



# THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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ADELAIDE, THURSDAY, 6 MAY 2010

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## GOVERNMENT GAZETTE NOTICES

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

Department of the Premier and Cabinet  
Adelaide, 6 May 2010

HIS Excellency the Governor in Executive Council has revoked the appointment of David Anthony Smith as a Deputy Member to Julie Elizabeth Lundberg of the Teachers Registration Board of South Australia, pursuant to the provisions of the Teachers Registration and Standards Act 2004 and Section 36 of the Acts Interpretation Act 1915.

By command,

GRACE PORTOLESI, for Premier

MC10/0524

Department of the Premier and Cabinet  
Adelaide, 6 May 2010

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Natural Resources Management Council, pursuant to the provisions of the Natural Resources Management Act 2004:

Member: (from 6 May 2010 until 29 April 2013)

Felicity-ann Lewis  
Joseph Lindsay Keynes

Deputy Member: (from 6 May 2010 until 29 April 2013)

David James Lingwood Morcom (Deputy to Lewis)

By command,

GRACE PORTOLESI, for Premier

MEC10/0010CS

Department of the Premier and Cabinet  
Adelaide, 6 May 2010

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Council on Reproductive Technology, pursuant to the provisions of the Reproductive Technology (Clinical Practices) Act 1988:

Member: (from 6 May 2010 until 5 May 2011)

Jodie Michelle Semmler  
Steven Martin Scroggs

Deputy Member: (from 6 May 2010 until 5 May 2011)

Christine Anne Waldoock Kirby (Deputy to Semmler)  
Marc Jozef Nikolaas Cornelius Keirse (Deputy to Scroggs)

By command,

GRACE PORTOLESI, for Premier

HEAC-2010-00012

Department of the Premier and Cabinet  
Adelaide, 6 May 2010

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Teachers Registration Board of South Australia, pursuant to the provisions of the Teachers Registration and Standards Act 2004:

Member: (from 6 May 2010 until 30 March 2011)

Louise Firrell

Deputy Member: (from 6 May 2010 until 30 March 2011)

David Anthony Smith (Deputy to Firrell)

By command,

GRACE PORTOLESI, for Premier

MC10/0524

#### AQUACULTURE ACT 2001

##### *Grant of Aquaculture Lease*

PURSUANT to the provisions of section 22 of the Aquaculture Act 2001, Michael O'Brien, Minister for Agriculture, Food and Fisheries, hereby gives notice of the grant of the following leases for the purposes of aquaculture in the waters of the state:

LA00254 and LA00255

Further details are available for all of the above leases granted on the PIRSA Aquaculture Public Register, which can be found at <https://info.pir.sa.gov.au/aquapr/page/gui3/map.html>.

#### DEVELOPMENT ACT 1993

##### *Township Boundaries Development Plan Amendment— Public Consultation*

NOTICE is hereby given that the Mid Murray Council, pursuant to sections 24 and 25 of the Development Act 1993, has prepared a Development Plan Amendment Report (DPA) to amend the Mid Murray Council Development Plan.

The Amendment will change the Development Plan by making changes to the location and extent of existing zones within and surrounding the Mid Murray Townships of Morgan, Cambrai, Truro, Swan Reach, Tungkillo, Palmer, Keyneton, Sedan, Blanchetown and Caloote.

The Amendment includes, but is not limited to the following:

- Replacing the Country Township with a Township Zone. This will affect Morgan, Cambrai, Truro and Swan Reach.
- Changes to the Service Centre Zone. This will affect Tungkillo, Palmer, Keyneton, Sedan and Blanchetown.
- Changes to the Rural Living Zone. This will affect Truro, Cambrai, Tungkillo, Palmer, Keyneton and Swan Reach.
- The introduction of a new Township (Deferred) Zone. This will affect Truro and Tungkillo.
- Expansion of the River Settlement Policy Area of the River Murray Zone at Caloote.
- Introduction of a Bulk Handling Zone in Cambrai and to replace the existing Bulk Handling (Commercial) Zone at Apamurra.
- Introduction of an Industry Zone in Morgan, Truro and Blanchetown.

The DPA report will be on public consultation from Wednesday, 5 May 2010 until Friday, 2 July 2010. Copies of the DPA report are available during normal office hours (9 a.m. to 5 p.m.) at the three offices of the Mid Murray Council (i.e. Mannum, Cambrai and Morgan):

Mannum—49 Adelaide Road, Mannum

Cambrai—Main Street, Cambrai

Morgan—12 Fourth Street, Morgan.

Alternatively the DPA report can be viewed on the Internet on Council's website at [www.mid-murray.sa.gov.au](http://www.mid-murray.sa.gov.au).

Written submissions regarding the DPA should be submitted no later than 5 p.m. on Friday, 2 July 2010. All submissions should be addressed to Chief Executive Officer, Mid Murray Council, P.O. Box 28, Mannum, S.A. 5238 and should clearly indicate whether you wish to be heard in support of your submission at the public hearing. If you wish to lodge your submission electronically, please email it to: [postbox@mid-murray.sa.gov.au](mailto:postbox@mid-murray.sa.gov.au).

Copies of all submissions will be available for inspection at Mid Murray Council Offices from 9 a.m. Monday, 5 July 2010 to 5 p.m. Thursday, 15 July 2010.

Two public hearings will be held at 7 p.m. on Thursday, 15 July 2010 at the Morgan Day Activity Centre, 8 Fourth Street, Morgan and at 7 p.m. on Tuesday, 20 July 2010 at the Cambrai Hall, Skinner Street, Cambrai at which time interested persons may be heard in relation to the DPA and the submissions. The public hearings will not be held if no submissions are received or if no submission makes a request to be heard.

If you would like further information about the DPA, contact the Manager—Development Services at Mid Murray Council on 8564 6020.

Dated 5 May 2010.

D. H. GOLLAN, Chief Executive Officer

## FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, Todreel Pty Ltd, holder of Gulf St Vincent Prawn Fishery Licence No. V06 issued pursuant to the Fisheries Management (Prawn Fisheries) Regulations 2006, (the 'exemption holder') or a master registered on the licence, are exempt from the notices made under section 79 of the Fisheries Management Act 2007, prohibiting the taking of King Prawn (*Melicertus latisulcatus*) and section 52 of the Fisheries Management Act 2007, but only insofar as the exemption holder shall not be guilty of an offence when using prawn trawl nets in accordance with the conditions of their fishery licence for the purpose of research activities, as directed by SARDI Aquatic Sciences (the 'exempted activity'), subject to the conditions contained in Schedule 1, from 1200 hours on 6 May 2010 until 1200 hours on 8 May 2010.

## SCHEDULE 1

1. The exempted activity may only be conducted whilst using the boat, *Anna Pearl*, that is registered on Gulf St Vincent Prawn Fishery Licence No. V06.

2. The exemption holder must comply with instructions from the SARDI Scientist and work within the allotted research area determined by SARDI.

3. All fish, other than King Prawns, Southern Calamari (*Sepioteuthis australis*) and Bug (*Ibacus* spp), taken pursuant to the exempted activity must not be retained by the exemption holder, his agent or crew and must be provided to SARDI Aquatic Sciences.

4. King Prawns, Southern Calamari (*Sepioteuthis australis*) and Bug (*Ibacus* spp), taken pursuant to this notice may be retained by the exemption holder and may be sold.

5. While engaged in the exempted activity, the exemption holder must have on board his boat or near his person a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer if requested.

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

Dated 4 May 2010.

M. SMALLRIDGE, Director of Fisheries

## FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, the holder of a Prawn Fishery Licence issued pursuant to the Fisheries Management (Prawn Fisheries) Regulations 2006 for Gulf St Vincent Prawn Fishery listed in Schedule 1 (the 'exemption holders'), or their registered masters, are exempt from the notices made under section 79 of the Fisheries Management Act 2007 prohibiting the taking of King Prawn (*Melicertus latisulcatus*) but only insofar as the exemption holders shall not be guilty of an offence when using prawn trawl nets in accordance with the conditions of their fishery licence for the purpose of stock assessment survey (the 'exempted activity'), subject to the conditions contained in Schedule 2.

## SCHEDULE 1

Licence Number	Licence Holder	Boat Name
V02	St Vincent Gulf Fisheries & Investments Pty Ltd	<i>Angela Kaye</i>
V03	Josephine K Fisheries Pty Ltd	<i>Josephine-K</i>
V04	Ledo Pty Ltd	<i>Miss Anita</i>
V05	Maurice J. Corigliano	<i>Frank Cori</i>
V06	Todreel Pty Ltd	<i>Anna Pearl</i>
V09	Hamid Huseljic	<i>Candice K</i>

## SCHEDULE 2

1. The exemption is valid from 1900 hours on 8 May 2010 until 0600 hours on 11 May 2010.

2. All trawling activity must be completed by 0600 hours on each day with nets out of the water.

3. The exemption holder must comply with instructions from the SARDI Stock Assessment Co-ordinator and work within the allotted survey trawl stations.

