

# STATISTICS

Second Session of the  
Fifty-Second Parliament

14 February 2012 to 12 December 2013



**LEGISLATIVE COUNCIL**  
OF  
**SOUTH AUSTRALIA**

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## MEMBERS OF THE LEGISLATIVE COUNCIL

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The Hon. ROBERT KENNETH SNEATH

(President of the Legislative Council - Resigned as President and Member on 5/10/12)

The Hon. ANN MARIE BRESSINGTON

The Hon. ROBERT LAWRENCE BROKENSHERE, J.P.

The Hon. JOHN ANDREW DARLEY, J.P.

The Hon. JOHN SAMUEL LETTS DAWKINS, A.D.F.M.

The Hon. BERNARD VINCENT FINNIGAN, B.A.

The Hon. TAMMY ANNE FRANKS

The Hon. GAIL ELIZABETH GAGO

(Minister for Agriculture, Food and Fisheries

Minister for Forests

Minister for Regional Development

Minister for the Status of Women)

Minister for Tourism until 21/1/13

Minister for State Local/Government Relations from 21/1/13

The Hon. JOHN MARIO GAZZOLA

(President of the Legislative Council from 16/10/12)

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

The Hon. IAN KEITH HUNTER, B.Sc.(Hons.)

(Minister for Sustainability, Environment and Conservation from 21/1/13

Minister for Water and the River Murray from 21/1/13

Minister for Aboriginal Affairs and Reconciliation from 21/1/13)

Minister for Communities and Social Inclusion until 21/1/13

Minister for Social Housing until 21/1/13

Minister for Disabilities until 21/1/13

Minister for Youth until 21/1/13

Minister for Volunteers until 21/1/13)

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

The Hon. JING SHYUAN LEE

The Hon. JACQUELINE MICHELLE ANN LENSINK, B.App.Sc. (Physiotherapy), M.B.A.

The Hon. ROBERT IVAN LUCAS, B.Sc., B.Ec., M.B.A.

The Hon. KYAN JOSEPH MAHER from 17/10/12

The Hon. MARK CHARLES PARNELL, LL.B., B.Comm., M.R.U.P.

The Hon. DAVID WICKHAM RIDGWAY

(Leader of the Opposition, Legislative Council)

The Hon. TERENCE JOHN STEPHENS

The Hon. KELLY LEAH VINCENT

The Hon. STEPHEN GRAHAM WADE, LL.B., B.Ec., F.A.I.C.D.

The Hon. RUSSELL PAUL WORTLEY

(Minister for Industrial Relations until 21/1/13

Minister for State/Local Government Relations until 21/1/13)

The Hon. CARMEL ZOLLO

## OFFICERS OF THE LEGISLATIVE COUNCIL

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*PRESIDENT*

The Hon. Robert Kenneth SNEATH, M.L.C.  
(Resigned 5/10/12)

The Hon. John Mario GAZZOLA, M.L.C.  
(Appointed 16/10/12)

*THE CLERK OF THE COUNCIL*

Mrs. Janice M. DAVIS, A.M., B.A.(Juris.),  
J.P.

*THE DEPUTY CLERK AND  
USHER OF THE BLACK ROD*

Mr. Christopher D. SCHWARZ,  
B.A.(Comm.), Grad.Dip.Soc.Sc.  
(Pol.Admin.)

*THE CLERK-ASSISTANT*

Mr. Guy D. DICKSON,  
B.A., Grad.Dip.Info.St.

*PARLIAMENTARY OFFICER*

Mr. Anthony D. BEASLEY, B.Sc.,  
Grad.Dip.

*PARLIAMENTARY OFFICER*

Ms. Leslie GUY, LL.B.

**COMMITTEES APPOINTED UNDER  
PARLIAMENTARY COMMITTEES ACT 1991  
INCLUSIVE OF LEGISLATIVE COUNCIL MEMBERS**

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**ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE**

LC Appointed 6 May 2010  
HA Appointed 12 May 2010

The Hon. JMA Lensink MLC  
The Hon M C Parnell MLC  
The Hon C Zollo MLC

The Hon M J Atkinson MP (until 5/2/13)  
The Hon P F Conlon (from 5/2/13 until 5/3/13)  
Mr L K Odenwalder MP (from 5/3/13)  
Ms M G Thompson MP  
Mr I K Venning MP (until 14/2/12)  
Mr T J Whetstone MP (from 14/2/12)

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

**LEGISLATIVE REVIEW COMMITTEE**

LC Appointed 6 May 2010  
HA Appointed 12 May 2010

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

Mr J A Gardner MP (until 19/2/13)  
Mr L K Odenwalder (from 5/3/13)  
Ms I M Redmond (from 19/2/13)  
Mr A J Sibbons MP (until 5/3/13)  
Ms M G Thompson MP

Committee Secretary: Mr. A. Crichton

**SOCIAL DEVELOPMENT COMMITTEE**

LC Appointed 6 May 2010  
HA Appointed 12 May 2010

The Hon J M Gazzola MLC (until 16/10/12)  
The Hon DGE Hood MLC  
The Hon J. S. Lee MLC  
The Hon K L Vincent MLC  
The Hon R P Wortley (from 5/2/13)  
The Hon C Zollo MLC (from 17/10/12 until  
5/2/13)

Ms F E Bedford MP  
Mr D G Pisoni MP  
Mr A J Sibbons MP  
The Hon R B Such MP

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

## **STATUTORY AUTHORITIES REVIEW COMMITTEE**

LC Appointed 6 May 2010

The Hon A M Bressington MLC	The Hon G A Kandelaars MLC (from 17/10/12)
The Hon J M Gazzola MLC (until 17/10/12)	The Hon R I Lucas MLC
The Hon K J Hunter MLC	The Hon T J Stephens MLC
	The Hon C Zollo MLC

Committee Secretary: Mr. G. Hickery, B.Ec.; Ms. L Eckert

## **OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION COMMITTEE**

LC Appointed 6 May 2010

HA Appointed 12 May 2010

The Hon J A Darley MLC	The Hon S W Key MP
The Hon J M Gazzola MLC (until 17/10/12)	Mr A J Sibbons MP
The Hon G A Kandelaars (from 17/10/12)	Mr I K Venning MP
The Hon R I Lucas MLC	

Committee Secretary: Mr. R. Crump, B.Sc.(Phys.Ed.), LL.B. (until 13/6/12)

Executive Officer: Ms. S. Sedivy, B.A., Grad.Dip.O.H.S.Management, M.Pol.Admin. (from 5/11/12)

## **STATUTORY OFFICERS COMMITTEE**

LC Appointed 6 May 2010

HA Appointed 12 May 2010

The Hon J A Darley MLC	The Hon S W Key MP
The Hon G E Gago MLC (until 29/11/12)	Mr L Odenwalder (until 29/11/12)
The Hon K J Maher MLC (from 29/11/12)	The Hon R B Such MP (from 29/11/12)
The Hon D W Ridgway MLC (from 29/11/12, resigned 19/2/13)	Mr T J Whetstone MP
The Hon S G Wade MLC (until 29/11/12, reappointed 19/2/13)	

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

## **NATURAL RESOURCES COMMITTEE**

LC Appointed 6 May 2010

HA Appointed 12 May 2010

The Hon R L Brokenshire MLC	Mr G G Brock MP
The Hon JSL Dawkins MLC	Mrs R K Geraghty MP
The Hon G A Kandelaars MLC (until 5/2/13)	The Hon S W Key MP
The Hon R P Wortley (from 5/2/13)	Mr L K Odenwalder MP
	Mr D W Peglar MP
	Mr D C Van Holst Pellekaan MP

Executive Officer: Mr. P. Dupont, B.A.

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

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### **ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE**

LC Appointed 6 May 2010  
HA Appointed 12 May 2010

The Hon J M Gazzola MLC (until 17/10/12)	Ms F E Bedford MP (until 12/6/12)
The Hon T A Franks MLC	Ms Z L Bettison MP (from 28/2/12 until 5/2/13)
The Hon. I K Hunter (Minister for Aboriginal Affairs and Reconciliation) (from 22/1/13)	The Hon L R Breuer MP (from 5/2/13)
The Hon. K J Maher MLC (from 17/10/12 until 5/2/13)	Ms S E Close MP (from 12/6/12 until 5/2/13)
The Hon T J Stephens MLC	Mr S S Marshall MP (until 14/2/12)
The Hon R P Wortley MLC (from 5/2/13)	Dr D McFetridge (from 14/2/12)
	Mr A J Sibbons MP (until 28/2/12)
	Ms M G Thompson MP (from 5/2/13)

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

### **JOINT COMMITTEE**

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### **JOINT PARLIAMENTARY SERVICE COMMITTEE**

Appointed 6 May 2010

The President (The Hon R K Sneath MLC until 5/10/12) (The Hon J M Gazzola MLC from 16/10/12)	The Speaker (The Hon L R Breuer MP until 5/2/13) (The Hon. M. J. Atkinson MP from 5/2/13)
The Hon JSL Dawkins MLC	Mrs R K Geraghty MP
The Hon J M Gazzola MLC (as Member until 16/10/12)	Mr M R Pengilly MP
The Hon K J Maher MLC (from 17/10/12)	

### **SESSIONAL COMMITTEES**

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### **STANDING ORDERS COMMITTEE**

Appointed 14 February 2012

The President (The Hon R K Sneath MLC until 5/10/12) (The Hon J M Gazzola MLC from 16/10/12 and as Member until 15/10/12)	The Hon K J Maher MLC (from 17/10/12)
The Hon G E Gago MLC (Minister for Agriculture, Food and Fisheries)	The Hon R I Lucas MLC
	The Hon D W Ridgway MLC

## **PRINTING COMMITTEE**

Appointed 14 February 2012

The Hon JSL Dawkins MLC  
The Hon J M Gazzola (until 15/10/12)  
The Hon G A Kandelaars MLC  
The Hon J S Lee MLC

The Hon K J Maher MLC (from 17/10/12)  
The Hon C Zollo MLC

## **SELECT COMMITTEES**

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### **ABORIGINAL LANDS TRUST BILL 2013**

Appointed 26 September 2013

The Hon I K Hunter MLC  
The Hon T A Franks MLC  
The Hon K J Maher MLC

The Hon T J Stephens MLC  
The Hon S G Wade MLC

Reported 16 October 2013

### **ACCESS TO AND INTERACTION WITH THE SOUTH AUSTRALIAN JUSTICE SYSTEM FOR PEOPLE WITH DISABILITIES**

Appointed 19 October 2011

The Hon A M Bressington MLC  
The Hon T A Franks MLC  
The Hon K L Vincent MLC

The Hon S G Wade MLC  
The Hon C Zollo MLC

Reported 25 July 2013

### **COMMUNITY SAFETY AND EMERGENCY SERVICES IN SOUTH AUSTRALIA**

Appointed 17 October 2012

The Hon R L Brokenshire MLC  
The Hon JSL Dawkins MLC  
The Hon T A Franks MLC

The Hon J S Lee MLC  
The Hon K J Maher MLC

Reported 26 November 2013

### **DEPARTMENT FOR CORRECTIONAL SERVICES**

Appointed 23 February 2011

The Hon R L Brokenshire MLC  
The Hon G A Kandelaars MLC  
The Hon T J Stephens MLC

The Hon S G Wade MLC  
The Hon C Zollo MLC

Reported 23 July 2013

**DISABILITY SERVICES FUNDING**

Appointed 24 November 2010

The Hon A M Bressington MLC  
The Hon G A Kandelaars MLC  
The Hon JMA Lensink MLC

The Hon R I Lucas MLC  
The Hon K L Vincent MLC

Reported 23 July 2013

**HARVESTING RIGHTS IN FORESTRY SA PLANTATION ESTATES**

Appointed 6 April 2011

The Hon R L Brokenshire MLC  
The Hon J M Gazzola MLC  
The Hon G A Kandelaars MLC

The Hon JSL Lee MLC  
The Hon D W Ridgway MLC

Reported 17 July 2012

**LAND USES ON LeFEVRE PENINSULA**

Appointed 19 October 2011

The Hon J A Darley MLC  
The Hon J M Gazzola MLC (until 17/10/12)  
The Hon G A Kandelaars (from 17/10/12  
until 5/2/13)

The Hon JMA Lensink MLC  
The Hon M C Parnell MLC  
The Hon D W Ridgway MLC  
The Hon R P Wortley (from 5/2/13)

Reported 28 November 2013

**LONSDALE-BASED ADELAIDE DESALINATION PLANT**

Appointed 24 November 2010

The Hon J A Darley MLC  
The Hon JSL Dawkins MLC  
The Hon T A Franks MLC  
The Hon J M Gazzola MLC (until 15/10/12)

The Hon G A Kandelaars (from 17/10/12)  
The Hon R I Lucas MLC  
The Hon C Zollo MLC

Reported 28 November 2013

**MARINE PARKS IN SOUTH AUSTRALIA**

Appointed 18 May 2011

The Hon J M Gazzola MLC (until 15/10/12)  
The Hon DGE Hood MLC  
The Hon G A Kandelaars MLC (from  
17/10/12)  
The Hon JMA Lensink MLC

The Hon T J Stephens MLC  
The Hon C Zollo MLC

Reported 26 November 2013

**ST CLAIR LAND SWAP**

Appointed 24 July 2013

The Hon JMA Lensink ML  
The Hon K J Maher MLC  
The Hon M C Parnell MLC

The Hon D W Ridgway MLC  
The Hon R P Wortley MLC

Interim Report 26 November 2013

**SCHOOL BUS CONTRACTS**

Appointed 19 October 2011

The Hon R L Brokenshire ML  
The Hon G A Kandelaars MLC  
The Hon JSL Lee MLC

The Hon M C Parnell MLC  
The Hon D W Ridgway MLC

Reported 24 September 2013

**THE INQUIRY INTO CORPORATION OF THE CITY OF BURNSIDE**

Appointed 28 September 2011

The Hon A M Bressington MLC  
The Hon J A Darley MLC  
The Hon JSL Dawkins MLC

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

Reported 14 February 2014

**WIND FARM DEVELOPMENTS IN SOUTH AUSTRALIA**

Appointed 28 March 2012

The Hon A M Bressington MLC  
The Hon R L Brokenshire ML  
The Hon M C Parnell MLC

The Hon D W Ridgway MLC  
The Hon C Zollo MLC

**COMMITTEE APPOINTED PURSUANT TO RESOLUTION OF THE COUNCIL**

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**BUDGET AND FINANCE**

Appointed 26 May 2010

The Hon J A Darley MLC  
The Hon G A Kandelaars MLC  
The Hon JMA Lensink MLC (from 14/2/12)  
The Hon R I Lucas MLC

The Hon K J Maher MLC (from 30/10/12)  
The Hon D W Ridgway MLC (until 14/2/12)  
The Hon C Zollo MLC (until 30/10/12)

**SECOND SESSION OF THE FIFTY-SECOND PARLIAMENT**  
**PERIOD FROM 14 FEBRUARY 2012 TO 12 DECEMBER 2013**

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**TOTAL NUMBER OF BILLS CONSIDERED BY LEGISLATIVE COUNCIL**

Legislative Council origin	78
House of Assembly origin	<u>147</u>
	<b>225</b>

**TOTAL NUMBER OF BILLS PASSED BY BOTH HOUSES**

Legislative Council origin	16
House of Assembly origin	<u>133</u>
	<b>149</b>

**BILLS CONSIDERED BY COUNCIL WHICH HAVE NOT PASSED BOTH HOUSES**

**Legislative Council origin:**

Assisted Reproductive Treatment (Equality of Access) Amendment - lapsed in House of Assembly.  
Births, Deaths and Marriages Registration (Registration of Still-Births) Amendment - lapsed in Council.  
Children's Protection (Harbouring) Amendment - negated in Council.  
Children's Protection (Lawful Surrender of Newborn Children) Amendment - lapsed in House of Assembly.  
Children's Protection (Long-term Removal Review Panel) Amendment - lapsed in House of Assembly.  
City of Adelaide (Capital City Committee) Amendment - negated in House of Assembly.  
Constitution (Access to Ministers) Amendment - negated in Council.  
Controlled Substances (Cultivation of Controlled Plants) Amendment - lapsed in Council.  
Correctional Services (GPS Tracking for Child Sex Offenders) Amendment - lapsed in House of Assembly.  
Criminal Law Consolidation (Dishonest Dealings with Children) Amendment - lapsed in Council.  
Criminal Law Consolidation (Offences Against Unborn Child) Amendment - negated in Council.  
Criminal Law Consolidation (Provocation) Amendment - withdrawn and referred to Legislative Review Committee.  
Criminal Law (Sentencing) (Abolition of Suspended Sentences for Subsequent Serious Offences) Amendment - lapsed in Council.  
Criminal Law (Sentencing) (Mandatory Imprisonment of Child Sex Offenders) Amendment - negated in Council.  
Crown Land Management (Life Lease Sites) Amendment - lapsed in House of Assembly.  
Development (Development Plan Amendments) Amendment - negated in Council.  
Development (Development Plan Amendments) (Notification) Amendment - negated in House of Assembly.  
Development (Interim Development Control) Amendment - negated in House of Assembly.  
Development (Public Consultation) Amendment - negated in Council.  
Development (Regulated Trees) Amendment - negated in Council.  
Disability (Mandatory Reporting) - lapsed in Council.  
Disability Services (Miscellaneous) Amendment - lapsed in Council.  
Education (Miscellaneous) Amendment - lapsed in Council.  
Electoral (Optional Preferential Voting) Amendment - negated in Council.  
Electoral (Preferential Voting Reform) Amendment - lapsed in Council.  
Essential Services Commission (Electricity, Gas, Water and Sewerage Prices) Amendment - lapsed in Council.  
Evidence (Identification) Amendment - withdrawn in House of Assembly.  
Evidence (Journalists) Amendment - lapsed in Council.  
Evidence (Protections for Journalists) Amendment - lapsed in Council.  
Evidence (Suppression Orders) Amendment - lapsed in Council.  
Fire and Emergency Services (Fire Risk Assessments) - lapsed in Council.  
Food (Labelling of Free-range Eggs) Amendment - negated in House of Assembly.  
Foreign Ownership of Land - lapsed in House of Assembly.  
Forestry (Miscellaneous) Amendment - Bill withdrawn in Council and referred to Select Committee on Harvesting Rights in Forestry SA Plantation Estates.

