and ammunition while being transported

- (1) If a vehicle, vessel or aircraft in which a firearm or ammunition is being transported has—
 - (a) a boot, glove box, cupboard or other compartment in which the firearm or ammunition may be locked; or
 - (b) a container fixed securely to the vehicle, vessel or aircraft (either internally or externally) in which the firearm or ammunition may be locked,the person transporting the firearm or ammunition must—
 - (c) ensure that the firearm or ammunition is securely locked in the boot, glove box, cupboard or other compartment or container; and

- (d) if both a firearm and ammunition are being transported in the vehicle, vessel or aircraft at the same time and the vehicle, vessel or aircraft has more than 1 such compartment or container—ensure that the firearm and ammunition are secured separately unless—
 - (i) it is not reasonably practicably for the person to do so in the circumstances; or
 - (ii) the firearm or ammunition would not then be secured by using the best means reasonably available to the person.
- (2) A contravention of subclause (1) is—
 - (a) in the case of a prescribed firearm—a category C offence;
 - (b) in the case of a category C, D or H firearm—a category D offence;
 - (c) in the case of any other kind of firearm—a category E offence;
 - (d) in the case of ammunition—a category E offence that is expiable.
- (3) Subclause (1) does not apply to a person who transports a firearm or ammunition in the ordinary course of carrying on the business of transporting goods.
- (4) A person who is transporting a firearm or ammunition in a vehicle, vessel or aircraft (including a person who transports a firearm or ammunition in the ordinary course of carrying on the business of transporting goods) must, so far as is reasonably practicable, ensure that the firearm or ammunition is covered, concealed or otherwise placed so that it is out of sight while it is in the vehicle, vessel or aircraft.
- (5) A contravention of subclause (4) is a category E offence.
- (6) Unless it is not reasonably practicable in the circumstances, and subject to any other Act or law, a person who transports a firearm or ammunition (including a person who transports a firearm or ammunition in the ordinary course of carrying on the business of transporting goods) must not transport the firearm or ammunition in a compartment or container that is marked in any way, or has anything on or attached to it, indicating that it contains a firearm or ammunition.
- (7) A contravention of subclause (6) is a category E offence.

27—Firearm must not be loaded while transported

- (1) Subject to this clause, a person who is transporting a firearm (including in the ordinary course of the person carrying on the business of transporting goods) must ensure that the firearm is not loaded.
- (2) A contravention of subclause (1) is a category C offence.
- (3) Subclause (1) does not apply in relation to a firearm if the ammunition cannot be removed from the breech, barrel or chamber or the magazine of the firearm because of a malfunction of the firearm.
- (4) A person does not contravene subclause (1) if—
 - (a) the person—
 - (i) is the operator of a primary production business, or is engaged as an employee or relative of the operator, who holds a category 5 (primary production) licence; or

- (ii) is an agent of the operator of a primary production business who holds a category 3 (hunting) licence or a category 7 (contract shooter) licence and is engaged by the operator for a purpose connected with the operator's business; and
- (b) the person reasonably believes that there is a strong likelihood that the firearm will be required for use for a purpose connected with the primary production business while the firearm is being transported; and
- (c) the person transports the firearm while it is loaded for no further than is reasonably necessary in the circumstances.

28—Firearms not to be left unattended in vehicle etc

- (1) A person transporting a firearm in a vehicle, vessel or aircraft (including in the ordinary course of the person carrying on the business of transporting goods) must not leave the vehicle, vessel or aircraft unattended unless—
 - (a) the person has a reasonable excuse in the circumstances to leave the vehicle, vessel or aircraft unattended; and
 - (b) the vehicle, vessel or aircraft is securely locked; and
 - (c) the vehicle, vessel or aircraft is left unattended for no longer than is reasonably necessary in the circumstances.
- (2) A contravention of subclause (1) is a category C offence.

29—Commercial transport of firearms and ammunition

- (1) A person who carries on the business of transporting goods must not, in the course of carrying on that business, transport a firearm and ammunition, or cause a firearm and ammunition to be transported (whether the ammunition is suitable for use in the firearm or not), by the same vehicle, vessel or aircraft unless—
 - (a) the vehicle, vessel or aircraft is also transporting the owner of the firearm and the owner of the ammunition; or
 - (b) the firearm and ammunition are locked in separate containers or compartments; or
 - (c) the person has obtained the approval of the Registrar.
- (2) A contravention of subclause (1) is a category E offence that is expiable.
- (3) A person who transports a firearm or ammunition in the ordinary course of a business of transporting goods carried on by the person must—
 - (a) within 24 hours, unless the person has a reasonable excuse for not doing so, provide an oral report to a police officer; and
 - (b) within 7 days, give the Registrar written notice, in a form approved by the Registrar,
of the theft or loss of that firearm or ammunition.
- (4) A contravention of subclause (3) is a category D offence.

Part 4—Transitional Provisions

30—Interpretation

In this Part—

relevant period means the period of 12 months from the commencement of this clause;

revoked regulations means the *Firearms Regulations 2008* revoked by these regulations.

31—Transitional provisions

- (1) If a person who was authorised to possess a firearm under a firearms licence in force under the repealed Act immediately before the commencement of this clause contravenes clause 10 or 11 of this code during the relevant period, the person will be taken not to have committed an offence against section 35 of the Act by virtue of that contravention, provided that, at the time of the contravention, the person is complying with the requirements for the security of firearms set out under relevant provisions of the repealed Act and the revoked regulations as in force immediately before the commencement of this clause (as if those provisions continued to operate during the relevant period).
- (2) If a person who was authorised to carry on the business of a dealer under a dealer's licence in force under the repealed Act immediately before the commencement of this clause contravenes clause 16, 17, 20 or 21 of this code during the relevant period, the person will be taken not to have committed an offence against section 35 of the Act by virtue of that contravention, provided that, at the time of the contravention, the person is complying with the requirements for the security of firearms or ammunition or the premises at which the person carries on business, set out under relevant provisions of the repealed Act and the revoked regulations as in force immediately before the commencement of this clause (as if those provisions continued to operate during the relevant period).