4. All fish, other than King Prawns, Southern Calamari (*Sepioteuthis australis*) and Bugs (*Ibacus* spp) taken during the exempted activity for stock assessment purposes, are to be returned to the water immediately after capture, other than species taken as by-catch that are collected, bagged and labelled according to instructions from a SARDI Survey Co-ordinator.

5. Any by-catch species taken in accordance with Clause 4 must be supplied to a SARDI Survey Co-ordinator and removed from the boat by SARDI prior to the boat undertaking any other fishing activity. Any by-catch must not be retained by the exemption holder, their agent, crew or any other person.

6. King Prawns, Southern Calamari and Bugs taken pursuant to the exempted activity must be disposed of by the exemption holders in accordance with the 'GSV Prawn Fishery Survey Participation Agreement' and must not be retained by the exemption holder, their agent, crew or any other person.

7. While engaged in the exempted activity or while unloading the survey catch, the exemption holder must have on board their boat or near their person a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer if requested.

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

Dated 4 May 2010.

A. FISTR, Prawn Fishery Manager

## GAMING MACHINES REGULATIONS 2005

## (REGULATION 10)

*Notice of Exemption by the Minister for Gambling—Ocean Going Passenger Vessels entering South Australian State Waters*

OCEAN GOING passenger vessels entering South Australian State waters are subject to the laws of South Australia. Each ocean going passenger vessel that docks at a South Australian port must enter State waters.

## NOTICE

PURSUANT to regulation 10 (4a) of the Gaming Machines Regulations 2005, I, Tom Koutsantonis, Minister for Gambling, grant an exemption from section 45 of the Gaming Machines Act 1992 ('the Act') in respect of persons who have possession of gaming machines on ocean going passenger vessels entering South Australian State waters, subject to the conditions listed below:

For the purposes of the Act and this Notice, gaming machine means a device:

- that is designed or has been adapted for the purpose of gambling by playing a game of chance or a game combined of chance and skill; and
- and that is capable of being operated by the insertion of a coin or other token (whether in that device or another device to which it is linked) or by the electronic transfer of credits accrued on some other gaming machine.

*Conditions*

1. The exemption will only apply to a vessel visiting a South Australian port on route to or from a destination port that is not in the State of South Australia.

2. A gaming machine must not be operated while the vessel is in State waters.

3. A vessel must not acquire or dispose of a gaming machine while in South Australian State waters without the prior written approval of the Liquor and Gambling Commissioner.

4. Authorised officers under the Gaming Machines Act 1992 must be permitted to have access at any reasonable time to the vessel on which any gaming machine is located.

Dated 13 April 2010.

TOM KOUTSANTONIS, Minister for Gambling

## GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2009

	\$		\$
Agents, Ceasing to Act as.....	42.75	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	28.50
Incorporation .....	21.70	Discontinuance Place of Business .....	28.50
Intention of Incorporation .....	53.50	Land—Real Property Act:	
Transfer of Properties .....	53.50	Intention to Sell, Notice of.....	53.50
Attorney, Appointment of.....	42.75	Lost Certificate of Title Notices .....	53.50
Bailiff's Sale.....	53.50	Cancellation, Notice of (Strata Plan) .....	53.50
Cemetery Curator Appointed.....	31.75	Mortgages:	
Companies:		Caveat Lodgement.....	21.70
Alteration to Constitution .....	42.75	Discharge of.....	22.70
Capital, Increase or Decrease of .....	53.50	Foreclosures.....	21.70
Ceasing to Carry on Business .....	31.75	Transfer of .....	21.70
Declaration of Dividend.....	31.75	Sublet.....	10.90
Incorporation .....	42.75	Leases—Application for Transfer (2 insertions) each .....	10.90
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each.....	31.75
First Name.....	31.75	Licensing.....	63.50
Each Subsequent Name.....	10.90	Municipal or District Councils:	
Meeting Final.....	35.75	Annual Financial Statement—Forms 1 and 2 .....	598.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	425.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name .....	85.00
First Name.....	42.75	Each Subsequent Name.....	10.90
Each Subsequent Name.....	10.90	Noxious Trade.....	31.75
Notices:		Partnership, Dissolution of .....	31.75
Call.....	53.50	Petitions (small).....	21.70
Change of Name .....	21.70	Registered Building Societies (from Registrar-	
Creditors.....	42.75	General).....	21.70
Creditors Compromise of Arrangement .....	42.75	Register of Unclaimed Moneys—First Name.....	31.75
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name .....	10.90
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	53.50	Rate per page (in 8pt) .....	272.00
Release of Liquidator—Application—Large Ad.....	85.00	Rate per page (in 6pt) .....	359.00
—Release Granted .....	53.50	Sale of Land by Public Auction.....	54.00
Receiver and Manager Appointed.....	49.50	Advertisements.....	3.00
Receiver and Manager Ceasing to Act.....	42.75	¼ page advertisement .....	127.00
Restored Name.....	40.00	½ page advertisement .....	254.00
Petition to Supreme Court for Winding Up.....	74.50	Full page advertisement.....	498.00
Summons in Action.....	63.50	Advertisements, other than those listed are charged at \$3.00 per	
Order of Supreme Court for Winding Up Action.....	42.75	column line, tabular one-third extra.	
Register of Interests—Section 84 (1) Exempt.....	96.00	Notices by Colleges, Universities, Corporations and District	
Removal of Office.....	21.70	Councils to be charged at \$3.00 per line.	
Proof of Debts .....	42.75	Where the notice inserted varies significantly in length from	
Sales of Shares and Forfeiture.....	42.75	that which is usually published a charge of \$3.00 per column line	
Estates:		will be applied in lieu of advertisement rates listed.	
Assigned .....	31.75	South Australian Government publications are sold on the	
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Each Subsequent Estate .....	1.40		
Probate, Selling of .....	42.75		
Public Trustee, each Estate .....	10.90		

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## GOVERNMENT GAZETTE NOTICES

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## MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2009

Acts, Bills, Rules, Parliamentary Papers and Regulations						
Pages	Main	Amends	Pages	Main	Amends	
1-16	2.60	1.20	497-512	36.25	35.25	
17-32	3.50	2.20	513-528	37.25	36.00	
33-48	4.55	3.25	529-544	38.50	37.25	
49-64	5.75	4.40	545-560	39.50	38.50	
65-80	6.70	5.55	561-576	40.50	39.50	
81-96	7.80	6.45	577-592	41.75	40.00	
97-112	8.90	7.60	593-608	43.00	41.50	
113-128	9.95	8.75	609-624	43.75	42.75	
129-144	11.10	9.85	625-640	45.00	43.25	
145-160	12.20	10.90	641-656	46.00	45.00	
161-176	13.30	12.00	657-672	46.75	45.50	
177-192	14.50	13.10	673-688	48.75	46.75	
193-208	15.60	14.40	689-704	49.50	47.75	
209-224	16.50	15.20	705-720	50.25	49.00	
225-240	17.60	16.30	721-736	52.00	50.00	
241-257	18.90	17.20	737-752	52.50	51.00	
258-272	19.90	18.30	753-768	53.50	52.00	
273-288	21.00	19.70	769-784	54.50	53.50	
289-304	21.90	20.60	785-800	55.50	54.50	
305-320	23.20	21.80	801-816	57.00	55.00	
321-336	24.20	22.80	817-832	58.00	57.00	
337-352	25.40	24.10	833-848	59.00	58.00	
353-368	26.25	25.20	849-864	60.00	58.50	
369-384	27.50	26.25	865-880	61.50	60.00	
385-400	28.75	27.25	881-896	62.00	60.50	
401-416	29.75	28.25	897-912	63.50	62.00	
417-432	31.00	29.50	913-928	64.00	63.50	
433-448	32.00	30.75	929-944	65.00	64.00	
449-464	32.75	31.50	945-960	66.00	64.50	
465-480	33.25	32.50	961-976	68.50	65.50	
481-496	35.25	33.25	977-992	69.50	66.00	

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[REPUBLISHED]

Due to a typographical error in the *Government Gazette* of 29 April 2010, page 1639, last advertisement appearing, has been republished as below:

#### LAND ACQUISITION ACT 1969

##### (SECTION 16)

##### *Notice of Acquisition*

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 33 Warwick Street, Walkerville, S.A. 5081, acquires the following interests in the following land:

##### *Definition of Land Acquired*

Comprising an unencumbered estate in fee simple in that piece of land situated at Allotment 100 Cardiff Court, Cavan, S.A. 5094, being portion of Allotment 100 in Deposited Plan 39553 and being portion of the land comprised in certificate of title volume 5506, folio 579 and being the whole of the land numbered 50 in Deposited Plan 82669, expressly excluding the free and unrestricted right of way referred to in the said Certificate of Title.

This notice is given under section 16 of the Land Acquisition Act 1969.

##### *Compensation*

A person who has or had an interest in the land that is divested or diminished by the acquisition or the enjoyment of which is adversely affected by the acquisition who does not receive an offer of compensation from the Authority may apply to the Authority for compensation.

##### *Inquiries*

Inquiries should be directed to:

Carlene Russell,  
P.O. Box 1,  
Walkerville, S.A. 5081  
Telephone: (08) 8343 2454.