Genetically Modified Crops Management (Right to Damages) Amendment - lapsed in Council.  
Independent Commission Against Corruption - lapsed in Council.  
Liquor Licensing (Entertainment) Amendment - lapsed in Council.  
Local Government (Burning of Olive Material) Amendment - lapsed in Council.  
Local Government (Waste Collection) Amendment - lapsed in Council.  
Marriage Equality - Bill withdrawn.  
National Parks and Wildlife (Life Lease Sites) Amendment - lapsed in Council.  
Parliamentary Committees (Functions of Environment, Resources and Development Committee) Amendment - negated in Council.  
Parliamentary Committees (Membership of the Environment, Resources and Development Committee) Amendment - negated in Council.  
Parliamentary Committees (Natural Disasters Committee) Amendment - lapsed in House of Assembly.  
Petroleum and Geothermal Energy (Hydraulic Fracturing) Amendment - negated in Council.  
Public Finance and Audit (Debt Ceiling) Amendment - negated in Council.  
Retail and Commercial Leases (Miscellaneous) Amendment - lapsed in Council.  
Right to Farm - lapsed in House of Assembly.  
Road or Ferry Closure (Consultation and Review) - negated in House of Assembly.  
Road Traffic (Overtaking Bicycles) Amendment - lapsed in Council.  
Road Traffic (Owner Offences) Amendment - lapsed in Council.  
Same Sex Marriage - lapsed in Council.  
South Australian Housing Trust (Miscellaneous) Amendment - lapsed in Council.  
Statutes Amendment (Assaults on Police) - lapsed in Council.  
Statutes Amendment (Electricity, Gas, Water and Sewerage Accounts) - lapsed in Council.  
Statutes Amendment (Interstate Advance Directives) - lapsed in Council.  
Statutes Amendment (Sex Work Reform) - Bill withdrawn.  
Subordinate Legislation (Miscellaneous) Amendment - lapsed in House of Assembly.  
Summary Offences (Use of Public Address Systems) Amendment - lapsed in Council.  
Victims of Crime (Miscellaneous) Amendment - lapsed in House of Assembly.  
Workers Rehabilitation and Compensation (Protection for Firefighters) Amendment - lapsed in House of Assembly.  
Workers Rehabilitation and Compensation (Retirement Age) Amendment - lapsed in Council.

#### **House of Assembly origin:**

Civil Liability (Disclosure of Information) Amendment - lapsed in House of Assembly.  
Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment - Bill withdrawn.  
Criminal Assets Confiscation (Prescribed Drug Offender Assets) Amendment - second reading in Council deferred six months under Standing Order 287 - lapsed in Council.  
Criminal Law (Sentencing) (Sentencing Considerations) Amendment - negated in Council.  
Evidence (Identification) Amendment - negated in Council.  
Health Care (Administration) Amendment - lapsed in Council.  
Local Government (Road Closures - 1934 Act) Amendment - lapsed in Council.  
Second-hand Goods - negated in Council.  
Stamp Duties (Off-the-plan Apartments) Amendment - lapsed in Council.  
Statutes Amendment and Repeal (Budget 2012) - Bill laid aside.  
Statutes Amendment and Repeal (TAFE SA Consequential Provisions) - Bill laid aside.  
Surveillance Devices - lapsed in Council.  
TAFE SA (Prescribed Employees) Amendment - negated in Council.  
Upper South East Dryland Salinity and Flood Management (Postponement of Expiry) Amendment - negated in Council.

#### **SITTINGS OF COUNCIL**

The Council met on 101 days and sat for a total number of 561 hours 8 minutes.

**SECOND SESSION OF THE FIFTY-SECOND PARLIAMENT**

**LIST OF BILLS WHICH PASSED BOTH HOUSES OF PARLIAMENT**

**DURING THE PERIOD FROM 14 FEBRUARY 2012 TO 12 DECEMBER 2013**

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**ORIGINATED IN THE LEGISLATIVE COUNCIL**

	<b>Bill No.</b>	<b>Act No.</b>
Aboriginal Lands Trust	174, 174A	81 of 2013
Aquaculture (Miscellaneous) Amendment	20	27 of 2012
Business Names (Commonwealth Powers)	22	4 of 2012
Business Names Registration (Transitional Arrangements)	21	3 of 2012
Citrus Industry (Winding up) Amendment	70, 70A	32 of 2012
Construction Industry Long Service Leave (Miscellaneous) Amendment	95	48 of 2012
First Home and Housing Construction Grants (Eligibility Criteria) Amendment	197	74 of 2013
Livestock (Miscellaneous)	19, 19A	25 of 2012
Local Government (Rates) Amendment	109, 109A	86 of 2013
Motor Vehicles (Driver Licensing) Amendment	205	75 of 2013
Not-for-Profit Sector Freedom to Advocate	173	46 of 2013
Powers of Attorney and Agency (Interstate Powers of Attorney) Amendment	67	39 of 2013
Summary Offences (Drug Paraphernalia) Amendment	47	36 of 2012
Veterinary Practice (Miscellaneous) Amendment	190	76 of 2013
Water Efficiency Labelling and Standards (South Australia)	144	30 of 2013
Wheat Marketing (Expiry) Amendment	145	18 of 2013

**ORIGINATED IN THE HOUSE OF ASSEMBLY**

	<b>Bill No.</b>	<b>Act No.</b>
Aboriginal Land Parliamentary Standing Committee (Presiding Member) Amendment	191	56 of 2013
Adelaide Workers' Homes	139	19 of 2013
Adoption (Consent to Publication) Amendment	156	28 of 2013
Advance Care Directives	106, 106A	12 of 2013
Appropriation	69	29 of 2012
Appropriation 2013	163	34 of 2013
Arkaroola Protection	18, 18A	1 of 2012
Burial and Cremation	126, 126A	20 of 2013
Character Preservation (Barossa Valley)	53, 53A	38 of 2012
Character Preservation (McLaren Vale)	54, 54A	39 of 2012
Child Sex Offenders Registration (Miscellaneous) Amendment	168, 168A	41 of 2013
Children's Protection (Notification) Amendment	217	72 of 2013
Classification (Publication, Films and Computer Games) (R 18+ Computer Games) Amendment	94, 94A	41 of 2012
Community Housing Providers (National Law) (South Australia)	189, 189A	65 of 2013
Constitution (Recognition of Aboriginal Peoples) Amendment	125	8 of 2013
Controlled Substances (Offences) Amendment	196, 196A	84 of 2013
Co-operatives National Law (South Australia)	135	14 of 2013
Correctional Services (Miscellaneous) Amendment	12	24 of 2012
Criminal Assets Confiscation (Miscellaneous) Amendment	89	57 of 2013

	<b>Bill No.</b>	<b>Act No.</b>
Criminal Law Consolidation (Cheating at Gambling) Amendment	121	7 of 2013
Criminal Law Consolidation (Looting) Amendment	24	10 of 2012
Criminal Law Consolidation (Protection for Working Animals) Amendment	200, 200A	83 of 2013
Criminal Law (Sentencing) (Guilty Pleas) Amendment	79, 79A	49 of 2012
Criminal Law (Sentencing) (Sentences of Indeterminate Duration) Amendment	212	77 of 2013
Criminal Law (Sentencing) (Supergrass) Amendment	80, 80A	51 of 2012
Criminal Law (Sentencing) (Suspended Sentences) Amendment	169, 169A	53 of 2013
Development (Private Certification) Amendment	101	53 of 2012
Disability Services (Rights, Protection and Inclusion) Amendment	188	66 of 2013
Electoral (Funding, Expenditure and Disclosure) Amendment	186, 186A	51 of 2013
Electoral (Legislative Council Voting) Amendment	216, 216A	93 of 2013
Electoral (Miscellaneous) Amendment	117, 117A	48 of 2013
Electronic Conveyancing National Law (South Australia)	208	89 of 2013
Equal Opportunity (Sporting Competitions) Amendment	171	42 of 2013
Evidence (Discreditable Conduct) Amendment	187, 187A	50 of 2013
Evidence (Identification Evidence) Amendment	195, 195A	58 of 2013
Evidence (Reporting on Sexual Offences) Amendment	85	44 of 2012
Family Relationships (Surrogacy) Amendment	46	22 of 2012
Financial Transaction Reports (State Provisions) (Miscellaneous) Amendment	114	4 of 2013
Firearms (Miscellaneous) Amendment	223, 223A	92 of 2013
First Home and Housing Construction Grants (Budget 2013) Amendment	158	33 of 2013
First Home Owner Grant (Housing Grant Reforms)	96, 96A	47 of 2012
Graffiti Control (Miscellaneous) Amendment	34, 34A	1 of 2013
Health Practitioner Regulation National Law (South Australia) (Miscellaneous) Amendment	71	31 of 2012
Health Practitioner Regulation National Law (South Australia) (Protection of Title - Paramedics) Amendment	209	68 of 2013
Health Practitioner Regulation National Law (South Australia) (Restricted Birthing Practices) Amendment	199	62 of 2013
Heavy Vehicle National Law (South Australia)	161	36 of 2013
Housing and Urban Development (Administrative Arrangements) (Urban Renewal) Amendment	153, 153A	45 of 2013
Independent Commissioner Against Corruption	63, 63A	52 of 2012
Late Payment of Government Debts (Interest)	202	82 of 2013
Legal Practitioners (Miscellaneous) Amendment	140, 140A	44 of 2013
Liquor Licensing (Miscellaneous) Amendment	175, 175A	52 of 2013
Liquor Licensing (Small Venue Licence) Amendment	115	3 of 2013
Local Government (Superannuation Scheme)(Merger) Amendment	51	18 of 2012
Magistrates (Miscellaneous) Amendment	154	26 of 2013
Major Events	150, 150A	63 of 2013
Marine Safety (Domestic Commercial Vessel) National Law (Application)	138, 138A	21 of 2013
Mental Health (Inpatient) Amendment	45	26 of 2012
Mining (Exploration Authorities) Amendment	38	11 of 2012
Mining (Royalties) Amendment	193	67 of 2013
Motor Vehicle Accidents (Lifetime Support Scheme)	134, 134A	15 of 2013
Motor Vehicles (Disqualification) Amendment	82	42 of 2012
Motor Vehicles (Learner's Permits and Provisional Licences) Amendment	184, 184A	70 of 2013
Motor Vehicles (Periodic Payments) Amendment	166	40 of 2013
National Energy Retail Law (South Australia) (Implementation) Amendment	36, 36A	16 of 2012
National Gas (South Australia) (Gas Trading Exchanges) Amendment	182	54 of 2013
National Health Funding Pool Administration (South Australia)	72	30 of 2012
National Tax Reform (State Provisions) (Administrative Penalties) Amendment	148	22 of 2013
Native Vegetation (Miscellaneous) Amendment	17, 17A	80 of 2013
Natural Resources Management (Review) Amendment	133, 133A	29 of 2013
Parliamentary Remuneration (Basic Salary) Amendment	50	15 of 2012
Payroll Tax (Miscellaneous) Amendment	103	50 of 2012

	<b>Bill No.</b>	<b>Act No.</b>
Petroleum and Geothermal Energy (Transitional Licences) Amendment	83	34 of 2012
Police (GST Exemption) Amendment	155	27 of 2013
Port Pirie Smelting Facility (Lead-In-Air Concentrations)	172	38 of 2013
Public Corporations (Subsidiaries) Amendment	215	73 of 2013
Rail Safety National Law (South Australia)	39	14 of 2012
Real Property (Access to Information) Amendment	84	35 of 2012
Residential Tenancies (Miscellaneous) Amendment	113, 113A	13 of 2013
Road Traffic (Average Speed) Amendment	58	23 of 2012
Road Traffic (Emergency Service Speed Zones) Amendment	111	25 of 2013
Security and Investigation Agents (Miscellaneous) Amendment	132, 132A	10 of 2013
Serious and Organised Crime (Control) (Declared Organisations) Amendment	164	32 of 2013
Serious and Organised Crime (Control) (Miscellaneous) Amendment	27, 27A	13 of 2012
South Australian Civil and Administrative Tribunal	181, 181A	59 of 2013
Spent Convictions (Decriminalised Offences) Amendment	225, 225A	88 of 2013
Spent Convictions (Miscellaneous) Amendment	110	2 of 2013
Statutes Amendment (Appeals)	119, 119A	9 of 2013
Statutes Amendment (Arrest Procedures and Bail)	194, 194A	60 of 2013
Statutes Amendment (Assessment of Relevant History)	213, 213A	87 of 2013
Statutes Amendment (Attorney-General's Portfolio)	31, 31A	17 of 2012
Statutes Amendment (Attorney-General's Portfolio) (No 2)	136	11 of 2013
Statutes Amendment (Attorney-General's Portfolio) (No 3)	165, 165A	47 of 2013
Statutes Amendment (Community and Strata Titles)	10, 10A	8 of 2012
Statutes Amendment (Courts Efficiency Reforms)	32, 32A, 32B	43 of 2012
Statutes Amendment (Criminal Intelligence)	9, 9A	19 of 2012
Statutes Amendment (Dangerous Driving)	180	90 of 2013
Statutes Amendment (Directors' Liability)	131, 131A	16 of 2013
Statutes Amendment (Electronic Monitoring)	221	78 of 2013
Statutes Amendment (Fines Enforcement and Recovery)	152, 152A	31 of 2013
Statutes Amendment (Gambling Reform)	151, 151A	37 of 2013
Statutes Amendment (Heavy Vehicle National Law)	162, 162A	35 of 2013
Statutes Amendment (National Electricity and Gas Laws - Limited Merits Review)	211	79 of 2013
Statutes Amendment (National Energy Retail Law Implementation)	35, 35A	55 of 2012
Statutes Amendment (Occupational Licensing)	201	71 of 2013
Statutes Amendment (Police)	170, 170A	49 of 2013
Statutes Amendment (Real Estate Reform Review and Other Matters)	130, 130A	17 of 2013
Statutes Amendment (Serious and Organised Crime)	26, 26A	12 of 2012
Statutes Amendment (Serious Firearm Offences)	74	33 of 2012
Statutes Amendment (Shop Trading and Holidays)	33, 33A	6 of 2012
Statutes Amendment (Smart Meters)	204	69 of 2013
Statutes Amendment (Transport Portfolio)	203	64 of 2013
Statutes Amendment (Young Offenders)	207, 207A	61 of 2013
Statutes Amendment and Repeal (Budget 2012) (No 2)	102, 102A	54 of 2012
Statutes Amendment and Repeal (Superannuation)	62, 62A	37 of 2012
Succession Duties Repeal	214	85 of 2013
Summary Offences (Filming Offences)	118	5 of 2013
Summary Offences (Weapons) Amendment	11	20 of 2012
Supply	52	21 of 2012
Supply 2013	147	23 of 2013
TAFE SA	56, 56A	28 of 2012
Telecommunications (Interception)	64, 64A	56 of 2012
Tobacco Products Regulation (Further Restrictions) Amendment	14, 14A	5 of 2012
Torrens University Australia	179	43 of 2013
Trustee Companies (Transfers) Amendment	100	45 of 2012
Vocational Education and Training (Commonwealth Powers)	15	2 of 2012
Water Industry	16, 16A	9 of 2012
Wilderness Protection (Miscellaneous) Amendment	120	6 of 2013
Wills (International Wills) Amendment	99	46 of 2012
WorkCover Corporation (Governance) Amendment	192	55 of 2013