Schedule 2—Prescribed offences

Part 1—Prescribed offences—fit and proper person (section 7(3)(d) of Act)

1—Prescribed offences—fit and proper person

For the purposes of section 7(3)(d) of the Act, the following offences are prescribed:

- (a) an offence against section 11A(2) of the *Bail Act 1985* (Bail authority may direct person to surrender firearm etc);
- (b) the following offences against the *Controlled Substances Act 1984*:
 - (i) an indictable offence against section 32 as in force immediately before the commencement of the *Controlled Substances (Serious Drug Offences) Amendment Act 2005*;
 - (ii) an offence against section 32 (Trafficking) as in force following the commencement of the *Controlled Substances (Serious Drug Offences) Amendment Act 2005*;

- (iii) an offence against section 33 (Manufacture of controlled drugs for sale);
- (iv) an offence against section 33A (Sale, manufacture etc of controlled precursor);
- (v) an offence against section 33B (Cultivation of controlled plants for sale);
- (vi) an offence against section 33C (Sale of controlled plants);
- (vii) an offence against section 33D (Sale of equipment);
- (viii) an offence against section 33DA (Sale of instructions);
- (ix) an offence against section 33F (Sale, supply or administration of controlled drug to child);
- (x) an offence against section 33G (Sale, supply or administration of controlled drug in school zone);
- (xi) an offence against section 33GA (Sale of equipment to child for use in connection with consumption of controlled drugs);
- (xii) an offence against section 33GB (Sale of instructions to a child);
- (xiii) an offence against section 33H (Procuring child to commit offence);
- (xiv) an offence against section 33I (Supply or administration of controlled drug);
- (xv) an offence against section 33J (Manufacture of controlled drugs);
- (xvi) an offence against section 33K (Cultivation of controlled plants), other than an offence against that section that is a simple cannabis offence within the meaning of section 45A of the *Controlled Substances Act 1984*;
- (xvii) an offence against section 33L (Possession or consumption of controlled drug etc), other than an offence against that section that is a simple possession offence within the meaning of the *Controlled Substances Act 1984*, or a simple cannabis offence within the meaning of section 45A of that Act;
- (xviii) an offence against section 33LA (Possession or supply of prescribed equipment);
- (xix) an offence against section 33LAB (Possession or supply of instructions);
- (xx) an offence against section 33LB (Possession or supply of prescribed quantity of controlled precursor);
- (xxi) an offence against section 33LD (Intentional manufacture of controlled drug alternative);
- (xxii) an offence against section 33LE (Promoting controlled drug alternative);
- (xxiii) an offence against section 33LF (Manufacturing, packaging, selling or supplying substance promoted as controlled drug alternative);

- (c) an offence against section 68A(2) of the *Correctional Services Act 1982* (Board may direct person to surrender firearm etc);
- (d) any offence against the *Criminal Law Consolidation Act 1935*;
- (e) an offence against section 24A(2) of the *Criminal Law (Sentencing) Act 1988* (Appropriate board may direct person to surrender firearm etc);
- (f) an offence against section 31 of the *Intervention Orders (Prevention of Abuse) Act 2009* (Contravention of intervention order);
- (g) the following offences against the *Road Traffic Act 1961*:
 - (i) an offence against section 47 (Driving under the influence);
 - (ii) an offence against section 47B (Driving while having a prescribed concentration of alcohol in blood);
 - (iii) an offence against section 47BA (Driving with prescribed drug in oral fluid or blood);
- (h) the following offences against the *Serious and Organised Crime (Control) Act 2008*:
 - (i) an offence against section 22 (Offence to contravene or fail to comply with control order) as in force immediately before the commencement of section 6 of the *Serious and Organised Crime (Control) (Miscellaneous) Amendment Act 2012*;
 - (ii) an offence against section 22I (Offence to contravene or fail to comply with control order);
 - (iii) an offence against section 32 (Offence to contravene or fail to comply with public safety order);
 - (iv) an offence against section 34A (Permitting premises to be habitually used as place of resort by members of declared organisation);
 - (v) an offence against section 34B (Recruiting person to become member of declared organisation);
 - (vi) an offence against section 35 (Criminal associations);
 - (vii) an offence against section 36 (Provision of personal details);
- (i) the following offences against the *Summary Offences Act 1953*:
 - (i) an offence against section 6(1) (Assaulting and hindering police);
 - (ii) an offence against section 6A (Violent disorder);
 - (iii) an offence against section 15A (Possession of body armour) as in force immediately before the commencement of section 4 of the *Summary Offences (Weapons) Amendment Act 2012*;
 - (iv) an offence against section 21B (Body armour);
 - (v) an offence against section 21C (Offensive weapons and dangerous articles etc);
 - (vi) an offence against section 21F (Prohibited weapons);
 - (vii) an offence against section 21I (Effect of weapons prohibition order);

- (viii) an offence against section 62 (False reports to police);
- (ix) an offence against section 62A (Creating false belief as to events calling for police action);
- (x) an offence against section 66K (Offence to contravene or fail to comply with notice);
- (xi) an offence against section 74BJ (Hindering removal or modification of fortifications);
- (j) an offence against section 21 of the *Tattooing Industry Control Act 2015* (Offence to possess certain items in premises where tattooing services provided);
- (k) an offence against section 42A(2) of the *Young Offenders Act 1993* (Training Centre Review Board may direct youth to surrender firearm etc);
- (l) offences consisting of a conspiracy or an attempt to commit an offence referred to in a preceding paragraph;
- (m) an offence substantially similar to any of the offences referred to in a preceding paragraph against the law of the Commonwealth, another State or a Territory of the Commonwealth.