Dated 20 April 2010.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner in the presence of:

D. THOMAS, Manager, Property Planning and Management Services, Authorised Officer, Department for Transport, Energy and Infrastructure

DTEI 2009/26806/01

#### LIQUOR LICENSING ACT 1997 AND GAMING MACHINES ACT 1992

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Hendrie Pretoria Pty Ltd as trustee for Hendrie Pretoria Family Trust has applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence in respect of premises situated at 50 Randell Street, Mannum, S.A. 5238 and known as Pretoria Hotel.

The applications have been set down for hearing on 7 June 2010 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 31 May 2010).

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

Plans relevant to the application may be inspected without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 30 April 2010.

Applicant

#### LIQUOR LICENSING ACT 1997 AND GAMING MACHINES ACT 1992

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Tenan Pty Ltd has applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence in respect of premises situated at 9 Manton Street, Hindmarsh, S.A. 5007 and known as Joiners Arms.

The applications have been set down for hearing on 7 June 2010 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 31 May 2010).

The applicant's address for service is c/o Randle and Taylor, 204 Carrington Street, Adelaide, S.A. 5000 (Attention: Michael Randle).

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 3 May 2010.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Jodie Ann Cochrane Hill as trustee for High Street Trust has applied to the Licensing Authority for a Wholesale Liquor Merchant's Licence in respect of premises situated at 30 Erskine Street, Goodwood, S.A. 5034 and to be known as Jac Hill.

The application has been set down for hearing on 3 June 2010 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 27 May 2010).

The applicant's address for service is c/o Jenkins Anderson Allard, P.O. Box 118, Auburn, S.A. 5451.

Plans relevant to the application may be inspected without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 29 April 2010.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Fed Nominees Pty Ltd as trustee for Federico Xpresso Trust has applied to the Licensing Authority for a Restaurant Licence with Section 34 (1) (c) and Extended Trading Area in respect of premises situated at 4/211 Victoria Square, Adelaide, S.A. 5000 and known as Ink Cafe.

The application has been set down for hearing on 3 June 2010 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 27 May 2010).

The applicant's address for service is c/o David Watts & Associates, 1 Cator Street, Glenside, S.A. 5065 (Attention: David Watts).

Plans relevant to the application may be inspected without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 29 April 2010.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Brand New Vintage Limited has applied to the Licensing Authority for variation to Conditions in respect of premises situated at 102 Main Road, Hahndorf, S.A. 5245 and known as One Planet Cellars.

The application has been set down for hearing on 3 June 2010 at 11 a.m.

##### *Conditions*

The following licence conditions are sought:

- Variation to Licence Conditions governing trading hours, so as to extend the permitted hours for Fridays and Saturdays to 11 p.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 27 May 2010).

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

Plans relevant to the application may be inspected without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 29 April 2010.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Kalithea Pty Ltd as trustee for Kalithea Family Trust has applied to the Licensing Authority for a Retail Liquor Merchant's Licence in respect of premises situated at 281 North Terrace, Adelaide, S.A. 5000 and to be known as Xpress Liquor.

The application has been set down for hearing on 3 June 2010 at 11.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 27 May 2010).

The applicant's address for service is c/o Peter Mazis, 1 Wesley Street, Lower Mitcham, S.A. 5062.

Plans relevant to the application may be inspected without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 30 April 2010.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Nalow Pty Ltd as trustee for Nalow Trust has applied to the Licensing Authority for the transfer of a Residential Licence in respect of premises situated at Jubilee Highway, Mount Gambier, S.A. 5290 and known as Limestone Coast Motor Inn.

The application has been set down for hearing on 7 June 2010 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 31 May 2010).

The applicant's address for service is c/o Bill Moody, 7th Floor, 185 Victoria Square, Adelaide, S.A. 5000.

Plans relevant to the application may be inspected without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 29 April 2010.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Cremorne Hotel Trading Pty Ltd as trustee for Cremorne Hotel Trading Unit Trust has applied to the Licensing Authority for Alterations, Redefinition and variation to Extended Trading Authorisation and Entertainment Consent Licence in respect of premises situated at 207-209 Unley Road, Unley, S.A. 5061 and known as Cremorne Hotel.

The application has been set down for hearing on 1 June 2010 at 9.30 a.m.

##### *Conditions*

The following licence conditions are sought:

- Alterations and Redefinition to create a smoker's court and new entry adjacent to Area 3 as per plans lodged with this office.
- Alterations and Redefinition to create and include new beer garden adjacent to Area 5 and new entry as per plans lodged with this office.
- Variation to Extended Trading Authorisation to include the whole licensed premises in accordance with the currently approved Extended Trading Authorisation as per plans lodged with this office.
- Variation to Entertainment Consent to included the proposed gaming room (currently service yard) in accordance with the currently approved Entertainment Consent as per plans lodged with this office.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 25 May 2010).

The applicant's address for service is c/o Wallmans Lawyers, G.P.O. Box 1018, Adelaide, S.A. 5001 (Attention: Peter Hoban).

Plans relevant to the application may be inspected without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 27 April 2010.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that S & T Bellis Investment Pty Ltd has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 98-100 Gouger Street, Adelaide, S.A. 5000 known as Gouger Fish Café and to now be known as Ba Guo Buyi.

The application has been set down for hearing on 1 June 2010 at 11.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 25 May 2010).

The applicant's address for service is c/o Van Dissels Solicitors, P.O. Box 419, Magill, S.A. 5072 (Attention: Jacob Van Dissel).

Plans relevant to the application may be inspected without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 27 April 2010.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that The Greater Union Organisation Pty Ltd has applied to the Licensing Authority for Alterations, Redefinition, variation to Extended Trading Authorisation, variation to Entertainment Consent and variation to Conditions in respect of premises situated at Level 3, 293-297 Diagonal Road, Oaklands Park, S.A. 5046 and known as Gold Class Cinemas.

The application has been set down for hearing on 1 June 2010 at 10.30 a.m.

##### *Conditions*

The following licence conditions are sought:

- Alterations and Redefinition to include the cinema concourse, foyer and all theatres as per plans lodged with this office.
- Variation to Conditions by deleting Clauses 1 and 5 in the current conditions and in lieu thereof the following:
  1. In the cinema area defined as Gold Class minors shall only be permitted whilst accompanied by a parent or an adult.
  5. Food shall be made available at all times during the opening hours.
- And adding the following clause:
 

The supply and consumption of liquor will be ancillary to the primary purpose of the cinema complex to provide entertainment in cinema theatres.
- Variation to trading hours including Extended Trading Authorisation for the areas that are currently approved with Extended Trading Authorisation and to now include the abovementioned proposed redefined areas for the following days and times:
 

Monday to Sunday: 9 a.m. to 2.30 a.m. the following day;

Maundy Thursday: 9 a.m. to 2 a.m. the following day;

Christmas Eve: 9 a.m. to 2 a.m. the following day;

Sunday Christmas Eve: 9 a.m. to 2 a.m. the following day;

Days preceding other Public Holidays: 9 a.m. to 2.30 a.m. the following day;

Sundays preceding other Public Holidays: 9 a.m. to 2.30 a.m. the following day.
- Variation to Entertainment Consent to include the abovementioned proposed redefined areas as per plans lodged with this office.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 25 May 2010).

The applicant's address for service is c/o Moody Rossi & Co., 7th Floor, 185 Victoria Square, Adelaide, S.A. 5000 (Attention: Bill Moody).

Plans relevant to the application may be inspected without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor,

East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 29 April 2010.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Miles Handy Services Pty Ltd as trustee for Miles Trust has applied to the Licensing Authority for the Transfer of a Residential Licence in respect of premises situated at Main Road, via Delamere, S.A. 5204 and known as Cape Jervis Station.

The application has been set down for hearing on 2 June 2010 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 26 May 2010).

The applicant's address for service is c/o Anthony or Sally Miles, P.O. Box 43, Delamere, S.A. 5204.

Plans relevant to the application may be inspected without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 27 April 2010.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that William Ronald McLaughlin and Myra Ruth McLaughlin have applied to the Licensing Authority for the transfer of a Residential Licence in respect of premises situated at Main North Road, Auburn, S.A. 5451 and known as Auburn Shiraz Motel.

The application has been set down for hearing on 2 June 2010 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants' address, at least seven days before the hearing date (viz: 26 May 2010).

The applicants' address for service is c/o Foreman Legal, 69 Mount Barker Road, Stirling, S.A. 5152.

Plans relevant to the application may be inspected without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 28 April 2010.

Applicants

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Woodvale Clare Pty Ltd as trustee for Woodvale Property Trust has applied to the Licensing Authority for a Wholesale Liquor Merchant's Licence in respect of premises situated at Lot 72 Hughes Park Road, Penwortham, S.A. 5453 and to be known as Woodvale Clare Pty Ltd.

The application has been set down for hearing on 7 June 2010 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 31 May 2010).

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

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 3 May 2010.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that David Gartner Pty Ltd as trustee for David Gartner Family Trust has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Glenroy Siding Road, Penola, S.A. 5227 and to be known as David Gartner Pty Ltd.