Work Health and Safety	13,13A	40 of 2012
Work Health and Safety (Self-Incrimination) Amendment	141	24 of 2013
	<b>Bill No.</b>	<b>Act No.</b>
Workers Rehabilitation and Compensation (Firefighters) Amendment	185, 185A	91 of 2013
Zero Waste SA (Miscellaneous) Amendment	28	7 of 2012

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

(From 14 February 2012 to 12 December 2013)

Title of Bill	No. of Amendments made by L.C.	No. of Amendments made by H.A.	No. of H.A. Amendments agreed to by L.C.	No. of H.A. Amendments disagreed to by L.C.	No. of Amendments not insisted on by H.A.	No. of Amendments insisted on by H.A.	Conference/ Resolution
Aboriginal Lands Trust	3	2 (Money Clauses)	2	-	-	-	Act No. 81 of 2013
Aquaculture (Miscellaneous) Amendment	3	1	1	-	-	-	Act No. 27 of 2012
Children's Protection (Long-term Removal Review Panel) Amendment	3	-	-	-	-	-	Lapsed in HA due to Prorogation
Citrus Industry (Winding up) Amendment	1	-	-	-	-	-	Act No. 32 of 2012
Development (Interim Development Control) Amendment	2	-	-	-	-	-	Negatived in HA
Evidence (Identification) Amendment	2	-	-	-	-	-	Withdrawn in HA
Food (Labelling of Free-range Eggs) Amendment	1	-	-	-	-	-	Negatived in HA
Livestock (Miscellaneous) Amendment	2	2	2	-	-	-	Act No. 25 of 2012
Local Government (Rates) Amendment	4	-	-	-	-	-	Act No. 86 of 2013
Road or Ferry Closure (Consultation and Review)	1	-	-	-	-	-	Negatived in HA
Victims of Crime (Miscellaneous) Amendment	2	-	-	-	-	-	Lapsed in HA due to Prorogation

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

(From 14 February 2012 to 12 December 2013)

Title of Bill	No. of Amendments made by L.C.	No. of Amendments agreed to by H.A.	No. of Amendments disagreed to by H.A.	No. of Amendments not insisted on by L.C.	No. of Amendments insisted on by L.C.	Conference/ Resolution
Advance Care Directives	18	18	-	-	-	Act No. 12 of 2013
Arkaroola Protection	2	2	-	-	-	Act No. 1 of 2012
Burial and Cremation	9	8	1 (with Alternative Amendment)	1 (Alternative Amendment agreed to by LC)	-	Act No. 20 of 2013
Character Preservation (Barossa Valley)	29	28	1	1	-	Act No. 38 of 2012
Character Preservation (McLaren Vale)	34	32	2	2	-	Act No. 39 of 2012
Child Sex Offenders Registration (Miscellaneous)	7	7	-	-	-	Act No. 41 of 2013
Classification (Publications, Films and Computer Games) (R18+ Computer Games) Amendment	3	3	-	-	-	Act No. 41 of 2012
Community Housing Providers (National Law) (South Australia)	3	3	-	-	-	Act No. 65 of 2013
Controlled Substances (Offences) Amendment	3	3	-	-	-	Act No. 84 of 2013
Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment	22	-	22	-	-	Bill withdrawn
Criminal Law Consolidation (Protection for Working Animals) Amendment	2	1	1	1	-	Act No. 83 of 2013
Criminal Law (Sentencing) (Guilty Pleas) Amendment	2	2	-	-	-	Act No. 49 of 2012
Criminal Law (Sentencing) (Supergrass) Amendment	1	1				Act No. 51 of 2012

<b>Title of Bill</b>	<b>No. of Amendments made by L.C.</b>	<b>No. of Amendments agreed to by H.A.</b>	<b>No. of Amendments disagreed to by H.A.</b>	<b>No. of Amendments not insisted on by L.C.</b>	<b>No. of Amendments insisted on by L.C.</b>	<b>Conference/ Resolution</b>
Criminal Law (Sentencing) (Suspended Sentences) Amendment	8	8	-	-	-	Act No. 53 of 2013
Electoral (Funding, Expenditure and Disclosure) Amendment	2	2	-	-	-	Act No. 51 of 2013
Electoral (Legislative Council Voting) Amendment	3	3	-	-	-	Act No. 93 of 2013
Electoral (Miscellaneous) Amendment	15	6	9 (3 with alternative amendments)	8 (and agreed to 2 alternative amendments made by HA, and LC made 3 alternative amendments to which HA agreed)	1 (HA no longer disagreed)	Act No. 48 of 2013
Evidence (Discreditable Conduct) Amendment	1	1	-	-	-	Act No. 50 of 2013
Evidence (Identification Evidence) Amendment	3	3	-	-	-	Act No. 58 of 2013
Firearms (Miscellaneous) Amendment	3	3	-	-	-	Act No. 92 of 2013
First Home Owner Grant (Housing Grant Reforms) Amendment	2	2	-	-	-	Act No. 47 of 2012
Graffiti Control (Miscellaneous) Amendment	12	-	12	5	7	Act No. 1 of 2013
Housing and Urban Development (Administrative Arrangements) (Urban Renewal) Amendment	33	33	-	-	-	Act No. 45 of 2013
Independent Commissioner Against Corruption	47	40	7	1 (but alternative and consequential amendments made by LC)	6 (HA no longer disagreed and agreed to alternative and consequential amendments)	Act No. 52 of 2012
Legal Practitioners (Miscellaneous) Amendment	26	20	6	6	-	Act No. 44 of 2013
Liquor Licensing (Miscellaneous) Amendment	4	4	-	-	-	Act No. 52 of 2013

<b>Title of Bill</b>	<b>No. of Amendments made by L.C.</b>	<b>No. of Amendments agreed to by H.A.</b>	<b>No. of Amendments disagreed to by H.A.</b>	<b>No. of Amendments not insisted on by L.C.</b>	<b>No. of Amendments insisted on by L.C.</b>	<b>Conference/ Resolution</b>
Major Events	4	4	-	-	-	Act No. 63 of 2013
Marine Safety (Domestic Commercial Vessel National Law (Application)	3	3	-	-	-	Act No. 21 of 2013
Motor Vehicle Accidents (Lifetime Support Scheme)	4	4	-	-	-	Act No. 15 of 2013
Motor Vehicles (Learners Permits and Provisional Licences) Amendment	1	1	-	-	-	Act No. 70 of 2013
National Energy Retail Law (South Australia) (Implementation) Amendment	1	1	-	-	-	Act No. 16 of 2012
Native Vegetation (Miscellaneous) Amendment	13	13	-	-	-	Act No. 80 of 2013
Natural Resources Management (Review) Amendment	39	39	-	-	-	Act No. 29 of 2013
Residential Tenancies (Miscellaneous) Amendment	16	15	1	1 (Alternative amendment made by LC to which HA agreed)	-	Act No. 13 of 2013
Security and Investigation Agents (Miscellaneous) Amendment	1	1	-	-	-	Act No. 10 of 2013
Serious and Organised Crime (Control) (Miscellaneous) Amendment	22	22	-	-	-	Act No. 13 of 2012
South Australian Civil and Administrative Tribunal	17	17	-	-	-	Act No. 59 of 2013
Spent Convictions (Decriminalised Offences) Amendment	2	2	-	-	-	Act No. 88 of 2013
Statutes Amendment (Appeals)	3	3	-	-	-	Act No. 9 of 2013
Statutes Amendment (Arrest Procedures and Bail)	2	2	-	-	-	Act No. 60 of 2013
Statutes Amendment (Assessment of Relevant History)	6	6	-	-	-	Act No. 87 of 2013

<b>Title of Bill</b>	<b>No. of Amendments made by L.C.</b>	<b>No. of Amendments agreed to by H.A.</b>	<b>No. of Amendments disagreed to by H.A.</b>	<b>No. of Amendments not insisted on by L.C.</b>	<b>No. of Amendments insisted on by L.C.</b>	<b>Conference/ Resolution</b>
Statutes Amendment (Attorney-General's Portfolio)	2	2	-	-	-	Act No. 17 of 2012
Statutes Amendment (Attorney-General's Portfolio) (No. 3)	5	5	-	-	-	Act No. 47 of 2013
Statutes Amendment (Community and Strata Titles)	9	9	-	-	-	Act No. 8 of 2012
Statutes Amendment (Courts Efficiency Reforms)	13	12	1 (with alternative amendment)	1 (Alternative amendment made by HA agreed to)	-	Act No. 43 of 2012
Statutes Amendment (Criminal Intelligence)	19	-	19	19 (Alternative amendments made by LC to which HA agreed)	-	Act No. 19 of 2012
Statutes Amendment (Directors' Liability)	2	2	-	-	-	Act No. 16 of 2013
Statutes Amendment (Fines Enforcement and Recovery)	8	8	-	-	-	Act No. 31 of 2013
Statutes Amendment (Gambling Reform)	35 (2 suggested)	35 (2 suggested)	-	-	-	Act No. 37 of 2013
Statutes Amendment (Heavy Vehicle National Law)	2	2	-	-	-	Act No. 35 of 2013
Statutes Amendment (National Energy Retail Law Implementation)	2	-	2	-	2	Conference Rec. - LC no longer insists on Amendments and Alternative Amendment in lieu thereof agreed to Act No. 55 of 2012
Statutes Amendment (Police)	1	1	-	-	-	Act No. 49 of 2013
Statutes Amendment (Real Estate Reform Review and Other Matters)	4	4	-	-	-	Act No. 17 of 2013
Statutes Amendment (Serious and Organised Crime)	8	8	-	-	-	Act No. 12 of 2012

<b>Title of Bill</b>	<b>No. of Amendments made by L.C.</b>	<b>No. of Amendments agreed to by H.A.</b>	<b>No. of Amendments disagreed to by H.A.</b>	<b>No. of Amendments not insisted on by L.C.</b>	<b>No. of Amendments insisted on by L.C.</b>	<b>Conference/ Resolution</b>
Statutes Amendment (Shop Trading and Holidays)	4	4				Act No. 6 of 2012
Statutes Amendment (Young Offenders)	4	4	-	-	-	Act No. 61 of 2013
Statutes Amendment and Repeal (Budget 2012)	2	1	1	-	1	No Agreement reached. Bill laid aside
Statutes Amendment and Repeal (Budget 2012) (No. 2)	2	2	-	-	-	Act No. 54 of 2012
Statutes Amendment Repeal (Superannuation)	10	10	-	-	-	Act No. 37 of 2012
Statutes Amendment Repeal (TAFE SA Consequential Provisions))	7	-	7	5 (4 alternative amendments made)	2	No Agreement reached. Bill laid aside
TAFE SA	1	1	-	-	-	Act No. 28 of 2012
Telecommunications (Interception)	1	1	-	-	-	Act No. 56 of 2012
Tobacco Products Regulation (Further Restrictions) Amendment	2	2	-	-	-	Act No. 5 of 2012
Water Industry	15	14	1	1 (Alternative amendment made by HA agreed to)	-	Act No. 9 of 2012
Work Health and Safety	22	22	-	-	-	Act No. 40 of 2012
Workers Rehabilitation and Compensation (Firefighters) Amendment	4	2	2	2	-	Act No. 91 of 2013

**LEGISLATIVE COUNCIL**  
**SECOND SESSION OF THE FIFTY-SECOND PARLIAMENT**  
**SUBSTANTIVE MOTIONS AND RESOLUTIONS**

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Only substantive motions are listed below and do not include procedural or formal motions.

**ADDRESS-IN-REPLY - motion for adoption of -**

Moved by The Hon C Zollo , 15 February 2012.  
Seconded by The Hon G A Kandelaars, 15 February 2012.  
Adopted and presented to His Excellency The Governor on 13 March 2012.

**CONDOLENCE MOTIONS -**

**Death of The Hon Dale Baker -**

Motion of regret moved by the Minister for Agriculture, Food and Fisheries and carried in silence,  
5 April 2012.

**Death of The Hon Frank Blevins -**

Motion of regret moved by the Minister for Agriculture, Food and Fisheries and carried in silence,  
10 September 2013.

**Death of The Hon Edward Connelly -**

Motion of regret moved by the Minister for Agriculture, Food and Fisheries and carried in silence,  
24 September 2013.

**Death of The Hon Robert Ritson -**

Motion of regret moved by the Minister for Mineral Agriculture, Food and Fisheries and carried in  
silence, 10 September 2013.

**LEAVE OF ABSENCE -**

**The Hon K L Vincent -**

Moved by the Minister for Agriculture, Food and Fisheries and agreed to, 31 October 2012.

**GOVERNMENT MOTIONS -**

**Appointment of the Hon R I Lucas to Panel consulting on appointment of Commissioner to Industrial Relations Commission -**

Moved by the Minister for Industrial Relations and agreed to, 5 September 2012.

**Appointment of the Hon R I Lucas to Panel consulting on appointment of Employee Ombudsman -**

Moved by the Minister for Industrial Relations and agreed to, 5 September 2012.

**Citizen's Right of Reply -**

Moved by the Minister for Agriculture, Food and Fisheries and agreed to, 15 February 2012.

**Hon K J Maher -**

Moved by the Minister for Agriculture, Food and Fisheries and agreed to, 30 October 2012.

**Hon R K Sneath -**

Moved by the Minister for Agriculture, Food and Fisheries and agreed to, 16 October 2012.

**Lake Eyre -**

Moved by the Minister for Sustainability, Environment and Conservation, 15 October 2013 and agreed to, 26 November 2013.

**Legislative Review Committee to Inquire into and Report on Issues Relating to Surveillance Devices -**

Moved by the Minister for Agriculture, Food and Fisheries and agreed to, 21 February 2013.

**National Parks and Wildlife Act 1972 - Governor's Proclamation - Nullarbor**

Moved by the Minister for Communities and Social Inclusion and agreed to, 14 November 2012.

**National Parks and Wildlife Act 1972 - Governor's Proclamation - Deposited Plan 90825 -**

Moved by the Minister for Sustainability, Environment and Conservation and agreed to, 24 September 2013.

**National Parks and Wildlife Act 1972 - Governor's Proclamation - Deposited Plan 91248 -**

Moved by the Minister for Sustainability, Environment and Conservation and agreed to, 24 September 2013.

**Past Adoption Practices -**

Moved by the Minister for Agriculture, Food and Fisheries, 19 July 2012 and agreed to, 18 September 2012.

**SELECT COMMITTEES - COUNCIL -**

**Access to and Interaction with Justice System for People with Disabilities -**

Report to be noted - moved by The Hon S G Wade and agreed to, 27 November 2013.