Part 2—Prescribed offences—possession and use of firearms—aggravated offence (section 9(7)(c) of Act)

2—Prescribed offences—possession and use of firearms—aggravated offence

For the purposes of section 9(7)(c) of the Act, the following offences against the *Controlled Substances Act 1984* are prescribed:

- (a) an offence against section 32 (Trafficking);
- (b) an offence against section 33 (Manufacture of controlled drugs for sale);
- (c) an offence against section 33A (Sale, manufacture etc of controlled precursor);
- (d) an offence against section 33B (Cultivation of controlled plants for sale);
- (e) an offence against section 33C (Sale of controlled plants);
- (f) an offence against section 33F (Sale, supply or administration of controlled drug to child);
- (g) an offence against section 33G (Sale, supply or administration of controlled drug in school zone);
- (h) an offence against section 33I (Supply or administration of controlled drug);
- (i) an offence against section 33J (Manufacture of controlled drugs);
- (j) an offence against section 33K (Cultivation of controlled plants), other than an offence against that section that is a simple cannabis offence within the meaning of section 45A of the *Controlled Substances Act 1984*;

- (k) an offence against section 33L (Possession or consumption of controlled drug etc), other than an offence against that section that is a simple possession offence within the meaning of the *Controlled Substances Act 1984*, or a simple cannabis offence within the meaning of section 45A of that Act;
- (l) an offence against section 33LB (Possession or supply of prescribed quantity of controlled precursor);
- (m) an offence against section 33LD (Intentional manufacture of controlled drug alternative);
- (n) an offence against section 33LE (Promoting controlled drug alternative);
- (o) an offence against section 33LF (Manufacturing, packaging, selling or supplying substance promoted as controlled drug alternative).

Part 3—Prescribed offences—disqualification of employment of person by licensed dealer (section 11(7)(c)(iii) of Act)

3—Prescribed offences—disqualification of employment of person by licensed dealer

For the purposes of section 11(7)(c)(iii) of the Act, the following offences are prescribed:

- (a) an offence against section 11A(2) of the *Bail Act 1985* (Bail authority may direct person to surrender firearm etc);
- (b) the following offences against the *Controlled Substances Act 1984*:
 - (i) an indictable offence against section 32 as in force immediately before the commencement of the *Controlled Substances (Serious Drug Offences) Amendment Act 2005*;
 - (ii) an offence against section 32 (Trafficking) as in force following the commencement of the *Controlled Substances (Serious Drug Offences) Amendment Act 2005*;
 - (iii) an offence against section 33 (Manufacture of controlled drugs for sale);
 - (iv) an offence against section 33A (Sale, manufacture etc of controlled precursor);
 - (v) an offence against section 33B (Cultivation of controlled plants for sale);
 - (vi) an offence against section 33C (Sale of controlled plants);
 - (vii) an offence against section 33F (Sale, supply or administration of controlled drug to child);
 - (viii) an offence against section 33G (Sale, supply or administration of controlled drug in school zone);
 - (ix) an offence against section 33H (Procuring child to commit offence);
 - (x) an indictable offence against section 33I (Supply or administration of controlled drug);

- (xi) an offence against section 33J (Manufacture of controlled drugs);
- (xii) an offence against section 33K (Cultivation of controlled plants), other than an offence against that section that is a simple cannabis offence within the meaning of section 45A of the *Controlled Substances Act 1984*;
- (xiii) an offence against section 33L (Possession or consumption of controlled drug etc), other than an offence against that section that is a simple possession offence within the meaning of the *Controlled Substances Act 1984*, or a simple cannabis offence within the meaning of section 45A of that Act;
- (xiv) an offence against section 33LA (Possession or supply of prescribed equipment);
- (xv) an offence against section 33LAB (Possession or supply of instructions);
- (xvi) an offence against section 33LB (Possession or supply of prescribed quantity of controlled precursor);
- (xvii) an offence against section 33LD (Intentional manufacture of controlled drug alternative);
- (xviii) an offence against section 33LE (Promoting controlled drug alternative);
- (xix) an offence against section 33LF (Manufacturing, packaging, selling or supplying substance promoted as controlled drug alternative);
- (c) an offence against section 68A(2) of the *Correctional Services Act 1982* (Board may direct person to surrender firearm etc);
- (d) the following offences against the *Criminal Law Consolidation Act 1935*:
 - (i) an offence against Part 3 (Offences against the person etc), other than—
 - (A) a basic offence against section 19(2); or
 - (B) an offence against section 19A(1) where neither a motor vehicle nor motor vessel was used in the commission of the offence; or
 - (C) a first offence that is a basic offence against section 19A(3) where a motor vehicle or motor vessel was used in the commission of the offence but serious harm was not caused to any person; or
 - (D) an offence against section 19A(3) where neither a motor vehicle nor motor vessel was used in the commission of the offence; or
 - (E) an offence against section 19AB(2) where neither a motor vehicle nor motor vessel was used in the commission of the offence; or
 - (F) a first offence that is a basic offence against section 19AD(1); or
 - (G) a basic offence against section 20(3)(a); or
 - (H) a basic offence against section 29(2); or
 - (I) a basic offence against section 29(3); or
 - (J) an offence against section 32A; or

