

# STATISTICS

Second Session of the  
Fifty-Third Parliament

10 February 2015 to 19 December 2017



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

## Table of Contents

Members of the Legislative Council .....	1
Officers of the Legislative Council .....	3
Committees appointed under Parliamentary Committees Act 1991 .....	4
Committee appointed under Aboriginal Lands Parliamentary Standing Committee Act 2003 .....	6
Joint Committees .....	6
Sessional Committees .....	7
Select Committees .....	8
Committee appointed pursuant to Resolution of the Council .....	10
Second Session of the Fifty-Third Parliament - Business of the Chamber .....	11
Sittings of Council .....	11
Number of Bills considered by Legislative Council .....	11
Number of Bills passed by both Houses .....	11
Bills considered by Council which have not passed both Houses .....	11
Bills which passed both Houses of Parliament .....	14
Legislative Council Bills amended (by Legislative Council and/or House Of Assembly) .....	19
House of Assembly Bills amended by Legislative Council .....	19
Substantive Motions and Resolutions .....	25
Petitions presented to Council .....	37
Synopsis of Legislative Council legislation .....	40

## MEMBERS OF THE LEGISLATIVE COUNCIL

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The Hon. RUSSELL PAUL WORTLEY  
(President of the Legislative Council)

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. (Resigned 12 November 2015)

The Hon. TAMMY ANNE FRANKS

The Hon. GAIL ELIZABETH GAGO, B.Sc. (HONS.), DIP. APPLIED SCIENCE (NURSING)  
(Minister for Employment, Higher Education and Skills  
Minister for Science and Information Economy  
Minister for the Status of Women  
Minister for Business Services and Consumers)

The Hon. JOHN MARIO GAZZOLA

The Hon. JOHN JUSTIN ERIC HANSON LL.B (Elected 28 February 2017)

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  
Minister for Water and the River Murray  
Minister for Climate Change)

The Hon. GERARD ANTHONY KANDELAARS, Assoc.Dip.Eng. (Electronics), J.P.,  
A.AIST. (Resigned 17 February 2017)

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. ANDREW LOCKHART McLACHLAN, C.S.C., LL.B (Adel.), LL.M. (Edin.),  
M.B.A. (AGSM)

The Hon. KYAM JOSEPH MAHER, LL.B  
(Minister for Employment  
Minister for Aboriginal Affairs and Reconciliation  
Minister for Manufacturing and Innovation  
Minister for Automotive Transformation  
Minister for Science and Information Economy)

The Hon. PETER BRYDEN MALINAUSKAS, B.Comm. (Elected 1 December 2015)  
(Minister for Health  
Minister for Police  
Minister for Correctional Services  
Minister for Emergency Services  
Minister for Road Safety  
Minister for Mental Health and Substance Abuse)

The Hon. TUNG THE NGO

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.

## OFFICERS OF THE LEGISLATIVE COUNCIL

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<i>PRESIDENT</i>	The Hon. Russell Paul WORTLEY, M.L.C.
<i>THE CLERK OF THE COUNCIL</i>	Mrs. Janice M. DAVIS, A.M., B.A.(Juris.), J.P.
<i>THE DEPUTY CLERK AND USHER OF THE BLACK ROD</i>	Mr. Christopher D. SCHWARZ, B.A.(Comm.), Grad.Dip.Soc.Sc. (Pol.Admin.)
<i>THE CLERK-ASSISTANT</i>	Mr. Guy D. DICKSON, B.A., Grad.Dip.Info.St.
<i>PARLIAMENTARY OFFICER</i>	Mr. Anthony D. BEASLEY, B.Sc., Grad.Dip.
<i>PARLIAMENTARY OFFICER</i>	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**

Appointed 6 May 2014

The Hon JMA Lensink MLC  
The Hon T T Ngo MLC  
The Hon M C Parnell MLC

Mr S Griffiths MP (until 29/3/2017)  
Mr E J Hughes MP  
The Hon T R Kenyon MP  
Mr D J Speirs MP (from 29/3/2017)

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

**LEGISLATIVE REVIEW COMMITTEE**

Appointed 6 May 2014

The Hon J A Darley MLC  
The Hon J E Hanson MLC (from 1/3/17)  
The Hon G A Kandelaars MLC (until 17/2/17)  
The Hon A L McLachlan MLC

Ms N F Cook MP (from 5/7/16 until 26/9/17)  
Mrs AFC Digance MP (until 5/7/16)  
Mr S J Duluk MP (from 18/10/16)  
Mr L K Odenwalder MP  
Ms I M Redmond MP (until 18/10/16)  
The Hon J J Snelling MP (from 26/9/17)

Committee Secretary: Mr M Balfour: BLS (Hons), LLB, GDLP, GCertLing, MAppLing (from 18/3/15)

**SOCIAL DEVELOPMENT COMMITTEE**

Appointed 6 May 2014

The Hon G E Gago MLC (from 9/2/16)  
The Hon G A Kandelaars MLC (until 9/2/16)  
The Hon J S Lee MLC  
The Hon K L Vincent MLC

Ms N F Cook MP (from 10/2/15 until 26/9/17)  
Ms K Hildyard MP (until 10/2/15)  
Mr A S Pederick MP  
Ms L A Vlahos MP (from 26/9/17)  
Ms D Wortley MP

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

**STATUTORY AUTHORITIES REVIEW COMMITTEE**

Appointed 6 May 2014

The Hon J A Darley MLC (from 28/3/17)  
The Hon J M Gazzola MLC (from 9/2/16)  
The Hon T A Franks MLC (from 25/5/16 until  
28/3/17)  
The Hon J E Hanson MLC (from 28/2/17)  
The Hon DGE Hood MLC (until 25/5/16)

The Hon G A Kandelaars MLC (until 17/2/17)  
The Hon R I Lucas MLC  
The Hon T T Ngo MLC (until 9/2/16)  
The Hon T J Stephens MLC (from 28/2/17)  
The Hon S G Wade MLC (until 28/2/17)

Committee Secretary: Mr P Dimopoulos, B.Comm.

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

Appointed 6 May 2014

The Hon J A Darley MLC	Ms N F Cook MP (from 10/2/15 until 20/9/17)
The Hon JSL Dawkins MLC	The Hon S W Key MP
The Hon J E Hanson MLC (from 28/2/17)	Ms K Hildyard MP (until 10/2/15)
The Hon G A Kandelaars MLC (until 17/2/17)	Mr S K Knoll MP
	The Hon J M Rankine MP (from 20/9/17)

Executive Officer: Ms S Sedivy, B.A., Grad.Dip.O.H.S.Management, M.Pol.Admin. (until 8/9/17)

## **STATUTORY OFFICERS COMMITTEE**

Appointed 6 May 2014

The Hon J A Darley MLC	The Hon M J Atkinson MP
The Hon G E Gago MLC (from 9/2/16)	Ms N F Cook MP (from 28/2/17 until 26/9/17)
The Hon G A Kandelaars MLC (until 9/2/16)	The Hon J R Rau MP (until 28/2/17)
The Hon S G Wade MLC	Ms L A Vlahos MP (from 26/9/17)
	Mr C Wingard MP

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

## **NATURAL RESOURCES COMMITTEE**

Appointed 6 May 2014

The Hon R L Brokenshire MLC	The Hon P Caica MP (from 15/2/17)
The Hon JSL Dawkins MLC	Mrs AFC Digance MP (from 9/2/16 until 15/2/17)
The Hon J M Gazzola MLC (from 28/2/17)	Mr J P Gee MP
The Hon G A Kandelaars MLC (until 17/2/17)	The Hon S W Key MP
	Mr C J Picton MP (until 9/2/16)
	Mr P A Treloar MP

Executive Officer: Mr P Dupont, B.A.

## **CRIME AND PUBLIC INTEGRITY POLICY COMMITTEE**

Appointed 6 May 2014

The Hon R L Brokenshire MLC (until 25/5/16)	Mr L Odenwalder MP
The Hon J E Hanson MLC (from 28/2/17)	Mr A Piccolo MP (from 9/2/16)
The Hon DGE Hood MLC (from 25/5/16)	Mr C J Picton MP (until 9/2/16)
The Hon G A Kandelaars MLC (until 17/2/17)	Mr V Tarzia MP
The Hon A L McLachlan MLC (from 11/2/15)	
The Hon S G Wade MLC (until 11/2/15)	

Executive Officers: Ms K McLachlan, B.A.(Hons.), LL.B.(Hons.), LL.M., G.D.L.P. (until 19/10/15)  
Ms J Nikitenko, LL.B(Hons); BSC; GDLP (from 1/2/16 until 11/8/17)

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

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**ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE**

Appointed 6 May 2014

The Hon T A Franks MLC  
The Hon T T Ngo MLC  
The Hon T J Stephens MLC

Mr J P Gee MP  
Mr E J Hughes MP  
Dr D McFetridge MP

Executive/Research Officers: Mr J Caire, B.App.Sc.(Hons.) (until 24/3/17)  
Ms S Reid B.Behav.Sc. (from 10/4/17)

**JOINT COMMITTEES**

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**JOINT PARLIAMENTARY SERVICE COMMITTEE**

Appointed 6 May 2014

The President  
(The Hon R P Wortley MLC)  
The Hon JSL Dawkins MLC  
The Hon T T Ngo MLC

The Speaker  
(The Hon M J Atkinson MP)  
Mr JAW Gardner MP  
The Hon T R Kenyon MP

**JOINT COMMITTEE ON OPERATION OF THE TRANSPLANTATION AND ANATOMY ACT 1983**

Appointed 6 May 2015

The Hon JSL Dawkins MLC  
The Hon T A Franks MLC  
The Hon K L Vincent MLC

Mrs AFC Digance MP  
Mr S J Duluk MP  
Ms L A Vlahos MP

Reported 18 November 2015

**JOINT COMMITTEE ON FINDINGS OF THE NUCLEAR FUEL CYCLE ROYAL COMMISSION**

Appointed 24 May 2016

The Hon DGE Hood MLC  
The Hon R I Lucas MLC  
The Hon M C Parnell MLC

Mrs AFC Digance MP  
The Hon T R Kenyon MP  
Mr D C van Holst Pellekaan MP

Reported 17 October 2017

**JOINT COMMITTEE ON MATTERS RELATING TO ELDER ABUSE**

Appointed 20 October 2016

The Hon J M Gazzola MLC  
The Hon K L Vincent MLC  
The Hon S G Wade MLC

Ms N F Cook MP  
Mr M R Williams MP  
Ms D Wortley MP

Reported 31 October 2017

**JOINT COMMITTEE ON THE 125TH ANNIVERSARY OF WOMEN'S SUFFRAGE**

Appointed 6 July 2017

The Hon T A Franks MLC  
The Hon G E Gago MLC  
The Hon JMA Lensink MLC

Ms V A Chapman MP  
Ms K Hildyard MP  
Ms D Wortley MP

**SESSIONAL COMMITTEES**

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**STANDING ORDERS COMMITTEE**

Appointed 6 May 2014

The President  
(The Hon R P Wortley MLC)  
The Hon G E Gago MLC (Minister for  
Employment, Higher Education and Skills)

The Hon R I Lucas MLC  
The Hon T T Ngo MLC  
The Hon D W Ridgway MLC

**PRINTING COMMITTEE**

Appointed 6 May 2014

The Hon J E Hanson MLC (from 28/2/17)  
The Hon G A Kandelaars MLC (until 17/2/17)  
The Hon J S Lee MLC

The Hon A L McLachlan MLC  
The Hon K J Maher MLC  
The Hon T T Ngo MLC

## **SELECT COMMITTEES**

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### **STATUTORY CHILD PROTECTION AND CARE IN SOUTH AUSTRALIA**

Appointed 21 May 2014

The Hon J A Darley MLC (from 18/6/15)	The Hon G A Kandelaars MLC (until 18/6/15)
The Hon T A Franks MLC (from 18/6/15)	The Hon J S Lee MLC
The Hon J M Gazzola MLC (until 18/6/15)	The Hon S G Wade MLC
The Hon DGE Hood MLC	

Reported 28 November 2017

### **SALE OF STATE GOVERNMENT OWNED LAND AT GILLMAN**

Appointed 21 May 2014

The Hon J A Darley MLC	The Hon K J Maher MLC (until 10/2/15)
The Hon G E Gago MLC (from 28/2/17)	The Hon R I Lucas MLC
The Hon G A Kandelaars MLC (from 10/2/15 until 17/2/17)	The Hon A L McLachlan MLC
	The Hon T T Ngo MLC

### **ELECTORAL MATTERS IN SOUTH AUSTRALIA**

Appointed 4 June 2014

The Hon R L Brokenshire MLC	The Hon K L Vincent MLC
The Hon J A Darley MLC	The Hon S G Wade MLC
The Hon T J Stephens MLC	

### **EMERGENCY SERVICES REFORM**

Appointed 25 February 2015

The Hon R L Brokenshire MLC	The Hon G A Kandelaars MLC
The Hon JSL Dawkins MLC	The Hon A L McLachlan MLC
The Hon T A Franks MLC	

Reported 29 November 2016

### **SKILLS FOR ALL**

Appointed 3 June 2015

The Hon J A Darley MLC	The Hon J S Lee MLC
The Hon T A Franks MLC	The Hon JMA Lensink MLC

Reported 8 August 2017

**ACCESS TO THE EDUCATION SYSTEM FOR STUDENTS WITH DISABILITIES**

Appointed 3 June 2015

The Hon T A Franks MLC  
The Hon J S Lee MLC  
The Hon T T Ngo MLC

The Hon K L Vincent MLC  
The Hon S G Wade MLC

Reported 30 May 2017

**STATE GOVERNMENT'S O-BAHN ACCESS PROJECT**

Appointed 7 June 2015

The Hon J A Darley MLC  
The Hon G A Kandelaars MLC (until 17/2/17)  
The Hon J E Hanson MLC (from 28/2/17)

The Hon M C Parnell MLC  
The Hon D W Ridgway MLC  
The Hon T J Stephens MLC

Reported 29 November 2017

**COMPULSORY ACQUISITION OF PROPERTIES FOR NORTH-SOUTH CORRIDOR UPGRADE**

Appointed 29 July 2015

The Hon R L Brokenshire MLC  
The Hon J A Darley MLC  
The Hon G E Gago MLC

The Hon D W Ridgway MLC  
The Hon T J Stephens MLC

Reported 20 June 2017

**STATUTES AMENDMENT (DECRIMINALISATION OF SEX WORK) BILL**

Appointed 9 September 2015

The Hon R L Brokenshire MLC  
The Hon J A Darley MLC  
The Hon T A Franks MLC  
The Hon J M Gazzola MLC

The Hon JMA Lensink MLC  
The Hon A L McLachlan MLC  
The Hon T T Ngo MLC

Reported 30 May 2017

**TRANSFORMING HEALTH**

Appointed 14 October 2015

The Hon J A Darley MLC  
The Hon T A Franks MLC

The Hon T T Ngo MLC  
The Hon S G Wade MLC

Reported 28 November 2017

**CHEMOTHERAPY DOSING ERRORS**

Appointed 23 March 2015

The Hon J A Darley MLC  
The Hon G E Gago MLC

The Hon JSL Dawkins MLC  
The Hon A L McLachlan MLC

Reported 14 November 2017

**STATE-WIDE ELECTRICITY BLACKOUT AND SUBSEQUENT POWER OUTAGES**

Appointed 16 November 2016

The Hon R L Brokenshire MLC  
The Hon G E Gago MLC  
The Hon M C Parnell MLC

The Hon D W Ridgway MLC  
The Hon T J Stephens MLC

Reported 28 November 2017

**ADMINISTRATION OF SOUTH AUSTRALIA'S PRISONS**

Appointed 30 November 2016

The Hon T A Franks MLC  
The Hon J M Gazzola MLC (until 28/2/16)  
The Hon J E Hanson MLC (from 28/2/16)

The Hon T T Ngo MLC  
The Hon D W Ridgway MLC  
The Hon T J Stephens MLC

Reported 14 November 2017

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

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**BUDGET AND FINANCE**

Appointed 21 May 2014

The Hon J A Darley MLC  
The Hon J E Hanson MLC (from 28/2/17)  
The Hon G A Kandelaars MLC (until 17/2/17)  
The Hon R I Lucas MLC

The Hon A L McLachlan MLC  
The Hon K J Maher MLC (until 10/2/15)  
The Hon T T Ngo MLC (from 10/2/15)

## SECOND SESSION OF THE FIFTY-THIRD PARLIAMENT

### BUSINESS OF THE CHAMBER

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#### SITTINGS OF COUNCIL

The Council met on 150 days and sat for a total of 746 hours 49 minutes.

#### NUMBER OF BILLS CONSIDERED BY LEGISLATIVE COUNCIL

Legislative Council origin	99
House of Assembly origin	196
Total	<b>295</b>

#### NUMBER OF BILLS PASSED BY BOTH HOUSES

Legislative Council origin	24
House of Assembly origin	<u>161</u>
Total	<b>185</b>

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

##### Legislative Council origin:

Animal Welfare (Greyhound Training) Amendment - withdrawn in Council.  
Animal Welfare (Jumps Racing) Amendment - lapsed in Council.  
Animal Welfare (Miscellaneous) Amendment - lapsed in Council.  
Births, Deaths and Marriages Registration (Recognition of Same Sex Marital Status) Amendment - lapsed in Council.  
Commission of Inquiry on Water Pricing - negated in House of Assembly.  
Constitution (Council Member Contesting Election) Amendment - withdrawn in Council.  
Controlled Substances (Mandatory Treatment Orders) Amendment - lapsed in Council.  
Criminal Law Consolidation (Assaults Causing Death) Amendment - negated in Council.  
Criminal Law Consolidation (Defences - Domestic Abuse Context) Amendment - lapsed in Council.  
Criminal Law Consolidation (Protection for Assistance Animals) Amendment - lapsed in Council.  
Criminal Law Consolidation (Provocation) Amendment - negated in Council.  
Criminal Law Consolidation (Supervision Requirements) Amendment - lapsed in Council.  
Criminal Law (Sentencing) (Mandatory Imprisonment for Serious Domestic Violence Offenders) Amendment - negated in Council.  
Crown Land Management (Life Lease Sites) Amendment - lapsed in Council.  
Disability Inclusion - lapsed in Council.  
Dog and Cat Management (Dog Attacks) Amendment - lapsed in Council.  
Eggs (Display for Retail Sale) - lapsed in Council.  
Electoral (Candidate Declarations) Amendment - lapsed in Council.  
Electoral (Legislative Council) (Optional Preferential Voting) Amendment - lapsed in Council.  
Electoral (Legislative Council Voting Thresholds) Amendment - lapsed in Council.  
Electricity (Feed-in Pricing) Amendment - lapsed in Council.  
Emergency Management (Australian Sign Language Interpreter) Amendment - withdrawn in Council.  
Evidence (Journalists) Amendment - negated in House of Assembly.  
Family Relationships (Surrogacy) Amendment - lapsed in House of Assembly.  
Farm Debt Mediation - negated in House of Assembly.  
Fire and Emergency Services (Volunteer Charters) Amendment - lapsed in House of Assembly.  
Fisheries Management (Fish Processors) Amendment - lapsed in Council.  
Freedom of Information (Miscellaneous) Amendment - negated in House of Assembly.  
Gaming Machines (Prohibition of EFTPOS Facilities) Amendment - negated in Council.  
Health Care (Privacy and Confidentiality) Amendment - lapsed in Council.