**Budget and Finance Committee - Report on Operations of - Noting of -**

2011-2012 - Moved by The Hon R I Lucas, 31 October 2012 and agreed to, 14 November 2012.

2012-2013 - Moved by The Hon R I Lucas, 25 September 2013. (Motion lapsed due to Prorogation)

**Community Safety and Emergency Services in South Australia -**

Moved by The Hon R L Brokenshire, 5 September 2012 and agreed to, 17 October 2012.

Instruction to extend Terms of Reference - moved by The Hon R L Brokenshire, 15 May 2013 and agreed to, 19 June 2013.

Requesting attendance of Member of the House of Assembly - moved by The Hon R L Brokenshire, 24 July 2013 and agreed to, 25 September 2013

Report to be noted - moved by The Hon R L Brokenshire and agreed to, 27 November 2013.

**Department of Correctional Services -**

Report to be noted - moved by The Hon T J Stephens, 11 September 2013. (Motion lapsed due to Prorogation)

**Disability Services Funding -**

Report to be noted - moved by Hon JMA Lensink, 24 July 2013 and agreed to, 11 September 2013.

**Harvesting Rights in Forestry SA Plantation Estates -**

Report to be noted - moved by The Hon R L Brokenshire and agreed to, 18 July 2012.

**Marine Parks in South Australia -**

Interim Report to be noted - moved by The Hon DGE Hood, 28 November 2012. (Motion lapsed due to Prorogation)

Instruction to extend Terms of Reference - moved by The Hon DGE Hood, 28 November 2012 and agreed to, 20 February 2013.

Report to be noted - moved by The Hon DGE Hood and agreed to, 27 November 2013.

**Matters Relating to the Independent Education Inquiry, 2012-2013 -**

Moved by The Hon R L Brokenshire, 24 July 2013.

Amendment moved by The Hon DGE Hood and agreed to, 11 September 2013.

Motion, as amended, agreed to, 11 September 2013.

Requesting attendance of Members of the House of Assembly - moved by The Hon R L Brokenshire and agreed to, 25 September 2013.

Interim Report to be noted - moved by The Hon R L Brokenshire and agreed to, 27 November 2013.

**School Bus Contracts -**

Report to be noted - moved by The Hon D W Ridgway, 25 September 2013. (Motion lapsed due to Prorogation)

**St Clair Land Swap -**

Moved by The Hon JMA Lensink, 19 June 2013 and agreed to, 24 July 2013.

Interim Report to be noted - moved by The Hon JMA Lensink and agreed to, 27 November 2013.

**Wind Farm Development in South Australia -**

Moved by The Hon D W Ridgway, 15 February 2012.

Amendment moved by The Hon M C Parnell and agreed to 28 March 2012.

Motion, as amended, agreed to 28 March 2012.

Instruction to extend Terms of Reference - moved by The Hon D W Ridgway, 20 March 2013 and agreed to, 10 April 2013.

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

**Moved by Member on own behalf -**

**Development Act 1993 - Regulated Trees -**

Moved by The Hon JMA Lensink, 15 February 2012. (Motion lapsed due to Prorogation)

**Development Act 1993 - Riverbank Footbridge -**

Moved by The Hon JMA Lensink, 17 October 2012 and agreed to, 28 November 2012.

**Development Act 1993 - Schedule 8 - Referrals and Concurrences -**

Moved by The Hon JMA Lensink, 5 June 2013. (Motion lapsed due to Prorogation)

**Electoral Act 1985 - Registration of Political Parties -**

Moved by The Hon S G Wade, 14 March 2012 and agreed to, 16 May 2012.

**Fisheries Management Act 2007 - Prescribed Quantities -**

Moved by The Hon JSL Dawkins, 28 November 2012 and discharged, 6 March 2013.

**Liquor Licensing Act 1997 - General Regulations - Annual Fees -**

Moved by The Hon T A Franks, 30 May 2012 and discharged, 5 September 2012.

**Motor Vehicles Act 1959 - National Heavy Vehicles Registration Fee Increases -**  
Moved by The Hon R L Brokenshire, 18 July 2012. (Motion lapsed due to Prorogation)

**Roxby Downs (Indenture Ratification) (Amendment of Indenture) Amendment Act 1982 - Instrument for Purposes of Clause 5.2 of the Variation Deed -**  
Moved by The Hon M C Parnell, 28 November 2012 and negatived, 28 November 2012.

**Work Health and Safety Act 2012 - Codes of Practice -**  
Moved by The Hon R I Lucas, 1 May 2013 and agreed to, 27 November 2013.

**PRIVATE MEMBERS' MOTIONS -**

**2012 Australian Paralympic Team -**

Moved by The Hon J M Gazzola, 19 September 2012. (Motion lapsed due to Prorogation)

**Aboriginal Lands Parliamentary Standing Committee Reports - Noting of -**

**2011-2012 -**

Moved by The Hon T J Stephens, 31 October 2012 and agreed to, 14 November 2012.

**To inquire into and report on Stolen Generations Reparations Tribunal Bill 2010 -**

Moved by The Hon R P Wortley, 13 November 2013. (Motion lapsed due to Prorogation)

**Adelaide Desalination Project -**

Moved by The Hon M C Parnell, 17 October 2012. (Motion lapsed due to Prorogation)

**Adelaide United Football Club -**

Moved by The Hon T J Stephens, 5 September 2012, amendment moved by The Hon C Zollo, 20 September 2012 and negatived, 13 November 2013, motion as moved agreed to, 13 November 2013.

**Animal Welfare -**

Moved by The Hon T A Franks, 10 April 2013. (Motion lapsed due to Prorogation)

**Belair Railway Line -**

Moved by The Hon M C Parnell, 31 October 2012. (Motion lapsed due to Prorogation)

**Cadell Ferry Service -**

Moved by The Hon DGE Hood, 27 June 2012, amendment moved by The Hon R L Brokenshire, 27 June 2012. (Motion lapsed due to Prorogation)

**Chief Justice Doyle, Police Commissioner Hyde, Director of Public Prosecutions Pallasas -**

Moved by The Hon S G Wade, 16 May 2012, and agreed to, 18 July 2012.

**Commonwealth Social Security Act -**

Moved by The Hon T A Franks, 20 March 2013, and negatived, 1 May 2013.

**Concessions for Low Income Households -**

Moved by The Hon M C Parnell, 6 February 2013. (Motion lapsed due to Prorogation)

**Container Deposit Legislation -**

Moved by The Hon M C Parnell, 20 March 2013. (Motion lapsed due to Prorogation)

**Depression -**

Moved by The Hon T A Franks, 4 April 2012, and agreed to, 2 May 2012.

**Drug Beat -**

Moved by The Hon A M Bressington, 16 May 2012. (Motion lapsed due to Prorogation)

**Electoral Funding Reform -**

Moved by The Hon M C Parnell, 31 October 2012, amendment moved by The Hon K J Maher and agreed to, 28 November 2012, motion as amended agreed to, 28 November 2012. (Motion lapsed due to Prorogation)

**Electric Cars -**

Moved by The Hon M C Parnell, 17 October 2012. (Motion lapsed due to Prorogation)

**Electricity Industry Superannuation Scheme -**

Moved by The Hon R I Lucas, 5 September 2012, amendment moved by The Hon D W Ridgway and agreed to, 17 October 2012, motion as amended agreed to, 17 October 2012.

**Electricity Industry Superannuation Scheme -**

Moved by The Hon R I Lucas, 19 June 2013, and agreed to, 25 September 2013.

**Environment, Resources and Development Committee -**

**Reports - Noting of -**

**2011-2012 -**

Moved by The Hon C Zollo, 6 February 2013 and agreed to, 20 February 2013.

**Small Bars and Live Music - Final Report -**

Moved by The Hon C Zollo, 24 July 2013. (Motion lapsed due to Prorogation)

**Urban Density - Final Report -**

Moved by The Hon C Zollo, 13 November 2013. (Motion lapsed due to Prorogation)

**Waste Resources -**

Moved by The Hon C Zollo, 6 February 2013 and agreed to, 20 February 2013.

**To inquire into -**

**Liquor Licensing, Planning and Environmental Regimes -**

Moved by The Hon JMA Lensink, 18 July 2012 and agreed to, 20 September 2012.

**Mount Barker Development -**

Moved by The Hon M C Parnell, 14 March 2012, amendment moved by The Hon T A Franks, 4 April 2012 and negated, 4 April 2012, motion, as moved, negated, 4 April 2012.

**Future of Live Music in South Australia -**

Moved by The Hon T A Franks, 27 November 2013. (Motion lapsed due to Prorogation)

**F V Margiris -**

Moved by The Hon G A Kandelaars, 5 September 2012 and agreed to, 19 September 2012.

**F V Margiris -**

Moved by The Hon M C Parnell, 5 September 2012 and agreed to, 19 September 2012.

**Growth Investigation Areas Report - Ombudsman to Inquire into -**

Moved by The Hon D W Ridgway, 28 March 2012, and agreed to, 30 May 2012.

**Hospital Funding -**

Moved by The Hon R L Brokenshire, 19 September 2012. (Motion lapsed due to Prorogation)

**Human Rights Development Organisation in South Sudan -**

Moved by The Hon JSL Dawkins, 29 February 2012, and agreed to, 4 April 2012.

**IT Projects within Health -**

Moved by The Hon R I Lucas, 13 November 2013. (Motion lapsed due to Prorogation)

**Kirbee Louise O'Grady -**

Moved by The Hon A M Bressington, 10 April 2013, amendment moved by The Hon S G Wade, 15 May 2013, motion discharged, 5 June 2013.

**Kirbee Louise O'Grady - Attorney-General to Commission Inquiry into -**

Moved by The Hon A M Bressington, 5 June 2013, amendment moved by The Hon R P Wortley, and negated, 3 July 2013. motion agreed to, 3 July 2013.

**Legislative Review Committee -**

**Reports - Noting of -**

**Criminal Cases Review Commission Bill 2010 -**

Moved by The Hon G A Kandelaars, 5 September 2012, and agreed to, 6 March 2013.

**Inquiry into Issues Relating to Surveillance Devices -**

Moved by The Hon G A Kandelaars, 13 November 2013. (Motion lapsed due to Prorogation)

**To inquire into and report on -**

**Inter-jurisdictional Legislation**

Moved by The Hon S G Wade, 15 February 2012, amendment moved by The Hon J A Darley and agreed to 18 July 2012, motion as amended agreed to, 18 July 2012.

**Local Sporting Clubs -**

Moved by The Hon T A Franks, 20 March 2013. (Motion lapsed due to Prorogation)

**Members of Parliament Outside Employment -**

Moved by The Hon M C Parnell, 6 March 2013. (Motion lapsed due to Prorogation)

**Mental Health Funding -**

Moved by The Hon R L Brokenshire, 31 October 2012. (Motion lapsed due to Prorogation)

**Metropolitan and Belair Train Line -**

Moved by The Hon M C Parnell, 28 November 2012, and agreed to, 6 March 2013.

**Mount Barker Urban Growth Development Plan Amendment -**

Moved by The Hon M C Parnell, 29 February 2012, and negated 28 March 2012.

**Mr Eugene McGee -**

Moved by The Hon S G Wade, 29 February 2012. (Motion lapsed due to Prorogation)

**Multiple Chemical Sensitivity -**

Moved by The Hon T A Franks, 18 July 2012. (Motion lapsed due to Prorogation)

**Murray Darling Basin Plan -**

Moved by The Hon M C Parnell, 14 November 2012 and agreed to, 28 November 2012.

**National Police Remembrance Day -**

Moved by The Hon S G Wade, 16 October 2013, and agreed to, 13 November 2013.

**Natural Resources Committee Reports - Noting of -**

**2011-2012 -**

Moved by The Hon G A Kandelaars, 19 September 2012 and agreed to, 17 October 2012.

**2012-2013 -**

Moved by The Hon R P Wortley and agreed to, 16 October 2013.

**Adelaide and Mount Lofty Ranges Natural Resources Management Board Levy Proposal, 2012-2013 -**

Moved by The Hon G A Kandelaars and agreed to, 27 June 2012.

**Alinytjara Wilurara APY Ranges Sub-Region Fact-Finding Visit -**

Moved by The Hon R P Wortley and agreed to, 25 September 2013.

**Bushfire Preparedness of Properties in Bushfire Risk Areas -**

Moved by The Hon R P Wortley and agreed to, 27 November 2013.

**Bushfire Tour 2012: Case Study - Mitcham Hills, 17 February 2012 -**

Moved by The Hon G A Kandelaars and agreed to, 5 September 2012.

**Eyre Peninsula Water Supply - Interim Report on Inquiry into -**

Moved by The Hon G A Kandelaars, 19 September 2012 and agreed to, 17 October 2012.

**Eyre Peninsula Water Supply -**

Moved by The Hon R P Wortley, 25 September 2013 and agreed to, 16 October 2013.

**Foxes -**

Moved by The Hon R P Wortley and agreed to, 20 February 2013.

**Natural Resources Management Levy Arrangements, Review of -**

Moved by The Hon G A Kandelaars and agreed to, 5 September 2012.

**Natural Resources Management Boards Levy Proposals -**

**2012-2013** - Moved by The Hon G A Kandelaars and agreed to, 27 June 2012.

**2013-2014** - Moved by The Hon R P Wortley and agreed to, 19 June 2013.

**Prescribed Burning - Fire Management in the Mount Lofty Ranges Fact-Finding Visit, 7 June 2013 -**

Moved by The Hon R P Wortley and agreed to, 13 November 2013.

**Upper South East Dryland Salinity and Flood Management Reports -**

**2010-2011** - Moved by The Hon G A Kandelaars, 29 February 2012 and agreed to, 14 March 2012.

**2012-2013** - Moved by The Hon R P Wortley and agreed to, 13 November 2013.

**Water Resource Management in the Murray Darling Basin, Volume 3 -**

Moved by The Hon G A Kandelaars and agreed to, 4 April 2012.

**Postscript** - Moved by The Hon R P Wortley, 20 March 2013 and agreed to, 10 April 2013.

**Whyalla Region Fact Finding Visit, 23-24 October 2013 -**

Moved by The Hon R P Wortley and agreed to, 27 November 2013.

**New Zealand Legislation on Same Sex Marriage -**

Moved by The Hon G A Kandelaars, 1 May 2013, and agreed to, 19 June 2013.

**Non-Hospital Based Services -**

Moved by The Hon M C Parnell, 6 February 2013 and negated, 20 March 2013.

**Nursing -**

Moved by The Hon T A Franks, 1 May 2013. (Motion lapsed due to Prorogation)

**Occupational Safety, Rehabilitation and Compensation Committee Reports - Noting of -**

**2011-2012 -**

Moved by The Hon G A Kandelaars, 1 May 2013 and agreed to, 15 May 2013.

**2012-2013 -**

Moved by The Hon G A Kandelaars and agreed to, 27 November 2013.

**Briefing Report into South Australia's Ageing Workforce: Implications for Work Health and Safety, Rehabilitation and Compensation -**

Moved by The Hon G A Kandelaars, 1 May 2013 and agreed to, 19 June 2013.

**Occupational Health and Safety Responsibilities of Safework SA, Inquiry into -**

Moved by The Hon G A Kandelaars and agreed to, 27 November 2013.

**Vocational Rehabilitation and Return to Work Practices for Injured Workers in South Australia, Inquiry into -**

Moved by The Hon G A Kandelaars, 20 February 2013. (Motion lapsed due to Prorogation)

**Ombudsman - Report of Investigation into the Growth Investigation Areas Report Procurement -**

Moved by The Hon M C Parnell, 20 March 2013, and agreed to, 1 May 2013.

**Past Adoption Practices -**

Moved by The Hon T A Franks, 28 March 2012, and discharged, 5 September 2012.

**Pastoral Rents -**

Moved by The Hon JMA Lensink, 28 March 2012, and agreed to, 27 June 2012.

**Port Stanvac Jetty -**

Moved by The Hon R L Brokenshire, 31 October 2012, amendment moved by The Hon D W Ridgway and amendment moved by The Hon G A Kandelaars, 28 November 2012, amendment moved by The Hon D W Ridgway agreed to, 20 February 2013, motion, as amended, agreed to, 20 February 2013.