- (K) an offence against section 32C(2); or
- (L) an offence against section 61; or
- (M) an offence against section 78; or
- (N) an offence against section 81; or
- (O) an offence against section 82; or
- (P) an offence against section 83;
- (ii) an offence against Part 3A (Offences relating to public order);
- (iii) an offence against Part 3B (Offences relating to criminal organisations);
- (iv) an offence against Part 4 (Offences with respect to property), other than—
 - (A) an offence against section 85(3); or
 - (B) a basic offence against section 85(4); or
 - (C) an offence against section 85A; or
 - (D) an offence against section 86; or
 - (E) an offence against section 86A;
- (v) an offence against Part 5 (Offences of dishonesty), other than—
 - (A) a basic offence against section 134; or
 - (B) an offence against section 138(2); or
 - (C) an offence against section 138A(2); or
 - (D) a basic offence against section 139; or
 - (E) a basic offence against section 140(4); or
 - (F) an offence against section 140(6); or
 - (G) an offence against section 141(1); or
 - (H) an offence against section 141(2); or
 - (I) an offence against section 142; or
 - (J) an offence against section 143; or
 - (K) an offence against section 144;
- (vi) an offence against Part 5A (Identity theft), other than an offence against section 144D;
- (vii) an offence against Part 6A (Serious criminal trespass), other than a basic offence against section 170A;
- (viii) an offence against section 248 (Threats or reprisals relating to persons involved in criminal investigations or judicial proceedings);
- (ix) an offence against Part 7 Division 4 (Offences relating to public officers);
- (x) an offence against section 267AA (Offence where unlawfully supplied firearm used in subsequent offence);

- (xi) an offence against section 270C (Going equipped for commission of offence of dishonesty or offence against property);
- (xii) an offence against section 270D (Going equipped for commission of offence against the person);
- (e) an offence against section 24A(2) of the *Criminal Law (Sentencing) Act 1988* (Appropriate board may direct person to surrender firearm etc);
- (f) an offence against section 31 of the *Intervention Orders (Prevention of Abuse) Act 2009* (Contravention of intervention order);
- (g) the following offences against the *Serious and Organised Crime (Control) Act 2008*:
 - (i) an offence against section 22 (Offence to contravene or fail to comply with control order) as in force immediately before the commencement of section 6 of the *Serious and Organised Crime (Control) (Miscellaneous) Amendment Act 2012*;
 - (ii) an offence against section 22I (Offence to contravene or fail to comply with control order);
 - (iii) an offence against section 32 (Offence to contravene or fail to comply with public safety order);
 - (iv) an offence against section 34A (Permitting premises to be habitually used as place of resort by members of declared organisation);
 - (v) an offence against section 34B (Recruiting person to become member of declared organisation);
 - (vi) an offence against section 35 (Criminal associations);
 - (vii) an offence against section 36 (Provision of personal details);
- (h) the following offences against the *Summary Offences Act 1953*:
 - (i) an offence against section 6(1) (Assaulting and hindering police);
 - (ii) an offence against section 15A (Possession of body armour) as in force immediately before the commencement of section 4 of the *Summary Offences (Weapons) Amendment Act 2012*;
 - (iii) an offence against section 21B (Body armour);
 - (iv) an offence against section 21F (Prohibited weapons);
 - (v) an offence against section 21I (Effect of weapons prohibition order);
 - (vi) an offence against section 66K (Offence to contravene or fail to comply with notice);
 - (vii) an offence against section 74BJ (Hindering removal or modification of fortifications);
- (i) an offence against section 21 of the *Tattooing Industry Control Act 2015* (Offence to possess certain items in premises where tattooing services provided);

- (j) an offence against section 42A(2) of the *Young Offenders Act 1993* (Training Centre Review Board may direct youth to surrender firearm etc);
- (k) offences consisting of a conspiracy or an attempt to commit an offence referred to in a preceding paragraph;
- (l) an offence substantially similar to any of the offences referred to in a preceding paragraph against the law of the Commonwealth, another State or a Territory of the Commonwealth.

Part 4—Prescribed offences—grant of firearms licence (section 15(5) of Act)

4—Prescribed offences—grant of firearms licence

For the purposes of section 15(5) of the Act, the following offences are prescribed:

- (a) an offence against section 11A(2) of the *Bail Act 1985* (Bail authority may direct person to surrender firearm etc);
- (b) the following offences against the *Controlled Substances Act 1984*:
 - (i) an indictable offence against section 32 as in force immediately before the commencement of the *Controlled Substances (Serious Drug Offences) Amendment Act 2005*;
 - (ii) an offence against section 32 (Trafficking) as in force following the commencement of the *Controlled Substances (Serious Drug Offences) Amendment Act 2005*;
 - (iii) an offence against section 33 (Manufacture of controlled drugs for sale);
 - (iv) an offence against section 33A (Sale, manufacture etc of controlled precursor);
 - (v) an offence against section 33B (Cultivation of controlled plants for sale);
 - (vi) an offence against section 33C (Sale of controlled plants);
 - (vii) an offence against section 33F (Sale, supply or administration of controlled drug to child);
 - (viii) an offence against section 33G (Sale, supply or administration of controlled drug in school zone);
 - (ix) an offence against section 33H (Procuring child to commit offence);
 - (x) an indictable offence against section 33I (Supply or administration of controlled drug);
 - (xi) an offence against section 33J (Manufacture of controlled drugs);
 - (xii) an offence against section 33K (Cultivation of controlled plants), other than an offence against that section that is a simple cannabis offence within the meaning of section 45A of the *Controlled Substances Act 1984*;