The application has been set down for hearing on 7 June 2010 at 11.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 31 May 2010).

The applicant's address for service is c/o David Gartner, PMB 67 Penola, Penola, S.A. 5277.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 3 May 2010.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Long Riders Christian Motor Cycle Club has applied to the Licensing Authority for a Limited Club Licence in respect of premises situated at 37 Rocky Gully Road, Murray Bridge, S.A. 5253 and to be known as Long Riders Christian Motor Cycle Club.

The application has been set down for hearing on 8 June 2010 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 1 June 2010).

The applicant's address for service is c/o John Simonds, P.O. Box 3050, Murray Bridge, S.A. 5253.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 3 May 2010.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that JK Projects Pty Ltd has applied to the Licensing Authority for the transfer of a Producer's Licence

in respect of premises situated at Lot 200 Yorktown Road, One Tree Hill, S.A. 5114 known as Santalini Wines and to be known as Dakhara Wines.

The application has been set down for hearing on 8 June 2010 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 1 June 2010).

The applicant's address for service is c/o G. S. Khera, P.O. Box 382, Unley, S.A. 5061.

Plans relevant to the application may be inspected without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 3 May 2010.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Cho & Kim Pty Ltd as trustee for Cho & Kim Trust has applied to the Licensing Authority for a Special Circumstances Licence with Extended Trading Authorisation in respect of premises situated at Level 1, 260 Rundle Street, Adelaide, S.A. 5000 and to be known as RS Billiard Bar.

The application has been set down for hearing on 2 June 2010 at 9.30 a.m.

##### *Conditions*

The following licence conditions are sought:

- That the premises shall be conducted as a cue sports venue at all times.
- There will be a minimum of nine billiard and/or eight tables available for use at all times while the premises is open to the public.
- The premises will only be advertised as a billiard bar involving cue sports.
- There will be no band activity or any other activity relating to entertainment.
- All amplification will be via the licensee's 'in house' sound system for background music only.
- Noise emanating from the premises will not exceed 8dB above the ambient background noise level when measured in any octave, such measurement being from the boundary of any nearby premises.
- Public outside lighting will be provided at the entrance/exit to the premises.
- Cameras will also feature at the entrance/exit to the premises as an additional safety feature.
- No person under the age of 18 shall gain entry to or remain on the premises after 9 p.m. except on tournament, exhibition or organised competition nights or when accompanied by a parent or guardian.
- There will be no beer available from keg or by way of draught (tap beer).
- There will be no queuing on the foot path at the front of the premises inconveniencing the public 'right of way' as the reception area is a good distance from the entrance door.
- There will be, at all times, displayed at all exits from the premises, clearly visible and legible to persons leaving the premises signs in the form of—'Please leave these premises as quietly and quickly as possible so as not to disturb nearby residents'.
- The hours of operation including Extended Trading Authorisation will be as follows:
  - Monday to Thursday: 11 a.m. to midnight;
  - Friday to Saturday: 11 a.m. to 2 a.m. the following day;
  - Sunday: 11 a.m. to midnight.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 26 May 2010).

The applicant's address for service is c/o Dong Kim, 10A/291 Unley Road, Malvern, S.A. 5061.

Plans relevant to the application may be inspected without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 28 April 2010.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Roukos Pty Ltd as trustee for Roukos Family Trust has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 70 Main South Road, Reynella, S.A. 5162 and known as Fasta Pasta Reynella.

The application has been set down for hearing on 3 June 2010 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 27 May 2010).

The applicant's address for service is c/o Camatta Lempens Lawyers, Level 1, 345 King William Street, Adelaide, S.A. 5000 (Attention: Amanda Wilson).

Plans relevant to the application may be inspected without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 28 April 2010.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Three Dark Horses Pty Ltd has applied to the Licensing Authority for a Direct Sales Licence in respect of premises situated at 4/18 Conyngham Street, Glenside, S.A. 5065 and to be known as Three Dark Horses.

The application has been set down for hearing on 3 June 2010 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 27 May 2010).

The applicant's address for service is c/o David Watts & Associates, 1 Cator Street, Glenside, S.A. 5065 (Attention: David Watts).

Plans relevant to the application may be inspected without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 28 April 2010.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Rino Leo and Maria Leo as trustees for the Leo Family Trust have applied to the Licensing

Authority for a Restaurant Licence with Entertainment Consent in respect of premises situated at Ground Floor, 70 Hindmarsh Square, Adelaide, S.A. 5000 and to be known as La Piazza Cafe.

The application has been set down for hearing on 2 June 2010 at 11 a.m.

##### *Conditions*

The following licence condition is sought:

- Entertainment is sought for the licensed premises as per plans lodged with this office.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 26 May 2010).

The applicants' address for service is c/o Wallmans Lawyers, G.P.O. Box 1018, Adelaide, S.A. 5001 (Attention: Peter Hoban or Ben Allen).

Plans relevant to the application may be inspected without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 28 April 2010.

Applicants

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Maurice Dichiera and Robert Dichiera as trustees for the Robert Dichiera Family Trust, the Maurice Dichiera Family Trust and the Nonno Joe Family Trust have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 251 Esplanade, Henley Beach, S.A. 5022 and known as Morska Vila.

The application has been set down for hearing on 2 June 2010 at 11.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 26 May 2010).

The applicants' address for service is c/o Clelands Lawyers, 208 Carrington Street, Adelaide, S.A. 5000 (Attention: Rinaldo D'Aloia).

Plans relevant to the application may be inspected without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 28 April 2010.

Applicants

#### MINING ACT 1971

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

Applicant: Ausmin Development Pty Ltd

Location: Walparuta area—Approximately 30 km west of Olary.

Pastoral Leases: Weekeroo, Outalpa

Term: 2 years

Area in km<sup>2</sup>: 70

Ref.: 2009/00287

Plan and co-ordinates can be found on the PIRSA, website: [http://www.pir.sa.gov.au/minerals/public\\_notices](http://www.pir.sa.gov.au/minerals/public_notices) or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

## MINING ACT 1971

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

Applicant: South Australian Coal Limited  
 Location: Lake Phillipson area—Approximately 60 km south-west of Coober Pedy.  
 Pastoral Leases: Mabel Creek, Port Mulgathing, Mount Penrhyn, Lake Wirrida, Ingomar.  
 Term: 3 years  
 Area in km<sup>2</sup>: 1 367  
 Ref.: 2010/00028

Plan and co-ordinates can be found on the PIRSA, website: [http://www.pir.sa.gov.au/minerals/public\\_notices](http://www.pir.sa.gov.au/minerals/public_notices) or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

## MINING ACT 1971

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

Applicant: Helix Resources Limited  
 Location: Yellabinna area—Approximately 110 km north-east of Ceduna.  
 Term: 2 years  
 Area in km<sup>2</sup>: 355  
 Ref.: 2010/00093

Plan and co-ordinates can be found on the PIRSA, website: [http://www.pir.sa.gov.au/minerals/public\\_notices](http://www.pir.sa.gov.au/minerals/public_notices) or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

## MINING ACT 1971

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

Applicant: Mantina Investments Pty Ltd  
 Claim No.: 4136  
 Location: Section 1425, Hundred of Kapunda—Approximately 2 km south-east of Kapunda.  
 Area: 41.2 Hectares  
 Purpose: For the recovery of extractive minerals (dolomite).  
 Ref.: T02785

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

Written submissions in relation to the granting of the mining lease are invited to be received at the Department of Primary Industries and Resources, Mineral Resources Group, Level 7, 101 Grenfell Street, Adelaide, S.A. 5000 or G.P.O. Box 1671, Adelaide, S.A. 5001 no later than 3 June 2010.

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

J. MARTIN, Mining Registrar

## THE DISTRICT COURT OF SOUTH AUSTRALIA

## MOUNT GAMBIER CIRCUIT COURT

Sheriff's Office, Adelaide, 10 May 2010

IN pursuance of a precept from the District Court of South Australia to me directed, I do hereby give notice that the said Court will sit as a Court of Oyer and Terminer and General Gaol Delivery at the Courthouse at Mount Gambier on the day and time undermentioned and all parties bound to prosecute and give evidence and all jurors summoned and all others having business at the said Court are required to attend the sittings thereof and the order of such business will be unless a Judge otherwise orders as follows:

Monday, 10 May 2010 at 10 a.m. on the first day of the sittings the only business taken will be the arraignment of prisoners in gaol and the passing of sentences on prisoners in gaol committed for sentence; the surrender of prisoners on bail committed for sentence; the surrender of persons in response to *ex officio* informations or of persons on bail and committed for trial who have signified their intentions to plead guilty and the passing of sentences.

Juries will be summoned for Monday, 10 May 2010 and persons will be tried on this and subsequent days of the sittings.