**SA Solar Feed-in Scheme -**

Moved by The Hon M C Parnell, 29 February 2012, amendment moved by The Hon D W Ridgway and agreed 28 March 2012, motion as amended agreed to, 28 March 2012.

**Save Live Australian Music -**

Moved by The Hon T A Franks, 20 February 2013. (Motion lapsed due to Prorogation)

**Social Development Committee Reports - Noting of -**

**Food Safety Programs, Inquiry into -**

Moved by The Hon J M Gazzola, 19 September 2012, and agreed to, 14 November 2012.

**New Migrants, Inquiry into -**

Moved by The Hon R P Wortley, 24 July 2013, and agreed to, 27 November 2013.

**Sale and Consumption of Alcohol - Interim Report on Inquiry into -**

Moved by The Hon R P Wortley and agreed to, 27 November 2013.

**South Australian Olympic and Paralympic Athletes -**

Moved by The Hon J S Lee, 30 May 2012, and agreed to, 18 July 2012.

**St Clair Land Swap -**

Moved by The Hon D W Ridgway, 6 February 2013, and agreed to, 6 March 2013.

**Statutory Authorities Review Committee Reports -**

**Noting of -**

**2012-2013 -**

Moved by The Hon C Zollo and agreed to, 27 November 2013.

To inquire into and report on -

**To inquire into and report on -**

**Environment Protection Authority -**

Moved by The Hon C Zollo, 6 February 2013, and agreed to, 19 June 2013.

**Suicidal Patients -**

Moved by The Hon J S Lee, 19 September 2012, and agreed to, 28 November 2012.

**Toro Energy -**

Moved by The Hon M C Parnell, 28 November 2012. (Motion lapsed due to Prorogation)

**Win Television Network -**

Moved by The Hon K J Maher, 20 February 2013, amendment moved by The Hon R L Brokenshire, 20 March 2013. (Motion lapsed due to Prorogation)

**Work Health and Safety Act 2012 - Codes of Practice - Small Business Commissioner to Review -**

Moved by The Hon K J Maher, 25 September 2013, amendment moved by The Hon J A Darley and agreed to, 16 October 2013, motion as amended agreed to, 16 October 2013.

**Year of the Farmer -**

Moved by The Hon JSL Dawkins, 15 February 2012, and agreed to 28 March 2012.

**Youth Exodus from State -**

Moved by The Hon JMA Lensink, 28 March 2012. (Motion lapsed due to Prorogation)

**Zero Waste SA -**

Moved by The Hon M C Parnell, 6 February 2013. (Motion lapsed due to Prorogation)

## **PETITIONS**

### **LEGISLATIVE COUNCIL**

**(From 14 February 2012 to 12 December 2013)**

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#### **ACUTE REFERRAL UNIT AT THE REPATRIATION GENERAL HOSPITAL AT DAW PARK**

Praying that this Honourable House will cease any plans or investigations into closure of the Acute Referral Unit and instead invest in supporting and enhancing its work.

Presented by The Hon R L Brokenshire, 20 September 2012, 732 signatures.

Presented by The Hon R L Brokenshire, 18 October 2012, 572 signatures.

#### **BIRTHS, DEATHS AND MARRIAGES REGISTRATION (REGISTRATION OF STILL BIRTHS) AMENDMENT BILL**

Praying that this Honourable House will not pass the Births, Deaths and Marriages Registration (Registration of Still-births) Amendment Bill.

Presented by The Hon T A Franks, 31 May 2012, 1,406 signatures.

#### **BUDDHIST TEMPLE AT SELICKS HILL**

Praying that this Honourable House will call upon the Minister for Urban Development to reject the proposed development.

Presented by The Hon DGE Hood, 16 February 2012, 695 signatures.

#### **DAYLIGHT SAVING**

Praying that this Honourable House will call on the State Government to -

1. Resist any further extension of daylight saving hours;
2. Conduct a full and proper review of the current extension of daylight savings hours and its impact on families and communities in the western half of South Australia;
3. Resist any efforts to shift the South Australian time zone to be the same as Eastern Standard Time; and
4. Set a plan and timeframe to shift South Australia to true Central Standard Time, being one hour behind Eastern Standard Time.

Presented by The Hon R L Brokenshire, 14 November 2013, 93 signatures.

Presented by The Hon R L Brokenshire, 28 November 2013, 16 signatures.

#### **JAYDEN'S LAW INITIATIVE**

Praying that this Honourable House will -

1. Support an initiative called Jayden's Law to give mothers and fathers of these much wanted and loved babies the right to obtain a birth certificate for a child who is delivered as a live baby would be, but the delivery has occurred between 12 to 20 weeks' gestation;
2. Ensure that no financial benefit shall arise from the use of that right, nor should the right arise in terminations; and

3. Give parents who love and treasure their babies from conception this right as a means to recognise the child's birth, respect parents' beliefs and bring closure and healing to the family.

Presented by The Hon R L Brokenshire, 16 February 2012, 1,568 signatures.

Presented by The Hon R L Brokenshire, 29 March 2012, 760 signatures.

Presented by The Hon R L Brokenshire, 3 May 2012, 73 signatures.

Presented by The Hon R L Brokenshire, 17 May 2012, 68 signatures.

Presented by The Hon R L Brokenshire, 31 May 2012, 7 signatures.

#### **MANDATORY IMPRISONMENT OF CHILD SEX OFFENDERS**

Praying that this Honourable House will support the Criminal Law (Sentencing) (Mandatory Imprisonment of Child Sex Offenders) Amendment Bill 2010.

Presented by The Hon A M Bressington, 31 May 2012, 1,725 signatures.

#### **PATIENT ASSISTANCE TRANSPORT SCHEME**

Praying that this Honourable House will call on the Government to reform the Patient Assistance Transport Scheme particularly to ensure that patients and their carers receive the subsidies that they are entitled to.

Presented by The Hon JMA Lensink, 31 October 2013, 740 signatures.

Presented by The Hon JMA Lensink, 14 November 2013, 111 signatures.

#### **THE TALL SHIP, ONE AND ALL**

Praying that this Honourable House will take immediate action to -

1. Secure a new operator for the iconic South Australian tall ship, the One and All;
2. Ensure that it continues to be used for youth development and training purposes; and
3. Keep it publicly accessible in Port Adelaide for the people of South Australia.

Presented by The Hon T A Franks, 1 March 2012, 1,994 signatures.

## SYNOPSIS OF COUNCIL LEGISLATION

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### ABORIGINAL LANDS TRUST BILL

This Bill is the result of a review of the historic *Aboriginal Lands Trust Act 1966*. The *Aboriginal Lands Trust Act 1966* broke new ground in Australia by establishing the Aboriginal Lands Trust, with a wholly Aboriginal membership, and provided for the transfer to this body of all Aboriginal reserve land. Today, the Aboriginal Lands Trust owns over half a million hectares of land, valued at approximately \$60 million, dispersed across various metropolitan, urban, regional and remote areas of the State.

After 46 years of operation the Act is now in need of fundamental change to reflect the contemporary circumstances and aspirations of Aboriginal South Australians, and to better enable the Trust to deal with the significant challenges of owning and managing this land. This Bill represents a major reform of the structure and focus of the Trust and its relationship with Government.

The Bill is designed to continue the Aboriginal Lands Trust (the Trust) as a statutory trust holding land for the benefit of Aboriginal South Australians. Its objects are clear - to enable the Trust to acquire, hold and deal with Trust Land for the continuing benefit of Aboriginal South Australians; and to ensure the efficient and effective administration, management and development of Trust Land in a way that involves proper consultation with Aboriginal people with an interest in the land and that increases opportunities for economic development on Trust Land.

The Bill proposes a new, more independent, skills-based Trust body, and supports sound land management, long term planning and decision making, community responsibility and economic development.

The role of the Trust will be the efficient management of its freehold estate, including the setting of relevant policy; the provision of expert advice to communities; leadership in land management projects; and consultation on land management decisions and dealings with all Aboriginal groups with a connection to the relevant land.

The aim is to increase the participation of Aboriginal people with an interest in ALT lands in the management and development of the ALT estate. This will contribute to South Australia's Strategic Plan, which recognises that land and cultural heritage are assets that can be used to improve Aboriginal well-being and to assist in "closing the gap".

The proposed new Trust will comprise eight (8) members, being Aboriginal persons who collectively have, in the opinion of the Minister, knowledge, skills and experience in, among other capabilities, corporate governance, property management and development, commercial enterprise development, natural resource management and Aboriginal community life and culture. A newly constituted Trust will be supported by a Commercial Development Advisory Committee (CDAC) nominated by the Trust and appointed by the Minister. The proposed structure will require the Trust to ensure that all Aboriginal groups, commensurate with their interest in the land, will have input into decisions about the use and management of the land.

The Bill requires that all ALT lands be subjected to a "good order audit" so that the Trust and all Aboriginal people have a clear and accurate record of its landholdings and all legal interests in them, and can work more effectively to manage them. The Bill also requires the Trust to keep an up-to-date land Register. These measures, together with the CDAC and the various statutory obligations for good financial management, are intended to ensure more efficient, productive and beneficial use of ALT land.

Under the new legislation, the Trust will have full control over the use and management of land vested in it through its ability to deal with the land generally and, in particular, its power to grant leases and licences for any purpose and on any conditions that the Trust deems appropriate. Importantly, the proposed new ALT legislation does not diminish the rights of Aboriginal interests in the land under the *Native Title Act 1993*.

The Bill also provides that any proposals for mining must not only comply with the processes required by relevant Mining Acts but that permission for access must be sought from the Trust.

(September 11, 24, 26, 2013 - ruled a hybrid Bill, referred to Select Committee; Select Committee reported October 16, October 17, November 27, 2013 - Act No 81 of 2013)

## **AQUACULTURE (MISCELLANEOUS) AMENDMENT BILL**

This Bill builds upon the framework established by the Aquaculture Act and aims to streamline processes and reduce red tape. It also aims to further promote fair and transparent decision-making with respect to the management of and access to, State marine water resources, whilst maintaining the balance between social, economic and environmental needs of the community.

Amendments to the Act contained in the Bill are considered appropriate to keep the legislation up to date with the rapid development of industry practice, aquaculture management practice, administrative best practice and the on-going ecologically sustainable development of the aquaculture industry. The Bill will also further enhance and facilitate attraction of private investment to the aquaculture sector through the introduction of third party registrations on leases (similar to mortgage arrangements on property).

The development of the Bill has been aided by the consideration and input of the Aquaculture Advisory Committee, members of industry peak bodies and members of Government agencies involved in regulating the aquaculture industry.

Major improvements contained in the Bill include -

- New definitions have been added to clarify that the Act encompasses the regulation of aquaculture equipment and farming structures held on licensed sites;
- Greater clarity and transparency to the determination of a suitable person who may be granted an aquaculture licence;
- Removal of a mandatory requirement for the lease to specify a class of aquaculture as, in practice, it has long been considered more appropriate for this to be specified in a licence;
- Introduction of a power for the Minister to cancel an aquaculture lease where no aquaculture is being conducted; where the performance criteria have not been met or where lease fees have not been paid;
- The removal of development leases to simplify current administrative measures, reducing red tape, without compromising the adequacy of the aquaculture management regime;
- Increasing the maximum aggregate term of a pilot lease to not more than five years (up from 3 years);
- The provision of a new scheme for the grant of leases within aquaculture zones that is more flexible and more transparent;
- Introducing an additional, new form of tenure release providing an “on application” regime where no public call will be required;
- the concept of a research lease to enable certain waters to be dedicated to research activities;
- The introduction of a new regime for the grant of emergency leases to improve administrative process and reduce red tape; and
- Alterations to the The Aquaculture Resource Management Fund resulting in it being renamed as the Aquaculture Fund, with the Fund proposed to be applied to two additional purposes, namely research and development relating to the aquaculture industry, and removing or recovering aquaculture equipment, stock or lease markers should that action be required to be taken under the Act.

(February 15, March 15, April 5, 2012 - Act No 27 of 2012)

## **ASSISTED REPRODUCTIVE TREATMENT (EQUALITY OF ACCESS) AMENDMENT BILL**

The purpose of this Bill is to amend section 9 of the *Assisted Reproductive Treatment Act 1988* which currently prevents some single women and some women in same-sex relationships from accessing some IVF services in South Australia. This Bill seeks to broaden the criteria used to define infertility as previously consistent with the provisions contained in Victorian legislation.

(February 15, 2012; May 2, 2012 - lapsed in House of Assembly due to Prorogation)

## **BIRTHS, DEATHS AND MARRIAGES (REGISTRATION OF STILL-BIRTHS) AMENDMENT BILL**

The purpose of this Bill is to amend the *Birth Deaths and Marriages Act 1996* to provide an optional registration of birth of certain stillborn children between 12 and 19 weeks gestation.

(March 28, 2012 - lapsed due to Prorogation)

## **BUSINESS NAMES (COMMONWEALTH POWERS) BILL**

This Bill gives effect to the policy decision of the Council of Australian Governments (COAG) for the development of a single national system for business names registration. It was agreed to transfer responsibility for the registration of business names from the States and Territories to the Commonwealth. This is one of the priority areas agreed to by COAG as part of the National Partnership Agreement to Deliver a Seamless National Economy.

The new National Business Names Registration Regime is expected to commence operation on 28 May 2012, and will be administered by the Australian Securities and Investments Commission. The new National Business Names Registration Regime has been the subject of extensive consultation with representatives from the Commonwealth, States and Territories, including South Australia, and will replace the current State and Territory systems and has been designed to be simpler, save time and reduce costs for Australian business.

The object of this Bill is to adopt the Commonwealth legislation establishing the National Business Names Registration Regime and refer power enabling the Commonwealth Parliament to make amendments to the Commonwealth legislation. The adopted laws are the Business Names Registration Act 2011 of the Commonwealth and the Business Names Registration (Transitional and Consequential Provisions) Act 2011 of the Commonwealth.

The Bill is to be enacted for the purposes of section 51(xxxvii) of the Constitution of the Commonwealth, which enables State Parliaments to refer matters to the Commonwealth Parliament, or to adopt Commonwealth laws that have been enacted pursuant to such referrals. The Bill provides the Commonwealth with the necessary constitutional power to implement and operate the National Business Names Registration Regime. The reference to support the enactment of the Commonwealth legislation was provided by New South Wales by the enactment of the Business Names (Commonwealth Powers) Act 2011 of that State.

The Bill also incorporates a reference of power enabling the Commonwealth Parliament to make amendments to the Commonwealth legislation (referred to as the amendment reference). The amendment reference is subject to limitations specified in the Bill and the procedure to amend the Commonwealth legislation set out in the Intergovernmental Agreement for Business Names 2009.

The content of this Bill has been developed in consultation with all jurisdictions. There are certain provisions included to protect the interests of States and Territories including provisions that restrict the amendment reference. To further protect States and Territories, the Bill also includes a provision which allows termination of the adoption and amendment reference.

(February 29, March 1, 2012 - Act No 4 of 2012)

## **BUSINESS NAMES REGISTRATION (TRANSITIONAL ARRANGEMENTS) BILL**

This Bill supports the Business Names (Commonwealth Powers) Bill 2012, which adopts the Commonwealth legislation and provides the Commonwealth with the necessary constitutional power it requires for the implementation and operation of the National Business Names Registration Regime. This Bill seeks to address the transitional and consequential issues arising from the change to the new national regime.

The Bill makes a number of consequential amendments to other South Australian legislation including amendments to ensure they will, where necessary, refer to the Commonwealth legislation rather than the repealed South Australian law. There are also transitional provisions set out in the Bill, including a provision dealing with the resolution of outstanding matters under the Business Names Act 1996.

As a precautionary measure to enable the ability to deal with unforeseen issues that may arise, there is a provision in the Bill to allow the making of regulations of a saving and transitional nature. The existing Business Names Act 1996, which establishes the current system for registering business names in South Australia, is repealed by the Bill.