- (xiii) an offence against section 33L (Possession or consumption of controlled drug etc), other than an offence against that section that is a simple possession offence within the meaning of the *Controlled Substances Act 1984*, or a simple cannabis offence within the meaning of section 45A of that Act;
- (xiv) an offence against section 33LA (Possession or supply of prescribed equipment);
- (xv) an offence against section 33LAB (Possession or supply of instructions);
- (xvi) an offence against section 33LB (Possession or supply of prescribed quantity of controlled precursor);
- (xvii) an offence against section 33LD (Intentional manufacture of controlled drug alternative);
- (xviii) an offence against section 33LE (Promoting controlled drug alternative);
- (xix) an offence against section 33LF (Manufacturing, packaging, selling or supplying substance promoted as controlled drug alternative);
- (c) an offence against section 68A(2) of the *Correctional Services Act 1982* (Board may direct person to surrender firearm etc);
- (d) the following offences against the *Criminal Law Consolidation Act 1935*:
 - (i) an offence against Part 3 (Offences against the person etc), other than—
 - (A) a basic offence against section 19(2); or
 - (B) an offence against section 19A(1) where neither a motor vehicle nor motor vessel was used in the commission of the offence; or
 - (C) a first offence that is a basic offence against section 19A(3) where a motor vehicle or motor vessel was used in the commission of the offence but serious harm was not caused to any person; or
 - (D) an offence against section 19A(3) where neither a motor vehicle nor motor vessel was used in the commission of the offence; or
 - (E) an offence against section 19AB(2) where neither a motor vehicle nor motor vessel was used in the commission of the offence; or
 - (F) a first offence that is a basic offence against section 19AD(1); or
 - (G) a basic offence against section 20(3)(a); or
 - (H) a basic offence against section 29(2); or
 - (I) a basic offence against section 29(3); or
 - (J) an offence against section 32A; or
 - (K) an offence against section 32C(2); or
 - (L) an offence against section 61; or
 - (M) an offence against section 78; or
 - (N) an offence against section 81; or
 - (O) an offence against section 82; or
 - (P) an offence against section 83;

- (ii) an offence against Part 3A (Offences relating to public order);
 - (iii) an offence against Part 3B (Offences relating to criminal organisations);
 - (iv) an offence against Part 4 (Offences with respect to property), other than—
 - (A) an offence against section 85(3); or
 - (B) a basic offence against section 85(4); or
 - (C) an offence against section 85A; or
 - (D) an offence against section 86; or
 - (E) an offence against section 86A;
 - (v) an offence against Part 5 (Offences of dishonesty), other than—
 - (A) a basic offence against section 134; or
 - (B) an offence against section 138(2); or
 - (C) an offence against section 138A(2); or
 - (D) a basic offence against section 139; or
 - (E) a basic offence against section 140(4); or
 - (F) an offence against section 140(6); or
 - (G) an offence against section 141(1); or
 - (H) an offence against section 141(2); or
 - (I) an offence against section 142; or
 - (J) an offence against section 143; or
 - (K) an offence against section 144;
 - (vi) an offence against Part 5A (Identity theft), other than an offence against section 144D;
 - (vii) an offence against Part 6A (Serious criminal trespass), other than a basic offence against section 170A;
 - (viii) an offence against section 248 (Threats or reprisals relating to persons involved in criminal investigations or judicial proceedings);
 - (ix) an offence against Part 7 Division 4 (Offences relating to public officers);
 - (x) an offence against section 267AA (Offence where unlawfully supplied firearm used in subsequent offence);
 - (xi) an offence against section 270C (Going equipped for commission of offence of dishonesty or offence against property);
 - (xii) an offence against section 270D (Going equipped for commission of offence against the person);
- (e) an offence against section 24A(2) of the *Criminal Law (Sentencing) Act 1988* (Appropriate board may direct person to surrender firearm etc);
- (f) the following offences against the *Firearms Act 1977*:

- (i) offences against the following sections as in force immediately before the commencement of the *Firearms Act 2015*:
 - (A) section 10C (Effect of firearms prohibition order);
 - (B) section 11 (Possession and use of firearms);
 - (C) section 14 (Trafficking in firearms);
 - (D) section 16 (Requirement for dealer's licence);
 - (E) section 21 (Breach of conditions etc) that relates to a prescribed firearm or a class C, D, or H firearm;
 - (F) section 27 (Manufacture of firearms, firearm parts or silencers);
 - (G) section 27AA (Alteration of firearms);
 - (H) section 28 (False information);
 - (I) section 29 (Handling firearms when under the influence);
- (ii) an offence against section 14A as in force immediately before the commencement of the *Firearms (Miscellaneous) Amendment Act 2013*;
- (g) the following offences against the *Firearms Act 2015*:
 - (i) an offence against section 9 (Possession and use of firearms);
 - (ii) an offence against section 10 (Dealers);
 - (iii) an offence against section 11 (Employment of persons by licensed dealers);
 - (iv) an indictable offence against section 19 (Breach of conditions);
 - (v) an offence against section 22 (Trafficking in firearms);
 - (vi) an indictable offence against section 35 (Code of practice);
 - (vii) an offence against section 37 (Manufacture of firearms, firearm parts or sound moderators);
 - (viii) an offence against section 38 (Alteration of firearms);
 - (ix) an offence against section 42 (Handling firearms when under influence of intoxicating liquor or drug);
 - (x) an offence against section 45 (Effect of firearms prohibition order);
 - (xi) an offence against section 60 (Public safety notices);
 - (xii) an offence against section 69 (False or misleading information);
- (h) an offence against section 31 of the *Intervention Orders (Prevention of Abuse) Act 2009* (Contravention of intervention order);
- (i) the following offences against the *Serious and Organised Crime (Control) Act 2008*:
 - (i) an offence against section 22 (Offence to contravene or fail to comply with control order) as in force immediately before the commencement of section 6 of the *Serious and Organised Crime (Control) (Miscellaneous) Amendment Act 2012*;
 - (ii) an offence against section 22I (Offence to contravene or fail to comply with control order);

- (iii) an offence against section 32 (Offence to contravene or fail to comply with public safety order);
- (iv) an offence against section 34A (Permitting premises to be habitually used as place of resort by members of declared organisation);
- (v) an offence against section 34B (Recruiting person to become member of declared organisation);
- (vi) an offence against section 35 (Criminal associations);
- (vii) an offence against section 36 (Provision of personal details);
- (j) the following offences against the *Summary Offences Act 1953*:
 - (i) an offence against section 6(1) (Assaulting and hindering police);
 - (ii) an offence against section 15A (Possession of body armour) as in force immediately before the commencement of section 4 of the *Summary Offences (Weapons) Amendment Act 2012*;
 - (iii) an offence against section 21B (Body armour);
 - (iv) an offence against section 21F (Prohibited weapons);
 - (v) an offence against section 21I (Effect of weapons prohibition order);
 - (vi) an offence against section 66K (Offence to contravene or fail to comply with notice);
 - (vii) an offence against section 74BJ (Hindering removal or modification of fortifications);
- (k) an offence against section 21 of the *Tattooing Industry Control Act 2015* (Offence to possess certain items in premises where tattooing services provided);
- (l) an offence against section 42A(2) of the *Young Offenders Act 1993* (Training Centre Review Board may direct youth to surrender firearm etc);
- (m) offences consisting of a conspiracy or an attempt to commit an offence referred to in a preceding paragraph;
- (n) an offence substantially similar to any of the offences referred to in a preceding paragraph against the law of the Commonwealth, another State or a Territory of the Commonwealth.