*Prisoners in H. M. Gaol and on bail for sentence and for trial at the sittings of the Mount Gambier Courthouse, commencing Monday, 10 May 2010.*

Churchill, Jacob William	Application for enforcement of a breached bond; attempted serious criminal trespass; dishonestly take property without owners consent	On bail
Mitrovic, Ilija Dusan	Application for enforcement of a breached bond; aggravated assault; aggravated threatening life; false imprisonment	On bail
Rankine, Dale Lee	Aggravated assault causing harm	On bail
Seniw, Lanya Jane	Dishonestly take property without owners consent	On bail
Smith, Jake Timba	Serious criminal trespass; commit an assault that causes harm	On bail
Swansson, Nathan Douglas	Threaten to kill or endanger life	On bail
Tilley, Patrick Nigel	Serious criminal trespass; dishonestly take property without owners consent	In gaol
Goldsworthy, Lauren	Aggravated serious criminal trespass in a place of residence; aggravated threatening life	In gaol
Norman, Robert Wade	Aggravated indecent assault	In gaol
Perry, Scott Charles	Trafficking in a controlled drug	In gaol
Klatt, Michael Leigh	Aggravated indecent assault; unlawful sexual intercourse	On bail
Mohamed, Bashir Ali	Unlawful sexual intercourse; inciting an act of gross indecency	On bail
Hopkins, Alan Gregory	Indecent assault (5); unlawful sexual intercourse (3)	On bail
Lindner, Stephanie Leanne	Causing serious harm with intent to cause serious harm	On bail
Axup, Jack Daniel	Aggravated recklessly causing harm; aggravated assault; assault; damage property	On bail
Read, Christopher James	Aggravated serious criminal trespass in a place of residence	On bail
Simmonds, Michael Arthur	Aggravated serious criminal trespass in a place of residence; aggravated threatening harm	In gaol
McPherson, Clay Justin	Aggravated robbery; aggravated threatening harm; aggravated serious criminal trespass in a place of residence	On bail

Bell, Darren Frederick	Aggravated robbery; aggravated threatening harm; aggravated serious criminal trespass in a place of residence	On bail
Hull, Benjamin Ashley	Aggravated producing child pornography; possession of child pornography	On bail
Sutherland, Scott Robert	Supply or administer drug to another person; trafficking in a controlled drug	On bail
Hardy, Jonathon Patrick	Possess child pornography	On bail
Gale, Bradley Garry	Cultivate a commercial quantity of controlled plant	On bail
Jack, Luke Anderson	Trafficking in a controlled drug	On bail
Munn, Jason Troy	Cultivate a commercial quantity of controlled plant	On bail
Hopgood, Mark Allan	Aggravated causing harm with intent to cause harm	On bail

Prisoners on bail must surrender at 10 a.m. of the day appointed for their respective trials. If they do not appear when called upon their recognizances and those of their bail will be estreated and a bench warrant issued forthwith.

By Order of the Court

M. A. STOKES, Sheriff

#### NATIONAL ELECTRICITY LAW

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

Under sections 102 and 103, the making of the *National Electricity Amendment (SA Jurisdictional Derogation (Connections Charging)) Rule 2010 No. 3* and related final determination. All provisions commence on **1 July 2010**.

Under section 99, the making of a:

- draft Rule determination and draft *National Electricity Amendment (Publication of a Carbon Dioxide Equivalent Intensity Index for the National Electricity Market) Rule 2010* (Project Ref. ERC0098). In relation to the draft Rule determination, requests for a pre-determination hearing must be received by **13 May 2010** and submissions must be received by **17 June 2010**; and
- draft Rule determination and draft *National Electricity Amendment (Provision of Metering Data Services and Clarification of Existing Metrology Requirements) Rule 2010* (Project Ref. ERC0092). In relation to the draft Rule determination, requests for a pre-determination hearing must be received by **13 May 2010** and submissions must be received by **1 July 2010**.

Requests for a hearing should be forwarded to [submissions@aemc.gov.au](mailto:submissions@aemc.gov.au) and must cite the Project Ref. in its title.

Submissions can be lodged online via the AEMC's website at [www.aemc.gov.au](http://www.aemc.gov.au). Before lodging your submission, you must review the AEMC's privacy collection statement on its website.

Submissions should be made in accordance with the AEMC's *Guidelines for making written submissions on Rule change proposals*. The AEMC publishes all submissions on its website subject to a claim of confidentiality.

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

John Tamblyn  
Chairman  
Australian Energy Market Commission  
Level 5, 201 Elizabeth Street  
Sydney, N.S.W. 2000  
Telephone: (02) 8296 7800  
Facsimile: (02) 8296 7899

6 May 2010.

#### NATIONAL GAS (SOUTH AUSTRALIA) ACT 2008 NATIONAL GAS (SOUTH AUSTRALIA) LAW—SECTION 294B *Notice of Making of National Gas (Short Term Trading Market) Amendment Rules 2010*

I, PATRICK CONLON, Minister for Energy for the Crown in right of the State of South Australia, as the Minister administering the National Gas (South Australia) Act 2008 of South Australia, hereby give notice of the making of the National Gas (Short Term Trading Market) Amendment Rules under section 294B (1) of the National Gas (South Australia) Law on the recommendation of the Ministerial Council on Energy.

The National Gas (Short Term Trading Market) Amendment Rules 2010 commence operation on 7 May 2010 and will, from commencement, be publicly available on the Australian Energy Market Commission website: [www.aemc.gov.au](http://www.aemc.gov.au).

Dated 3 May 2010.

PATRICK CONLON, Minister for Energy

#### OCCUPATIONAL HEALTH, SAFETY AND WELFARE REGULATIONS 1995

##### *Declaration of Classified Chemicals*

NOTICE is hereby given that, pursuant to Part 4 of the Occupational Health, Safety and Welfare Regulations 1995, I, Paul Holloway, Minister of Industrial Relations, do hereby declare that chemicals that are classified and labelled under the Globally Harmonised System Scheme Version 2 (GHS Scheme) comply with the Approved Code of Practice for the Labelling of Workplace Substances (the Code) in South Australia.

Dated 3 May 2010.

PAUL HOLLOWAY, Minister for  
Industrial Relations

#### PASTORAL LAND MANAGEMENT AND CONSERVATION ACT 1989

##### *Notice of Intent to Re-open Public Access Route No. 13— Halligan Point*

NOTICE is hereby given that the Halligan Point Public Access Route from the Oodnadatta Track to Lake Eyre National Park is intended to be re-opened for four wheel drive access only, pursuant to section 45 (3) (a) of the Pastoral Land Management and Conservation Act 1989, as at 6 May 2010.

Dated 30 April 2010.

C. TURNER, Senior Pastoral Inspector

#### PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

##### *Suspension of Licence Condition Extension of Licence Term Petroleum Exploration Licence—PEL 104 and Associated Activities Licences—AALs 99 and 100*

PURSUANT to section 76A of the Petroleum and Geothermal Energy Act 2000, notice is hereby given that Condition 1 of the abovementioned Petroleum Exploration Licence has been suspended under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 1 October 2009, for the period from and including 3 October 2010 until 2 April 2011.

The term of PEL 104 and AALs 99 and 100 have been extended by a period corresponding to the period of suspension, such that the licences will now expire on 2 April 2014.

Dated 4 May 2010.

B. A. GOLDSTEIN,  
Director Petroleum and Geothermal  
Minerals and Energy Resources  
Primary Industries and Resources SA  
Delegate of the Minister for Mineral  
Resources Development

## PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Suspension of Licence Condition  
Extension of Licence Term  
Petroleum Exploration Licence—PEL 115*

PURSUANT to section 76A of the Petroleum and Geothermal Energy Act 2000, notice is hereby given that Condition 1 of the abovementioned Petroleum Exploration Licence has been suspended under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 1 October 2009, for the period from and including 13 November 2010 until 12 May 2011.

The term of PEL 115 has been extended by a period corresponding to the period of suspension, such that the licence will now expire on 12 May 2014.

Dated 4 May 2010.

B. A. GOLDSTEIN,  
Director Petroleum and Geothermal  
Minerals and Energy Resources  
Primary Industries and Resources SA  
Delegate of the Minister for Mineral  
Resources Development

Salary \$  
per annum

Stipendiary Magistrate appointed Warden under the Mining Act 1971, as amended, and performing the duties of Senior Warden paid the salary shown for as long as that person continues to perform such duties .....	260 470
Stipendiary Magistrate appointed as a Deputy State Coroner on a full-time ongoing basis paid the allowance shown for as long as that person continues to perform such duties. ....	6 970
His Honour Judge W. D. Jennings whilst he performs the functions of both Senior Judge of the Industrial Relations Court and President of the Workers' Compensation Tribunal.....	332 250
His Honour Judge Hannon whilst he performs the functions of both Judge of the Industrial Relations Court and President of the Industrial Relations Commission.....	327 620
Other Judges of the Industrial Relations Court who hold joint commissions in the Australian Industrial Relations Commission and the Industrial Relations Commission of South Australia .....	311 820

## DETERMINATION OF THE REMUNERATION TRIBUNAL

## NO. 4 OF 2010

*Members of the Judiciary, Members of the Industrial Relations  
Commission, The State Coroner, Commissioners of the  
Environment, Resources and Development Court*

## 1. Scope of Determination

This Determination applies to the undermentioned Members of the Judiciary and to the undermentioned Statutory Office Holders.