(February 29, March 1, 2012 - Act No 3 of 2012)

#### **CHILDREN'S PROTECTION (HARBOURING) AMENDMENT BILL**

The purpose of this Bill is to amend section 52AAB of the *Children's Protection Act 1993* which presently gives the Chief Executive of the Department of Families and Communities the power to direct that a person is not to communicate, attempt to communicate, harbour or conceal a child that is under the Minister's care and protection. The Bill provides that the issuing of such a direction is to be given by a senior police officer instead of the Chief Executive of the Department of Families and Communities. The Bill also amends section 52AAC of the *Children's Protection Act 1993* to provide that proceedings in the Magistrates Court against a person for the offence of harbouring or concealing a child, or preventing the return of a child to a State care placement, where the person knows that the child is absent without lawful authority, are to be brought by a member of the South Australia Police, rather than the Crown on behalf of the Department of Families and Communities.

(September 19, 2012; March 6, March 20, 2013 - Bill negated at second reading)

#### **CHILDREN'S PROTECTION (LAWFUL SURRENDER OF NEWBORN CHILD) AMENDMENT BILL**

The purpose of this Bill is to establish a means by which women and young girls can safely, anonymously and legally relinquish their newborn babies, also known as a baby safe haven scheme.

(Restored in the Legislative Council on February, 15; June 27, 2012 - lapsed in House of Assembly due to Prorogation)

#### **CHILDREN'S PROTECTION (LONG-TERM REMOVAL REVIEW PANEL) AMENDMENT BILL**

The purpose of this Bill is to establish a long-term removal review panel whose function will be to review all applications to the Youth Court for guardianship until the age of 18, prior to an application being lodged in the Youth Court.

(April 4; November 28, 2012; March 6, 2013 - lapsed in House of Assembly due to Prorogation)

#### **CITRUS INDUSTRY (WINDING UP) AMENDMENT BILL**

The Bill seeks to wind up the current South Australian Citrus Industry Development Board and will eventually repeal the Citrus Industry Act 2005.

A Government-commissioned report by retired District Court Judge, Mr. Alan Moss, to review the industry structure, identified a number of inefficiencies in the current legislative funding arrangements. These included the duplication of a number of functions described in the Citrus Industry Act 2005 and the Primary Industries Funding Schemes (Citrus Growers Fund) Regulations. It was determined that the Board's functions were already being or could be done, by another body, such as Citrus Growers South Australia Inc. Therefore, there is no reason to retain either the Citrus Industry Development Board or the Act.

As a result, the regulatory burden that imposes compliance costs in the order of \$3.3 million per annum on citrus growers, packers, processors and wholesalers will be removed. The net savings for citrus growers who currently contribute to the Citrus Industry Fund established under the Act, and to the Citrus Growers Fund established under the Primary Industry Funding Schemes Act 1998, will be \$2.85 per tonne of oranges they produce and \$1.85 per tonne for all other citrus fruit they produce.

(June 28, July 17, 2012 - Act No 32 of 2012)

#### **CITY OF ADELAIDE (CAPITAL CITY COMMITTEE) AMENDMENT BILL**

The purpose of the Bill is to include the member of the House of Assembly whose electoral district comprises or includes the City of Adelaide as a member of the Capital City Committee and entitle the member to have a deputy in their absence.

(May 16, 30; June 27, 2012 - lapsed in House of Assembly due to Prorogation)

### **CONSTITUTION (ACCESS TO MINISTERS) AMENDMENT BILL**

The purpose of the Bill is to amend the *Constitution Act 1934* to make it an offence for a person to promote a political party fundraising event in a manner which suggests that special access will be given to a Minister at the event.

(July 18, 2012; November 14, 2012 - Bill negated at second reading)

### **CONSTRUCTION INDUSTRY LONG SERVICE LEAVE (MISCELLANEOUS) AMENDMENT BILL**

The portable long service leave scheme for construction industry workers was established in 1997 under the Long Service Leave (Building Industry) Act 1976, and continues today under the Construction Industry Long Service Leave Act 1987. The purpose of the Act is to enable workers in the construction industry to qualify for long service leave based on service in the industry rather than service to a single employer. Each Australian State and Territory provides for a similar scheme.

The scheme is funded through employer levy contributions to the Construction Industry Fund and investment earnings. This Bill seeks to achieve greater efficiency in the management of the fund after bringing greater clarity to the application of the Act. The key proposal will build upon the success of the scheme by extending the board's power to vary the levy rate within prescribed parameters. The levy is defined in the act as a percentage of the total remuneration of employers and construction workers.

The Bill gives the board the capacity to vary the levy rate upon the recommendation of the actuary so long as the variation does not take the levy above 3 per cent. This will eliminate delays in changing the levy rate which would provide greater flexibility for the board to protect the fund from potential losses of levy income and to ensure employers are paying levies appropriate to the relevant financial position of the fund.

Another feature of the Bill is to remove ambiguity surrounding the predominance rule so that its intent is clear. The predominance rule determines whether an employer is liable for paying into the fund on behalf of a particular employee because that employee is deemed to work predominantly in the construction industry. Those who do not meet the requirements of the predominance rule still accrue long service leave under the Long Service Leave Act 1987.

This should also eliminate any ambiguity from the rule's interpretation as well as the potential for challenges by employees and employers regarding registration eligibility. Lastly, the Bill amends the list of industrial awards and occupations contained in Schedules 1 and 1A of the Act, to update it in the context of modern awards.

(October 18, November 13, 2012 - Act No 48 of 2012)

### **CONTROLLED SUBSTANCES (CULTIVATION OF CONTROLLED PLANTS) AMENDMENT BILL**

The purpose of this Bill is to increase the maximum penalties that apply to the cultivation of controlled plants, specifically cannabis plants. The Bill also removes the provision requiring an expiation procedure to apply to the offence of the cultivation of a single cannabis plant.

(November 13, 2013 - lapsed due to Prorogation)

### **CORRECTIONAL SERVICES (GPS TRACKING FOR CHILD SEX OFFENDERS) AMENDMENT BILL**

The purpose of the Bill is to enable paedophiles either on parole or on a leave of absence from prison to be fitted with global positioning system trackers to enable breaches of their conditions to be identified and punished. The Bill applies to those convicted of a child sex offence as defined in the *Correctional Services Act 1982*.

(May 30, 2012; March 6, 2013 - lapsed in House of Assembly due to Prorogation)

#### **CRIMINAL LAW CONSOLIDATION (DISHONEST DEALINGS WITH CHILDREN) AMENDMENT BILL**

The purpose of this Bill is to further strengthen legislation so as to deter and punish those perpetrators who knowingly and wilfully pursue minors via electronic means, via the internet or a telephone. The Bill provides that a person who knowingly communicates with a child by means of the internet or some other form of electronic communication, makes a false statement as to the person's age or identity in such communication, and meets or arranges to meet with the child is guilty of an offence punishable by a maximum five years' imprisonment. Further, the Bill provides that a person who knowingly communicates with a child by means of the internet or some other form of electronic communication and makes a false statement as to the person's age or identity in such communication with intent to commit an offence is guilty of an offence, punishable by a maximum 10 years' imprisonment.

(May 15; July 3; November 27, 2013 - lapsed due to Prorogation)

#### **CRIMINAL LAW CONSOLIDATION (OFFENCES AGAINST UNBORN CHILD) AMENDMENT BILL**

The purpose of this Bill is to amend the *Criminal Law Consolidation Act 1935* to include offences against an unborn child. The Bill makes it an offence for a person to drive a vehicle or to operate a vessel in a manner which causes death or harm to an unborn child. The Bill also makes it an offence for a person to cause serious harm to a pregnant woman which causes her unborn child to die or causes serious harm to her unborn child.

(February 20; November 28, 2013 - Bill negated at second reading)

#### **CRIMINAL LAW CONSOLIDATION (PROVOCATION) AMENDMENT BILL**

The purpose of this Bill is to remove the homosexual advance test, often termed the 'gay panic defence'. In South Australia the homosexual advance defence can be employed as a partial defence to murder, under common law replacing a murder sentence with a manslaughter charge.

(May 1; October 30, 2013 - Bill withdrawn)

#### **CRIMINAL LAW (SENTENCING) (ABOLITION OF SUSPENDED SENTENCES FOR SUBSEQUENT SERIOUS OFFENCES) AMENDMENT BILL**

The purpose of the Bill is to prevent a court from ordering that a sentence of imprisonment be suspended where the sentence is for a subsequent serious offence in any 10-year period. The offences listed in the Bill include certain drug offences, home invasions, certain sexual offences and offences against the person resulting in death or total incapacity.

(February 29, 2012 - lapsed due to Prorogation)

#### **CRIMINAL LAW (SENTENCING) (MANDATORY IMPRISONMENT OF CHILD SEX OFFENDERS) AMENDMENT BILL**

The purpose of this Bill is to introduce mandatory minimum sentencing for child sex offenders in relation to prescribed sexual offences.

(April 4, 2012; March 6, 2013 - Bill negated on second reading)

#### **CROWN LAND MANAGEMENT (LIFE LEASE SITES) AMENDMENT BILL**

The purpose of the Bill is to encourage shack owners to maintain their shacks to a higher standard, and improve the general environment for all users, and provide a long-term assurance to shack site owners. Under the Bill, a head lease will be granted from the state government to participating councils for at least 99 years with a range of conditions. Lessees will have two years to apply for a sub-lease to decide whether to migrate to the local regime. Lessees will then cease to hold a lease with the state government.

(May 2, 2012; October 16; November 13, 2013 - lapsed in House of Assembly due to Prorogation)

#### **DEVELOPMENT (DEVELOPMENT PLAN AMENDMENTS) AMENDMENT BILL**

The purpose of this Bill is to reform the system in relation to the Development Policy Advisory Committee and the parliamentary scrutiny of planning schemes under the Development Act.

(September 11; November 13, 2013 - Bill negatived at second reading)

#### **DEVELOPMENT (DEVELOPMENT PLAN AMENDMENTS) (NOTIFICATION) AMENDMENT BILL**

The purpose of this Bill is to provide an obligation on the minister or the council at the time that a Development Plan Amendment is released for public consultation to take reasonable steps to give notice to owners and occupiers of land that is directly affected by the operation of the proposed amendment. The Bill provides that owners and occupiers have the right to make a submission and the right to appear at a public meeting.

(April 10; July 3, 2013 - passed Legislative Council, Bill negatived at second reading in the House of Assembly)

#### **DEVELOPMENT (INTERIM DEVELOPMENT CONTROL) AMENDMENT BILL**

The purpose of this Bill is to prevent the government from undermining community rights of participation in relation to planning. In particular, it prevents the government from abusing a provision of the Development Act that allows the government to bring planning changes into effect immediately, and thereby circumvent the statutory public consultation regime. The provision referred to is section 28 of the Development Act - Interim development control (or "interim operation"). This provision allows the minister to bring a development plan amendment (DPA) into operation on an interim basis at the same time that it goes out for public consultation.

(September 9, March 20, 2013 - passed Legislative Council, Bill negatived at second reading in House of Assembly)

#### **DEVELOPMENT (PUBLIC CONSULTATION) AMENDMENT BILL**

The purpose of this Bill is to provide the Development Policy Advisory Committee with increased triggers to enable it to investigate contentious rezoning exercises. The Bill requires the Development Policy Advisory Committee to provide a more detailed report than it currently does and provide that report to those who made submissions. The Bill also provides that the minister will not be able to make a final decision until after the publication of the report.

(September 11; November 13, 2013 - Bill negatived at second reading)

#### **DEVELOPMENT (REGULATED TREES) AMENDMENT BILL**

The purpose of this Bill is to amend the *Development Act 1993* in order to make changes to tree regulation. The Bill removes the current exemption which applies to development approval for activities that result in the damaging or removal of trees (except Willow Myrtles and Eucalypts) that are located within 10 metres of an existing building or swimming pool. The Bill removes this exemption in order to provide that such activities will require development approval. Clause 5(1)(b) of the Bill also provides that the construction of a dwelling (including extensions to an existing dwelling) or swimming pool located within 10 metres of a regulated tree, is presumed to result in tree-damaging activity and that approval for this activity must therefore be incorporated into a development application.

(November 28, 2012; October 30; November 13, 2013 - Bill negatived at third reading)

#### **DISABILITY (MANDATORY REPORTING) AMENDMENT BILL**

The purpose of the Bill is to require prescribed persons to mandatorily report abuse of people with a disability.

(May 30, 2012 - lapsed due to Prorogation)

#### **DISABILITY SERVICES (MISCELLANEOUS) BILL**

The purpose of this Bill is to amend the *Disability Services Act 1993* by introducing provisions to appoint a disability services commissioner and a senior practitioner for the disability sector. The Bill also contains provisions for a community visitor, restrictive interventions and outlines procedures for complaints and investigations.

(April 4, 2012 - lapsed due to Prorogation)

#### **EDUCATION (MISCELLANEOUS) AMENDMENT BILL**

The purpose of this Bill is to amend the *Education Act 1972* in order to establish an Education Ombudsman and to place a requirement on the Director-General of the Department for Education and Child Development to ensure that procedures are put in place to ensure that the Minister is notified of any incident in which a child is the victim of a sexual offence committed by an adult in the Government school. In relation to the Education Ombudsman, the Bill provides that the Education Ombudsman is to be appointed by the Governor and may investigate any matter relating to the provision of pre-school, primary or secondary education by a person who provides an education service, in addition to any matter relating to school discipline.

(November 14, 2012 - lapsed due to Prorogation)

#### **ELECTORAL (OPTIONAL PREFERENTIAL VOTING) AMENDMENT BILL**

The purpose of this Bill is to reform preferential voting to end preference deals during elections. The objective of the Bill is threefold: first, to get rid of party or group voting; secondly, give voters the power to decide where all their preferences go, but without numbering every square; and, thirdly, introduce a minimal number of changes to help avoid confusion and to reduce informality.

(October 16; November 13, 28, 2013 - Bill negatived at second reading)

#### **ELECTORAL (PREFERENTIAL VOTING REFORM) AMENDMENT BILL**

The purpose of this Bill is to introduce an optional preferential voting model in South Australia. The Bill allows a voter to indicate his or her preference for as many or as few candidates as he or she wishes both above and below the line on the ballot paper.

(November 13, 28, 2013 - lapsed due to Prorogation)

#### **ESSENTIAL SERVICES COMMISSION (ELECTRICITY, GAS, WATER AND SEWERAGE PRICES) AMENDMENT BILL**

This Bill provides that if the Essential Services Commission fixes a price rise that is more than double the consumer price increase for the period immediately preceding the decision, each house of parliament has the option of disallowing the rise. The matter would then go back to the commission to make a further decision.

(July 18, 2012 - lapsed due to Prorogation)

#### **EVIDENCE (IDENTIFICATION) AMENDMENT BILL**

This bill proposes to amend the Evidence Act 1929 to support quality collection and use of identification evidence. In 2011, the government introduced the Evidence Identification Bill 2011 to remove the judicial preference for the use of line-up identification parades. This bill is designed to support the use of photo boards for identification.

(October 17, 2012 March 6, September 25, 2013 - passed Legislative Council, withdrawn in House of Assembly)

#### **EVIDENCE (JOURNALISTS) AMENDMENT BILL**

The purpose of this Bill is to introduce shield laws to provide protection to journalistic sources by suppressing their identity and providing journalists with confidential source-to-journalist privileged communication. The Bill does not require an explicit promise between the journalist and their source that the information is privileged. It is the nature and circumstance of the communication that should determine whether protection applies. It may be that the nature and circumstances of the communication are implied, rather than stated to be confidential.

(October 30, 2013 - lapsed due to Prorogation)

#### **EVIDENCE (PROTECTIONS FOR JOURNALISTS) AMENDMENT BILL**

The purpose of this Bill is to amend the *Evidence Act 1929* in order to protect journalists from disclosing the identity of, or information pertaining to, confidential sources during civil or criminal court proceedings or proceedings of a commission of inquiry under the *Royal Commissions Act 1917*. The Bill provides that if a person, during proceedings, satisfies the court or commission that they are a professional journalist or a prescribed person in respect of a professional journalist and they have been given information by an informant in the expectation that the information may be published in the news medium, they will not incur any criminal or civil liability for failing or refusing to provide details that may directly or indirectly disclose the identity of their informant in the course of court or commission proceedings.