Schedule 3—Revocation of *Firearms Regulations 2008*

The *Firearms Regulations 2008* 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

with the advice and consent of the Executive Council
on 23 May 2017

No 70 of 2017

MPOL17/06CS

South Australia

Firearms (Fees) Regulations 2017

under the *Firearms Act 2015*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Fees

Schedule 1—Fees

1—Short title

These regulations may be cited as the *Firearms (Fees) Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which the *Firearms Act 2015* comes into operation.

3—Interpretation

- (1) In these regulations, unless the contrary intention appears—

Act means the *Firearms Act 2015*;

regulations means the *Firearms Regulations 2017*.

- (2) Words and expressions used in these regulations have the same respective meanings as in the *Firearms Regulations 2017*, except to the extent that the context or subject matter otherwise requires.

4—Fees

- (1) The fees payable under the Act or the regulations are set out in Schedule 1.
- (2) The Registrar may refund, reduce or waive (in a particular case or class of cases) fees that would otherwise be payable under the Act or the regulations.

Schedule 1—Fees

- | | | |
|---|---|-------|
| 1 | Application for grant or renewal of firearms licence (other than a category 11 (dealer) licence)— | |
| | (a) if term of licence does not exceed 1 year | \$83 |
| | (b) if term of licence exceeds 1 year but does not exceed 3 years | \$218 |
| | (c) if term of licence exceeds 3 years but does not exceed 5 years | \$346 |

Note—

Subject to the fees otherwise specified in items 2 and 3 of this table, 1 application fee for the grant or renewal of a licence may be payable in respect of an application that involves more than 1 category of licence (other than an application for a licence authorising the purpose of collecting, or collecting and displaying, firearms—see section 12(4) of the Act). However, a separate application will be required (and separate fee payable) in respect of each category of licence where the term for which the licence is to be issued is not the same (as determined in accordance with section 17 of the Act).

2	Application for grant or renewal of category 11 (dealer) licence authorising dealing in firearms or firearms and ammunition—	
	(a) if term of licence does not exceed 1 year	\$431
	(b) if term of licence exceeds 1 year but does not exceed 3 years	\$1 254
	(c) if term of licence exceeds 3 years but does not exceed 5 years	\$2 081
3	Application for grant or renewal of category 11 (dealer) licence that authorises dealing in ammunition only—	
	(a) if term of licence does not exceed 1 year	\$127
	(b) if term of licence exceeds 1 year but does not exceed 3 years	\$346
	(c) if term of licence exceeds 3 years but does not exceed 5 years	\$566
4	Application for variation of licence	\$50
5	Application for licence to replace licence lost, stolen or destroyed	\$50
6	Application for approval of person as a company's principal or secondary nominee	\$50
7	Application for registration of firearm in name of owner of firearm	\$33
8	Application for certificate of registration to replace certificate lost, stolen or destroyed	\$33
9	Application for permit to possess ammunition	\$33
10	Fee to witness the transfer of a firearm under regulation 50(5)	\$24
	However, if a firearm is registered in the name of the owner immediately after the transfer of the firearm is witnessed by a police officer, the witnessing fee is not payable.	
11	Application for international visitor permit	\$33
12	Application for foreign theatrical armourer permit	\$33
13	Application for foreign firearms dealer permit	\$33
14	Application for firearm refurbishment permit	\$33
15	Application for recognition of firearms club	\$500
16	Application for recognition of commercial range operator	\$500
17	Application for recognition of paint-ball operator	\$500
18	Application for accreditation or renewal of accreditation as an accredited paint-ball employee	\$33
19	Administrative fee on late renewal of licence	\$35

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 23 May 2017

No 71 of 2017

MPOL17/06CS

CITY OF NORWOOD PAYNEHAM & ST PETERS

Declaration and Naming of Public Roads

PUBLIC notice is hereby given that at the City of Norwood Payneham & St Peters Council meeting held on 4 October 2016, the following resolution was made:

1. That pursuant to the provisions of Section 208 of the Local Government Act 1999, the Council hereby resolves to have the undermentioned allotments vested in the Council as public roads:

- Allotment 36 in Deposited Plan 1253—Certificate of Title 5873/765;
- Allotment 1 in Filed Plan 250619—Certificate of Title 6177/472; and
- Allotment 2 in Filed Plan 250619—Certificate of Title 6177/473.

2. That pursuant to the provisions of Section 219 of the Local Government Act 1999, the Council assigns the name 'Moulden Street' to Allotment 1 in Filed Plan 250619 and to that section of Allotment 36 in Deposited Plan 1253, that extends in a westerly direction from the north western corner of Allotment 2 in Filed Plan 250619, to the north western corner of the said Allotment 1.

3. That pursuant to the provisions of Section 219 of the Local Government Act 1999, the Council assigns the name 'Bonney Street' to Allotment 2 in Filed Plan 250619 and to that section of Allotment 36 in Deposited Plan 1253, that extends in an easterly direction from the north western corner of Allotment 2 in Filed Plan 250619, along the full northern boundary of the said Allotment 2.