## 2. Salary

## 2.1 Members of the Judiciary

## 2.1.1 The annual salaries and allowances for the members of the judiciary will be as follows:

	Salary \$ per annum
Chief Justice of the Supreme Court .....	395 440
Puisne Judges of the Supreme Court .....	353 090
Masters of the Supreme Court .....	311 820
Chief Judge of the District Court.....	353 090
Other District Court Judges .....	311 820
Masters of the District Court .....	275 390
Chief Magistrate .....	291 690
Deputy Chief Magistrate .....	271 930
Supervising Magistrates.....	265 160
Assistant Supervising Magistrate of the Adelaide Magistrates Court.....	259 860
Stipendiary Magistrates .....	247 210
Supervising Industrial Magistrate .....	247 210
Other Industrial Magistrates .....	247 210
Senior Judge, Youth Court and Senior Judge, Environment Resources and Development Court, appointed as such, paid the allowance shown for as long as that person continues to perform such duties and is designated as 'Senior' .....	8 780
Stipendiary Magistrate directed by the Chief Magistrate with the concurrence of the Attorney-General to perform special administrative duties in a region (Regional Manager) or in a residential country area (Country Resident Magistrate) paid the allowance shown for as long as that person continues to perform such duties.....	17 950
Stipendiary Magistrate directed by the Chief Magistrate with the concurrence of the Attorney-General to perform special administrative duties at a particular court (Magistrate-in-Charge) paid the allowance shown for as long as that person continues to perform such duties.....	6 970

2.1.2 Where a person is appointed as Acting Chief Justice of the Supreme Court or as Acting Chief Judge of the District Court and such appointment extends for a continuous period of more than one week, the person appointed shall be paid a salary equal to the salary specified herein for the Chief Justice or the Chief Judge, as appropriate, for the whole of the period the appointment is in effect.

## 2.2 Statutory Office Holders

The annual salaries for the following statutory office holders will be as follows:

	Salary \$ per annum
State Coroner whilst he continues to perform this function under his current conditions of employment .....	288 440
Deputy Presidents of the Industrial Relations Commission .....	272 530
Commissioners of the Industrial Relations Commission .....	236 990
Commissioners of the Environment, Resources & Development Court.....	236 990

## 3. Travelling and Accommodation Allowances

Allowances to be paid will be in accordance with the Tribunal's most recent Determination on these allowances as amended from time to time.

## 4. Communication Allowance

A person to whom this Determination applies and who is eligible for the Communication Allowance will continue to receive the Allowance as detailed in the relevant determination.

## 5. Conveyance Allowances

Allowances to be paid will be in accordance with the Tribunal's most recent Determination on these allowances as amended from time to time.

## 6. Date Of Operation

Salaries and allowances prescribed in Clause 2 are operative on and from 1 May 2010, and supersede those of all previous Determinations covering persons whose office is listed herein.

Dated 30 April 2010.

H. R. BACHMANN, President  
J. A. MEEKING, Member  
D. J. SMYTHE, Member

## REMUNERATION TRIBUNAL

## REPORT RELATING TO DETERMINATION NO. 4 OF 2010

## 1. Introduction

- 1.1 In accordance with the provisions of the Remuneration Act 1990 (the Act), the Remuneration Tribunal ('the Tribunal') reviewed the remuneration of members of the judiciary and statutory office holders whose offices are listed in Section 13 of the Act during the latter part of 2009. By Determination and Report published in the *Government Gazette* of Thursday 10 December 2009, the Tribunal promulgated its decision in that matter, noting its intention to receive submissions regarding judicial work value changes, as follows:

'...the Tribunal proposes to conduct a further review in the new year and hear further submissions specifically in relation to work value changes. The Tribunal will call for submissions as per the usual process at a date to be determined.'

- 1.2 The Tribunal by letters dated 29 January 2010 invited the Judicial Remuneration Co-ordinating Committee ('JRCC') and the Crown Solicitor's Office, as the Minister's Representative, to provide submissions regarding changes in work value within the Judiciary.

## 2. Commonwealth Tribunal's Review and Determination

- 2.1 The Tribunal noted the recently issued Commonwealth Tribunal's Determinations 2009/23 and 2010/03 and the accompanying statements of the Commonwealth Tribunal, which provided a 1.5 per cent increase effective 1 November 2009 and a further 1.5 per cent increase effective 1 May 2010.
- 2.2 The Tribunal also noted that these increases were provided in accordance with the Commonwealth Tribunal's Report on the Review of Remuneration Relativities among Australia's Federal Courts, published in October 2009, to which it referred in some detail in the report relating to its Determination 5 of 2009.
- 2.3 In summary the Commonwealth Tribunal commenced its review in May 2007. Submissions were received during the course of that year and the Tribunal gave consideration to each of the submissions over the period between late 2007 and early 2008. Further submissions were made in 2008 and by November 2008 the Tribunal had come to an indicative decision. In this indicative decision the Commonwealth Tribunal 'concluded that there was a work value case to increase the remuneration of the Judges of the Federal Court by 6 per cent. At the same time, the Tribunal noted the Attorney-General's views about the difficult economic circumstances in which Australia, and indeed the world, found itself and decided at the time not to put the increase into effect until at least 1 July 2009.'
- 2.4 The Commonwealth Tribunal subsequently revisited the circumstances of its indicative decision and following the receipt of further information from both the Family Court and the Federal Magistrates Court published its final report in October 2009. In its decision (as outlined within the final report), the Commonwealth Tribunal concluded that the prevailing economic circumstances preclude the granting of the full increase of 6 per cent and instead decided on an adjustment of 1.5 per cent for judicial offices in the High Court, Federal Court, Family Court and Federal Magistrates Courts operative from 1 November 2009'. It also indicated that its present intention was 'to determine three further 1.5 per cent adjustments for each of the judicial offices concerned' subject to some further consideration 'and while the actual decisions on timing are for the future... the total increase would have occurred by 1 May 2011'.

## 3. Submissions

- 3.1 The Tribunal received written submissions from:

- Justice Bleby, Chair of the Judicial Remuneration Co-ordinating Committee (JRCC), on behalf of the Chief Justices, Judges and Masters of the Supreme Court; the Chief Judge, Judges and Masters of the District Court; the Senior Judge, Judges and Magistrates of the Industrial Relations Court; the President, Deputy Presidents and Commissioners of the Industrial Relations

Commission; the Chief Magistrate and the Magistrates of the Magistrates Court; the State Coroner and the Deputy State Coroners; and the Commissioners of the Environment Resources and Development Court; and

- The Crown Solicitor's Office, on behalf of the Minister, intervening in the public interest.
- 3.2 The Tribunal convened a hearing on Wednesday, 17 February 2010 to hear oral submissions. The following representatives attended and made submissions:
- Justice Bleby, with four colleagues, on behalf of the JRCC; and
  - Mr Stephen McDonald and Mr Edward Stratton-Smith on behalf of the Minister, in the public interest.
- 3.3 In summary, the JRCC submitted that the Tribunal should continue to set judicial salaries in a national framework, and in the national interest. It contended that because the increases to the Federal judiciary's salaries as a result of the Commonwealth Tribunal's decision of 13 October 2009 has flowed on to judges in the other States and Territories, with the exception of N.S.W., either automatically via existing legislative provisions or by Tribunal determinations, the same increases should flow on to the South Australian Judiciary. Other reasons for seeking this increase were:
- The adverse impact on the attraction and retention of judges of the highest calibre for South Australian courts, of a 6 per cent gap in remuneration between South Australia and other jurisdictions;
  - A substantial salary disparity is not justifiable on a work value basis, as State courts exercise a much wider and more comprehensive jurisdiction than Federal Courts, including jurisdictions that cannot be exercised by the Federal Courts, for example extensive criminal jurisdiction, substantial testamentary causes jurisdiction and jurisdiction under the Inheritance (Family Provision) Act 1972 (SA), and planning and development and liquor licensing jurisdictions.
  - Most of the jurisdictions of State Supreme and Federal Courts are cross-vested by legislation, allowing a greater number of Federal jurisdiction cases to be heard by State Supreme Court Judges.
  - Any increase in work value of the Federal Court and Federal Magistrates Court with regard to workload, factual and legal complexity, increases the breadth of law, including the number of legal and factual issues both across case load and within individual cases have a corresponding effect on State courts because they exercise essentially the same jurisdictions.
  - There has been substantial increase in jurisdictions conferred on State courts, in workloads and in the length and complexity of cases without a corresponding effective increase in judicial personnel all of which has required an increase in judicial education and the acquisition of additional knowledge and skills.
- 3.4 The Minister's representatives submitted that the Commonwealth Tribunal's rationale for granting an increase in the remuneration of Justices of the High Court, the Federal Court, the Family Court and the Federal Magistrates Court based on an increase in 'work value' was flawed in important aspects. In this context they submitted that an increase in 'work value' of Federal Court Judges did not automatically result in a corresponding increase in the 'work value' of the South Australian Judiciary. Other submissions made by the Minister's representatives included the following:
- The Tribunal, with regards to the requirement that an increase not be granted unless an increase in work value is clearly demonstrated, should apply the wage fixation principles established by the Industrial Relations Commission of South Australia, viz. by ensuring the judiciary are treated consistently with other wage earners in South Australia.
  - There was insufficient basis for an argument that 'attraction and retention' is of great utility in relation to judicial appointments, and as such is of limited use in the consideration of remuneration.