Independent Commissioner Against Corruption (Serious or Systemic Misconduct or Maladministration) Amendment - negated in House of Assembly.  
Juries (Auslan Interpreters) Amendment - lapsed in Council.  
Limitation of Actions (Child Sexual Abuse) Amendment - lapsed in House of Assembly.  
Liquor Licensing (Entertainment) Amendment - lapsed in Council.  
Liquor Licensing (Small Venue Licence) Amendment - lapsed in Council.  
Local Government (Elections) (Disclosure of Political Affiliation) Amendment - lapsed in Council.  
Local Government (Fixed Charges) Amendment - lapsed in House of Assembly.  
Local Nuisance and Litter Control (Illegal Dumping on Construction Sites) Amendment - negated in Council.  
Motor Vehicles (Demerit Points for Disability Parking Area Offence) Amendment - lapsed in Council.  
National Parks and Wildlife (Life Lease Sites) Amendment - lapsed in Council.  
Natural Resources Management (Regional NRM Levy) Amendment - Bill ruled out of order as it was deemed a Money Bill and ordered to be removed from Order of Proceedings.  
Parliamentary Committees (Public Assets Committee) Amendment - negated in Council.  
Passenger Transport (Expiry of Point to Point Transport Service Transaction Levy) Amendment - Bill ruled out of order as it was deemed a Money Bill and ordered to be removed from Order of Proceedings.  
Passenger Transport (Miscellaneous) Amendment - negated in Council.  
Petroleum and Geothermal Energy (Underground Coal Gasification) Amendment - negated in Council.  
Planning, Development and Infrastructure (Promoting Use of Vacant Land) Amendment - negated in Council.  
Planning, Development and Infrastructure (Regulated Trees) Amendment - lapsed in House of Assembly.  
Planning, Development and Infrastructure (State Planning Commission) Amendment - lapsed in House of Assembly.  
Police (Return to Work) Amendment - withdrawn in House of Assembly.  
Prevention and Early Intervention for the Development and Wellbeing of Children and Young People - lapsed in Council.  
Public Sector (Functions and Resources Audit) Amendment - lapsed in Council.  
Referendum (One Vote One Value) - lapsed in Council.  
Residential Tenancies (Database) Amendment - lapsed in Council.  
Resource Operations Ombudsman - negated in Council.  
Retail and Commercial Leases (Rent Threshold for Application of Act) Amendment - lapsed in Council.  
Return to Work (Weekly Payments Under Transitional Provisions) Amendment - negated in Council.  
Right to Farm - lapsed in Council.  
South Australian Public Health (Immunisation and Early Childhood Services) Amendment - lapsed in Council.  
Standard Time (Alteration of Standard Time) Amendment - lapsed in Council.  
Statutes Amendment (Animal Welfare Reforms) - lapsed in Council.  
Statutes Amendment (Bullying) - lapsed in Council.  
Statutes Amendment (Commonwealth Registered Entries) - withdrawn in Council.  
Statutes Amendment (Decriminalisation of Sex Work) - lapsed in House of Assembly.  
Statutes Amendment (Drug Driving Penalties) - lapsed in Council.  
Statutes Amendment (Gaming Area Prohibitions and Barring Orders) - negated in Council.  
Statutes Amendment (Gaming Prohibitions) - negated in Council.  
Statutes Amendment (Public Sector Audit) - withdrawn in Council.  
Steel Industry Protection - negated in Council.  
Summary Offences (Disrespectful Conduct in Court Proceedings) Amendment - lapsed in Council.  
Surveillance Devices (Animal Welfare) Amendment - negated in Council.  
Valuation of Land (Separate Valuations) Amendment - lapsed in Council.  
Victims of Crime (Victims Rights) Amendment - negated in Council.  
Water Industry (Compensation for Loss or Damage) Amendment - negated in Council.  
Work Health and Safety (Industrial Manslaughter) Amendment - withdrawn and referred to Occupational Safety, Rehabilitation and Compensation Committee.

**House of Assembly origin:**

Animal Welfare (Companion Animals) - withdrawn in Council.  
Budget Measures - laid aside in Council.  
Building and Construction Industry Security of Payment (Review) Amendment - lapsed in Council.  
Child Development and Wellbeing - withdrawn in Council.  
Civil Liberty (Trespass) Amendment - lapsed in Council.  
Constitution (Appropriation and Supply) Amendment - negated in Council.  
Constitution (Deadlocks) Amendment - negated in Council.  
Correctional Services (Miscellaneous) Amendment - lapsed in Council.  
Criminal Law Consolidation (Children and Vulnerable Adults) Amendment - lapsed in Council.

Criminal Law (Forensic Procedures) (Emergency Services Providers) Amendment - lapsed in Council.  
Criminal Law (High Risk Offenders) (Young Offenders) Amendment [Formerly Statutes Amendment (Recidivist and Repeat Offenders)] - negatived in Council.  
Education and Children's Services - lapsed in Council.  
Health and Community Services Complaints (Miscellaneous) Amendment - lapsed in Council.  
Health Care (Private Day Procedure Centres) Amendment - lapsed in Council.  
Health Practitioner Regulation National Law (South Australia) (Miscellaneous) Amendment - lapsed in Council.  
Judicial Conduct Commissioner (Miscellaneous) Amendment - lapsed in Council.  
Juries (Prejudicial Publicity) Amendment - negatived in Council.  
Motor Vehicles (Suitability to Hold Licence) Amendment - lapsed in Council.  
Natural Resources Management (Transparency of Ministers Directions) Amendment - lapsed in Council.  
Parliamentary Committees (Electoral Laws and Practices Committee) Amendment - lapsed in Council.  
Passenger Transport (Miscellaneous) Amendment - lapsed in Council.  
Public Interest Disclosure - laid aside in Council.  
Referendum (Appropriation and Supply) - withdrawn in Council.  
Referendum (Deadlocks) - withdrawn in Council.  
Research, Development and Innovation - lapsed in Council.  
Residential Parks (Miscellaneous) - lapsed in Council.  
Retail and Commercial Leases (Miscellaneous) Amendment - lapsed in Council.  
Return To Work Corporation of South Australia (Crown Claims Management) Amendment - negatived in Council.  
Road Traffic (Helmets) Amendment - lapsed in Council.  
Statutes Amendment and Repeal (Simplify No 2) - lapsed in Council.  
Statutes Amendment (Child Exploitation and Encrypted Material) - lapsed in Council.  
Statutes Amendment (Drug Offenders) - lapsed in Council.  
Statutes Amendment (Intensity of Development) - lapsed in Council.  
Statutes Amendment (Leading Practice in Mining) - lapsed in Council.  
Statutes Amendment (Recidivist and Repeat Offenders) - negatived in Council.  
Statutes Amendment (Transport Portfolio) - lapsed in Council.  
Summary Offences (Biometric Identification) Amendment - lapsed in House of Assembly.  
Summary Offences (Liquor Offences) Amendment - lapsed in Council.  
Tobacco Products Regulation (E-Cigarette Regulation) Amendment - lapsed in Council.

## BILLS WHICH PASSED BOTH HOUSES OF PARLIAMENT

### ORIGINATING IN THE LEGISLATIVE COUNCIL

	<b>Bill No.</b>	<b>Act No.</b>
Aboriginal Heritage (Miscellaneous) Amendment	102, 102A	9 of 2016
Anangu Pitjantjatjara Yankunytjatjara Land Rights (Miscellaneous) Amendment	137, 137A	38 of 2016
Anangu Pitjantjatjara Yankunytjatjara Land Rights (Suspension of Executive Board) Amendment	196, 196A	24 of 2017
Animal Welfare (Live Baiting) Amendment	25	21 of 2015
Constitution (One Vote One Value) Amendment	244, 244A	65 of 2017
Controlled Substances (Poppy Cultivation) Amendment	45	42 of 2015
Dog and Cat Management (Miscellaneous) Amendment	80, 80A	33 of 2016
Environment Protection (Waste Reform) Amendment	227	45 of 2017
Family Relationships (Parentage Presumptions) Amendment	21, 21A	30 of 2016
Genetically Modified Crops Management Regulations (Postponement of Expiry)	255	57 of 2017
Historic Shipwrecks (Miscellaneous) Amendment	159	1 of 2017
Industrial Hemp	179, 179A	15 of 2017
Linear Parks (Miscellaneous) Amendment	238, 238A	59 of 2017
Local Government (Building Upgrade Agreements) Amendment	9, 9A	47 of 2015
Local Government (Stormwater Management Agreement) Amendment	77, 77A	12 of 2016
Local Nuisance and Litter Control	90	21 of 2016
Nuclear Waste Storage Facility (Prohibition) (Public Money) Amendment	217, 217A	60 of 2017
Planning, Development and Infrastructure (State Planning Policy) (Biodiversity) Amendment	226	58 of 2017
Residential Tenancies (Domestic Violence Protections) Amendment	47, 47A	43 of 2015
Statutes Amendment (Drink and Drug Driving)	197, 197A	63 of 2017
Statutes Amendment (Gambling Measures)	26	22 of 2015
Statutes Amendment (Possession of Firearms and Prohibited Weapons)	213	27 of 2017
Water Industry (Third Party Access) Amendment	8, 8A	28 of 2015
Work Health and Safety (Representative Assistance) Amendment	193, 193A	46 of 2017

### ORIGINATING IN THE HOUSE OF ASSEMBLY

	<b>Bill No.</b>	<b>Act No.</b>
Adoption (Review) Amendment	171	64 of 2016
ANZAC Day Commemoration (Veterans' Advisory Council) Amendment	195	17 of 2017
Appropriation	48	23 of 2015
Appropriation 2016	151	47 of 2016
Appropriation 2017	228	43 of 2017
ASER (Restructure) (Facilitation of Riverbank Development) Amendment	132	40 of 2016
Australian Energy Market Commission Establishment (Governance) Amendment	266	52 of 2017
Bail (Miscellaneous) Amendment	214, 214A	34 of 2017
Biological Control (Miscellaneous) Amendment	175	66 of 2016
Births, Deaths and Marriages Registration (Change of Name) Amendment	51	27 of 2015

<b>Originating in the House of Assembly - continued</b>	<b>Bill No.</b>	<b>Act No.</b>
Births, Deaths and Marriages Registration (Gender Identity) Amendment	172	65 of 2016
Child Safety (Prohibited Persons)	160, 160A	49 of 2016
Children and Young People (Oversight and Advocacy Bodies)	152, 152A	48 of 2016
Children and Young People (Safety)	192, 192A	25 of 2017
Children's Protection (Implementation of Coroner's Recommendations) Amendment	37, 37A	15 of 2016
Children's Protection Law Reform (Transitional Arrangements and Related Amendments)	281	64 of 2017
Classification (Publications, Films and Computer Games) (Miscellaneous) Amendment	49	26 of 2015
Community Based Sentences (Interstate Transfer)	78	45 of 2015
Compulsory Third Party Insurance Regulation	57, 57A	16 of 2016
Constitution (Demise of the Crown) Amendment	140	53 of 2016
Constitution (Electoral Redistribution) (Appeals) Amendment	275, 275A	66 of 2017
Constitution (Governor's Salary) Amendment	62	29 of 2015
Controlled Substances (Miscellaneous) Amendment	155	52 of 2016
Controlled Substances (Simple Possession Offences) Amendment	66	38 of 2015
Corporations (Commonwealth Powers) (Termination Day) Amendment	118	22 of 2016
Correctional Services (Parole) Amendment	43	17 of 2015
Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment	13, 13A	37 of 2016
Criminal Law Consolidation (Criminal Organisations) Amendment	224	47 of 2017
Criminal Law Consolidation (Mental Impairment) Amendment	156, 156A	19 of 2017
Criminal Law (Forensic Procedures) (Blood Testing for Diseases) Amendment	33	11 of 2015
Criminal Law (High Risk Offenders)	17, 17A	13 of 2015
Dog Fence (Payments and Rates) Amendment	115	19 of 2016
Electoral (Funding, Expenditure and Disclosure) Amendment	174, 174A	58 of 2016
Electoral (Legislative Council Voting and Other Measures) Amendment	182, 182A	31 of 2017
Electoral (Miscellaneous) Amendment	181, 181A	20 of 2017
Electronic Transactions (Legal Proceedings) Amendment	183	9 of 2017
Emergency Management (Electricity Supply Emergencies) Amendment	191	11 of 2017
Emergency Management (Miscellaneous) Amendment	112	18 of 2016
Evidence (Records and Documents) Amendment	75	39 of 2015
Fair Work (Miscellaneous) Amendment	6	1 of 2015
Family Relationships (Surrogacy) Amendment	2, 2A	15 of 2015
Fines Enforcement and Debt Recovery	241, 241A	71 of 2017
Firearms	82, 82A	46 of 2015
Gene Technology (Miscellaneous) Amendment	176	4 of 2017
Government House Precinct Land Dedication	86	3 of 2016
Health and Community Services Complaints (Budget Report) Amendment	100	13 of 2016
Health Care (Administration) Amendment	35	20 of 2015
Health Care (Miscellaneous) Amendment	85, 85A	23 of 2016
Health Practitioner Regulation National Law (South Australia) (Remote Area Attendance) Amendment	262, 262A	56 of 2017
Housing Improvement	107, 107A	36 of 2016
Independent Commissioner Against Corruption (Miscellaneous) Amendment	145, 145A	54 of 2016
Industry Advocate	220, 220A	42 of 2017
Intervention Orders (Prevention of Abuse) (Miscellaneous) Amendment	38	14 of 2015
Intervention Orders (Prevention of Abuse) (Recognition of National Domestic Violence Orders) Amendment	143, 143A	8 of 2017
Judicial Administration (Auxiliary Appointments and Powers) (Qualification for Appointment) Amendment	129	46 of 2016
Judicial Conduct Commissioner	34, 34A	34 of 2015
Justices of the Peace (Miscellaneous) Amendment	138, 138A	41 of 2016
Labour Hire Licensing	240, 240A	68 of 2017

<b>Originating in the House of Assembly - continued</b>	<b>Bill No.</b>	<b>Act No.</b>
Land Agents (Registration of Property Managers and Other Matters) Amendment	216	44 of 2017
Land and Business (Sale and Conveyancing) (Beneficial Interest) Amendment	203, 203A	30 of 2017
Legal Practitioners (Miscellaneous) Amendment	141	44 of 2016
Legal Services Commission (Miscellaneous) Amendment	114	25 of 2016
Liquor Licensing (Entertainment on Licensed Premises) Amendment	70	37 of 2015
Liquor Licensing (Liquor Review) Amendment	202, 202A	49 of 2017
Liquor Licensing (Prohibition of Certain Liquor) Amendment	71	32 of 2015
Lobbyists	52	25 of 2015
Local Government (Accountability and Governance) Amendment	54	31 of 2015
Local Government (Boundary Adjustment) Amendment	205	32 of 2017
Local Government (Gawler Park Lands) Amendment	41	10 of 2015
Local Government (Mobile Food Vendors) Amendment	168, 168A	33 of 2017
Long Service Leave (Calculation of Average Weekly Earnings) Amendment	64	35 of 2015
Magistrates Court (Monetary Limits) Amendment	125	27 of 2016
Mental Health (Review) Amendment	116, 116A	34 of 2016
Motor Vehicles (Trials of Automotive Technologies) Amendment	92	10 of 2016
National Electricity (South Australia) (Australian Energy Regulator - Wholesale Market Monitoring) Amendment	163	56 of 2016
National Gas (South Australia) (Pipelines Access-Arbitration) Amendment	204	23 of 2017
National Parks and Wildlife (Co-managed Parks) Amendment	178	2 of 2017
Natural Gas Authority (Notice of Works) Amendment	40	12 of 2015
Notaries Public	130, 130A	42 of 2016
Nuclear Waste Storage Facility (Prohibition) (Public Money) Amendment	113, 113A	17 of 2016
Occupational Licensing National Law (South Australia) Repeal	103	11 of 2016
Parliament (Joint Services) (Staffing) Amendment	206	29 of 2017
Parliamentary Remuneration (Determination of Remuneration) Amendment	53	24 of 2015
Planning, Development and Infrastructure	81, 81A	14 of 2016
Police Complaints and Discipline	162, 162A	60 of 2016
Police (Drug Testing) Amendment	263	48 of 2017
Port Pirie Racecourse Site Amendment	83	1 of 2016
Public Finance and Audit (Treasurer's Instructions) Amendment	5	3 of 2015
Public Intoxication (Review Recommendations) Amendment	146	51 of 2016
Public Sector (Data Sharing)	154, 154A	61 of 2016
Rail Safety National Law (South Australia) (Miscellaneous) Amendment	23	5 of 2015
Rail Safety National Law (South Australia) (Miscellaneous No 2) Amendment	128	31 of 2016
Rail Safety National Law (South Australia) (Miscellaneous No 3) Amendment	189	14 of 2017
Real Property (Electronic Conveyancing) Amendment	121	29 of 2016
Real Property (Priority Notices and Other Measures) Amendment	12	4 of 2015
Relationships Register (No 1)	169	67 of 2016
Residential Tenancies (Miscellaneous) Amendment	134, 134A	45 of 2016
Retirement Villages	127, 127A	50 of 2016
Road Traffic (Issue of Free Tickets by Parking Ticket-Vending Machines) Amendment	95	5 of 2016
Road Traffic (Roadworks) Amendment	177, 177A	12 of 2017
Sentencing	185, 185A	26 of 2017
South Australian Employment Tribunal (Miscellaneous) Amendment	194	16 of 2017
Southern State Superannuation (Parental Leave) Amendment	104	40 of 2017
Stamp Duties (Foreign Ownership Surcharge) Amendment	286	55 of 2017
Stamp Duties (Off-the-plan Apartments) Amendment	4	2 of 2015
Statutes Amendment and Repeal (Budget 2015)	55, 55A	41 of 2015
Statutes Amendment and Repeal (Simplify)	180, 180A	7 of 2017
Statutes Amendment (Attorney-General's Portfolio)	122, 122A	28 of 2016

<b>Originating in the House of Assembly - continued</b>	<b>Bill No.</b>	<b>Act No.</b>
Statutes Amendment (Attorney-General's Portfolio) (No 2)	242, 242A	41 of 2017
Statutes Amendment (Attorney-General's Portfolio No 3)	271, 271A	70 of 2017
Statutes Amendment (Boards and Committees - Abolition and Reform)	24, 24A	8 of 2015
Statutes Amendment (Budget 2016)	153, 153A	57 of 2016
Statutes Amendment (Commonwealth Registered Entities)	120	24 of 2016
Statutes Amendment (Court Fees)	232	50 of 2017
Statutes Amendment (Courts and Justice Measures)	166, 166A	62 of 2016
Statutes Amendment (Electricity and Gas)	133, 133A	21 of 2017
Statutes Amendment (Explosives)	258, 258A	62 of 2017
Statutes Amendment (Extremist Material)	250	61 of 2017
Statutes Amendment (Firearms Offences)	72	40 of 2015
Statutes Amendment (Gender Identity and Equity)	111	35 of 2016
Statutes Amendment (Heavy Vehicles Registration Fees)	212	28 of 2017
Statutes Amendment (Home Detention)	91	20 of 2016
Statutes Amendment (Industrial Relations Consultative Council)	65	36 of 2015
Statutes Amendment (Judicial Registrars)	167	10 of 2017
Statutes Amendment (National Electricity and Gas Laws - Information Collection and Publication)	164	55 of 2016
Statutes Amendment (National Policing Information Systems and Services)	209	35 of 2017
Statutes Amendment (Planning, Development and Infrastructure)	165, 165A	5 of 2017
Statutes Amendment (Registered Relationships)	188	13 of 2017
Statutes Amendment (Rights of Foster Parents, Guardians and Kinship Carers)	94	4 of 2016
Statutes Amendment (SACAT) Amendment	158	59 of 2016
Statutes Amendment (SACAT No 2)	231, 231A	51 of 2017
Statutes Amendment (Sentencing)	260	53 of 2017
Statutes Amendment (Serious and Organised Crime)	42, 42A	19 of 2015
Statutes Amendment (South Australian Employment Tribunal)	157, 157A	63 of 2016
Statutes Amendment (Superannuation)	46	18 of 2015
Statutes Amendment (Surrogacy Eligibility)	173, 173A	6 of 2017
Statutes Amendment (Terror Suspect Detention)	243, 243A	69 of 2017
Statutes Amendment (Terrorism)	58, 58A	33 of 2015
Statutes Amendment (Transport Online Transactions and Other Matters)	210	38 of 2017
Statutes Amendment (Universities)	201	39 of 2017
Statutes Amendment (Vehicle Inspections and South Eastern Freeway Offences)	261	54 of 2017
Statutes Amendment (Vulnerable Witnesses)	39, 39A	16 of 2015
Statutes Amendment (Youth Court)	32, 32A	32 of 2016
Statutes Amendment (Youths Sentenced as Adults)	230, 230A	67 of 2017
Summary Offences (Declared Public Precincts) Amendment	142	3 of 2017
Summary Offences (Filming and Sexting Offences) Amendment	123, 123A	39 of 2016
Summary Offences (Interviewing Vulnerable Witnesses) Amendment	215, 215A	37 of 2017
Summary Procedure (Abolition of Complaints) Amendment	139	43 of 2016
Summary Procedure (Indictable Offences) Amendment	184, 184A	18 of 2017
Summary Procedure (Service) Amendment	208	36 of 2017
Supply (2015)	30	9 of 2015
Supply (2016)	119	26 of 2016
Supply (2017)	198	22 of 2017
Surveillance Devices	74, 74A	2 of 2016
Tattooing Industry Control	73	44 of 2015
The Uniting Church in Australia (Membership of Trust) Amendment	29	7 of 2015
Tobacco Products Regulation (Artistic Performances) Amendment	79	7 of 2016
Victims Of Crime (Compensation) Amendment	96	8 of 2016
Whyalla Steel Works (Environmental Authorisation) Amendment	56	30 of 2015
Work Health and Safety (Prosecutions Under Repealed Act) Amendment	16	6 of 2015
Youth Justice Administration	84, 84A	6 of 2016