Dated 19 May 2017.

M. BARONE, Chief Executive Officer

ALEXANDRINA COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

CLAUSE 4 MODIFICATION BY-LAW 2017

By-law No. 7 of 2017

A by-law to modify Clause 4 in Council By-laws Numbered 1 to 5.

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the 'Clause 4 Modification By-law' and is By-law No. 7 of the Alexandrina Council.

2. *Authorising Law*

This by-law is made under Sections 246 and 249 (6) (b) of the Local Government Act 1999.

3. *Purpose*

The object of this by-law is to modify Clause 4 of By-laws 1 to 5 as set out in Part 2.

4. *Commencement and Expiry*

- 4.1 Pursuant to Section 264 (6) of the Local Government Act 1999, this by-law will take effect on the date that it is published in the *Government Gazette*.
- 4.2 This by-law will expire on 1 January 2024.

5. *Application*

This by-law applies to the following by-laws that were made by the Alexandrina Council on 1 August 2016:

- 5.1 Permits and Penalties By-law 2016;
- 5.2 Local Government Land By-law 2016;
- 5.3 Roads By-law 2016;
- 5.4 Moveable Signs By-law 2016; and
- 5.5 Dogs By-law 2016.

PART 2—MODIFICATION OF BY-LAWS

6. *Modification of Permits and Penalties By-law 2016*

6.1 As at the date this by-law takes effect, Clause 4 of the Permits and Penalties By-law 2016 (including the 'Note') is deleted and substituted with the following:

4. *Expiry*

This by-law will expire on 1 January 2024.

Note:

Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazettal of the by-law.

7. *Modification of Local Government Land By-law 2016*

7.1 As at the date this by-law takes effect, Clause 4 of the Local Government Land By-law 2016 (including the 'Note') is deleted and substituted with the following:

4. *Expiry*

This By-law will expire on 1 January 2024.

Note:

Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazettal of the by-law.

8. *Modification of Roads By-law 2016*

8.1 As at the date this by-law takes effect, Clause 4 of the Roads By-law 2016 (including the 'Note') is deleted and substituted with the following:

4. *Expiry*

This by-law will expire on 1 January 2024.

Note:

Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazettal of the by-law.

9. *Modification of Moveable Signs By-law 2016*

9.1 As at the date this by-law takes effect, Clause 4 of the Moveable Signs By-law 2016 (including the 'Note') is deleted and substituted with the following:

4. *Expiry*

This by-law will expire on 1 January 2024.

Note:

Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazettal of the by-law.

10. *Modification of Dogs By-law 2016*

10.1 As at the date this by-law takes effect, Clause 4 of the Dogs By-law 2016 (including the 'Note') is deleted and substituted with the following:

4. *Expiry*

This By-law will expire on 1 January 2024.

Note:

Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazettal of the by-law.

This by-law was duly made and passed at a meeting of the Alexandrina Council held on 15 May 2017, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

V. MACKIRDY, Interim Chief Executive

DISTRICT COUNCIL OF BARUNGA WEST

Naming of Public Road

NOTICE is hereby given in accordance with Section 219 of the Local Government Act 1999, that at the Council meeting of 14 February 2017, Council resolved to name the following unnamed road;

The unnamed Government Road extending east from Five Mile Road be named 'Midlands Road'.

A. COLE, Chief Executive Officer

CLARE & GILBERT VALLEYS COUNCIL

*Appointments of Public Officer of Council's
Development Assessment Panel*

NOTICE is hereby given that Council, pursuant to Section 56A(22) of the Development Act 1993, has appointed the Manager of Governance and Community Services of the Clare & Gilbert Valleys Council, Leanne Kunoth as Public Officer of the Development Assessment Panel, telephone (08) 8842 6400, admin@cgvc.sa.gov.au, 4 Gleeson Street, Clare.

J. COOMBE, Chief Executive Officer

REGIONAL COUNCIL OF GOYDER

COUNCIL DEVELOPMENT ASSESSMENT PANEL

Appointment of Public Officer

NOTICE is hereby given that pursuant to Section 56 (A) (22) of the Development Act 1993, the Council appointed Lee Wallis as Public Officer of the Regional Council of Goyder, Council Development Assessment Panel, effective from 16 May 2017.

The Public Officer is contactable at the Principal Office of the Council, 1 Market Square, Burra, S.A. 5417 or by telephone (08) 8892 0100.

G. W. CAMPBELL, Acting Chief Executive Officer

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

Elector Representation Review

NOTICE is hereby given that the Council has undertaken a review to determine whether alterations are required in respect to elector representation, including ward boundaries and the composition of Council.

Report

Council has prepared a report which details the review process, public consultation undertaken and a proposal Council considers could be carried into effect. A copy of this report is available from 32 Railway Terrace, Cummins or 38 Washington Street, Port Lincoln during regular office hours, the Council website: www.lowereyrepeninsula.sa.gov.au or contact the Manager, Corporate Services by telephone on (08) 8676 0400.

Written Submissions

Written submissions are invited from interested persons from Monday, 22 May 2017, and should be directed to Rod Pearson, Chief Executive Officer, posted to P.O. Box 41, Cummins, S.A. 5631, or emailed to mail@dclep.sa.gov.au. Submissions must be received by close of business on Friday, 23 June 2017.

Any person(s) making a written submission will be invited to appear before the August meeting of Council to be heard in respect of their submission.

Information regarding the representation review can be obtained by contacting Sacheen Hopewell, Manager Corporate Services on (08) 8676 0400 or mail@dclep.sa.gov.au.

R. PEARSON, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

Resignation of Councillor

NOTICE is hereby given in accordance with Section 54 (6) of the Local Government Act 1999, that a vacancy has occurred in the office of Area Councillor, due to the resignation of Councillor Kristina Alexander, to take effect from 16 May 2017.