- Work value is by its very nature difficult to assess and this is particularly so in respect of the work of the judiciary and as such is generally not a predominant concept in the determination of appropriate levels of remuneration for the judiciary.
- The remuneration of South Australian judicial officers should not be further increased at this time, however in doing so noted that should the Tribunal determine that the remuneration of South Australian judicial officers should be increased, that the increase provided be of no more than 6 per cent over 18 months.

#### 4. *Fair Work Act 1994*

- 4.1 In relation to comments made by the JRCC and Crown Solicitors Office on behalf of the Minister, the Tribunal will, as required by s101(1) of the Fair Work Act 1994 (SA), continue to have due regard to State Wage Fixing Principles, and as it deems appropriate apply and give effect to such principles.

#### 5. *Conclusion*

- 5.1 The Tribunal notes that while there have been changes in the breadth of jurisdiction and workload of the South Australian Judiciary it does not consider these, in the words of Principle 8 of the SA Wage Fixation Principles, to be such as to 'constitute such a significant addition in to work requirements as to warrant the creation of a new classification or upgrading to a higher classification'. Nevertheless, and while it accepts the criticism of the approach taken by the Commonwealth and Western Australian Tribunals with regards to work value assessment, and the lack of details of work value changes in their reasoning, the Tribunal reiterates its past approach, that setting salaries in a 'national framework' continues to be the most persuasive and appropriate approach for it to adopt, and in the public interest. In this regard, present indications are that N.S.W. has now appointed a new Tribunal that is presently in the process of seeking submissions with respect to this aspect of judicial remuneration.
- 5.2 Finally the Tribunal will consider any additional increases provided by the Commonwealth Tribunal, in relation to its Review of Remuneration Relativities among Australia's Federal Courts, as they arise, and determine their applicability to the South Australian Judiciary at the appropriate time.

#### 6. *Determination*

- 6.1 Having regard to all the submissions and material before it, including the review and decisions of the Commonwealth Tribunal, the Tribunal determines that the salaries of the judiciary and statutory office holders the subject of this review should be increased as set out in Determination 4 of 2010, to operate from 1 May 2010.

Dated 30 April 2010.

H. R. BACHMANN, President

#### ROADS (OPENING AND CLOSING) ACT 1991: SECTION 24

#### NOTICE OF CONFIRMATION OF ROAD PROCESS ORDER

#### *Road Closure—Kulpara*

BY Road Process Order made on 11 August 2009, the District Council of Barunga West ordered that:

1. The whole of the un-named public roads generally situate between Tivers and Yarroo Roads and adjoining Sections 546, 189, 405, 438 and 444, Hundred of Kulpara, more particularly delineated and lettered 'A', 'B' and 'C' respectively on Preliminary Plan No. 09/0017 be closed.

2. The whole of the land subject to closure be transferred to Yarra Hills Pty Ltd in accordance with agreement with transfer dated 11 August 2009 entered into between the District Council of Barunga West and Yarra Hills Pty Ltd.

On 24 February 2010 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 83390 being the authority for the new boundaries.

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

Dated 6 May 2010.

P. M. KENTISH, Surveyor-General

#### SURVEY ACT 1992

PURSUANT to section 50 (3) of the Survey Act 1992, notice is given that the Confused Boundary Area at Westbourne Park bounded by Goodwood Road, Marlborough Road, Warwick Street and Carlisle Road is revoked.

Ref.: Filed Plan 51439.

Dated 6 May 2010.

P. M. KENTISH, Surveyor-General

South Australia

## **Motor Vehicles (Approval of Motor Bikes and Motor Trikes) Notice 2010**

under the *Motor Vehicles Act 1959*

### **1—Short title**

This notice may be cited as the *Motor Vehicles (Approval of Motor Bikes and Motor Trikes) Notice 2010*.

### **2—Commencement**

This notice will come into operation on the date of publication in this Gazette.

### **3—Approved motor bikes and motor trikes**

For the purposes of Schedules 2 and 3 of the *Motor Vehicles Regulations 1996* and the transitional provisions of the *Motor Vehicles Variation Regulations 2005* (No 233 of 2005), the motor bikes and motor trikes specified in Schedule 1 are approved.

## Schedule 1—Approved motor bikes and motor trikes

### 1—Motor bikes and motor trikes with an engine capacity not exceeding 260 ml

All motor bikes and motor trikes with an engine capacity not exceeding 260 milliliters and a power to weight ratio not exceeding 150 kilowatts per tonne other than the following:

Suzuki RGV250

Kawasaki KR250 (KR-1 and KR1s models)

Honda NSR250

Yamaha TZR250

Aprilia RS250

### 2—Motor bikes and motor trikes with an engine capacity not less than 261 ml and not exceeding 660 ml

The motor bikes and motor trikes listed in the table below.

Make	Model	Variant Name	Year	Capacity
AJS	Model 18	Model 18	Pre1963	497
	Model 20 (formerly known as Model 30)	Model 20	1955 -61	498
Aprila	Moto 6.5	Moto 6.5	1998-99	649
	Pegaso 650	Dual Sports	1994-01	652
	Pegaso 650	Outback	2000-01	652
	Pegaso 650	Factory 650	2007-08	660
	Pegaso 650 I.E	Outback	2001-02	652
	Pegaso 650 I.E	Dual Sports	2001-06	652
	RXV4.5	RXV4.5	2006-08	449
	RXV5.5	RXV5.5	2006-08	549
	Scarabeo 400	Scarabeo 400	2007	399
	Scarabeo 500	Scarabeo 500	2007-08	460
	Sportcity 300	Sportcity 300	2008	278
	Strada 650	Road	2006-08	659
Strada 650	Trail	2006-08	659	
SXX	SXV4.5	SXV450	2006-08	449
	SXV5.5	SXV550	2006-08	553
Benelli	Velvet Dusk	Velvet 400	2003-05	383
Beta	RR450	RR450	2008	448
	RR450	RR450	2000-07	448
	RR525	RR525	2008	510
	RR525	RR525	2000-07	510
BMW	F650	Funduro	1995-00	652
	F650CS	Scarvar	2002-05	652

<b>Make</b>	<b>Model</b>	<b>Variant Name</b>	<b>Year</b>	<b>Capacity</b>	
BMW cont.	F650CS	SE Road	2004-06	652	
	F650GS (does not include models manufactured after Nov 2007 with 800mL engine)	Dakar	2000-08	652	
		F650GS	2000-08	652	
		F650ST	F650ST	1998	652
	G 450 X	G 450 X	2008	450	
	R50	R50	1969	499	
	R60	R60/5, R60/6	1967	590	
	R65	R65	1984-88	650	
	R65LS	R65LS	1982-86	650	
	R69	R69	1961	600	
	F650GD	F650	2000	652	
	BSA	A50	A50	1964-70	500
		A65	A65	1966-69	650
A7		A7	1961	500	
B40		B40	1969	350	
B44		B44	1967-71	440	
B50		B50	1971	495	
B50SS Goldstar		B50SS Goldstar	1971	498	
Gold Star		Gold Star	1962	500	
Lightning		Lightning	1964	654	
Spitfire MKIII		Spitfire MkIII	1967	650	
Thunderbolt		Thunderbolt	1967	499	
Buell		Blast	Street Fighter	2002-07	491
Bug	SEE KYMCO				
Bultaco	Alpina	Alpina	1974	350	
	Frontera	Frontera	1974	360	
	Sherpa	Sherpa	1974	350	
Cagiva	360WR	360WR	1998-02	348	
	410TE	410TE	1996	399	
	610TE-E	610TEE	1998	576	
	650 Alazzurra	650 Alazzurra	1984-88	650	
	650 Elfant	650 Elfant	1985-88	650	
	Canyon 500	Dual Sports	1999-06	498	
	Canyon 600	Dual Sports	1996-98	601	
	River 600	River 600	1995-98	601	
W16 600	W16 600	1995-97	601		
Coassack (Cossck)	650	650	1974	649	
Derbi	Mulhacen	659/659 Café	2008	659	
Dneper	K650	K650	1972	650	
	Dneiper	Dneiper	1974	650	
	K650	K650 Dnepr	1967-74	650	
	MT9	MT9	1974	650	