**LEGISLATIVE COUNCIL BILLS AMENDED (BY LEGISLATIVE COUNCIL AND/OR HOUSE OF ASSEMBLY)**

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 Heritage (Miscellaneous) Amendment	3	-	-	-	-	-	Act No. 9 of 2016
Anangu Pitjantjatjara Yankunytjatjara Land Rights (Miscellaneous) Amendment	16	-	-	-	-	-	Act No. 38 of 2016.
Anangu Pitjantjatjara Yankunytjatjara Land Rights (Suspension of Executive Board) Amendment	1	-	-	-	-	-	Act No. 24 of 2016.
Constitution (One Vote One Value) Amendment	2	-	-	-	-	-	Act No. 65 of 2017.
Dog and Cat Management (Miscellaneous) Amendment	5	5	4	1	-	1	Conference Rec. - HA no longer insists on its Amendment Act No. 33 of 2016.
Family Relationships (Parentage Presumptions) Amendment	3	2	2 (With an amendment and a consequential amendment to the Bill)	-	-	(Amendment agreed to by HA with amendments and consequential amendment disagreed to; additional amendments made by HA to LC additional amendment agreed to and LC consequential amendment not insisted on)	Act No. 30 of 2016.
Farm Debt Mediation	6	-	-	-	-	-	Negated in HA

Second Session of the Fifty-Third Parliament - 10 February 2015 to 19 December 2017

Industrial Hemp	20	-	-	-	-	-	Act No. 15 of 2017.
Linear Parks (Miscellaneous) Amendment	3	-	-	-	-	-	Act No. 59 of 2017.
Local Government (Building Upgrade Agreements) Amendment	1	-	-	-	-	-	Act No. 47 of 2015.
Local Government (Stormwater Management Agreement) Amendment	2	-	-	-	-	-	Act No. 12 of 2016.
Nuclear Waste Storage Facility (Prohibition) (Public Money) Amendment	1	-	-	-	-	-	Act No. 60 of 2017.
Police (Return to Work) Amendment	1	-	-	-	-	-	Withdrawn in HA
Residential Tenancies (Domestic Violence Protections) Amendment	4	-	-	-	-	-	Act No. 43 of 2015.
Statutes Amendment (Drink and Drug Driving)	7	7	0	7	1	4 (Alternative amendments made by HA to Amendments Nos. 1 and 2 and agreed to by LC; and disagreement to Amendments Nos. 3 to 6 not insisted on by LC)	Act No. 63 of 2017.
Work Health and Safety (Representative Assistance) Amendment	1	-	-	-	-	-	Act No. 46 of 2017.

**HOUSE OF ASSEMBLY BILLS AMENDED BY LEGISLATIVE COUNCIL**

<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>
Bail (Miscellaneous) Amendment	1	1	-	-	-	Act No. 34 of 2017
Child Safety (Prohibited Persons)	1	1	-	-	-	Act No. 49 of 2016
Children and Young People (Oversight and Advocacy Bodies)	15	15	-	-	-	Act No. 48 of 2016
Children and Young People (Safety)	18	18	-	-	-	Act No. 25 of 2017
Children's Protection (Implementation of Coroner's Recommendations) Amendment	8	8	-	-	-	Act No. 15 of 2016
Compulsory Third Party Insurance Regulation	1	1	-	-	-	Act No. 16 of 2016
Constitution (Electoral Redistribution) (Appeals) Amendment	4	4	-	-	-	Act No. 66 of 2017
Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment	4	-	4	-	4	Conference Rec. - LC no longer insists on its Amendments 1 and 2; no longer insists on Amendments 3 and 4 but makes alternative amendments Act No. 37 of 2016
Criminal Law Consolidation (Mental Impairment) Amendment	10	8	2	-	2 (disagreement to LC amendments not insisted on by HA)	Act No. 19 of 2017
Criminal Law (High Risk Offenders)	13	13 (with a consequential amendment agreed to by LC)	-	-	-	Act No. 13 of 2015

Second Session of the Fifty-Third Parliament - 10 February 2015 to 19 December 2017

Electoral (Funding, Expenditure and Disclosure) Amendment	3	3	-	-	-	Act No. 58 of 2016
Electoral (Legislative Council Voting and Other Measures) Amendment	22	17	5 (alternative amendments made in lieu thereof)	5 (alternative amendments agreed to)	-	Act No. 31 of 2017
Electoral (Miscellaneous) Amendment	18	18	-	-	-	Act No. 20 of 2017
Fines Enforcement and Debt Recovery	119	119	-	-	-	Act No. 71 of 2017
Firearms	18	14	4 (with one alternative amendment made in lieu thereof)	4 (alternative amendment agreed to)	-	Act No. 46 of 2015
Health Care (Miscellaneous) Amendment	7	7	-	-	-	Act No. 23 of 2016
Health Practitioner Regulation National Law (South Australia) (Remote Area Attendance) Amendment	1	1	-	-	-	Act No. 56 of 2017
Housing Improvement Bill	7	7	-	-	-	Act No. 36 of 2016
Independent Commissioner Against Corruption (Miscellaneous) Amendment	14	14	-	-	-	Act No. 54 of 2016
Industry Advocate	3	3	-	-	-	Act No. 42 of 2017
Intervention Orders (Prevention of Abuse) (Recognition of National Domestic Violence Orders) Amendment	2	2	-	-	-	Act No. 8 of 2017
Judicial Conduct Commissioner	10	10	-	-	-	Act No. 34 of 2015
Justices of the Peace (Miscellaneous) Amendment	3	3	-	-	-	Act No. 41 of 2016
Labour Hire Licensing	36	36	-	-	-	Act No. 68 of 2017

Second Session of the Fifty-Third Parliament - 10 February 2015 to 19 December 2017

Land and Business (Sale and Conveyancing) (Beneficial Interest) Amendment	1	1	-	-	-	Act No. 30 of 2017
Liquor Licensing (Liquor Review) Amendment	7	7	-	-	-	Act No. 49 of 2017
Local Government (Mobile Food Vendors) Amendment	4	4	-	-	-	Act No. 33 of 2017
Mental Health (Review) Amendment	3	3	-	-	-	Act No. 34 of 2016
Notaries Public	3	3	-	-	-	Act No. 42 of 2016
Nuclear Waste Storage Facility (Prohibition) (Public Money) Amendment	1	1	-	-	-	Act No. 17 of 2016
Planning, Development and Infrastructure	32	32	-	-	-	Act No. 14 of 2016
Police Complaints and Discipline	87	87	-	-	-	Act No. 60 of 2016
Public Sector (Data Sharing)	8	8	-	-	-	Act No. 61 of 2016
Residential Tenancies (Miscellaneous) Amendment	1	1	-	-	-	Act No. 45 of 2016
Retirement Villages	17	17	-	-	-	Act No. 50 of 2016
Road Traffic (Roadworks) Amendment	2	2	-	-	-	Act No. 12 of 2017
Sentencing	9	9	-	-	-	Act No. 26 of 2017
Statutes Amendment and Repeal (Budget 2015)	19	19	-	-	-	Act No. 41 of 2015
Statutes Amendment and Repeal (Simplify) Bill	2	2	-	-	-	Act No. 7 of 2017
Statutes Amendment (Attorney-General's Portfolio)	3	3	-	-	-	Act No. 28 of 2016

Second Session of the Fifty-Third Parliament - 10 February 2015 to 19 December 2017

Statutes Amendment (Attorney-General's Portfolio) (No 2)	3	3	-	-	-	Act No. 41 of 2017
Statutes Amendment (Attorney-General's Portfolio No 3)	9	9	-	-	-	Act No. 70 of 2017
Statutes Amendment (Boards and Committees - Abolition and Reform)	7	7	-	-	-	Act No. 8 of 2015
Statutes Amendment (Budget 2016)	12 (11 suggested)	12 (11 suggested)	-	-	-	Act No. 57 of 2016
Statutes Amendment (Courts and Justice Measures)	7	7	-	-	-	Act No. 62 of 2016
Statutes Amendment (Electricity and Gas)	15	14	1 (and alternative amendment made by HA)	1 (alternative amendment agreed to)	-	Act No. 21 of 2017
Statutes Amendment (Explosives)	3	3	-	-	-	Act No. 62 of 2017
Statutes Amendment (Planning, Development and Infrastructure)	11	11	-	-	-	Act No. 5 of 2017
Statutes Amendment (Recidivist and Repeat Offenders)	12	-	-	-	-	Third reading negated in LC
Statutes Amendment (SACAT No 2)	2	2	-	-	-	Act No. 51 of 2017
Statutes Amendment (Serious and Organised Crime)	27	27	-	-	-	Act No. 19 of 2015
Statutes Amendment (South Australian Employment Tribunal)	9	9	-	-	-	Act No. 63 of 2016
Statutes Amendment (Surrogacy Eligibility)	5	5 (with 1 amendment agreed to by LC)	-	-	-	Act No. 6 of 2017
Statutes Amendment (Terror Suspect Detention)	13	13	-	-	-	Act No. 69 of 2017
Statutes Amendment (Terrorism)	1	1	-	-	-	Act No. 33 of 2015

Second Session of the Fifty-Third Parliament - 10 February 2015 to 19 December 2017

Statutes Amendment (Vulnerable Witnesses)						Act No. 16 of 2015
Statutes Amendment (Youth Court)	5	-	5 (and alternative amendments made in lieu thereof)	-	5 (disagreement to LC not insisted on by HA)	Act No. 32 of 2016
Statutes Amendment (Youths Sentenced as Adults)	2	2	-	-	-	Act No. 67 of 2017
Summary Offences (Filming and Sexting Offences) Amendment	7	6	1	1	-	Act No. 39 of 2016
Summary Offences (Interviewing Vulnerable Witnesses) Amendment	1	1	-	-	-	Act No. 37 of 2017
Summary Procedure (Indictable Offences) Amendment	7	7	-	-	-	Act No. 18 of 2017
Surveillance Devices	8	8	-	-	-	Act No. 2 of 2016
Youth Justice Administration	1	1	-	-	-	Act No. 6 of 2016

## SUBSTANTIVE MOTIONS AND RESOLUTIONS

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Only substantive motions are listed below. Procedural or formal motions are not included.

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

Moved by The Hon G A Kandelaars, 11 February 2015.

Seconded by The Hon T T Ngo, 12 February 2015.

Adopted and presented to His Excellency The Governor on 17 March 2015.

### **CONDOLENCE MOTIONS -**

#### **Death of The Hon John Charles Bannon, AO -**

Motion of regret moved by The Minister for Employment and carried in silence, 9 February 2016.

#### **Death of Mr John Sydney Freebairn -**

Motion of regret moved by The Minister for Employment and carried in silence, 10 February 2016.

#### **Death of The Hon Kenneth Trevor Griffin -**

Motion of regret moved by The Minister for Employment, Higher Education and Skills and carried in silence, 24 March 2015.

#### **Death of The Hon Ivan Peter Lewis -**

Motion of regret moved by The Minister for Employment, and carried in silence, 19 October 2017.

#### **Death of The Hon Robin Rhodes Millhouse, QC -**

Motion of regret moved by The Minister for Employment and carried in silence, 9 May 2017.

#### **Death of The Hon Ronald George Payne -**

Motion of regret moved by The Minister for Employment, Higher Education and Skills and carried in silence, 5 May 2015.

#### **Death of The Hon Arthur Mornington Whyte, AM -**

Motion of regret moved by The Minister for Employment, Higher Education and Skills and carried in silence, 12 February 2015.

### **GOVERNMENT MOTIONS -**

#### **Adjournment of Council due to emergency power situation -**

Moved by The Minister for Sustainability, Environment and Conservation and agreed to, 28 September 2016.

#### **Citizen's Right of Reply -**

Moved by The Minister for Employment, Higher Education and Skills and agreed to, 11 February 2015.

#### **Contribution made by retiring Members -**

Moved by The Minister for Employment and agreed to, 30 November 2017.

**Hanson, The Hon J E -**

Moved by The Minister for Employment and agreed to, 28 February 2017.

**Malinauskas, The Hon P B -**

Moved by The Minister for Employment, Higher Education and Skills and agreed to, 3 December 2015.

**National Parks and Wildlife Act - Proclamation under Section 27(3) -**

Moved by The Minister for Sustainability, Environment and Conservation and agreed to, 6 July 2017.

**National Parks and Wildlife Act - Proclamation under Section 29(3) -**

Moved by The Minister for Sustainability, Environment and Conservation, 1 June 2017, and agreed to, 6 July 2017.

**National Parks and Wildlife Act - Proclamation under Section 30(2) -**

Moved by The Minister for Sustainability, Environment and Conservation and agreed to, 25 February 2016.

**National Parks and Wildlife Act - Proclamation under Section 33(3) -**

Moved by The Minister for Sustainability, Environment and Conservation and agreed to, 22 March 2016.

**LEAVE OF ABSENCE -**

**The Hon G A Kandelaars -**

Moved by The Minister for Employment and agreed to, 21 September 2016.

**The Hon JMA Lensink -**

Moved by the Hon JSL Dawkins and agreed to, 15 October 2015.

Moved by the Hon JSL Dawkins and agreed to, 10 February 2016.

**SELECT COMMITTEES - COUNCIL -**

**Access to the Education System for Students with Disabilities -**

Moved by The Hon K L Vincent, 6 May 2015, and agreed to, 3 June 2015.

Report to be noted - moved by The Hon K L Vincent, 31 May 2017. (Motion lapsed due to Prorogation)

**Administration of South Australia's Prisons -**

Moved by The Hon T J Stephens, 2 November 2016, and agreed to, 30 November 2016.

Substitution of Member, moved by The Minister for Employment, and agreed to, 28 February 2018.

Report to be noted - moved by The Hon T J Stephens, 15 November 2017, and agreed to 29 November 2017.

**Budget and Finance Committee - Interim Reports on Operations of - Noting of -**

Report on Operations of, 2014-15 be noted - Moved by The Hon R I Lucas, 10 February 2016, and agreed to, 2 November 2016.

Report on Operations of, 2015-16 be noted - Moved by The Hon R I Lucas, 2 November 2016, and agreed to 30 November 2016.

Report on Operations of, 2016-17 be noted - Moved by The Hon R I Lucas, 1 November 2017. (Motion lapsed due to Prorogation)

Government Departments' unpaid accounts - Committee to inquire into - Moved by The Hon R L Brokenshire, 9 September 2015. (Motion Lapsed due to Prorogation)

Power to sit during recess - moved by The Hon R I Lucas and agreed to, 30 November 2017.

**Chemotherapy Dosing Errors -**

Moved by The Hon J A Darley, 24 February 2016, amendment moved by The Hon S G Wade and agreed to, motion as amended agreed to, 23 March 2016.

Report to be noted - moved by The Hon A L McLachlan, 15 November 2017, and agreed to 29 November 2017.

**Compulsory Acquisition of Properties for North-South Corridor Upgrade -**

Moved by The Hon J A Darley, 6 May 2015, and agreed to, 29 July 2015.  
Substitution of Member, moved by The Minister for Employment and agreed to, 28 February 2018.  
Report to be noted - moved by The Hon J A Darley, 21 June 2017, and agreed to 15 November 2017.

**Emergency Services Reform -**

Moved by The Hon R L Brokenshire, 11 February 2015, and agreed to, 25 February 2015.  
Report to be noted - moved by The Hon R L Brokenshire, 30 November 2016, and agreed to 15 February 2017.

**Sale of State Government Owned Land at Gillman -**

Substitution of Member, moved by The Minister for Employment and agreed to, 28 February 2018.

**Skills for All Program -**

Moved by The Hon K L Vincent, 13 May 2015, amendment moved by The Hon J S Lee and agreed to, motion as amended agreed to, 3 June 2015.  
Report to be noted - moved by The Hon JMA Lensink, 9 August 2017. (Motion lapsed due to Prorogation)

**State Government's O-Bahn Access Project -**

Moved by The Hon J A Darley, 3 June 2015, and agreed to, 17 June 2015.  
Substitution of Member, moved by The Minister for Employment, and agreed to, 28 February 2018.

**Statewide Electricity Blackout and Subsequent Power Outages -**

Moved by The Hon D W Ridgway, 19 October 2016, and agreed to, 16 November 2016.  
Instruction to amend terms of reference - moved by The Hon M C Parnell, 15 February 2017, and agreed to, 1 March 2017.  
Report to be noted - moved by The Hon D W Ridgway and agreed to, 29 November 2017.

**Statutes Amendment (Decriminalisation of Sex Work) Bill -**

Moved by The Hon S G Wade and agreed to, 9 September 2015.  
Report to be noted - moved by The Hon JMA Lensink, 31 May 2017. (Motion lapsed due to Prorogation)

**Statutory Child Protection and Care in South Australia -**

Instruction to amend terms of reference - moved by The Hon S G Wade, 3 June 2015, and agreed to, 17 June 2015.  
Interim Report to be noted - moved by The Hon S G Wade, 28 November 2015. (Motion lapsed due to Prorogation)  
Second Interim Report to be noted - moved by The Hon S G Wade, 17 May 2017. (Motion lapsed due to Prorogation)  
Final Report to be noted - moved by The Hon S G Wade and agreed to, 29 November 2017.

**Transforming Health -**

Moved by The Hon S G Wade, 23 September 2015, and agreed to, 14 October 2015.  
Interim Report to be noted - moved by The Hon S G Wade, 2 December 2015. (Motion lapsed due to Prorogation)  
Second Interim Report to be noted - moved by The Hon S G Wade, 25 May 2016. (Motion lapsed due to Prorogation)  
Fourth Interim Report to be noted - moved by The Hon S G Wade, 30 November 2016. (Motion lapsed due to Prorogation)  
Fifth Interim Report to be noted - moved by The Hon S G Wade, 21 June 2017. (Motion lapsed due to Prorogation)  
Instruction to amend terms of reference - moved by The Hon R L Brokenshire and agreed to, 27 September 2017.  
Final Report to be noted - moved by The Hon S G Wade and agreed to, 29 November 2017.

**URGENCY MOTION -**

**Murray Darling Basin Plan -**

Moved by the Hon T A Franks, and withdrawn, 2 August 2017.