R. SWEETMAN, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

Close of Roll for Supplementary Election

DUE to the resignation of a member of the Council, a Supplementary Election will be necessary to fill the vacancy of Area Councillor.

The voters roll for this Supplementary Election will close at 5 p.m. on Wednesday, 31 May 2017.

You are entitled to vote in the election if you are on the State electoral roll. If you have recently turned 18 or changed your residential or postal address you must complete an electoral enrolment form, available from post offices or online at www.ecsa.sa.gov.au.

If you are not eligible to enrol on the State electoral roll you may still be entitled to enrol to vote if you own or occupy a property. Contact the Council to find out how.

Nominations to fill the vacancy will open on Thursday, 22 June 2017 and will be received until 12 noon on Thursday, 6 July 2017.

The election will be conducted entirely by post with the return of ballot material to reach the Returning Officer no later than 12 noon on Monday, 7 August 2017.

M. SHERRY, Returning Officer

IN the matter of the estates of the undermentioned deceased persons:

Adams, Joan Isabella, late of 7 Railway Terrace, Balaklava, of no occupation, who died on 3 April 2017.

Brewster, Kevin Owen, late of 6 Booth Avenue, Linden Park, retired truck driver, who died on 2 March 2017.

Franklin, Anne Mary Orton, late of 83-93 Regency Road, Croydon, of no occupation, who died on 16 December 2016.

Hooper, Kathleen Mary, late of 336 Kensington Road, Leabrook, of no occupation, who died on 20 January 2017.

Humble, Rhondda Elaine, late of 12 Railway Terrace, Renmark, home duties, who died on 6 January 2017.

Jolly, Norma Mae, late of 6 Booth Avenue, Linden Park, of no occupation, who died on 9 January 2017.

Kidd, Jean, late of 110 Strathfield Terrace, Largs North, retired nursing sister, who died on 15 August 2016.

Kielek, Janusz, late of 21 Wilkinson Court, Enfield, retired electronic engineer, who died on 11 September 2016.

Mindum, Kenny, late of Bartlett Parade, Port Augusta, of no occupation, who died on 25 April 2016.

Mustan, Ross Mahomet, late of 2 Jelley Street, Woodville, retired shearer, who died on 2 March 2016.

Nankivell, Joan Marcelle, late of 7 Braun Drive, Hahndorf, of no occupation, who died on 17 December 2016.

Speck, Murray Clifford, late of Unit 2, 17 Cocos Grove, West Lakes, retired apiarist, who died on 2 November 2016.

Tyndall, Alexander De Vere, late of Ral Ral Avenue, Renmark, retired draftsman, who died on 4 December 2016.

Wedding, Maureen Claire, late of North Terrace, Cleve, of no occupation, who died on 18 November 2016.

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 23 June 2017, otherwise they will be excluded from the distribution of the said estate; 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 23 May 2017.

D. A. CONTALA, Public Trustee

YORKE PENINSULA COUNCIL

Declaration of Separate Rate

NOTICE is hereby given that at a meeting of the Yorke Peninsula Council held on 10 May 2017, the Council declared, pursuant to Section 154 of the Local Government Act 1999 and in accordance with Section 154 (2) (b) of the Act, an annual separate rate on each of the land parcels listed below, being an annual charge based on a proportional measure or basis related to the relevant land or the area or to the estimated benefit to the occupiers of the land in the part of the area subject to the rate, for a period of 10 years commencing 1 July 2017, for the purpose of reimbursing Council the costs of the development and construction of a seawall at Chinaman Wells, being works of particular benefit to the landholders and to the occupiers of the land adjacent the seawall construction.

That the annual separate rate commence in the financial year from 1 July 2017 to 30 June 2018 and extend for a 10 year period, including the financial year ending 30 June 2027.

Assessment Number	Property Description	Certificate of Title	Total Liability (\$)	Annual Separate Rate (\$)
24687	Lot 1, Chinaman Wells Road, Chinaman Wells	5932/504	46 598.50	4 659.85
24653	Lot 4, Chinaman Wells Road, Chinaman Wells	5928/511	29 733.65	2 973.37
24646	Lot 5, Chinaman Wells Road, Chinaman Wells	5926/618	38 921.83	3 892.18
24588	Lot 11, Chinaman Wells Road, Chinaman Wells	5930/227	38 195.67	3 819.57
24547	Lot 14, Chinaman Wells Road, Chinaman Wells	5925/29	27 569.99	2 757.00
24505	Lot 18, Chinaman Wells Road, Chinaman Wells	5930/98	34 876.07	3 487.61
24430	Lot 26, Chinaman Wells Road, Chinaman Wells	5933/775	42 434.09	4 243.41

A. CAMERON, Chief Executive Officer

NOTICE SUBMISSION

The weekly *South Australian Government Gazette* is issued on Tuesday afternoon, except where Executive Council meets on Wednesday, wherein publishing will occur on that day.

The next scheduled publication date is displayed on the website: www.governmentgazette.sa.gov.au.

Notices for gazettal, along with enquiries, can be directed to:

EMAIL governmentgazettesa@sa.gov.au
PHONE (08) 8207 1045

Notices for gazettal are to be emailed in the following formats:

- Notices as individual Word files (.doc)
- Maps, images, and diagrams as separate PDF files (.pdf)
- Content requiring official signature for authorisation—notice as Word files as well as signed documentation as PDF files

Please provide the following information in your email:

- Date the notice is to be gazetted
- Notification of whether a proof, quote, or return email confirmation is required
- Email address and phone number of the person authorising the submission
- Name of the person and organisation to be charged for the notice, if applicable, and a purchase order if required
- Details that may impact on publication of the notice

Notices must be submitted before 4 p.m. Friday, the week preceding intended gazettal.

Proofs of formatted content are supplied upon request, with necessary alterations to be returned before 4 p.m. the day preceding publication.

Submitted notices will be gazetted unless notification is received before 10 a.m. the day of publication.