The Bill provides an exception to the general rule where a court or commission is satisfied that it is in the public interest or in the interests of justice to make an order for disclosure or if the benefit of disclosing the identity of the informant or answering questions or providing relevant information outweighs the prejudicial effect that the disclosure would have on the informant or the journalist. The Bill provides that similar provisions are to apply in relation to proceedings comprising a hearing, examination or proceeding where a person would ordinarily be compelled to answer questions or to produce documents in relation to the identity of an informant. However, these provisions do not extend to proceedings instigated under the *Independent Commissioner Against Corruption Act 2012*.

(February 20, 2013 - lapsed due to Prorogation)

#### **EVIDENCE (SUPPRESSION ORDERS) AMENDMENT BILL**

The purpose of the Bill is to remove subsections 71A(1) and (2) of the *Evidence Act 1929*. The Bill provides for the automatic expiration of suppression orders at the conclusion of proceedings, except where a court decides it is in the interests of justice to maintain them. It also requires the registry of suppression orders to be published online and requires the courts to give reasons for the imposition of a suppression order.

(June 13, 2012 - lapsed due to Prorogation)

#### **FIRE AND EMERGENCY SERVICES (FIRE RISK ASSESSMENTS) AMENDMENT BILL**

The purpose of this Bill is to amend the *Fire and Emergency Services Act 2005* in order to place a requirement on the Chief Officer of the South Australian Metropolitan Fire Service or the South Australian County Fire Service to cause a fire risk assessment to be conducted upon application from a property owner. The Bill provides that a fire risk assessment must be carried out within three months of an application being made and that a request for a fire risk assessment can only be made within the prescribed period, namely, from the day following the end of the fire season up until 1 October of that same year. The Bill also places a requirement on the relevant Chief Officer to provide a report to the South Australian Fire and Emergency Services Commission, on or before 30 September each year. The report is to include the number of applications for fire risk assessments received in the preceding financial year and the number of fire risk assessments conducted in the preceding financial year.

(March 6, 2013 - lapsed due to Prorogation)

## **FIRST HOME AND HOUSING CONSTRUCTION GRANTS (ELIGIBILITY CRITERIA) AMENDMENT BILL**

This Bill introduces legislative amendments to the eligibility criteria for the Housing Construction Grant (HCG). Under the First Home and Housing Construction Grants Act 2000, only one HCG is payable in relation to a particular new home. In many cases, both the person who has a home built on their land (including the owner builder) and a subsequent purchaser of the same new home, may be eligible for the HCG.

The Act allows the HCG to be paid to either party in recognition that the scheme was intended to provide maximum flexibility to the housing construction industry, enabling the HCG to be claimed in a manner that best suited the nature of individual transactions. While the Act enables RevenueSA to disclose that a HCG has been paid on a particular property, it does not currently make provision for how competing applications for the HCG should be treated. This has led to a small number of cases where there have been disputes over who the HCG should be paid to when there is more than one application.

The Bill ensures that, unless otherwise agreed between the parties, the purchaser of the new home should receive the HCG in these situations.

(October 16, 29, 2013 - Act No 74 of 2013)

## **FOOD (LABELLING OF FREE-RANGE EGGS) AMENDMENT BILL**

The purpose of this Bill is to insert a new section into the *Food Act 2001* to prevent the sale, promotion, advertising, packaging or labelling of free-range eggs, unless the eggs are produced in accordance with the following requirements -

- (a) the number of birds kept or housed per hectare must not exceed 1,500; and
- (b) any other requirements prescribed by the regulations.

(April 4, 2012; September 25, October 16, 2013 - passed Legislative Council, negatived in House of Assembly)

## **FOREIGN OWNERSHIP OF LAND BILL**

The purpose of this Bill is to establish the Foreign Ownership of Land Register which is to be maintained by the Registrar-General and is to contain information in relation to foreign persons who own agricultural land in South Australia. The Bill requires foreign persons who presently own agricultural land in South Australia to register that interest in that land no later than 12 months after the commencement of the Act. Foreign persons who subsequently acquire an interest in agricultural land in South Australia, after the commencement of the Act, must register their interest in that land no later than 90 days after the date of the acquisition. Foreign persons must also notify the Registrar-General if they dispose of their interest in agricultural land in South Australia, no later than 90 days after the date on which the disposal took place. The Bill imposes penalties for non-compliance with the register and also empowers the relevant Minister, where a person has not properly made an entry in the register, to require that foreign person to forfeit the land back to the Crown.

(July 18, 2012; May 15, 2013 - lapsed in House of Assembly due to Prorogation)

## **FORESTRY MISCELLANEOUS BILL**

The purpose of the Bill is to establish a State Forestry Plan under legislation. The Bill provides for a review period and for the tabling of the contract for sale of state forests in Parliament. The Bill also includes details for a South-East economic stimulus fund.

(March 14, 28, 2012 - Bill withdrawn and referred to a Select Committee)

## **GENETICALLY MODIFIED CROPS MANAGEMENT (RIGHTS TO DAMAGES) AMENDMENT BILL**

The purpose of the Bill is to provide for compensation if a person's property is contaminated with genetically modified material. The Bill provides that the company or owner of the patent or intellectual property of that genetic material is liable. This is further defined in the Bill as being the holder of the patent or other form of registered interest or the owner of the intellectual property.

(May 2, 2012 - lapsed due to Prorogation)

## **INDEPENDENT COMMISSION AGAINST CORRUPTION BILL**

The purpose of this Bill is to establish the Independent Commission against Corruption and to define its functions and powers. The Bill defines the role of the Commission which is to -

- investigate, expose and prevent corruption involving or affecting public authorities and public officers; and
- educate public authorities, public officers and members of the public about corruption and its detrimental effects on public administration and on the community.

(Restored in the Legislative Council on February 15, 2012 - lapsed due to Prorogation)

## **LIQUOR LICENSING (ENTERTAINMENT) AMENDMENT BILL**

The purpose of this Bill is to amend the *Liquor Licensing Act 1997* in order to allow a person to perform live music on licensed premises without the need for that performance to be approved by the licensing authority. The Bill provides that if a licensee wants to use their licensed premises for the purpose of prescribed entertainment, which is defined as adult entertainment, or a professional or public boxing or martial art event, then they must obtain the consent of the Liquor and Gambling Commissioner.

(September 5, 2012 - lapsed due to Prorogation)

## **LIVESTOCK (MISCELLANEOUS) AMENDMENT BILL**

This Bill is about improving the current operation of the *Livestock Act 1997*.

The current Act came into operation in January 1998 and represented the consolidation of eight Acts relating to the health of livestock in South Australia.

The Act incorporates support for a number of important national agreements, for example the National Livestock Identification Scheme (NLIS) and the national agreement for funding of emergency responses to exotic disease incursions, ensuring that South Australia is in harmony with livestock legislation enacted elsewhere in Australia. This Bill improves the existing legislation by fine-tuning certain provisions, removing obsolete or unnecessary provisions and including new provisions that will give the livestock owning communities greater say in how animal health related diseases and issues are dealt with.

The Bill enables the recovery of costs from individuals who refuse or fail to take required disease control actions, beyond just the expenses incurred by inspectors. This is particularly aimed at the apiary sector where a significant amount of taxpayer and industry funds are used to clean up neglected and abandoned hives and hive material, which present a biosecurity threat to the bee and honey industries.

Specific provisions for the allocation of a Property Identification Code (PIC) to all properties with livestock have been developed to provide for more equitable penalty provisions for persons in breach of the requirements and to improve the current PIC system. The PIC is an essential component of the NLIS and provides vital information about livestock properties for use in disease emergencies and natural disasters. These new provisions will not change the current requirements and operation of the PIC registration system.

This Bill contains a number of enhancements that will benefit primary industry producers.

(February 15, 28, March 1, 13, 27, May 31, 2012 - Act No 25 of 2012)

### **LOCAL GOVERNMENT (BURNING OF OLIVE MATERIAL) AMENDMENT BILL**

The purpose of this Bill is to restrict the burning of olive pits and other green or undried olive materials which give rise to potentially hazardous smoke and fumes.

(October 17, 2012 - lapsed due to Prorogation)

### **LOCAL GOVERNMENT (RATES) AMENDMENT BILL**

The purpose of this Bill is to amend the *Local Government Act 1999* in order to make changes to the rates and charges that can be imposed by councils in relation to vacant land, marinas and marina berths that are located within the area of a council.

(November 28, 2012; November 28, 2013 - Act No 86 of 2013)

### **LOCAL GOVERNMENT (WASTE COLLECTION) AMENDMENT BILL**

The purpose of this Bill is to amend the *Local Government Act 1999* to place a requirement on metropolitan councils to provide a weekly kerbside waste collection service for residential premises located within the council area. This requirement is to apply to general waste, not to recyclables or to green-waste and will not apply to regional councils.

(March 6, 2013 - lapsed due to Prorogation)

### **MARRIAGE EQUALITY BILL**

The purpose of the Bill is to provide for marriage equality for South Australian adult consenting couples of the same sex. The Bill provides for the solemnisation of same sex marriages in South Australia, their dissolution and annulment, requirements of celebrants and the establishment and maintenance of the register of same sex marriages.

(February 15; March 28; May 16; October 17, 2012 - Bill withdrawn)

### **MOTOR VEHICLES (DRIVER LICENSING) AMENDMENT BILL**

This Bill amends the Motor Vehicles Act 1959 to enable the Minister to issue exemptions from certain licensing requirements of the Act for Aboriginal people living in remote communities - initially, the Anangu Pitjantjatjara Yankunytjatjara lands (known as the "APY lands") and the Maralinga Tjarutja lands, but with the capacity to prescribe other areas by regulation, should the need arise.

Aboriginal people living in remote communities face a number of issues that are not faced by those in urban areas, including: graduated licensing scheme requirements that are prohibitively expensive and onerous to comply with in remote communities; a lack of qualified supervising drivers due to the low licensing rate; access to registered roadworthy vehicles for learner drivers, especially for learner drivers who are trying to obtain their 75 hours of supervised driving; difficulties in undertaking a practical driving test due to the booking requirements; difficulties acknowledging notices of disqualification; problems understanding driver licensing related communication due to language difficulties; and the overall complexity of the driver licensing system.

A proposed exemption power would apply to licensing provisions in part 3 of the Motor Vehicles Act surrounding eligibility for a learner's permit or provisional licence. Depending on age and previous driving experience, an exemption may be granted to enable a person to complete a reduced number of hours of supervised driving for a learner's permit or spend less time on a P1 or P2 licence. Conditions could be placed on an exemption to ensure that road safety is not being compromised. All licence conditions and road traffic laws, including offences and disqualifications, would continue to apply to drivers once licensed.

It is anticipated that the exemptions will have a significant positive impact on the lands by allowing community members to take advantage of employment opportunities, to more easily access healthcare facilities in Alice Springs, to access social, sporting and community events and, importantly, to reduce instances of debt and incarceration that have arisen due to difficulties arising from the current licensing system in remote communities.

(October 30, November 14, 2013 - Act No 75 of 2013)

#### **NATIONAL PARKS AND WILDLIFE (LIFE LEASE SITES) AMENDMENT BILL**

The purpose of this Bill is to amend the *National Parks and Wildlife Act 1972*. The Bill allows individuals who have been granted life leases over shack sites located within a national park to obtain renewable and transferable tenure, the aim of which is to encourage those individuals to maintain their shacks to a higher standard and to also improve the general environment for all users of the national park. Under the Bill, a person who is a lessee of a life lease site may apply to the relevant authority, which in most cases will be the Minister, or in the case of co-managed parks, the co-management board, for a renewable and transferable lease. These leases will be granted for five years with a subsequent right of renewal and will be capable of being transferred with the consent of the relevant authority. The Bill requires that leases are to also contain details regarding all infrastructure, effluent disposal and environmental upgrade requirements. The Bill provides that a two-year time limit for applications for these new types of leases is to apply.

(October 31, 2012 - lapsed due to Prorogation)

#### **NOT-FOR-PROFIT SECTOR FREEDOM TO ADVOCATE BILL**

This Bill aims to promote the already strong partnership between the South Australian Government and the not-for-profit sector. The Bill prohibits State agreements restricting or preventing not-for-profit entities from commenting on, advocating support for or opposing changes to state law, policy or practice.

The not-for-profit sector in South Australia provides services to some of our most marginalised and disadvantaged individuals, families and communities. The Government's partnership with the sector is essential to the achievement of its social policy objectives.

The Bill ensures that the not-for-profit sector's freedom to advocate is protected in law and applies to all State Government agreements with the not-for-profit sector, regardless of whether they were entered into before or after the commencement of the legislation. It will render void and have no effect on any clauses in State agreements, that is, agreements between a State Government agency and a not-for-profit entity, that purport to gag the not-for-profit entity.

The Bill protects the rights of the not-for-profit sector to engage in honest and frank public discourse on matters of government policy and is based on a Commonwealth Act for the same purpose that received bipartisan support when it was considered by the Commonwealth Parliament earlier this year.

(September 11, 24, 26, 2013 - Act No 46 of 2013)

#### **PARLIAMENTARY COMMITTEES (FUNCTIONS OF ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE) AMENDMENT BILL**

The purpose of this Bill is to empower the Environment, Resources and Development Committee to deal with matters relating to primary production.

The House of Assembly appointed the Select Committee on the Grain Handling Industry on 9 March 2011 in response to widespread grain grower dissatisfaction with the management of the 2010-2011 harvest by the State's main grain storage and handling service provider. The Report of the Select Committee included a recommendation that parliament appoint a standing committee on primary industries to provide a forum to monitor and to keep the parliament informed on developments and issues impacting primary industries in South Australia.

This Bill proposes instead to broaden the function of the Environment, Resources and Development Committee in order that such issues will come under its remit.

(May 2, 16, July 4, October 31, 2013 - third reading negated)

### **PARLIAMENTARY COMMITTEES (MEMBERSHIP OF THE ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE) AMENDMENT BILL**

The purpose of this Bill is to replace the words “House of Assembly” wherever occurring and substitute “Legislative Council” in the *Parliamentary Committees Act 1991* in relation to the Environment, Resources and Development Committee. As the government of the day rarely has control of the Legislative Council, there is every chance that the three members of this chamber appointed to the Committee would reflect a diversity of opinions and parties. It is also likely that the person they choose as their Chair would not be a member of the government of the day. That is not guaranteed, but it does reduce the chance of the government controlling the committee.

(September 11; November 13, 2013 - Bill negatived at second reading)

### **PARLIAMENTARY COMMITTEES (NATURAL DISASTERS COMMITTEE) AMENDMENT BILL**

The purpose of this Bill is to establish a Natural Disasters Committee. The functions of the committee, as proposed under the bill, will be to take an interest in and keep under review -

- (1) measures that have been taken, or could be taken, to protect life and property from the effect of natural disasters; and
- (2) measures that have been taken, or could be taken, to reduce the incidence of natural disasters; and
- (3) the operation of any Act that relates to natural disasters; and
  - (a) to inquire into, consider and report on such matters concerned with natural disasters as are referred to under this Act; and
  - (b) to perform such other functions as are imposed on the Committee under this or any other Act or by resolution of both Houses.

(July 3; September 11, 2013 - lapsed in the House of Assembly due to Prorogation)

### **PETROLEUM AND GEOTHERMAL ENERGY (HYDRAULIC FRACTURING) AMENDMENT BILL**

The purpose of this Bill is to provide for a permanent ban on fracking in prescribed areas. The Bill provides for a ban on any land used wholly or in part for the business of primary production - in effect, farmland, for short. It protects the following zones of land from fracking. Those zones include coastal conservation zones, coastal open-space zones, conservation zones, watershed protection zones, any form of residential zone and also any other zone of a prescribed kind. In relation to the rest of the state, the Bill proposes a two-year moratorium on fracking, during which time the minister must prepare a report on the impact of fracking on water quality, soil health, climate change and local economies.