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

**Moved by Member on own behalf -**

**Adelaide Park Lands Lease Agreement Between the City of Adelaide and South Australian Cricket Association Incorporated -**

Moved by The Hon M C Parnell, 16 November 2016, and discharged, 30 November 2016.

**Criminal Injuries Compensation Act 1978 - Prescribed Scale of Costs -**

Moved by The Hon A L McLachlan and agreed to, 2 November 2016.

**Development Act 1993 - SA Motorsport Park -**

Moved by The Hon M C Parnell, 8 June 2016. (Motion lapsed due to Prorogation)

**Environment Protection Act 1993 - Environment Protection (Air Quality) Policy 2016 -**

Moved by The Hon JMA Lensink, 2 November 2016. (Motion lapsed due to Prorogation)

**Motor Vehicles Act 1959 - Demerit Points -**

Moved by The Hon J A Darley, 28 October 2015, and negatived, 24 February 2016.

**Native Vegetation Act 1991 - SA Motorsport Park -**

Moved by The Hon M C Parnell, 8 June 2016. (Motion lapsed due to Prorogation)

**Road Traffic Act 1961 - Miscellaneous -**

Moved by The Hon J A Darley, 28 October 2015, and negatived, 24 February 2016.

**Road Traffic Act 1961 - Road Rules - Ancillary and Miscellaneous Provisions -**

Moved by The Hon J A Darley, 28 October 2015, and negatived, 24 February 2016.

**Supreme Court Act 1935 - Fees -**

Moved by The Hon M C Parnell, 24 February 2016, and negatived, 13 April 2016.

**PRIVATE MEMBERS' MOTIONS -**

**180th Anniversary of the Proclamation of South Australia -**

Moved by The Hon J S Lee, 31 May 2017, and agreed to, 27 September 2017.

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

**2014-2015 -**

Moved by The Hon T T Ngo, 23 September 2015, and agreed to, 9 December 2015.

**2015-2016 -**

Moved by The Hon T T Ngo, 28 September 2016, and agreed to, 19 October 2016.

**2016-2017 -**

Moved by The Hon T T Ngo, 18 October 2017, and agreed to, 1 November 2017.

**Acting Police Ombudsman's Annual Report -**

Moved by The Hon R L Brokenshire, 15 November 2017, and agreed to, 29 November 2017.

**Adelaide United Football Club -**

Moved by The Hon T J Stephens, 26 May 2016, and agreed to, 2 November 2016.

**AFL National Women's League -**

Moved by The Hon T T Ngo, 28 September 2016, and agreed to, 29 March 2017.

**Apology for anti-homosexual laws -**

Moved by The Hon T A Franks, 8 June 2016. (Motion lapsed due to Prorogation)

**Australia-China Friendship Society -**

Moved by The Hon J S Lee, 9 March 2016, and agreed to, 18 May 2016.

**Australian Chinese Medical Association of SA -**

Moved by The Hon J S Lee, 7 July 2017, and agreed to, 27 September 2017.

**Australian Nurses at Lemnos during WWI -**

Moved by The Hon J S Lee, 1 July 2015, and agreed to, 14 October 2015.

**Borderline Personality Disorder -**

Moved by The Hon T A Franks, 14 October 2015, amendment moved by The Hon G E Gago, amendment agreed to and motion as amended agreed to, 19 October 2016.

**Campania Sports and Social Club -**

Moved by The Hon J S Lee, 1 July 2015, and agreed to, 14 October 2015.

**Carnevale Italian Festival -**

Moved by The Hon J S Lee, 9 March 2016, and agreed to, 18 May 2016.

**Charley Hooper and growth attenuation and sterilisation of children with disabilities -**

Moved by The Hon K L Vincent, 24 February 2016, and agreed to, 8 June 2016.

**Chinese Welfare Services of South Australia Inc -**

Moved by The Hon J S Lee, 22 June 2016, and agreed to, 27 July 2016.

**Commonwealth Water Portfolio -**

Moved by The Hon T A Franks, 15 November 2017, and agreed to, 15 November 2017.

**Costs incurred by the State Government -**

Moved by The Hon R I Lucas, 7 December 2016. (Motion lapsed due to Prorogation).

**Crime and Public Integrity Policy Committee Reports - Noting of -**

**2014-2015 -**

Moved by The Hon G A Kandelaars, 1 July 2015. (Motion lapsed due to Prorogation).

**2015-2016 -**

Moved by The Hon DEG Hood, 15 February 2017. (Motion lapsed due to Prorogation).

**Inquiry into the Serious and Organised Crime (Unexplained Wealth) Act 2009 -**

Moved by The Hon J E Hanson, 29 November 2017. (Motion lapsed due to Prorogation).

**Cycling -**

Moved by The Hon M C Parnell, 18 October 2017. (Motion lapsed due to Prorogation).

**Death of Aunty Josie Agius -**

Moved by The Hon T A Franks, 24 February 2016, and agreed to, 24 February 2016.

**Death of Graziella Daillé - Coronial Inquest into -**

Moved by The Hon JMA Lensink, 14 October 2015, amendment moved by The Hon G M Gazzola, amendment negated and motion agreed to, 12 April 2017.

**Death of Mr Brian Hurn -**

Moved by The Hon R L Brokenshire, 9 December 2015, and agreed to 18 May 2016.

**Death of Mr Stefan Woodward - Coroner to inquire into -**

Moved by The Hon J A Darley, 9 December 2015, and agreed to, 13 April 2016.

**Defence Reserves Support Council (SA) -**

Moved by The Hon A L McLachlan, 25 February 2015, and agreed to, 2 December 2015.

**Delivering Transforming Health -**

Moved by The Hon K L Vincent, 11 February 2015, and agreed to, 25 February 2015.

**Diamond House Clubhouse -**

Moved by The Hon T A Franks, 8 June 2016, and agreed to, 19 October 2016.

**Elder Abuse in South Australia - Social Development Committee to inquire into -**

Moved by The Hon K L Vincent, 23 September 2015, and agreed to, 14 October 2015.

**Emergency Services Staff, Volunteers and Community Groups in Response to Recent Bushfires -**

Moved by The Hon T T Ngo, 25 February 2015, and agreed to, 13 May 2015.

**Endometriosis -**

Moved by The Hon T A Franks, 1 November 2017, amendment moved by The Hon J E Hanson, amendment negated, amendment moved by The Hon S G Wade, amendment agreed to and motion as amended agreed to, 29 November 2017.

**Environment, Resources and Development Committee - Inquire into Waste Management Policies in South Australia**

Moved by The Hon JMA Lensink, 3 June 2015. (Motion lapsed due to Prorogation).

**Environment, Resources and Development Committee Reports - Noting of - 2016-2017**

Moved by The Hon T T Ngo, 15 November 2017, and agreed to, 29 November 2017.

**Inquiry into Biodiversity**

Moved by The Hon T T Ngo, 29 March 2017, and agreed to, 21 June 2017.

**Farm Debt Mediation Bill -**

Moved by The Hon D W Ridgway, 29 March 2017. (Motion lapsed due to Prorogation).

**Female Genital Mutilation -**

Moved by The Hon JMA Lensink, 14 October 2015, amendment moved by The Hon G E Gago, amendment negated and motion agreed to, 12 April 2017.

**Filipino Settlement Coordinating Council of South Australia -**

Moved by The Hon J S Lee, 1 November 2017, and agreed to, 15 November 2017.

**Flinders University 50th anniversary -**

Moved by The Hon J S Lee, 25 May 2016, and agreed to, 27 July 2016.

**Freda Briggs -**

Moved by The Hon K L Vincent, 18 May 2016, and agreed to, 27 September 2017.

**Free Trade Agreements -**

Moved by The Hon J S Lee, 13 May 2015, and agreed to, 28 October 2015.

**Greyhound Racing in South Australia - Motion for Select Committee on.**

Moved by The Hon T A Franks, 27 July 2016, motion negated, 21 September 2016.

**Guy Sebastian at Eurovision Song Contest -**

Moved by The Hon J S Lee, 17 June 2015, and agreed to, 28 October 2015.

**HIV Infections -**

Moved by The Hon T A Franks, 2 November 2016, and agreed to, 30 November 2016.

**Hon G A Kandelaars -**

Moved by The Hon G A Kandelaars and agreed to 15 February 2017.

**Hon JMA Lensink - Leave of Absence -**

Moved by The Hon JSL Dawkins and agreed to, 10 February 2016.

**Hong Kong Australia Business Association -**

Moved by The Hon J S Lee, 1 March 2017, and agreed to, 29 March 2017.

**Hungarian Club of SA 50th Anniversary in 2015 - Congratulations**

Moved by The Hon J S Lee, 28 October 2015, and agreed to, 18 November 2015.

**Indian Community in South Australia -**

Moved by The Hon J S Lee, 19 October 2016, and agreed to, 16 November 2016.

**International Record Store Day -**

Moved by The Hon T A Franks, 12 April 2017. (Motion lapsed due to Prorogation).

**Irish Referendum on Marriage Equality -**

Moved by The Hon I K Hunter, 3 June 2015, and agreed to, 18 November 2015.

**Jarrad Tallent -**

Moved by The Hon G E Gago, 21 September 2016. (Motion lapsed due to Prorogation).

**JMG community arts mental health program -**

Moved by The Hon T A Franks, 18 March 2015, amendment moved by The Hon J M Gazzola, 19 October 2016, amendment agreed to, 19 October 2016, motion as amended agreed to, 19 October 2016.

**Labor MPs -**

Moved by The Hon R I Lucas, 9 August 2017, and agreed to, 29 November 2017.

**Legal Aid Funding -**

Moved by The Hon M C Parnell, 29 March 2017. (Motion lapsed due to Prorogation).

**Legislative Review Committee Reports - Noting of -**

**2015 -**

Moved by The Hon G A Kandelaars, 6 July 2016. (Motion lapsed due to Prorogation).

**2016 -**

Moved by The Hon J E Hanson, 18 October 2017. (Motion lapsed due to Prorogation).

**Inquiry into Amendment to the Births, Deaths and Marriages Registration Regulations 2011 -**

Moved by The Hon A M McLachlan, 2 November 2016. (Motion lapsed due to Prorogation).

**Inquiry into the Sexual Reassignment Bill 2014 -**

Moved by The Hon G A Kandelaars, 13 April 2016. (Motion lapsed due to Prorogation).

**Interim Report on the Review of the Report of the Committee into Partial Defence of Provocation -**

Moved by The Hon G A Kandelaars, 9 March 2016. (Motion lapsed due to Prorogation).

**Operation and Impact of the Graffiti Control (Miscellaneous) Amendment Act 2013 (SA) Amendments to the Graffiti Control Act 2001 (SA) -**

Moved by The Hon J E Hanson, 5 July 2017, and agreed to, 29 November 2017.

**Report into the Partial Defence of Provocation be reviewed -**

Moved by The Hon G A Kandelaars and agreed to, 13 May 2015.

**Review of the Report of the Committee into the Partial Defence of Provocation -**

Moved by The Hon J E Hanson, 1 November 2017. (Motion lapsed due to Prorogation).

**Major Development Status -**

Moved by The Hon M C Parnell, 18 October 2017. (Motion lapsed due to Prorogation).

**Marriage Equality -**

Moved by The Hon T A Franks, 17 June 2015, amendment moved by The Hon T T Ngo, amendment negatived, amendment moved by The Hon S G Wade, amendment agreed to and motion as amended agreed to, 15 February 2017.

**Mass shooting in Orlando Florida and LGBTIQ Community -**

Moved by The Hon G A Kandelaars, 22 June 2016. (Motion lapsed due to Prorogation).

**Maurice Corcoran -**

Moved by The Hon K L Vincent, 30 November 2016, and agreed to, 27 September 2017.

**Medical Cannabis -**

Moved by The Hon T A Franks, 14 October 2015, amendment moved by The Hon T T Ngo, amendment negatived and motion agreed to, 28 October 2015.

**Medicinal Cannabis -**

Moved by The Hon T A Franks, 18 May 2016. (Motion lapsed due to Prorogation).

**Mental Health Priorities -**

Moved by The Hon T A Franks, 24 February 2016. (Motion lapsed due to Prorogation).

**Molinara Sports and Social Club**

Moved by The Hon J S Lee, 1 November 2017, and agreed to, 15 November 2017.

**Motivation Australia in Asia Pacific Region -**

Moved by The Hon K L Vincent, 25 March 2015, and agreed to, 18 November 2015.

**Mount Lofty Ranges Working Agricultural Landscape World Heritage bid -**

Moved by The Hon M C Parnell, 9 December 2015. (Motion lapsed due to Prorogation).

**Mr Robert Burke -**

Moved by The Hon K L Vincent, 9 August 2017, and agreed to, 29 November 2017.

**Ms Kate Swaffer and Dementia Awareness -**

Moved by The Hon K L Vincent, 9 August 2017. (Motion lapsed due to Prorogation).

**Murray-Darling Basin -**

Moved by The Hon T A Franks, 2 August 2017, motion withdrawn, 2 August 2017.

**National Indigenous Times -**

Moved by The Hon T A Franks, 18 March 2015, and agreed to, 2 December 2015.

**National Nuclear Waste Site -**

Moved by The Hon M C Parnell, 9 December 2015, amendment moved by The Minister for Police (The Hon P B Malinauskas) amendment agreed to and motion as amended agreed to, 24 February 2016.

**National Programme for Excellence in the Arts -**

Moved by The Hon K L Vincent, 29 July 2015, amendment moved by The Hon D W Ridgway, amendment negatived, amendment moved by The Hon T A Franks, amendment agreed to and motion as amended agreed to, 2 December 2015.

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

**2014-2015 -**

Moved by The Hon G A Kandelaars and agreed to, 2 December 2015.

**2015-2016 -**

Moved by The Hon JSL Dawkins and agreed to, 2 November 2016.

**2016-2017 -**

Moved by The Hon J M Gazzola and agreed to, 27 September 2017.

**Alintjara Wilurara Regional Fact-finding Trip -**

Moved by The Hon JSL Dawkins and agreed to, 2 November 2016.

**Fleurieu and Kangaroo Island Regional Fact-Finding Visit -**

Moved by The Hon JSL Dawkins, 9 August 2017, and agreed to, 27 September 2017.

**Inquiry into Unconventional Gas (Fracking) in the South East of South Australia -**

Moved by The Hon JSL Dawkins, 30 November 2016, and agreed to, 15 February 2017.

**Interim Report on Inquiry into Unconventional Gas (Fracking) -**

Moved by The Hon JSL Dawkins, 18 November 2015, and agreed to, 9 December 2015.

**Kangaroo Island NRM Region Fact-finding Visit, November 2014 -**

Moved by The Hon G A Kandelaars and agreed to, 18 March 2015.

**Lands and Kangaroo Island -**

Moved by The Hon J M Gazzola and agreed to, 21 June 2017.

**Marine Scalefish Fishery, Summary of Evidence 2014-2017 -**

Moved by The Hon J M Gazzola and agreed to, 18 October 2017.

**Natural Resources Boards Levy Proposals 2017-18 for Eyre Peninsula, South Australian Arid**

**Northern and Yorke Regional Fact-Finding Visit -**

Moved by The Hon J M Gazzola and agreed to, 18 October 2017.

**Natural Resources Management Board Levy Proposals, 2015-2016 -**

Moved by The Hon G A Kandelaars and agreed to 1 July 2017.

**Natural Resources South Australia Business Plans and Regional Levies, Report 2016-2017-**

Moved by the Hon JSL Dawkins, 8 June 2016, and agreed to, 26 July 2016.

**Pinery Fire Regional Fact-Finding Trip -**

Moved by The Hon G A Kandelaars and agreed to, 6 July 2017.

**Regional Report, March 2014 - April 2016 -**

Moved by The Hon G A Kandelaars and agreed to, 18 May 2016.

**Sustainable Prawns Fisheries Management in South Australia -**

Moved by The Hon J M Gazzola, 15 November 2017, and agreed to, 29 November 2017.

**Newstart Allowance -**

Moved by The Hon T A Franks, 15 November 2017. (Motion lapsed due to Prorogation).

**No Confidence in Minister for Sustainability, Environment and Conservation -**

Moved by The Hon JMA Lensink, 30 November 2016, and agreed to, 30 November 2016.

**Nuclear Waste -**

Moved by The Hon M C Parnell, 19 October 2016. (Motion lapsed due to Prorogation).

**Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation to inquire into -**

**SafeWork SA prosecutions into South Australian workplace fatalities -**

Moved by The Hon T A Franks 12 April 2017, and agreed to, 1 November 2017.

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

**2014-2015 -**

Moved by The Hon J A Darley and agreed to, 18 November 2015.

**2015-2016 -**

Moved by The Hon J A Darley and agreed to, 19 October 2016.

**2016-2017 -**

Moved by The Hon J E Hanson and agreed to, 18 October 2017.

**Briefing Report on Work Health and Safety Concerns Related to the Home Care and Support of South Australians with a Disability and Elderly South Australians -**

Moved by The Hon J E Hanson and agreed to, 18 October 2017.

**Inquiry into Return to Work Act and Scheme - Interim Report -**

Moved by The Hon J E Hanson and agreed to, 31 May 2017.

**Inquiry into Return to Work Act and Scheme -**

Moved by The Hon J E Hanson, 15 November 2017, and agreed to, 29 November 2017.

**Inquiry into Work Health and Safety (Industrial Manslaughter) Amendment Bill -**

Moved by The Hon J A Darley, 2 November 2016, and agreed to, 16 November 2016.

**Inquiry into Work Health and Safety and Workers Compensation Issues Associated with People Working Longer -**

Moved by The Hon J E Hanson and agreed to, 17 May 2017.

**Inquiry into Work Related Mental Disorders and Suicide Prevention -**

Moved by The Hon JSL Dawkins and agreed to, 16 November 2016.

**Referral of Workers Rehabilitation and Compensation (SACFS Firefighters) Amendment Bill -**

Moved by The Hon G A Kandelaars and agreed to, 25 March 2017.

**Regional Visit to Barossa Valley -**

Moved by The Hon G A Kandelaars and agreed to, 23 September 2015.

**Visit to Hillgrove Resource Group Copper Mine and Kanmantoo Quarry -**

Moved by The Hon G A Kandelaars and agreed to, 23 March 2016.

**Visit to Riverland -**

Moved by The Hon G A Kandelaars, 24 February 2016. (Motion lapsed due to Prorogation).

**Peter Wilson and Determined2 -**

Moved by The Hon V L Vincent, 30 November 2016, and agreed to, 1 November 2017.

**Police Commissioners Burns and Stevens -**

Moved by The Hon R L Brokenshire, 6 May 2015, amendment moved by The Hon T N Ngo, amendment agreed to and motion as amended agreed to, 1 July 2015.

**Polish Settlement in South Australia -**

Moved by The Hon J S Lee, 30 November 2016, and agreed to, 29 March 2017.

**Prorogation and Auditor-General's Reports -**

Moved by The Hon R I Lucas, 1 November 2017, and agreed to, 15 November 2017.

**Prorogation and ICAC Report on Oakden Older Persons Mental Health Facility -**

Moved by The Hon S G Wade, 15 November 2017, and agreed to, 29 November 2017.

**Pulses -**

Moved by The Hon J S Lee, 21 September 2016, and agreed to, 19 October 2016.

**Radio Adelaide -**

Moved by The Hon T A Franks, 9 December 2015, and agreed to, 9 December 2015.

**Reclick Australia -**

Moved by The Hon T A Franks, 14 October 2015, and agreed to 2 December 2015.

**Repatriation Hospital and Transforming Health -**

Moved by The Hon R L Brokenshire, 3 June 2015, and agreed to, 14 October 2015.

**Residential Tenancies (Databases) Amendment -**

Moved by The Hon M C Parnell, 9 December 2015. (Motion lapsed due to Prorogation).

**Rt Hon Malcolm Fraser -**

Moved by The Hon T T Ngo, 6 May 2015, and agreed to, 14 October 2015.

**Safe Schools Program -**

Moved by The Hon R L Brokenshire, 29 November 2017, motion negated, 29 November 2017.

**Significant Trees -**

Moved by The Hon M C Parnell, 15 February 2017. (Motion lapsed due to Prorogation).

**Skate Parks -**

Moved by The Hon T A Franks, 13 May 2015, and agreed to, 17 June 2015.

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

**Inquiry into Comorbidity**

Moved by The Hon G A Kandelaars, 9 September 2015, and agreed to, 23 September 2015.

**Inquiry into Domestic and Family Violence**

Moved by The Hon G E Gago, 13 April 2016, and agreed to, 29 November 2017.

**Inquiry into Regional Health Services**

Moved by The Hon G E Gago, 27 September 2017, and agreed to, 29 November 2017.

**Society of Saint Hilarion -**

Moved by The Hon J S Lee, 18 November 2015, and agreed to, 2 December 2015.

**Solar Citizens -**

Moved by The Hon M C Parnell, 9 December 2015. (Motion lapsed due to Prorogation).

**Solar thermal with storage in Port Augusta -**

Moved by The Hon T A Franks, 12 April 2017, and agreed to, 31 May 2017.

**State Debt -**

Moved by The Hon R I Lucas, 17 May 2017. (Motion lapsed due to Prorogation).

**State Library of South Australia -**

Moved by The Hon T A Franks, 21 September 2016. (Motion lapsed due to Prorogation).

**Statutory Authorities Review Committee - To inquire into and report on Motor Accident Commission - changes to regulatory arrangements -**

Moved by The Hon R I Lucas, 28 October 2015, and agreed to, 18 November 2015.

**Statutory Authorities Review Committee Reports - Noting of**

**2013-2014 -**

Moved by The Hon G A Kandelaars, 25 February 2015, and agreed to 17 June 2015.

**2014-2015 -**

Moved by The Hon G A Kandelaars, 10 February 2016, and agreed to 10 February 2016.

**Inquiry into Environment Protection Authority's Management of Contamination at Clovelly Park and Mitchell Park -**

Moved by The Hon J M Gazzola, 24 February 2016. (Motion lapsed due to Prorogation).

**Inquiry into the Motor Accident Commission -**

Moved by The Hon J M Gazzola, 6 July 2016. (Motion lapsed due to Prorogation).

**Inquiry into State Procurement Board of South Australia -**

Moved by The Hon G A Kandelaars, 2 December 2015, and agreed to 9 December 2015.

**Inquiry into TAFE SA-**

Moved by The Hon J E Hanson, 9 August 2017. (Motion lapsed due to Prorogation).

**Steve Davis -**

Moved by The Hon T J Stephens, 13 April 2016, and agreed to, 2 November 2016.

**Suicide Prevention -**

Moved by The Hon JSL Dawkins, 14 October 2015, and agreed to, 18 November 2015.

**Taib Mahmud and the Sarawak rainforest -**

Moved by The Hon M C Parnell, 9 September 2015. (Motion lapsed due to Prorogation).

**Taib Mahmud and the University of Adelaide -**

Moved by The Hon M C Parnell, 27 July 2016. (Motion lapsed due to Prorogation).

**The Position of Commissioner for Emergency Services -**

Moved by The Hon R L Brokenshire, 11 February 2015, and agreed to, 25 February 2016.

**Ticket Scalping -**

Moved by The Hon T A Franks, 18 October 2017. (Motion lapsed due to Prorogation).

**Underground Coal Gasification -**

Moved by The Hon M C Parnell, 27 July 2016. (Motion lapsed due to Prorogation).

**United Nations -**

Moved by The Hon J S Lee, 18 November 2015, and agreed to, 2 December 2015.

**University of South Australia - 25th Anniversary -**

Moved by The Hon J S Lee, 6 July 2016, and agreed to, 19 October 2016.

**Vacant Land in North Adelaide -**

Moved by The Hon M C Parnell, 5 July 2017, amendment moved by The Minister for Sustainability, Environment and Conservation (The Hon I K Hunter), amendment agreed to and motion as amended agreed to, 27 September 2017.

**William and Lawrence Bragg -**

Moved by The Hon JSL Dawkins, 14 October 2015, and agreed to, 18 November 2015.

**Wind Farm Developments in South Australia - Motion for Select Committee on.**

Moved by The Hon D W Ridgway, 1 July 2015, motion discharged, 1 March 2017.

**Winston Churchill Trust -**

Moved by The Hon J S Lee, 14 October 2015, and agreed to, 18 November 2015.

**Women's Legal Service -**

Moved by The Hon J S Lee, 13 April 2016, and agreed to, 18 May 2016.

## PETITIONS PRESENTED TO COUNCIL

### CAPTURED WATER ON FARMLAND

Praying that this Honourable House will urge the State Government to -

1. Remove part b of the interpretation of *infrastructure* in the Natural Resource Management Act 2004 so it cannot be defined to mean dams or reservoirs.
2. Remove Chapter 7, Part 2, Division 2 of the Natural Resources Management Act which restricts the amount of water a landowner can use from dams and reservoirs.
3. Ensure that a water levy cannot be imposed on water captured in dams, reservoirs or rainwater tanks that started out as rainfall.

Presented by The Hon R L Brokenshire, 24 September 2015, 1,052 signatures.

Presented by The Hon R L Brokenshire, 29 October 2015, 1,161 signatures.

Presented by The Hon R L Brokenshire, 19 November 2015, 993 signatures.

Presented by The Hon R L Brokenshire, 11 February 2016, 15 signatures.

### CARDIAC CATHETER LABORATORIES AT THE QUEEN ELIZABETH HOSPITAL

Praying that this Honourable House will call on the State Government to ensure that the two cardiac catheter laboratories continue to operate at the Queen Elizabeth Hospital to ensure speedy and effective treatment in the case of emergencies and for chronic cardiac patients.

Presented by The Hon R L Brokenshire, 14 April 2016, 73 signatures.

Presented by The Hon J A Darley, 3 November 2016, 749 signatures.

### DAYLIGHT SAVING

Praying that this Honourable House will -

1. Resist any further extension of daylight saving hours;
2. Conduct a full and proper review of the current extension of daylight saving 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, 3 December 2015, 67 signatures.

### MARTINDALE HALL

Praying that this Honourable House will urge the State Government to -

1. Prevent the sale and redevelopment of Martindale Hall; and
2. Call on the Government to honour the intention of the original bequest of the Mortlock family by ensuring that Martindale Hall remains in trust for the people of South Australia.

Presented by The Hon R L Brokenshire, 3 December 2015, 60 signatures.

Presented by The Hon R L Brokenshire, 11 February 2016, 523 signatures.

Presented by The Hon R L Brokenshire, 25 February 2016, 226 signatures.

Presented by The Hon R L Brokenshire, 14 April 2016, 86 signatures.

Presented by The Hon R L Brokenshire, 27 July 2016, 120 signatures.

**MCLAREN VALE AND DISTRICTS WAR MEMORIAL HOSPITAL**

Praying that this Honourable House will urge the State Government to provide triennial funding arrangements for the Hospital so that it can have certainty about its financial future and plan for the long term.

Presented by The Hon R L Brokenshire, 24 September 2015, 57 signatures.

**PROPOSED RELOCATION OF THE DARDANELLES CENOTAPH TO THE KINTORE AVENUE 'MEMORIAL WALK'**

Praying that this Honourable House will urge the State Government to reject the Government House Precinct Land Dedication Bill and preserve the community's Wattle Day Dardanelles Cenotaph in the South Park Lands, where it is now, as ever, the Empty Tomb of the Fallen ANZACs, sacred to the memory of the Gallipoli landing and to ANZAC service and sacrifice, faithfully honouring our eternal debt of solemn remembrance.

Presented by The Hon A L McLachlan, 9 February 2016, 18 signatures.

**PROPOSED RELOCATION OF THE DARDANELLES CENOTAPH**

Praying that this Honourable House will reject the Government House Precinct Land Dedication Bill and thereby retain the Dardanelles Cenotaph in the South Park Lands.

Presented by The Hon J S Lee, 11 February 2016, 18 signatures.

**PROSPECT DEVELOPMENT PLAN 2015 AND AREA HC7 NORTH OvingHAM**

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

1. Reject the proposed tripling in area of the historic conservation zones;
2. Reject the proposed HC7 North Ovingham Policy Area; and
3. Reject proposed stringent planning rules.

Presented by The Hon DGE Hood, 3 December 2015, 45 signatures.

**PROSPECT DEVELOPMENT PLAN 2015 AND AREA HC8 PROSPECT LANES**

Praying that this Honourable House will reject the proposed HC8 Prospect Lanes policy area in the Prospect Development Plan 2015.

Presented by The Hon DGE Hood, 3 December 2015, 240 signatures.

**RAW MILK**

Praying that this Honourable House will disallow the Regulations under the Primary Produce (Food Safety Schemes) Act 2004 concerning the dairy industry made on 23 April 2015. The Petitioners also pray that your Honourable House will legislate for the regulation of a raw milk industry in South Australia that recognises the right of South Australians to make their own free choices about the food they consume, whilst providing for appropriate public health protection.

Presented by The Hon M C Parnell, 11 February 2016, 198 signatures.

### **RIGHT TO FARM**

Praying that this Honourable House will -

1. Immediately recognise the value and importance of farmers to the South Australian economy and to the wider Australian economy;
2. Recognise in legislation the right to farm;
3. Create exclusion zones where prime agricultural land is protected and farmers have the right of veto over any mining exploration that is proposed; and
4. Create an independent Mining Ombudsman with Royal Commission Inquiry powers who can mediate and determine conflicts between farmers and miners at arm's length from Government.

Presented by The Hon R L Brokenshire, 3 December 2015, 19 signatures.

### **ROAD SAFETY ON PAGES FLAT ROAD BETWEEN WILLUNGA HILL AND MYPONGA**

Praying that this Honourable House will urge the State Government to -

1. Address the unworthy state of the Pages Flat Road between Willunga Hill and Myponga;
2. Assign funding to bituminize the road shoulders;
3. Undertake a study on the suitability of the 100 kph speed limit; and
4. Undertake an audit on the general safety of the road.

Presented by The Hon R L Brokenshire, 12 February 2015, 12 signatures.

### **SOUTH AUSTRALIAN TIME ZONE**

Praying that this Honourable House will resist any efforts to shift the South Australian time zone to be the same as Eastern Standard Time.

Presented by The Hon R L Brokenshire, 3 December 2015, 11 signatures.

## SYNOPSIS OF LEGISLATIVE COUNCIL LEGISLATION

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### ABORIGINAL HERITAGE (MISCELLANEOUS) AMENDMENT

*The Aboriginal Heritage Act 1988* provides for protection of all Aboriginal sites, objects and ancestral remains in South Australia. The Act recognises that Aboriginal sites are not only the physical evidence of past Aboriginal occupation but are also integral to the enduring living Aboriginal culture and practiced beliefs.

In recognition of the fact that knowledge about the location and importance of certain areas protected by the Act is only held by traditional owners, a practice has developed where Government, developers and mining operators have sought to reach direct agreements with traditional owners regarding land use on and around Aboriginal sites, objects and ancestral remains protected by the Act. These agreements are not currently recognised under the Act.

This Bill enables the traditional owners to reach agreements, in their own right, with land use proponents who, in turn, gain certainty about who speaks for heritage in the area and all benefit from overall certainty of process. The agreement-making process is not mandatory and does not require consultation as outlined under section 13 of the Act.

To enable agreement making, the Bill provides for a process for Aboriginal bodies to apply to the South Australian Aboriginal Heritage Committee (the Committee), a body that is already established under the current Act, to become Recognised Aboriginal Representative Bodies (RARB).

The Committee may give written reasons for its decisions relating to the appointment of RARBs and, where there are competing applications for appointment as a RARB in relation to a particular area, or particular Aboriginal heritage, the Committee may attempt to resolve any dispute through mediation.

The Bill inserts a framework that adopts existing and familiar agreement making practices that are commonly used outside of the Act and invests them with certainty and regulatory force.

This Bill represents an important and practical step for traditional owners to have a meaningful say about how their heritage is protected. By providing for native title matters to be addressed under the heritage legislation it also provides for much sought after efficiency and certainty for land use proponents.

(2 February, 8, 9, 10 March 2016 - Act No. 9 of 2016)

### ANANGU PITJANTJATJARA YANKUNYTJATJARA LAND RIGHTS (MISCELLANEOUS) AMENDMENT

This Bill provides for amendments to the *Anangu Pitjantjatjara Yankunytjatjara Aboriginal Land Rights Act 1981* (the APY Act) to improve the overall governance and administration of the APY lands by Anangu Pitjantjatjara Yankunytjatjara - the APY.

The APY Act was enacted in 1981. It established an APY body corporate comprising and representing all Anangu, and transferred to this body the freehold title of over 103,000 km<sup>2</sup> of land, as described in Schedule 1 of the APY Act.

The governing body of APY is the APY Executive Board. Over the last 12 months significant progress has been made by APY to improve its administration and financial accountability. A range of new processes have been implemented including training to develop employee capability with respect to financial management.

Assistance to improve the Executive Board's governance was sought by the former Minister in 2013, through the commissioning of an independent, limited review of the APY Act. This review examined potential improvements to the election process and composition of the Board. The

Independent Review Panel consulted extensively on the APY lands throughout 2013 and in April 2014 submitted its final report.

The key recommendations of the Review included creating gender balance on the APY Executive Board, changing the electoral process to improve representation of all Anangu and changes to candidate eligibility requirements for election to the Board. The Layton Review's recommendations were carefully considered in the development of the draft 2015 Bill for consultation.

The feedback received from the consultations, as well as the Review recommendations and the government's policy approach, all have informed the development of this Bill.

In summary, this Bill seeks to improve governance and administration within the APY lands through its key reforms, which:

- provide for gender balance on the APY Executive Board;
- establish 7 electorates whose composition creates a more even population spread;
- provide for an APY Executive Board of up to 14 members;
- establish APY Executive Board member minimum eligibility criteria, thereby improving Board member respect and leadership;
- provide greater certainty for election dates, ensuring elections are held between 1 May and 31 August every 3 years;
- establish a panel of conciliators, thereby providing a more effective and transparent process for their appointment;
- provide greater consistency of eligibility criteria for APY statutory officers and APY Executive Board members;
- ensure that APY Executive Board members live in their electorate for the majority of their term in office;
- establish eligibility criteria for Anangu voters through a voters roll, providing more certainty in election outcomes;
- remove voting by marbles to facilitate greater voting options for Anangu;
- enable absentee voting for Anangu out of their home communities; and,
- provide transitional provisions, including for the first election under the new regime, to facilitate a timely first election following the passing of this Bill.

These are important reforms that will bring greater diversity, credibility and representation to the APY Executive Board, as well as improving APY administration and electoral processes.

(22 June, 7, 26, 27 July, 4 August, 2016 - Act No. 38 of 2016)

#### **ANANGU PITJANTJATJARA YANKUNYTJATJARA LAND RIGHTS (SUSPENSION OF EXECUTIVE BOARD) AMENDMENT**

This Bill amends the *Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981* to continue the Minister's current power to suspend the APY Executive Board for any reason the Minister sees fit, for such period the Minister deems appropriate and for this power to be ongoing.

The *Anangu Pitjantjatjara Yankunytjatjara Land Rights (Miscellaneous) Amendment Act 2016* came into operation on 1 January 2017, with the exception of section 13, which is due to commence on 1 July 2017. This section will vary section 13O(1) of the *Anangu Pitjantjatjara Yankunytjatjara Land Rights Act* to restrict the Minister's power to suspend the APY Executive Board. The Minister would only be able to suspend the Board if it fails to comply with certain Ministerial directions, such as to prepare a report or take an action that prevents detriment to Anangu.

A Ministerial direction under section 13 of the *Anangu Pitjantjatjara Yankunytjatjara Land Rights (Miscellaneous) Amendment Act* would be too limited and unlikely to facilitate timely remedial action should the need arise. A broad and ongoing reserve Ministerial power to suspend the board for any reason is a better safeguard against serious failings in APY governance.

This Bill therefore provides for the continuation of the existing Ministerial power in section 13O(1) of the *Anangu Pitjantjatjara Yankunytjatjara Land Rights Act* to be able to suspend the

Board for any reason. Importantly, this is a reserve power, it is a safeguard, that has to date not been exercised.

(10, 30 May, 1 June, 2017 - Act No. 24 of 2017)

#### **ANIMAL WELFARE (GREYHOUND TRAINING) AMENDMENT**

The Bill seeks to: require that all 'bullring' devices be licensed; impose a penalty for having one of these devices; and impose a fine of \$10 000 or imprisonment for one year for not possessing a license. The Bill also proposes a \$50 000 fine or imprisonment for up to four years for live coursing and applies a penalty of up to \$20 000 or imprisonment for two years on anyone who supplies or sells an animal to another person knowing that the animal is to be used for live coursing.

(25 February 2015 - Bill withdrawn on 15 February 2017)

#### **ANIMAL WELFARE (JUMPS RACING) AMENDMENT**

The purpose of this Bill is to prohibit jumps racing.

(25 March 2015 - lapsed due to Prorogation)

#### **ANIMAL WELFARE (LIVE BAITING) AMENDMENT**

This Bill amends section 14 of the *Animal Welfare Act 1985*, which currently provides offences for activities associated with organised animal fights, cock fighting and dog fighting, to prohibit certain activities. The prohibited activities include organised animal fights as well as live baiting. The maximum penalty for the current offence of taking part in organising or promoting an organised animal fight is \$20,000 or imprisonment for two years. To send a clear message that these activities will not be tolerated, the Bill sets the maximum penalty for the new offence for taking part in a prohibited activity at \$50,000 or imprisonment for four years. The current provisions within section 14 relating to the paraphernalia required for organised animal fights will be moved into a new section 14A and expanded to include being in possession of a lure with a live or dead animal or part thereof attached to it.

This Bill will assist animal welfare inspectors in laying charges against those who are either directly responsible for tying the animal to the lure or those who assist or otherwise participate (for example, providing rabbits, possums and piglets for the purpose of live baiting). Currently, these people have not committed an offence, although they are complicit in one. Their behaviours are as unacceptable as those who support organised fights but do not personally place the dog or cock into the fighting pit.

This Bill will give authorities the necessary legislative provisions to stop live baiting in South Australia if it is occurring and to punish anyone who is involved in the practice in any way.

(26 March, 5, 7, 12 May 2015 - Act No. 21 of 2015)

#### **ANIMAL WELFARE (MISCELLANEOUS) AMENDMENT**

The purpose of this Bill is to amend the *Animal Welfare Act 1985* to create a new section relating to animals kept in tanks without the Minister's approval. The Bill seeks allow the Minister the authority to grant an approval to keep a prescribed animal in a tank, however, the Minister could not grant approval unless the RSPCA also approves the living conditions. The definition of a tank would include a pool, a pond, a dam, a pen or other confined area. The Bill defines a prescribed animal to mean a marine mammal including, whales, dolphins and porpoises. A class of fish will also include sharks and rays.

(18 May 2016 - lapsed due to prorogation)

**BIRTHS, DEATHS AND MARRIAGES REGISTRATION (RECOGNITION OF SAME SEX MARITAL STATUS) AMENDMENT**

The purpose of this Bill is to amend the *Births, Deaths and Marriages Registration Act 1996* to recognise overseas same-sex marriages with respect to recording marital status on the death certificate of a spouse in the case of their death.

(9 March 2016 - lapsed due to prorogation)

**COMMISSION OF INQUIRY ON WATER PRICING BILL**

This Bill seeks to establish an independent commission of inquiry into the state's water pricing. The Bill establishes the terms of reference, which will inquire into water pricing for consumers and users of water in South Australia, charges in other jurisdictions and any economic, legislative or other reforms which would promote lower charges, particularly in reference to the Essential Services Commission and the third-party access scheme.