(June 19; November 13, 2013 - Bill negatived at second reading)

### **POWERS OF ATTORNEY AND AGENCY (INTERSTATE POWERS OF ATTORNEY) AMENDMENT BILL**

This Bill amends the *Powers of Attorney and Agency Act 1984* which is currently silent on the recognition of interstate enduring powers of attorney (EPA), to enable EPAs which were made in other jurisdictions to be recognised in South Australia.

The Bill inserts a new section 14 into the Act, which is entitled “Recognition of Enduring Powers of Attorney Made in Other States and Territories”. This section provides that an interstate EPA is valid so long as the powers given under the law of the originating State or Territory can be given under the South Australian Act and any restriction made to an interstate EPA under the law of the originating State or Territory shall apply in South Australia. Further, an EPA cannot confer any powers on an attorney in South Australia beyond that of a South Australian EPA.

The Bill also provides that any interstate EPA prescribed by regulation will not be recognised in South Australia and that, in any South Australian legal proceedings, signed documents which adhere to the requirements of an interstate EPA under the laws of the originating State or Territory will be considered proof of an enduring power of attorney.

(June 27, 2012, March 6, 2013 - Act No 39 of 2013)

## **PUBLIC FINANCE AND AUDIT (DEBT CEILING) AMENDMENT BILL**

The purpose of this Bill is to amend the *Public Finance and Audit Act 1987* to impose a net debt ceiling of \$14 billion (indexed) on the Government. The Bill provides that the Treasurer must not borrow money if the borrowing would result in a net debt greater than \$14 billion (indexed) for the financial year in which the borrowing is to occur.

(March 6, 20; April 10; November 28, 2013 - Bill negated at second reading)

## **RETAIL AND COMMERCIAL LEASES (MISCELLANEOUS) AMENDMENT BILL**

The purpose of this Bill is to remove thresholds as they relate to land tax liabilities and allow retail shop leases to pay the amount of land tax that would be payable based on what is known as a single holding rate. Where the shop in question is the only premises owned by the landlord, the single holding rate is an amount equal to the amount of land tax payable in relation to the shop. Where the landlord owns more than one premises, the amount to be paid will be an amount equal to the amount that would be payable were the shop the only land owned by the landlord; that is, it will not be based on the aggregated taxable value of all of the landlord's premises. This is intended to ensure that tenants are not footing the bill for more than necessary.

The Bill also contains transitional provisions which make it clear that the legislative changes would not apply to leases entered into before the commencement of any relevant provisions.

(November 13, 27, 2013 - lapsed due to Prorogation)

## **RIGHT TO FARM BILL**

The Bill amends the *Environment Protection Act 1993* and makes a consequential amendment to the *Land and Business (Sale and Conveyancing) Act 1994* to provide additional protection for farmers against complaints from residential neighbours arising from the carrying on of normal farming activities. It also provides that prospective purchasers of residential land in the vicinity of farms be advised of that fact prior to formalising the purchase and requires right to farm principles to be enshrined in development plans through a consultation process.

(March 14, 28, 2012; November 13, 2013 - lapsed in House of Assembly due to Prorogation)

## **ROAD OR FERRY CLOSURE (CONSULTATION AND REVIEW) BILL**

This Bill proposed various forms of consultation to be undertaken and notice to be given in the event that a ferry authority proposed to permanently close a service. Those to be notified include local councils and all landowners within a five kilometre radius of a ferry terminal. Further, subject to other legislation, no closure would be permitted until confirmed by a resolution of both Houses of Parliament. Similarly various road closures would also require confirmation by resolution of both Houses of Parliament.

(February 6, October 30, 2013 - passed Legislative Council, Bill negated at second reading in House of Assembly)

## **ROAD TRAFFIC (OVERTAKING BICYCLES) AMENDMENT BILL**

The purpose of this Bill is to promote the safety of cyclists by amending the Road Traffic Act to provide for a minimum safe passing distance that must be observed by motorists when overtaking bicycle riders on the road.

(July 3, 2013 - lapsed due to Prorogation)

### **ROAD TRAFFIC (OWNER OFFENCES) AMENDMENT BILL**

The purpose of the Bill is to provide business partnerships with the ability to elect to pay a corporate fee to expiate a fine for driving a vehicle over the speed limit or disobeying the road traffic laws if they are unable to prove which employee was driving at the time of the traffic infringement. The effect of this amendment is to allow partnerships the same opportunity as companies which are already able to elect to pay a corporate fee.

(Restored in the Legislative Council on May 30, 2012 - lapsed due to Prorogation)

### **SAME SEX MARRIAGE BILL**

The purpose of this Bill is to provide for same-sex marriages in this state; to recognise same-sex marriages under corresponding laws; and to make related amendments to the *Births, Deaths and Marriages Registration Act 1996* and the *Wills Act 1936*.

(July 24, 2013 - lapsed due to Prorogation)

### **SOUTH AUSTRALIAN HOUSING TRUST (MISCELLANEOUS) AMENDMENT BILL**

The purpose of this Bill is to amend the *South Australian Housing Trust Act 1995* to reform public housing by fixing rent, installing separate meters and evicting tenants convicted of indictable offences or if they are a member of a declared organisation.

(February 15, 2012; October 30, 2013 - lapsed due to Prorogation)

### **STATUTES AMENDMENT (ASSAULTS ON POLICE) BILL**

The purpose of this Bill is to provide mandatory minimum sentences and non-parole periods for persons who are found guilty of assaulting police under various sections of the *Criminal Law Consolidation Act 1935* and under the *Criminal Law (Sentencing) Act 1988*.

(September 25, 2013 - lapsed due to Prorogation)

### **STATUTES AMENDMENT (ELECTRICITY, GAS, WATER AND SEWERAGE ACCOUNTS) BILL**

The purpose of this Bill is to amend the *Electricity Act 1996*, the *Gas Act 1997* and the *Water Industry Act 2012*. The Bill requires that those entities authorised to sell electricity or gas for retail, along with water industry entities, must include in each account for charges, the approximate amount of charges that are attributable to measures under the Commonwealth *Clean Energy Act 2011* and related Acts of the Commonwealth to put a price of greenhouse gas emissions.

(July 18, 2012 - lapsed due to Prorogation)

### **STATUTES AMENDMENT (INTERSTATE ADVANCE DIRECTIVES) BILL**

This Bill is a companion bill to the Powers of Attorney and Agency (Interstate Powers of Attorney) Amendment Bill 2012. The Bill proposes to enable the recognition in South Australia of various instruments concerning advance care directives made interstate.

(October 17, 2012 - lapsed due to Prorogation)

### **STATUTES AMENDMENT (SEX WORK REFORM) BILL**

The purpose of the Bill is to amend various pieces of legislation to decriminalise sex work and extend the protections under the *Workers Rehabilitation and Compensation Act 1986* to provide sex workers the same rights and protections as other workers.

(June 13; July 18; October 17; November 14, 2012 - Bill withdrawn)

### **SUBORDINATE LEGISLATION (MISCELLANEOUS) AMENDMENT BILL**

The Bill seeks to amend the *Subordinate Legislation Act 1978* to prevent regulations from being reintroduced immediately after they have been disallowed; to allow either House of Parliament to disallow part of a regulation; to vary or substitute regulations with the concurrence of both Houses; and to replace the current tests for a certificate of early commencement to a test of exceptional circumstances.

(February 15, 2012; February 6, 20, 2013 - lapsed in House of Assembly due to Prorogation)

### **SUMMARY OFFENCES (DRUG PARAPHERNALIA) AMENDMENT BILL**

The purpose of the Bill is to amend the Summary Offences Act 1953 to provide for additional definitions for "prohibited items" in relation to the sale of drug paraphernalia to be defined in the Regulations. The amendment is consequential to a Magistrates Court ruling in *Police v Koutsoumidis 2009*, in which ten items were found to not meet the statutory definitions of prohibited items in section 9B of the Summary Offences Act. As a result several items of drug paraphernalia are still able to be sold.

(May 2, 16, 2012 - Act No 36 of 2012)

### **SUMMARY OFFENCES (USE OF PUBLIC ADDRESS SYSTEMS) AMENDMENT BILL**

The purpose of this Bill is to provide the police with powers in regard to the use of public address systems. These powers include giving police the power to direct a person not to use a public address system in a prescribed area where relevant authorisation had not been granted, the power to confiscate a public address system if a person fails to comply with such a direction, and allow police to request the name and address of a person to whom a direction is issued.

(February 15, 2012 - lapsed due to Prorogation)

### **VETERINARY PRACTICE (MISCELLANEOUS) AMENDMENT BILL**

This Bill improves the current operation of the Veterinary Practice Act 2003 principally through the introduction of National Recognition of Veterinary Registration (NRVR). The introduction of NRVR will complement similar amendments already made or in the process of being made in all other jurisdictions, following endorsement of NRVR by the Primary Industries Ministerial Council in 2008. This will allow veterinarians, both general and specialist, who are resident in other jurisdictions and who are registered to practice there, to also practice in South Australia. Until now, a veterinarian wishing to practice in more than one jurisdiction has to register and pay fees annually in each jurisdiction in which they desire to work.

Most of the changes to the Act are to implement NRVR in administrative areas, which are the responsibility of the board and the registrar, including the veterinary registers, applications for registration and removal from and reinstatement to the register. The amendments also make it clear that the board may only suspend a person pending the outcome of disciplinary proceedings if there is a serious risk to the health and safety of the public or the health and welfare of animals.

Some more modest changes not directly related to NRVR have been included in the amendment Bill. The principal change is to allow the Veterinary Surgeons Board of South Australia to recognise courses or veterinary education on the recommendation of the Australasian Veterinary Boards Council Incorporated (AVBC). The previous Act required the Board to independently approve such courses of education.

It will be the responsibility of the Veterinary Surgeons Board of South Australia, as well as the corresponding boards in all other Australian jurisdictions, to assist veterinarians and their clients to become aware of the new arrangements of national recognition of veterinary registration. The Bill significantly reduces the regulatory burden on veterinary surgeons who work in multiple Australian jurisdictions. Finally, the Bill provides for an additional member of the Veterinary Surgeons Board of South Australia to be nominated by the council of the University of Adelaide to be a veterinary surgeon engaged in teaching veterinary science.

(September 26, October 29, 2013 - Act No 76 of 2013)

## **VICTIMS OF CRIME (MISCELLANEOUS) AMENDMENT BILL**

This Bill seeks to amend the Victims of Crime Act to increase the cap for orders of compensation from \$50,000 to \$100,000 and seeks to index the cap by CPI every 12 months. It also proposed removing the \$10,000 cap on compensation for grief suffered by the claimant. The Bill also sought to double the numerical scale for non-financial loss.

(October 31, 2012, June 5, 2013 - passed Legislative Council, lapsed in House of Assembly due to Prorogation)

## **WATER EFFICIENCY, LABELLING AND STANDARDS (SOUTH AUSTRALIA) BILL**

As required by the *Water Efficiency Labelling and Standards Act 2005* (Cwlth), an independent review of the WELS Scheme was conducted in 2010. The Standing Council on Environment and Water, comprising Environment Ministers from the Commonwealth, State and Territory Governments, subsequently agreed to most of the recommendations relating to improvements to the Scheme and the Commonwealth Act.

The Water Efficiency Labelling and Standards (WELS) Scheme was established by the *Water Efficiency Labelling and Standards Act 2005* (Cwlth) as part of the Council of Australian Governments' National Water Initiative and is supported by complementary State and Territory legislation to ensure comprehensive national coverage.

Changes to registration and fee arrangements will deliver improvements, not only for the scheme's administration, but also for industry. The improvements include simplifying and streamlining product registration processes so that these are easier for registrants and providing a common expiry date for all registrations so that retailers will know when the registrations of products they supply are due to expire.

By repealing the *Water Efficiency Labelling and Standards Act 2006* (SA) and applying the *Water Efficiency Labelling and Standards Act 2005* (Cwlth) (as amended) as a law of the State, this Bill will reduce the need to amend the State legislation should further amendments occur in future.

The Bill will also enable the Commonwealth Minister, through a disallowable Ministerial determination, to determine more of the detailed arrangements for the Scheme than previously. This will make it easier for the Scheme to be modified from time to time to improve its efficiency and effectiveness, particularly in relation to the registration of products, without the need to amend supporting State and Territory legislation. Previously, any minor change to legislation (even a typographical error) required agreement from all jurisdictions.

This Bill will ensure that the State legislation consistently applies the Commonwealth's definition of supply to include the wider range of ways in which WELS products are supplied, such as the supply of WELS products in or as part of new dwellings, such as display homes, renovated kitchens, laundries or bathrooms, or through service provision such as plumbing service contracts. This is intended to provide a regulatory environment which has more equal application to the various suppliers of WELS products (as previously only those in the retail supply chain were explicitly covered by the Act). It is also intended to ensure that consumers who are buying WELS products as part of another item are made aware of the water efficiency of those products at the time of purchase. This change is intended to make the WELS scheme more efficient, effective, fair to all registrants and informative to consumers.

By aligning this Bill with the Commonwealth Act, the roles and function of the Regulator are made nationally consistent. Furthermore, civil penalties and corresponding criminal offences provide alternative enforcement options to criminal offences, ensuring that responses can more closely reflect the nature and circumstances of the breaches.

(May 1, June 18, 2013 - Act No 30 of 2013)

## **WHEAT MARKETING (EXPIRY) AMENDMENT BILL**

The Wheat Marketing Act 1989 was enacted to regulate the marketing of wheat. It complemented the Commonwealth Wheat Marketing Act 1989 by conferring on the Australian Wheat Board functions in addition to those conferred on it by the Commonwealth Act.

The grains industry landscape has obviously changed dramatically since the Wheat Marketing Act commenced in 1989. Then state-based statutory authorities controlled grain storage and handling. Now the industry's grain storage and handling assets are primarily owned by public companies, with global grain marketing and processing interests. Domestic grain marketing controls were removed during the 1990s and passage of the Commonwealth's Wheat Export Marketing Amendment Act 2012 in November 2012 ended government regulation of export grain marketing.

As a result of these changes, there is now no reason to retain an act relating to the marketing of wheat. Repealing the Wheat Marketing Act will not impact on the South Australian Grain Industry Trust (SAGIT) trust deed as it can stand alone. However, repealing the Wheat Marketing Act will impact on the collection of the voluntary contributions for grain research and development. When the Wheat Marketing Act commenced, there was no other state-based statutory mechanism that could have provided for the collection of voluntary contributions to the SAGIT fund.

However, the Primary Industry Funding Schemes Act 1998 provides a superior mechanism for voluntary contributions because of the transparency and accountability obligation it imposes on the administrator of a fund (particularly with regard to the preparation of a management plan for the fund, prudential management of the fund and tabling of an annual report on the administration of the fund in each House of the South Australian Parliament), also on collection agents and contributors. There is therefore no reason to retain the Wheat Marketing Act in order to collect contributions to the SAGIT fund.

(May 2, 14, 2013 - Act No 18 of 2013)

#### **WORKERS REHABILITATION AND COMPENSATION (PROTECTION FOR FIREFIGHTERS) AMENDMENT BILL**

The purpose of this Bill is to provide WorkCover protection for both career and volunteer firefighters. The Bill seeks to amend the schedule of cancers in the *Workers Rehabilitation and Compensation Act 1986* and also adds a presumption (a reversal of the onus of proof) for a firefighter who contracts one of the stated cancers on the schedule. That person must have also been a firefighter for at least the period of time attached to the schedule to be inserted into the act. The provisions will apply for those diagnosed after the date the Bill is introduced to both CFS volunteers and paid firefighters and provided that they have worked for the required amount of time as a firefighter or volunteer firefighter.

(November 14, 28 2012; May 15, 2013 - lapsed in the House of Assembly due to Prorogation)

#### **WORKERS REHABILITATION AND COMPENSATION (RETIREMENT AGE) AMENDMENT BILL**

The purpose of this Bill is to increase the maximum age of eligibility for WorkCover so that it reflects the incoming federal pension age increases.

(April 4, 2012 - lapsed due to Prorogation)