(11 February, 25 March 2015 - Bill negated at second reading in House of Assembly)

**CONSTITUTION (COUNCIL MEMBER CONTESTING ELECTION) AMENDMENT**

The purpose of this Bill is to amend the *Constitution Act 1934*. The Bill inserts a new section to provide for an automatic leave of absence when an elected member of local government decides to run for State Parliament.

(29 March 2017 - Bill withdrawn on 1 November 2017)

**CONSTITUTION (ONE VOTE ONE VALUE) AMENDMENT BILL**

This Bill relates to electoral redistribution. The Bill has the effect of repealing subsections 83(1) and 83(3) of the *Constitution Act 1934*. The Bill also provides that there is to be a review of section 83, which is to be commenced within 12 months of the next general election.

The amendments to section 83 of the *Constitution Act 1934* bring the task of the Electoral Districts Boundaries Commission more into line with the task of the equivalent bodies in other jurisdictions in Australia. The Commission will in future be required to make its redistributions on the basis of the principle in section 77 of the Act, as well as having regard, as far as practicable, to the factors in section 83(2) of the Act.

The Bill seeks to reinstate the primacy of equality between electorates and acknowledges the obvious political reality in contemporary politics that a notion of voters only directing their minds to one of two parties is transparently not in accordance with reality.

(28 September, 14, 30 November 2017 - Act No. 65 of 2017)

**CONTROLLED SUBSTANCES (MANDATORY TREATMENT ORDERS) AMENDMENT**

The purpose of this Bill is to amend the *Controlled Substances Act 1984* so as to address the current need for mandatory drug rehabilitation for drug addicted persons at the request of their family members.

(9 December 2015 - lapsed due to prorogation)

**CONTROLLED SUBSTANCES (POPPY CULTIVATION) AMENDMENT BILL**

This Bill provides for the legal farming of poppies in South Australia. Poppy farming trials began in 1964 in Australia in Tasmania. Commercial production began in 1970 and that was in Tasmania. It was also legalised in Victoria in 2013 and most recently in the Northern Territory in

2014. At present, Australia accounts for 80 per cent of the world's legal poppy production, and Tasmania is the world's largest producer of legal opium poppy.

The Bill contains strict provisions in regard to farming poppies, including the placement of warning notices. Further, within seven days of harvesting the poppies, farmers must ensure that any material remaining where the crop was growing is destroyed. Failure to pursue this could result in the non-renewal of licensing. Under the Bill, the Chief Executive Officer of Primary Industries and Regions South Australia has the authority to authorise persons to be inspectors. All inspectors must be provided with an identification certificate, unless they are a police officer. The inspectors have the authority to inspect, count, examine and many other things as regulated, as stated in the Bill.

(29 July, 14 October 2015 - Act No. 42 of 2015)

#### **CRIMINAL LAW CONSOLIDATION (ASSAULTS CAUSING DEATH) AMENDMENT**

The purpose of this Bill is to amend the *Criminal Law Consolidation Act 1935* and to make related amendments to the *Criminal Law (Sentencing) Act 1988* in relation to minimum sentences for assaults causing death when the assailant is intoxicated.

(24 February 2016, 29 November 2017 - Bill negatived at second reading)

#### **CRIMINAL LAW CONSOLIDATION (DEFENCES - DOMESTIC ABUSE CONTEXT) AMENDMENT**

The purpose of this Bill is to amend the *Criminal Law Consolidation Act 1935* to include evidence of domestic abuse as being relevant in determining whether a person has carried out conduct under duress. This Bill also seeks to expand what constitutes evidence of domestic violence in the context of self-defence.

(18 October, 29 November 2017 - Bill lapsed due to prorogation)

#### **CRIMINAL LAW CONSOLIDATION (PROTECTION FOR ASSISTANCE ANIMALS) AMENDMENT**

The purpose of this Bill is to amend the *Criminal Law Consolidation Act 1935* to make dog owners, or responsible persons, liable for attacks by their dogs on an assistance animal that causes serious harm or death. The Bill also provides that the Court may make an order for compensation for veterinary or other costs incurred in treating the assistance animal.

(14 October 2015 - lapsed due to prorogation)

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

This Bill seeks to insert a limitation on the defense of provocation. The Bill provides that where the defense of provocation is raised in legal proceedings, conduct of a sexual nature by a person does not constitute provocation merely because the person was the same sex as the defendant.

(13 May, 2 December 2015 - Bill negatived at second reading)

#### **CRIMINAL LAW CONSOLIDATION (SUPERVISION REQUIREMENTS) AMENDMENT**

The purpose of this Bill is to amend the *Criminal Law Consolidation Act 1935*; and to make related amendments to the *Child Sex Offenders Registration Act 2006* and the *Victims of Crime Act 2001* in relation to the following issues -

- the use of the mental impairment defence;
- the need for mandatory drug rehabilitation for drug addicted persons at the request of their family members; and

- the evidentiary difficulties in establishing that intoxicated drivers who are involved in incidents occasioning death or grievous bodily harm be convicted of dangerous driving.

(9 December 2015 - lapsed due to prorogation)

#### **CRIMINAL LAW (SENTENCING) (MANDATORY IMPRISONMENT FOR SERIOUS DOMESTIC VIOLENCE OFFENDERS) AMENDMENT**

The purpose of this Bill is to amend the *Criminal Law (Sentencing) Act 1985* to impose a sentence of imprisonment of at least two years if a person is convicted of a serious domestic violence offence.

(18 October, 29 November 2017 - Bill negated at second reading)

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

The purpose of this Bill is to encourage shack owners to maintain their shacks to a higher standard, improve the general environment for all users, and provide a long-term assurance to shack site owners. Under the Bill, a head lease would be granted from the State Government to participating councils for at least 99 years with a range of conditions. Councils would appoint shack management committees to assist in the management of sites. Shacks would be audited on existing services and would need to meet contemporary standards. Subletting arrangements would be between councils and lessees.

(1 March, 15 November 2017 - lapsed due to prorogation)

#### **DISABILITY INCLUSION**

The purpose of this Bill is to promote the full inclusion in the community of people with disability; to assist people with disability to achieve their full potential as equal citizens; to promote improved access to mainstream supports and services by people with disability; to provide for the screening of persons who want to work or volunteer with people with disability and to prohibit those who pose an unacceptable risk to people with disability from working or volunteering with them; to provide for a community visitor scheme; to provide for responsibilities of the State during and following the transition to the National Disability Insurance Scheme; and for other purposes.

(28 September, 15 November 2017 - lapsed due to prorogation)

#### **DOG AND CAT MANAGEMENT (DOG ATTACKS) AMENDMENT**

The purpose of this Bill is to insert a new provision in the *Dog and Cat Management Act 1995*, regarding a duty for people to exchange details and provide assistance where dogs are involved in certain prescribed incidents. Specifically, the new offence will apply to the owner or person responsible for the control of a dog involved in an attack on another person or animal which results in physical injury.

(15 November 2017 - lapsed due to prorogation)

#### **DOG AND CAT MANAGEMENT (MISCELLANEOUS) AMENDMENT BILL**

This Bill aims to contemporise the *Dog and Cat Management Act 1995* and implement solutions to dog and cat management challenges that reflect the community's views. Local Councils will continue to have the task of administering and enforcing the act in the community. The Bill provides for additional powers to authorised Council employees that are consistent with powers afforded under the Local Government Act. These additional powers strengthen Councils' ability to investigate breaches of the act, such as dog attacks and the keeping and sale of restricted dog breeds, and also includes the ability to sight, collect and test evidence.

The Bill provides Councils with additional powers to manage cats that are broadly consistent with the existing powers to manage dogs. These powers have been provided, but not prescribed, and Councils will continue to be the authority that determines the extent of cat management in their jurisdiction. To protect the State's biodiversity and reduce predation of native animals, the Bill continues to permit an authorised person to destroy a cat if found in a national park or vulnerable environment.

The Bill further supports the reduction of red tape through simplification of the disability dog accreditation process. Powers will be extended to 'prescribed accreditation bodies' that fulfil the requirements of the Dog and Cat Management Board. This means that organisations that train disability dogs will now be provided with the power to accredit dogs graduating from their own courses. The Dog and Cat Management Board, as the body administering assistance dog accreditation, will retain the ability to revoke and place conditions on delegation of this power.

The Bill introduces mandatory microchipping at a certain age to help return lost animals home and trace the ownership of dogs that threaten public safety. The reform requires an animal's microchip number to be provided to the purchaser at point of sale, whether it be through a pet shop, shelter, or online. Penalties will be imposed for owning a non-microchipped dog or cat and for failing to keep details up to date with a microchip registry.

The Bill introduces mandatory de-sexing of dogs and cats. De-sexing has been defined as 'to castrate or spay an animal so as to permanently render the animal incapable of reproducing'. It is proposed that the requirement to de-sex will apply to new animals from a prescribed date.

(18 November 2015, 9, 10 March 2016 - Act No. 33 of 2016)

#### **EGGS (DISPLAY FOR RETAIL SALE)**

This Bill seeks to define the types of eggs for sale as either barn eggs, cage eggs or free range eggs. The Bill also requires shelves in stores to be labelled according to the Primary Industries Standing Committee Model Code of Practice for the Welfare of Animals.

(23 September 2015, 13 April, 2016 - lapsed due to prorogation)

#### **ELECTORAL (CANDIDATE DECLARATIONS) AMENDMENT**

The purpose of this Bill is to amend the *Electoral Act 1985*; and to make a related amendment to the *Constitution Act 1934* to ensure that a nomination paper relating to candidates endorsed by a party other than a major party - contain a declaration indicating if any of the candidates are elected at the election, whether they would support a major party to form a government.

(15, 29 November 2017 - lapsed due to prorogation)

#### **ELECTORAL (LEGISLATIVE COUNCIL) (OPTIONAL PREFERENTIAL VOTING) AMENDMENT**

The purpose of this Bill is to reform preferential voting to end preference deals during elections. The approach of the Bill is threefold: first, remove 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.

(23 September 2015 - lapsed due to prorogation)

#### **ELECTORAL (LEGISLATIVE COUNCIL VOTING THRESHOLDS) AMENDMENT**

The purpose of this Bill is to introduce a minimum threshold of the primary vote to enable a person to be elected to the Legislative Council. The Bill proposes that if a candidate achieves less than the minimum threshold they cannot be elected. Only primary votes will count and consequently preferences cannot be used to increase numbers and push candidates over the

threshold. If a candidate achieves over two per cent of the primary vote they qualify to be elected, should preferences flow be sufficient.

(25 February 2015 - lapsed due to prorogation)

#### **ELECTRICITY (FEED-IN PRICING) AMENDMENT**

The purpose of this Bill is to amend the *Electricity Act 1996* to ensure that a customer feeding electricity into the network is paid a fair and reasonable price for the electricity.

(17 May 2017 - lapsed due to prorogation)

#### **EMERGENCY MANAGEMENT (AUSTRALIAN SIGN LANGUAGE INTERPRETER) AMENDMENT**

The purpose of this Bill is to ensure that during any television broadcast of public information and warnings made under the State Emergency Management Plan, an accredited Australian Sign Language Interpreter is be present to interpret the salient content.

(25 March 2015 - Bill withdrawn on 9 September 2015)

#### **ENVIRONMENT PROTECTION (WASTE REFORM) AMENDMENT**

This Bill will provide the necessary underpinning to enable the Environment Protection Authority to implement important waste reforms.

As well as setting up the architecture to enable the Environment Protection Authority to undertake further reforms, the Bill provides improved tools for dealing with excessive stockpiling, waste levy avoidance, illegal dumping and contraventions of the Environment Protection Act.

These changes will increase justice and fairness for legitimate operators who are unfairly impacted by the economic gains obtained by those who avoid or delay the costs involved in the safe and lawful disposal or recovery of waste through excessive stockpiling, misclassifying material or illegal dumping.

The Bill upholds the polluter pays principle, holding relevant operators responsible for costs arising from their operations rather than either: State or local governments or innocent land owners bearing these; or, communities suffering the health, amenity and environmental consequences of non-action.

The Bill strengthens the tools available for enforcement and prosecution of illegal dumping. In doing so, it provides further deterrence for those that might contemplate such action.

By improving the illegal dumping provisions, it is hoped that illegal dumping across the State will reduce and deliver improved community benefit.

These changes are also supported by improved and proportionate powers for tackling breaches of licence conditions and expansion of the circumstances when financial assurances can be used (including insurance) to protect against environmental, abandonment and distortion risks in the waste sector while supporting innovation.

Additionally, the Bill will introduce a process enabling assessment of materials as approved recovered resources and changes evidentiary requirements about waste to support innovative and safe resource recovery.

(9 August, 19 October 2017 - Act No. 45 of 2017)

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

The purpose of this Bill is to shield journalists from being required to reveal their confidential sources.

(14 October, 2 December 2015 - Bill negatived at second reading in House of Assembly)

#### **FAMILY RELATIONSHIPS (PARENTAGE PRESUMPTIONS) AMENDMENT**

This Bill provides for recognition of lesbian co-parents on the birth certificate of a child that a couple has conceived through artificial insemination.

Currently, same-sex couples where both co-parents wish to be registered as mothers on a child's birth certificate by Births, Deaths and Marriages are required to prove that they had lived together for three years before they conceived. This Bill brings South Australia in line with the national definition by removing that requirement and therefore ensuring the same requirements and provisions exist for same-sex couples in this State as exist in all other Australian States.

The Bill also makes a related amendment to the Births Deaths and Marriages Registration Act 1996 by providing for the inclusion of particulars of the identity (if known) of the biological parents, as defined, in the birth registration statement.

(25 March, 3 June 2015, 9 March, 8 June 2016 - Act No. 30 of 2016)

#### **FAMILY RELATIONSHIPS (SURROGACY) AMENDMENT**

The purpose of this Bill is to amend the *Family Relationships Act 1975*, and to make related amendments to the *Assisted Reproductive Treatment Act 1988* and the *Births, Deaths and Marriages Registration Act 1996*. The Bill seeks to remove the requirement that the Attorney-General establish and maintain an altruistic surrogacy and surrogate register and also removes the requirement for the state to establish a surrogacy framework which is compliant with international law agreements and standards.

The Bill maintains the current prohibitions and continues to require that no payment is made for a surrogacy arrangement, but allows for reasonable expenses and costs to be reimbursed and continue to impose the requirement that the parties obtain legal advice.

Additionally, the Bill ensures that the definition of infertility covers women who can conceive naturally but are either unable to carry the child or it is dangerous for them to carry the child.

(18 October, 1 November 2017 - lapsed due to prorogation in House of Assembly)

#### **FARM DEBT MEDIATION**

The purpose of this Bill is to provide for the mediation of disputes between farmers and creditors relating to debt incurred in the conduct of farming operations; and for other purposes.

(2 December 2015, 13 April, 18 May, 2016 - Bill negatived at second reading in House of Assembly)

#### **FIRE AND EMERGENCY SERVICES (VOLUNTEER CHARTERS) AMENDMENT**

The purpose of the Bill is to amend the *Fire and Emergency Services Act 2005* to ensure recognition by Parliament of the South Australian Country Fire Service and South Australian State Emergency Services Volunteer Charters.

(27 September, 15 November 2017 - lapsed due to prorogation in House of Assembly)

#### **FISHERIES MANAGEMENT (FISH PROCESSORS) AMENDMENT**

This Bill seeks to require outlets that prepare fish as a meal for sale to provide details as to whether that fish is local or imported. The Bill alters the definition of processing to include the preparation of fish whether cooked or uncooked as a meal.

(9 September 2015 - lapsed due to prorogation)

#### **FREEDOM OF INFORMATION (MISCELLANEOUS) AMENDMENT**

This Bill seeks to amend the *Freedom of Information Act 1991* to introduce a reference to the principles of representative democracy in the objects section of the Act and to also acknowledge that documents held by government are 'a public resource to be held on behalf of the public and managed for public purposes'.

(25 March 2015, 2 November 2016 - Bill negated at second reading in House of Assembly)

#### **GAMING MACHINES (PROHIBITION OF EFTPOS FACILITIES) AMENDMENT**

The purpose of this Bill is to amend the *Gaming Machines Act 1992* to introduce a maximum bet limit of \$1 on gaming machines, and to remove EFTPOS facilities from gaming areas.

(21 June, 1 November 2017 - Bill negated at second reading)

#### **GENETICALLY MODIFIED CROPS MANAGEMENT REGULATIONS (POSTPONEMENT OF EXPIRY) BILL**

The moratorium in South Australia on the growing of genetically modified commercial crops will expire on 1 September 2019. This Bill extends the moratorium to the year 2025. The Bill provides for Part 3A of the *Subordinate Legislation Act 1978* dealing with the expiry of regulations to not apply to the *Genetically Modified Crops Management Regulations 2008* and sets a date for the expiry of the Regulations of 1 September 2025.

(18 October, 15 November 2017 - Act No. 57 of 2017)

#### **HEALTH CARE (PRIVACY AND CONFIDENTIALITY) AMENDMENT**

The purpose of this Bill is to amend the *Health Care Act 2008* to make it an offence for a health employee to improperly access or use health records or personal information.

(8 June 2016 - lapsed due to prorogation)

#### **HISTORIC SHIPWRECKS (MISCELLANEOUS) AMENDMENT**

This Bill aims to better protect South Australia's shipwrecks and relics of historic significance. These assets also hold educational, recreational and, of course, tourism value. Under the *Historic Shipwrecks Act 1981*, shipwrecks and their relics are protected to prohibit the removal of or damage to these sites. Any wreck in South Australian waters older than 75 years is automatically protected under this Act.

In recent years, the government has received a significant number of reports of illegal activity in South Australian waters, particularly in the marine park sanctuary zones. From recent prosecutions it became apparent that existing compliance provisions and penalties under the Act were outdated. It was recognised that the penalties had not been reviewed since the Act first came into operation in 1981.

As part of the Bill, it is proposed that all existing penalty amounts under the Act be increased so they are commensurate with contemporary penalties. The Bill also includes the head power to

allow for expiation fees, not exceeding \$750, to be included for minor offences against the Historic Shipwrecks Regulations 2014 (the Regulations). Expiation fees are currently not provided for in the Act or the Regulations.

The Bill proposes amendments to the Act to make it clear that the Minister can only declare a shipwreck or shipwreck relic to be historic if it is not already historic by virtue of its age.

Consequential amendments are proposed to the provisions relating to the declaration of protected zones to ensure that a protected zone remains in place when a declaration of a shipwreck or relic is historic ceases to be enforced because the shipwreck or relic has become historic due to its age. It is proposed that more powers are given to historic shipwrecks inspectors to bring these powers in line with standard provisions included in other contemporary pieces of legislation.

The Bill provides for the Minister to delegate to a suitable officer the duties, functions or powers conferred to the Minister under other Acts such as the power to provide direction in response to development referrals related to development impacting on historic shipwrecks.

(22 September, 3, 17 November 2016 - Act No. 1 of 2017)

### **INDEPENDENT COMMISSIONER AGAINST CORRUPTION (SERIOUS OR SYSTEMIC MISCONDUCT OR MALADMINISTRATION) AMENDMENT**

The purpose of this Bill is to amend the *Independent Commission Against Corruption Act 2012* to provide the Independent Commission Against Corruption with the powers of a commission as defined in the *Royal Commissions Act 1917*. The Bill also seeks to allow the Commissioner to hold public hearings for matters relating to the investigation of serious or systemic misconduct or maladministration.

(21 June, 5 July 2017 - Bill negated at second reading in House of Assembly)

### **INDUSTRIAL HEMP BILL**

This Bill provides for a licensing system for South Australia for the cultivation and production of industrial hemp, known as low THC hemp. THC, otherwise known as delta-9-tetrahydrocannabinol, is the psychoactive compound associated with the use of cannabis as a drug in marijuana or, in some cases, used for medicinal purposes. To clarify, the hemp being used for this production for industrial purposes is very different from the use of cannabis for marijuana.

This Bill provides for a licence of up to five years. The Bill provides that leaves and flowering heads of a plant must have less than 1 per cent THC and certified hemp seed must not produce hemp plants with a concentration of THC in its leaves and flowering heads of more than 0.5 per cent. This is consistent with the ACT, New South Wales, Queensland and Tasmania legislation.

Under the provisions of this Bill, a licence may be granted for the cultivation and supply of low THC hemp for the purposes of commercial production, use in manufacturing processes, food production, scientific research, instruction, analysis or study, or any other purpose approved by the chief executive. The maximum penalty for breach of that licence is \$15,000 or imprisonment for 12 months or both. While the number and type of conditions vary slightly between jurisdictions, this is comparable in terms of penalties.

The Bill also follows the pattern of provisions already set in place in South Australia around the poppy industry. For example, the Bill requires the maintenance of an industrial hemp register. The Bill establishes a framework for a regime to ensure the applicant, and in some cases their very close associates, is a suitable person and/or a person of good repute. The Bill is also in accordance with a number of Commonwealth statutes that impact the cultivation, production and use of cannabis and cannabis products, including the Therapeutic Goods Act, Narcotic Drugs Act and Customs Act.

This Bill is also in accordance with international obligations and ensures appropriate regulatory processes are in place that are consistent with the established approaches for poppy cultivation.

(30 November 2016, 29 March 2017 - Act No. 15 of 2017)

### **JURIES (AUSLAN INTERPRETERS) AMENDMENT**

The purpose of this Bill is to amend *Juries Act 1927* and the *Criminal Law Consolidation Act 1935*. The Bill seeks to ensure that a person is not ineligible for jury service because they require the assistance of an Auslan interpreter to carry out the duties of a juror. Additionally, the Bill provides that a person summoned to render jury service is entitled to be assisted by an Auslan interpreter while rendering that jury service. The Bill also defines a qualification needed to act as an Auslan interpreter.

(1 November 2017 - lapsed due to prorogation)

### **LIMITATION OF ACTIONS (CHILD SEXUAL ABUSE) AMENDMENT**

The purpose of this Bill is to amend the *Limitations of Actions Act 1936* to remove the statute of limitations for civil claims relating to child sexual abuse.

(18 October, 15 November 2017 - lapsed due to prorogation in House of Assembly)

### **LINEAR PARKS (MISCELLANEOUS) AMENDMENT BILL**

This Bill amends the *Linear Parks Act 2006* to support the creation of healthy, liveable communities by providing additional powers to establish linear parks. Linear Parks are multi-functional open space corridors which provide a wide range of social and environmental benefits.

The purpose of this Bill is to extend the provisions of the legislation to:

- (a) establish, maintain and preserve linear parks as world-class assets to be used and enjoyed as public parks for the benefit of present and future generations;
- (b) promote the use and enjoyment of linear parks by members of the local community and others; and
- (c) promote healthy active lifestyles by facilitating the use of linear parks for exercise and other outdoor activities.

This Bill will help facilitate the establishment of linear parks by granting the Minister the same powers that local councils enjoy with respect to local government roads. This includes the ability to construct pathways and undertake associated planting and landscaping. Works may also include the installation of lighting and public facilities to support the establishment of the linear park corridors.

The creation of a Linear Park would be an effective way to create seamless management of multiple adjoining land parcels, particularly when those parcels are a mixture of Crown Land, Government Minister land or local government land. Trying to create a park on land which includes multiple tenure and dedication arrangements relies on multiple approval and management processes for the various parcels of land. The creation of a linear park would mean there was only one process for consultation, approval and management for the single linear park.

(27 September, 16 November 2017 - Act No. 59 of 2017)

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

The purpose of this Bill is to amend the *Liquor Licensing Act 1997* in order to allow the performance of live music on licensed premises between the hours of 11am and midnight without the need for approval by the licensing authority. The Bill also 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.

(25 March 2015 - lapsed due to Prorogation)

### **LIQUOR LICENSING (SMALL VENUE LICENCE) AMENDMENT**

The purpose of this Bill is to amend the *Liquor Licencing Act 1997* to remove the location restriction for the granting of small venue licences.

(27 July 2016 - lapsed due to prorogation)

### **LOCAL GOVERNMENT (ELECTIONS) (DISCLOSURE OF POLITICAL AFFILIATION) AMENDMENT**

This Bill seeks to require individuals who nominate as a candidate for a council election or for mayor, to declare whether they are a member of a political party.

(3 June 2015 - lapsed due to Prorogation)

### **LOCAL GOVERNMENT (FIXED CHARGES) AMENDMENT**

The purpose of this Bill is to amend the *Local Government Act 1999* to not allow councils to charge a minimum rate for an individual living unit in a retirement village.

(1, 29 November 2017 - lapsed due to prorogation in House of Assembly)

### **LOCAL GOVERNMENT (BUILDING UPGRADE AGREEMENTS) AMENDMENT**

This Bill establishes a mechanism specifically designed to help unlock retrofitting activity and realise the associated environmental and economic benefits by removing key barriers to upgrading leased buildings. Equivalent mechanisms have already been established in the City of Melbourne and in New South Wales, making South Australia the third Australian jurisdiction to establish a similar mechanism.

Under the Building Upgrade Finance mechanism, a local council can voluntarily enter into a building upgrade agreement with a building owner and a financier. Under a building upgrade agreement the building owner agrees to undertake upgrade works in respect of their building. The financier agrees to advance money to the building owner for the purpose of funding the upgrade works, and the council agrees to levy a building upgrade charge against the land on which the building is situated. This charge is paid by the building owner to recoup the money advanced by the financier for the upgrade works and is passed on to the financier by the council once received from the building owner.

As a result of the arrangement, the loan is effectively tied to the property rather than the property owner, with loan repayments collected via the building upgrade charge. In the event of the transfer of ownership of the property, the charge can remain with the property if the purchaser so agrees. The strength of the mechanism lies within this statutory charge. The charge effectively secures the loan, being ranked senior to mortgages, taxes and other charges in the event of default. This provides heightened security to the financier, allowing them to offer finance to the building owner at more attractive terms.

Under many commercial leases, tenants pay local government charges. Building Upgrade Finance provides an avenue for building owners and tenants to share the costs and benefits of building upgrades. These features collectively help to overcome the access to finance and split incentive barriers previously described, thereby helping to unlock investment in building retrofits and realising the associated economic and environmental benefits.

In summary, the Bill contains enabling amendments to the *Local Government Act 1999* which:

- authorise South Australian councils to enter into building upgrade agreements with owners of existing buildings and finance providers;
- authorise councils to levy a building upgrade charge against land subject to a building upgrade agreement;
- provide for a building owner to recover contributions towards a building upgrade charge from tenants occupying the building, providing certain conditions are met; and

- provide for the establishment of subsequent regulations.  
(11 February, 19 March, 5, 7 May, 4 June 2015 - Act No. 47 of 2015)

#### **LOCAL GOVERNMENT (STORMWATER MANAGEMENT AGREEMENT) AMENDMENT**

The Local Government (Stormwater Management Agreement) Amendment Bill enhances the governance arrangements for cooperative stormwater management in South Australia. The State Government and the Local Government Association originally entered into a Memorandum of Agreement on stormwater management on 14 March 2006. That was a significant milestone with the Agreement clearly setting out for the first time responsibilities for stormwater management. Fundamentally, the Agreement provided a basis for whole-of-catchment approach to planning for stormwater.

In 2011 the Government released the Stormwater Strategy – The Future of Stormwater Management. One of the key recommendations arising from the Stormwater Strategy was to establish a new operational model for the Authority by giving it a more strategic outlook. In that sense, the Strategy was a catalyst for the State and Local Government Association to enter into a new Stormwater Management Agreement in 2013. In renewing the Agreement, the State and Local Government also agreed to a number of refinements to the governance and operations of the Authority, including the composition and procedures of the Authority.

The new Agreement also provides for the Authority's functions to include supporting the development of an urban water plan for Greater Adelaide and leading the implementation of the stormwater elements of that plan.

The renewed Agreement foreshadows the need for legislation to give statutory effect to certain aspects of the agreement. This has culminated in the Bill. This Bill is necessary to recognise the revised Agreement itself and to give effect to changes contained therein.

(28 November 2015, 10 February, 9 March 2016 - Act No. 12 of 2016)

#### **LOCAL NUISANCE AND LITTER CONTROL**

This Bill provides significant benefits to local communities across the State through the implementation of best practice litter regulation resulting in cleaner streets, towns, cities and regions. The Bill creates flexibility in the regulatory options available to councils to manage local nuisances and innovative regulatory tools that will reduce the incidence of littering, particularly along roadsides and in tourist and shopping precincts. In doing so, the Bill will improve the amenity value of local areas and promote the creation and maintenance of a clean and healthy environment.

The Bill clearly delineates responsibility for managing nuisance in the community to local government; reinforcing the responsibilities of the EPA to manage nuisance on EPA licensed sites under the *Environment Protection Act 1993*. The Bill limits the responsibility of local government to nuisance issues. More serious offences will continue to be referred to the EPA. The Bill provides consistency of service to the community across Council boundaries, better regulatory tools for enforcement, and deals more effectively with vexatious complaints.

The Bill proposes a modern legislative scheme for litter control in South Australia that will provide:

- considerable deterrence including higher penalties for more serious offences;
- improvements in the usability of surveillance for evidence gathering in the case of illegal dumping (by linking an offence to the registered owner of a vehicle);
- for non-government organisations to undertake compliance activities subject to approval; and
- the establishment of a public litter reporting scheme in South Australia.

(28 November 2015, 10 February, 9 March 2016 - Act No. 12 of 2016)

**LOCAL NUISANCE AND LITTER CONTROL (ILLEGAL DUMPING ON CONSTRUCTION SITES) AMENDMENT**

The purpose of this Bill is to amend the *Local Nuisance and Litter Control Act 2016* to create a new offence for disposing litter on a construction site, attracting a higher expiation fee, with on-the-spot fines ranging from \$420 to \$2000.

(5 July, 29 November 2017 - Bill negatived at second reading)

**MOTOR VEHICLES (DEMERIT POINTS FOR DISABILITY PARKING AREA OFFENCE) AMENDMENT**

This Bill seeks to impose a demerit point against a person's driver's license if they are found parking in a valid permit space without a permit, in addition to the current fine.

(6 May 2015 - lapsed due to Prorogation)

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

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 Bill seeks to encourage those individuals to maintain their shacks to a higher standard and to 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 (the Minister or the co-management board) for a renewable and transferable lease. Leases will be granted for a term of not less than 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 contain details regarding all infrastructure, effluent disposal and environmental upgrade requirements. The Bill provides for a two-year time limit for applications for the new leases.

(1 March, 15 November 2017 - lapsed due to prorogation)

**NATURAL RESOURCES MANAGEMENT (TRANSPARENCY OF MINISTERS DIRECTIONS) AMENDMENT**

The purpose of this Bill is to amend the *Natural Resources Management Act 2004* so that a regional Natural Resources Management Board must furnish the Parliament's Natural Resources Committee with a report within 14 days of receiving any direction from the Minister or the Treasurer.

(22 June 2016 - lapsed due to prorogation)

**NUCLEAR WASTE STORAGE FACILITY (PROHIBITION) (PUBLIC MONEY) AMENDMENT BILL**

This Bill replaces current section 13(2) of the *Nuclear Waste Storage Facility (Prohibition) Act 2000* which was inserted into the Act in 2016 to enable expenditure of public money on community consultation in light of the now completed Nuclear Fuel Cycle Royal Commission, Citizens' Jury and Community Advice & Response Agency processes. This Bill replaces section 13(2) providing a new clarification that the ban in section 13(1) on public money being appropriated, expended or advanced will 'not prohibit the appropriation, expenditure or advancement to a person of public money for the purpose of financing the maintenance or sharing of information or to enable the State to engage with other jurisdictions'.

The amendment ensures that integrity of information is maintained over time and that records are accessible; that Government is able to share information and be responsive to the community and stakeholders, including in other jurisdictions; that consideration is given to the diversity of perspectives within the community and their needs; and that public value will continue to be

delivered from the Nuclear Fuel Cycle Royal Commission and community consultation process and outcomes.

(21 June, 1 November 2017 - Act No. 60 of 2017)

#### **PARLIAMENTARY COMMITTEES (PUBLIC ASSETS COMMITTEE) AMENDMENT**

The purpose of this Bill is to amend the *Parliamentary Committees Act 1991* to establish a Public Assets Committee whose role would be to inquire into, consider and report on any proposed sale of public assets referred to it. Under the Bill, if the total value of the public asset at the time of the proposed sale exceeds \$50 million, it must be referred to the Committee. The Committee will consider the stated purpose of the proposed sale, the necessity or advisability of the proposed sale, the present and prospective value of the asset, and any other advantages or disadvantages related to the proposed sale. It is proposed that public assets valued at more than \$50 million must not be sold unless:

- the committee has inquired into the proposed sale; and
- the final report of the committee has been presented to both houses; and
- the proposed sale has been approved by resolution of both houses.

(5 July, 29 November 2017 - Bill negated at second reading)

#### **PASSENGER TRANSPORT (MISCELLANEOUS) AMENDMENT**

The purpose of this Bill is to amend the *Passenger Transport Act 1994* to ensure the amount of money in the Metropolitan Taxicab Industry Research and Development Fund is reported. The Bill also seeks to amend the membership and functions of the Passenger Transport Standards Committee.

(31 May, 29 November 2017 - Bill negated at second reading)

#### **PETROLEUM AND GEOTHERMAL ENERGY (UNDERGROUND COAL GASIFICATION) AMENDMENT**

The purpose of this Bill is to amend the *Petroleum and Geothermal Energy Act 2000* to prohibit Underground Coal Gasification.

(16, 30 November 2016, 18 October 2017 - Bill negated at second reading)

#### **PLANNING, DEVELOPMENT AND INFRASTRUCTURE (PROMOTING USE OF VACANT LAND) AMENDMENT**

The purpose of this Bill is to amend the *Planning, Development and Infrastructure Act 2016* to allow the Government to take a compulsory lease over certain land if it is not developed.

(18 October, 15 November 2017 - Bill negated at second reading)

#### **PLANNING, DEVELOPMENT AND INFRASTRUCTURE (REGULATED TREES) AMENDMENT**

The purpose of this Bill is to amend the *Planning Development and Infrastructure Act 2016* and to make a related amendment to the *Development Act 1993*, to ensure that a significant or regulated tree removal application cannot be granted unless the replacement use or replacement buildings have also been approved.

(9 August, 1 November 2017 - lapsed due to prorogation in House of Assembly)

**PLANNING, DEVELOPMENT AND INFRASTRUCTURE (STATE PLANNING COMMISSION) AMENDMENT**

The purpose of this Bill is to amend the *Planning, Development and Infrastructure Act 2016* to ensure one member of the State Planning Commission has expertise in agriculture or primary production.

(18 October, 15 November 2017 - lapsed due to prorogation in House of Assembly)

**PLANNING, DEVELOPMENT AND INFRASTRUCTURE (STATE PLANNING POLICY) (BIODIVERSITY) AMENDMENT BILL**

This Bill gives effect to one of the key recommendations of the report into biodiversity in South Australia conducted over a number of years by the Environment, Resources and Development Committee of the Parliament. A recommendation of the Committee stated that a State planning policy on biodiversity should be made by the State Planning Commission, to ensure that biodiversity outcomes are appropriately considered in the context of planning and development under the *Planning, Development and Infrastructure Act 2016*.

This Bill inserts new section 62A requiring the Minister to ensure that there is a specific state planning policy (to be called the biodiversity policy) that specifies policies and principles that are to be applied with respect to enhancing biodiversity and minimising adverse effects of development on biodiversity within the State.

(9 August, 15 November 2017 - Act No. 58 of 2017)

**POLICE (RETURN TO WORK) AMENDMENT**

The purpose of this Bill is to insert a new schedule 1A into the *Police Act 1998* to allow police officers to receive ongoing payments for income maintenance and medical treatment beyond the legislated time frames under the *Return to Work Act 2014*.

(14 October, 18 November 2015 - Bill withdrawn in House of Assembly)

**PREVENTION AND EARLY INTERVENTION FOR THE DEVELOPMENT AND WELLBEING OF CHILDREN AND YOUNG PEOPLE**

The purpose of the Bill is to provide a framework for improving the wellbeing and development of children and young people; to recognise the primacy of prevention and early intervention in improving outcomes for children and young people; to provide for a whole of State strategy for furthering the purposes of this Act; to recognise the importance of strengthening families and communities in improving outcomes for children and young people; to ensure that, where intervention in the lives of young people is necessary, that intervention occurs at the earliest opportunity; and for other purposes.

(15 November 2017 - lapsed due to prorogation)

**PUBLIC SECTOR (FUNCTIONS AND RESOURCES AUDIT) AMENDMENT**

The purpose of the Bill is to amend the *Public Finance and Audit Act 1987* removing restrictions on the investigative powers of the Auditor-General and insert a new section into the *Public Sector Act 2009* to require the Minister of each administrative unit to undertake a review into their functions.

(27 September, 1 November 2017 - lapsed due to prorogation)

### **REFERENDUM (ONE VOTE ONE VALUE)**

This Bill proposes to amend section 77 of the *Constitution Act 1934*. After each general election, the Electoral District Boundaries Commission (commission) commences proceedings for the purposes of making an electoral redistribution. The guiding principle for that redistribution is found in section 77 of the Constitution Act, which is headed 'Basis of redistribution'.

Section 77 currently provides that a redistribution shall be made upon the principle that the number of electors comprised in each electorate must not, as at the relevant date, vary from the electoral quota by more than the permissible tolerance. The permissible tolerance is 10 per cent. The relevant date is a date prior to the making of the redistribution order.

The bill will delete current section 77 and replace it with a new paramount principle for the making of an electoral redistribution. The new paramount principle to which the commission must have regard is that the number of electors in each electoral district should be equal at polling day. This principle is not modified or watered down by a notion of tolerance. The commission must aim for numerical equality of electors across districts, or one vote one value. Proposed new section 77(2) expressly provides that the new paramount principle prevails over the provisions of section 83 of the Constitution Act, which sets out other considerations that the commission is, as far as practicable, to have regard to in making an electoral redistribution.

(28 September, 14 November 2017 - lapsed due to prorogation)

### **RESIDENTIAL TENANCIES (DATABASES) AMENDMENT**

The purpose of this Bill is to amend the *Residential Tenancies Act 1995* in relation to residential tenancy agreements. The Bill provides that a person who is named in a residential tenancy agreement may be listed on residential tenancies databases if they have breached the lease -

- and that breach has resulted in the person owing the landlord more than the bond for the tenancy; or
- has resulted in the tribunal terminating the tenancy; or
- has been given an s80 notice of termination which has not been remedied.

(9 December 2015 - lapsed due to prorogation)

### **RESIDENTIAL TENANCIES (DOMESTIC VIOLENCE PROTECTIONS) AMENDMENT**

This Bill amends the *Residential Tenancies Act 1995* (the Act) to provide protections to victims of domestic violence in the tenancy sector to terminate a residential tenancy or rooming house agreement where the South Australian Civil and Administrative Tribunal (SACAT) is satisfied domestic abuse has occurred or there is an intervention order in force against a person residing at the premises.

As currently structured, residential tenancies legislation does not provide sufficient protection to victims of domestic violence in the tenancy sector. This Bill aims to support victims of domestic violence in the tenancy sector to leave a hostile environment or remove the perpetrator from the environment, without incurring further unfair expenses caused by the perpetrator, and to minimise any further dealings with the person in relation to the tenancy in the future. It is proposed to adopt existing definitions under the Intervention Orders (Protection of Abuse) Act 2009, including, abuse, act of abuse, and domestic abuse in the Act. Domestic associate is a new term, however it reflects the relationships outlined in the Intervention Orders (Protection of Abuse) Act 2009 for the purposes of domestic abuse, which includes a broad range of intimate, family and informal care relationships. It is also proposed to define co-tenant for clarification purposes.

Under this Bill a tenant may apply to SACAT to terminate a residential tenancy based on domestic abuse in the following circumstances:

- where there is a Court issued intervention order in force against a person residing at the premises for the protection of the applicant or a domestic associate of the applicant residing at the premises; or
- where a person who resides at the premises has committed domestic abuse against the applicant.

Under this Bill, on application to terminate a residential tenancy based on domestic abuse, SACAT may make an order terminating the residential tenancy and requiring a new tenancy agreement be entered into on the same terms and conditions for the remainder of the tenancy between the landlord, applicant and /or any co-tenants, subject to any objections by the landlord or any co-tenants or requiring a new tenancy agreement be entered into on the same terms and conditions for the remainder of the tenancy between the landlord, perpetrator and any co-tenants, if the landlord has not indicated that it would be unreasonable to do so.

However, SACAT must not make an order requiring a new tenancy agreement, unless satisfied that any co-tenant under the new agreement could reasonably be expected to comply with obligations under the agreement. This aims to ensure that any co-tenants remaining at the premises under a new agreement are not caused hardship.

The Bill extends these protections to rooming house residents and empowers SACAT to terminate the rooming house agreement of either the applicant or the perpetrator. The Bill empowers SACAT to make an order that the responsible co-tenant/s are liable (to the exclusion of other co-tenants) for a payment of compensation to the landlord. SACAT may direct the bond be paid in such proportions as it thinks fit, to the landlord and any co-tenant who is not liable for making a payment of compensation, but such a direction may not operate to limit the amount of bond payable to a landlord.

Where SACAT makes an order requiring a new tenancy be entered into, the tenant (or co-tenants) to the new agreement may be required to lodge a new bond, at the request of the landlord. Under the Bill, a tenant may apply for a restraining order against a co-tenant and SACAT may prohibit a tenant's personal information being listed on a Residential Tenancy Database in certain circumstances relating to domestic abuse.

(30 July, 8, 22, 23, 24 September 2015 - Act No. 43 of 2015)

#### **RESOURCE OPERATIONS OMBUDSMAN**

The purpose of this Bill is to establish the office of the Resource Operations Ombudsman; to provide for the making and resolution of complaints regarding issues related to the conduct of resource operations; and for other purposes.

(2 December 2015, 25 May 2016 - Bill negatived at second reading)

#### **RETAIL AND COMMERCIAL LEASES (RENT THRESHOLD FOR APPLICATION OF ACT) AMENDMENT**

The purpose of this Bill is to amend the *Retail and Commercial Leases Act 1995* to clarify that if a lease was entered into or renewed before 4 April 2011, which is when the annual rent threshold was increased, and that the rent at that time was more than \$250 000, then the Act will not apply.

(5 July 2017 - lapsed due to prorogation)

#### **RETURN TO WORK (WEEKLY PAYMENTS UNDER TRANSITIONAL PROVISIONS) AMENDMENT**

The purpose of this Bill is to amend Schedule 9 of the *Return to Work Act 2014* relating to a worker's eligibility to receive income support payments.

(27 July 2016, 2 November 2016 - Bill negatived at second reading)

#### **RIGHT TO FARM**

The purpose of this Bill is to ensure that properly conducted farming activities are adequately dealt with under planning and development laws and are given protection from certain liability; and to make related amendments to the *Development Act 1993*, *Environment Protection Act*

*1993, Land and Business (Sale and Conveyancing) Act 1994 and the Natural Resources Management Act 2004.*

(2 December 2015, 25 May 2016, 29 November 2017 - lapsed due to prorogation)

#### **SOUTH AUSTRALIAN PUBLIC HEALTH (IMMUNISATION AND EARLY CHILDHOOD SERVICES) AMENDMENT**

This Bill seeks to prevent and reduce morbidity and mortality from infectious diseases through an improved public health response and enhanced community immunity to cases of vaccine-preventable diseases occurring in early childhood services. The “no jab no play” bill seeks to protect all children from those infectious diseases that can be prevented by vaccinations to foster a safe and healthy environment for early childhood learning.

(27, 28 September, 26 November 2017 - lapsed due to prorogation)

#### **STANDARD TIME (ALTERATION OF STANDARD TIME) AMENDMENT**

The purpose of this Bill is to amend the *Standard Time Act 2009* to move South Australian standard time nine hours in advance of Co-ordinated Universal Time.

(28 October 2015, 18 May 2016 - Bill negated at second reading)

#### **STATUTES AMENDMENT (ANIMAL WELFARE REFORMS)**

The purpose of this Bill is to amend the *Animal Welfare Act 1985* and the *Dog and Cat Management Act 1995* to stop shelters from euthanasing animals where there are alternatives, while ensuring that minimum standards of care are provided at animal shelters.

(29 November 2017 - lapsed due to prorogation)

#### **STATUTES AMENDMENT (BULLYING)**

The purpose of this Bill is to amend the definition and penalty for an act of serious bullying under the *Criminal Law Consolidation Act 1935* and the *Intervention Orders (Prevention of Abuse) Act 2009*. The Bill seeks to include a maximum penalty of up to 10 years' imprisonment.

(27 September, 15 November, 2017 - lapsed due to prorogation in House of Assembly)

#### **STATUTES AMENDMENT (COMMONWEALTH REGISTERED ENTITIES)**

This Bill proposes amendments to the Collections for *Charitable Purposes Act 1939* and the *Associations Incorporation Act 1985* to reduce administrative burden for charities registered under the *Australian Charities and Not-for-profits Commission Act 2012* and collecting in South Australia.

(3 December 2015 - Bill withdrawn on 22 March 2016)

#### **STATUTES AMENDMENT (DECRIMINALISATION OF SEX WORK)**

This Bill seeks to amend various pieces of legislation to decriminalise sex work and to provide sex workers the same rights and protections as other workers.

(1, 29 July, 9 September 2015; Bill referred to a Select Committee on 5 July 2017 - lapsed due to prorogation in House of Assembly)

## **STATUTES AMENDMENT (DRINK AND DRUG DRIVING) BILL**

The Statutes Amendment (Drink and Drug Driving) Bill 2017 amends the *Road Traffic Act 1961*, *Motor Vehicles Act 1959*, *Harbors and Navigation Act 1993* and *Rail Safety National Law (South Australia) Act 2012* to strengthen drug-driving penalties, require dependency assessments if children are in a motor vehicle at the time of the offence, and streamline the drug testing process and the approval of instruments and personnel.

The initiatives in the Bill are intended to reduce the incidence of drug driving and improve road safety for all road users and are summarised as follows:

- The Bill introduces a three-month licence disqualification for a first drug-driving offence that is expiated.
- The court-imposed disqualification period will also be increased for a first offence.
- The disqualification penalties for refusal or failure to undertake a drug screening test, oral fluid collection or blood test will also be increased so they remain sufficient in deterring people for not complying with legitimate directions from the police.
- The Bill introduces a new offence of drink and drug driving with a child under 16 in the vehicle. The new offence will apply where the driver's blood alcohol content is 0.08 or higher (that is a category 2 offence or higher) and to all drug driving offences. A conviction for, or expiation of, this new offence will trigger the requirement for a drug or alcohol dependency assessment and the offender will not regain their licence until they have been assessed as non-dependent by a clinician.
- The Bill removes the second stage drug testing procedure conducted at the scene. South Australia Police will no longer conduct the second stage of the drug testing procedure at the scene, known as the oral fluid analysis.
- The Bill dispenses with the requirement to authorise SAPOL officers to conduct drug screening tests. The Bill requires all drug and alcohol testing apparatus to be approved by way of regulation which will aid transparency for legal practitioners and the public.

(11, 18 May, 1, 20, 22 June 2017 - Act No. 63 of 2017)

## **STATUTES AMENDMENT (DRUG DRIVING PENALTIES)**

The purpose of this Bill is to amend the *Motor Vehicles Act 1959* and the *Road Traffic Act 1961* to increase penalties for drug driving.

(29 November 2017 - lapsed due to prorogation)

## **STATUTES AMENDMENT (GAMBLING MEASURES)**

This Bill proposes to fine-tune various provisions in the *Gaming Machines Act 1992*, the *Independent Gambling Authority Act 1995*, the *Lottery and Gaming Act 1936* and the *Problem Gambling Family Protection Orders Act 2004*.

The Bill proposes to make it an offence under the Gaming Machines Act for a person to purchase or enter into a contract or agreement to purchase a gaming machine unless licensed.

Another proposed amendment to the Gaming Machines Act is the removal of the prohibited EFTPOS facilities in gaming areas in hotels and clubs. Currently, gamblers are required to leave the gaming room and withdraw cash using EFTPOS facilities outside the gaming area. This means that the gambler may not be able to be observed or served by trained gaming area staff. It is considered that there is a better chance of appropriate intervention when the gambler is exhibiting problem gambling characteristics if the EFTPOS facility is located in the gaming area.

Other amendments to the Gaming Machines Act include providing the Liquor and Gambling Commissioner with the power to seek input from the Commissioner of Police about any gaming manager or gaming employee, and reducing red tape by removing the requirement that the Liquor and Gambling Commissioner approve the layout of gaming machines in the gaming area.

The Bill will make it unlawful to play at or engage in a game of poker in a public place. It also proposes to provide the Minister with the power to make a regulation to prescribe the

circumstances in which playing or engaging in a game will or will not constitute unlawful gaming. Such a regulation may clarify the definition of tournament poker and ensure that tournament poker that does not involve gambling is not an unlawful game.

The Bill also proposes to amend the Lottery and Gaming Act to provide modern powers of delegation to the Minister. There are also many statute law revision amendments that modernise the Lottery and Gaming Act.

The Bill amends the Independent Gambling Authority Act to provide greater clarity in administrative arrangements. The Bill includes a new staff revision clarifying that the staff of the Independent Gambling Authority are Public Service employees who have been assigned by the relevant chief executive.

Further, to provide flexibility to the Independent Gambling Authority, the Bill proposes to extend delegation-making provisions so that its powers and functions can be delegated to any person or body. These delegations can be subject to conditions and can be revoked.

The Bill fine tunes the barring framework. It extends confidentiality obligations to authorised persons to ensure that confidentiality of information gained through the barring regime is maintained. Further, the power to remove a barred person is clarified by enabling the removal of a barred person from a place where specified gambling activities set out in a barring order are engaged in.

(26 March, 12, 13 May 2015 - Act No. 22 of 2015)

#### **STATUTES AMENDMENT (GAMING AREA PROHIBITIONS AND BARRING ORDERS)**

The purpose of this Bill is to amend the *Casino Act 1997*, *Gaming Machines Act 1992* and the *Independent Gambling Authority Act 1995* to ban access to EFTPOS facilities and ATMs within gaming machine areas. The Bill also seeks to place a \$1 limit on gaming machines and enable gambling providers to request the Independent Gambling Authority to issue barring orders.

(27 July, 19 October 2016 - Bill negated at second reading)

#### **STATUTES AMENDMENT (GAMING PROHIBITIONS)**

The purpose of this Bill is to amend the *Casino Act 1997* and the *Gaming Machines Act 1992* to introduce maximum bet limits of \$1 on gaming machines. The Bill also seeks to remove EFTPOS facilities from gaming areas.

(27 July, 27, 29 October 2016 - Bill negated at second reading)

#### **STATUTES AMENDMENT (POSSESSION OF FIREARMS AND PROHIBITED WEAPONS)**

The *Firearms Act 2015* and the *Firearms Regulations 2017* took effect on 1 July 2017, replacing the *Firearms Act 1977* and the *Firearms Regulations 2008*. The main purpose of this Bill is to amend Firearms Protection Order (FPO) provisions at section 45(16)(a) of the new Firearms Act in order to resolve any uncertainty as to its operation arising from a judicial interpretation in the decision of the *R v Ioannidis (2015) SASCFC 158 (Ioannidis)*.

In *Ioannidis*, police stopped a vehicle in which the defendant was a passenger. The defendant subsequently alighted from the vehicle before police lawfully searched the vehicle and a handbag belonging to the defendant in which ammunition was found. The possession of ammunition by *Ioannidis* constituted a breach of an FPO to which *Ioannidis* was subject.

While this Supreme Court Appeal decision fell in the Crown's favour, the Chief Justice suggested the presumption only applies if an item is found when the person is in the vehicle at the time the item is found during a search. By implication, the presumption is suggested not to arise if the person has exited or been removed from the vehicle before a successful search is conducted, which are common practices facing and employed by investigating police for reasons of safety.

The Bill amends the new Act to resolve any uncertainty on the Ioannidis issue before section 45(16)(a) is proclaimed. This Bill clarifies that the rebuttable presumption of possession can be relied upon when an FPO is not physically on or in the premises, vehicle, vessel or aircraft when a relevant item is found. This amendment will allow, for prosecution purposes, proof only that the person had been on or in the premises, vehicle, vessel or aircraft immediately before a relevant item was found on or in, or in the immediate vicinity of the premises, vehicle, vessel or aircraft.

An identical provision is inserted in the Bill to alter the presumption of possession at section 21I(10) of the *Summary Offences Act 1953* that is only applicable to the holder of a weapons prohibition order (WPO). A minor amendment to alter section 12 of the new Firearms Act clarifies that a firearms licence issued under the new Act may authorise the manufacture of firearms and firearm parts, as contemplated by section 37 of the new Act.

(1, 20 June 2017 - Act No. 27 of 2017)

#### **STATUTES AMENDMENT (PUBLIC SECTOR AUDIT)**

This Bill seeks to make amendments to the *Public Finance and Audit Act 1987* to remove restrictions on what the Auditor-General is able to investigate. The Bill also inserts a new section into the *Public Sector Act 2009* to require chief executives to undertake a review into the functions of their departments.

(23 September 2015, 9 March 2016 - Bill withdrawn on 1 November 2017)

#### **STEEL INDUSTRY PROTECTION**

The purpose of this Bill is to provide for the use of Australian steel in designated public works constructed by or on behalf of a public authority.

(22 June, 2, 16 November 2016 - Bill negated at third reading)

#### **SUMMARY OFFENCES (DISRESPECTFUL CONDUCT IN COURT PROCEEDINGS) AMENDMENT**

The purpose of this Bill is to amend the *Summary Offences Act 1953* making it an offence if a person who, during proceedings before a court, engages in disrespectful conduct which includes:

- (a) refusing to stand up after being requested to do so by the court;
- (b) using offensive or threatening language;
- (c) yelling; and
- (d) interfering with or undermining the authority, dignity or performance of the court.

A charge cannot proceed if the conduct has been the subject of contempt of court proceedings against the person.

(6 July 2016 - lapsed due to prorogation)

#### **SURVEILLANCE DEVICES (ANIMAL WELFARE) AMENDMENT**

The purpose of this Bill is to amend the *Surveillance Devices Act 2016* and provide for an exemption from section 10. Section 10 covers the use, communication or publication of information or material derived from the use of a listening device or an optical surveillance device. The Bill seeks an exemption in circumstances where the device was used in the public interest if the information or material relates to issues of animal welfare.

(13 April, 2 November 2016 - Bill negated at second reading)

#### **VALUATION OF LAND (SEPARATE VALUATIONS) AMENDMENT**

The purpose of the Bill is to amend the *Valuation of Land Act 1971* to clarify that separate assessments should only be made in circumstances where it is required by law, or has been separately occupied since 1967, or under a shack site lease and is situated on land where formal subdivision is prohibited. The Bill will also stipulate that the Valuer-General must change the valuation roll if they are aware that a valuation is inconsistent with valuations of other relative properties on the roll.

(27, 29 November 2017 - lapsed due to prorogation)

#### **VICTIMS OF CRIME (VICTIMS RIGHTS) AMENDMENT**

The purpose of the Bill is to amend the *Victims of Crime Act 2001* to ensure that that victims of crime are recognised as legitimate participants in the criminal justice process and increase their rights and ability to access information.

(27 September, 15 November 2017 - Bill negated at third reading)

#### **WATER INDUSTRY (COMPENSATION FOR LOSS OR DAMAGE) AMENDMENT**

The purpose of the Bill is to amend the *Water Industry Act 2012* in the event of loss or damage to property caused by leakage from, or a bursting of, any infrastructure used by a water industry entity. The Bill seeks to require the water industry entity to make good the loss of damage or pay compensation to the owner of the property for the loss of damage.

(25 May, 22 June, 21 September 2016 - Bill negated at second reading)

#### **WATER INDUSTRY (THIRD PARTY ACCESS) AMENDMENT**

This Bill amends the *Water Industry Act 2012* by inserting a new part 9A that provides a light handed negotiate/arbitrate framework for businesses to seek access to services provided by natural monopoly water infrastructure (e.g. transport services via SA Water's bulk water pipelines).

The Bill establishes access arrangements to SA Water's bulk water transport services. The Bill does not relate to retail services or bulk water resources. The Bill amends the Water Industry Act to ensure that access seekers and infrastructure owners are not limited from negotiating commercial agreements outside of the provisions of the access regime. The Bill, as a safety net, confers rights on the access seeker in relation to negotiating access and imposing obligations on the infrastructure owner when the access seeker exercises those rights.

The Bill appoints ESCOSA as the regulator of a state based access regime for water. ESCOSA will be required to adopt a light handed regime of monitoring and enforcing compliance with the access regime. ESCOSA will be required to report to the Minister each year about the work carried out by the regulator under the access regime.

The adoption of a light handed regime that facilitates commercial negotiation and arbitration in a low cost manner is considered appropriate in an environment where access negotiations are likely to be infrequent and specific to the needs of the access seeker. This approach has been adopted in South Australia's certified legislative access regimes for railways (set out in the *Railways (Operations and Access) Act 1997*) and port services (set out in the *Maritime Services Act 2000*).

(11 February, 19, 24, 26 March, 5 May, 16 June 2015 - Act No. 28 of 2015))

#### **WORK HEALTH AND SAFETY (REPRESENTATIVE ASSISTANCE) AMENDMENT**

This Bill amends section 68 of the *Work Health and Safety Act 2012* to bring it into harmonisation with work health and safety legislation in all other Australian jurisdictions. Section 68 of the Act relates to the powers and functions of health and safety representatives and, as the

Act currently stands, it is difficult for safety representatives to exercise those powers and functions. The Bill will allow health and safety representatives to seek assistance from any person to resolve health and safety issues in their workplace.

In addition to being out of step with all other Australian jurisdictions, section 68 is at odds with the very objectives of the Work Health and Safety Act, in particular, section 3(1)(b), as it denies health and safety representatives assistance from unions. This does not allow for fair and effective workplace representation and consultation in the resolution of safety matters. Section 68 does not encourage unions to take a constructive role in promoting improvements in workplace practices and assisting employers and workers to achieve a healthy and safer working environment and, therefore, is at odds with section 3(1)(d) of the Act.

This Bill also reduces the regulatory burden for persons who wish to offer free assistance to health and safety representatives by removing the requirement to apply to the Industrial Relations Consultative Council to become an approved consultant.

(12 April, 27 September 2017 - Act No. 46 of 2017)

### **WORK HEALTH AND SAFETY (INDUSTRIAL MANSLAUGHTER) AMENDMENT**

This Bill seeks to introduce the offence industrial manslaughter into the *Work Health and Safety Act 2012*. This offence covers the situation where an individual's or corporation's conduct causes the death of a worker, where that individual or corporation's recklessness or negligence caused serious harm or death to that worker. An employer is guilty of an offence if:

- the employer breaches their duty of care;
- the employer knew or was recklessly indifferent that the act or omission constituting the breach would create a substantial risk of serious harm to a person; and
- the breach causes the death of a person.

(6 May, 18 November 2015 - referred to the Parliamentary Standing Committee on Occupational Safety, Rehabilitation and Compensation)