<b>Make</b>	<b>Model</b>	<b>Variant Name</b>	<b>Year</b>	<b>Capacity</b>	
Ducati	400 Monster	400 Monster	2002	398	
	400 SS Junior	400 SS	1989-96	398	
	400SS	400SS	1992-95	398	
	500SL	Pantah	1984	499	
	600 Monster	600 Monster	1994-01	583	
	600 Monster	Dark	1998-01	583	
	600 S	600 Supersport	1994-97	583	
	600M	600M	1994-01	583	
	600SL	Pantah	1980-84	583	
	600SS	600SS	1994-98	583	
	620 Monster Lite	M620 Lite	2003-07	618	
	620 Multistrada Lite	MTS620 24.5Kw	2005-07	618	
	DM 350	350	Pre 85	350	
	DM 450	450	Pre 85	448	
	DM450	DM450	1972	450	
	DM500	DM500	1981-84	498	
	F4	400 F4	1986	400	
	M4	M620ia Lite	2003-04	620	
	Enfield	Bullet	Classic	1993-08	499
		Bullet	Deluxe	1993-08	499
Bullet		Electra Road	2006-08	499	
Bullet 350		Deluxe	1988-01	346	
Bullet350		Superstar	1988-94	346	
Bullet 350		Classic	1993-01	346	
Bullet 65		Road	2003-04	499	
Lightning		Road	2000-08	499	
Military		Road	2002-08	499	
Taurus		Diesel	2001	325	
Gas-Gas	Bullet 350 STD	Royal Enfield	1960-90	346	
	EC300	SM Supermotard	2002	299	
	EC300	Enduro	2001-02	299	
	EC400	FSE Enduro	2002-03	399	
	EC450	FSE Enduro	2003-05	449	
	EC450	FSE Supermotard	2003-08	449	
	EC450	FSR Enduro	2006-08	449	
	FS400	FS40A	2006	398	
	FS450	FS45	2006	443	
	FS500	FS50	2006	503	
	FSE 400	400	2002	398	
	FSE 450	450	2003-08	398	
	Pampera	320 Trail	1998-02	333	
	Pampera	400 Trail	2006-08	399	
	Pamper	450	2007-08	399	
	SM400	Supermotard	2003-08	399	
	SM450	Supermotard	2003-08	443	
	TT300	EC300	1998-08	295	

<b>Make</b>	<b>Model</b>	<b>Variant Name</b>	<b>Year</b>	<b>Capacity</b>
Gilera	Fuoco 500	Fuoco 500	2007-08	493
	Nexus 500	Nexus 500	2003-08	460
Harley	SS350	SS350	1974	350
Honda	600V Transalp	600V Transalp	1988	583
	Bros	Bros	1992	399
	C70	Dream	Pre 1970	305
	CB350	CB350	1969	348
	CB350F	CB350F	1973	325
	CB360	CB360	1973-74	360
	CB400	CB400	1981	395
	CB400	CB400	2008-	408
	CB400F	CB400F	1975	395
	CB400N	CB400N	1981	408
	CB400T	CB400T	1977	399
	CB450	CB450	1972-75	450
	CB500	CB500	1977	498
	CB550	CB550	1978	544
	CB650	CB650	1979-82	627
	CBX550	CBX550F	1982-85	572
	CJ360	CJ360	1976	356
	CL450	CL450	1965-77	444
	CRF450X	CRF450X	2005-08	449
	CX500	CX500	1977	495
	CX650	CX650	1983-85	647
	Deauville	NT650V	2002-06	647
	FJS400A	SW-T400	2009	399
	FT500	FT500	1984	498
	FTS600D	Silverwing	2006-08	582
	GB400	GB400	1992	399
	GB500	GB500	1977	498
	GL400	GL400	1985	396
	NF02	SH300	2009	279
	NT400	NT400	1989-92	400
	NTV650	Revere	1989-92	647
	NX650	Dominator	1988-00	644
RVF400	OBI RVF400	1992-96	399	
SL350	SL350	1972	348	
Steed	Steed	2002	398	
VT400C	Shadow, VT400F	2009	399	
VT500	VT500F	1984-86	498	
VT600C	VT600C	1993-00	583	
XBR500	XBR500	1986-89	499	
XBR500SH	XBR500SH	1986-89	499	
XL350	XL350	1984-87	339	
XL500	XL500	1980-84	498	
XL600	XL600	1984 -89	589	
XL600R	XL600R	1984-87	589	

<b>Make</b>	<b>Model</b>	<b>Variant Name</b>	<b>Year</b>	<b>Capacity</b>	
Honda cont.	XL600RMG	XL600RMG	1986-88	591	
	XL600VH	Transalp	1987-89	583	
	XL650V	Transalp	2002-08	647	
	XR350	XR350	1983	339	
	XR350R	XR350R	1983-84	339	
	XR350R	XR350R	1985-86	353	
	XR400	XR400	1996-08	397	
	XR400 Motard	XR400 M	1996-08	397	
	XR400R	XR400R	1996-08	397	
	XR500	XR500	1979-85	498	
	XR500R	XR500R	1983-84	498	
	XR600	XR600	1985	591	
	XR600R	XR600R	1985-00	591	
	XR650L	XR650L	2001-06	644	
	XR650R	XR650R	2000-06	649	
	Husaberg	FE400	Enduro	2000	399
		FE450	Enduro	2008	449
		FE501E	Enduro	1997-03	501
		FE570	Enduro	2008	565
FE600E		Enduro	1997-00	595	
FE650E		Enduro	2004-08	628	
FE650E		Enduro	2000-04	644	
FS450E		Enduro	2004	449	
FS450E		Enduro	2008	449	
FS450E		Supermotard	2004-05	628	
FS650C		Supermotard	2004-08	628	
FS650E		Supermotard	2002-04	644	
FE (Enduro) 4E8		FE4E8	2000	399	
FE (Enduro) 5E8		FE5E8	2000	501	
FE (Enduro) 7E8		FE7E8	2000	644	
FE550		FE550	2004	550	
Husqvarna		350TE	TE350	1995	349
	400SM	Supermotard	2002-04	400	
	400TE	Enduro	2000-01	400	
	410TS	Enduro	1998-00	400	
	410TS	Enduro	1994-97	415	
	450SM	Supermotard	2003-07	449	
	450SMR	Supermotard	2003-08	449	
	450SMRR	Supermotard	2008	449	
	450TC	Motocross	2001-08	449	
	450TE	Enduro	2001-07	449	
	450TE-ie	Enduro	2007-08	449	
	450TXC	Trail	2007-08	449	
	510SM	Supermotard	2004-08	501	
	510TC	Motocross	2004-07	501	
	510TE	Enduro	2004-08	501	
510TE	Enduro	1984-85	505		

<b>Make</b>	<b>Model</b>	<b>Variant Name</b>	<b>Year</b>	<b>Capacity</b>	
Husqvarna cont.	510TE	Enduro	1986-90	510	
	510TE-ie	TE510ie	2008	510	
	570TE	570TE(RP)	2000	577	
	610SM	Dual Sports	200-08	577	
	610TE	TE610(RP), 610TE-e	2000	577	
	610TE	Dual Sports	2008	577	
	AE430	Enduro	1986-88	430	
	WR260	Enduro	1990-91	260	
	WR360	Enduro	1991-03	349	
	WR400	Enduro	1984-88	396	
	WR430	Enduro	1988	430	
	SM 450ie	SM 450ie	2008	449	
	SM 510ie	SM 510ie	2009	501	
	SMS630	A401AB, SM630	2010	600	
	TE310ie	TE310ie	2008	298	
	TE630	630TE	2010	600	
	WR300	WR300	2008	298	
	Hyosung	GT650L	Comet	2005-08	647
		GT650RL	Comet	2005-08	647
		GT650SL	Comet	2005-08	647
GV650L		Aquila	2008-10	647	
Indian	Velo	Velo	1969	500	
	Jawa	350	1974	350	
Jawa	634 Road	634 Road	1984-85	343	
	634 Road	634 Road	1985-86	343	
	Kawasaki	EN400	Vulcan	1986	400
EN450		450Ltd	1995-87	454	
EN500		Vulcan	1990-02	500	
ER-5		ER500	1999-06	498	
ER6-650C		Er-6nL	2009	649	
ER6-650C		Er-6nL ABS	2009	649	
EX400		GPX 400R	1984-94	399	
EX650C		Ninja 650RL	2009-10	649	
EX650C		Ninja 650RL ABS	2009-10	649	
GPZ550		GPZ550	1981-90	553	
GT550		Z550	1984-88	553	
KL600		KLR600	1984-87	564	
KL650		KLR650	1987-10	651	
KLE500		Dual Sports	1992-08	498	
KLX300R		KLX300R	1996-04	292	
KLX400		KLX400	2003	400	
KLX450R		KLX450R	2001-10	449	
KLX650		KLX650	1989-95	651	
KLX650R		Enduro	1993-04	651	
KZ400		KZ400	1974-84	398	
KZ440		KZ440	1985	443	
KZ500		KZ500	1979	497	

<b>Make</b>	<b>Model</b>	<b>Variant Name</b>	<b>Year</b>	<b>Capacity</b>	
Kawasaki cont.	KZ550	KZ550	1986	547	
	LTD440	LTD440	1982	443	
	LX400	LX400 Eliminator	1989	398	
	S2	S2	1972	346	
	S3	S3	1974	400	
	W1 650	W650	1965-70	623	
	Z400B2	KZ400B2	1979	398	
	Z400D	KZ400	1975	398	
	Z500	Z500	1980	498	
	ZR550	Zephyr	1991-99	553	
	ZZR400	ZZR400	1991	399	
	KTM	300EXC	Enduro	1984-00	280
		300EXC	Enduro	2002-08	293
		300EXC	Enduro	2004-07	293
300EXC		Enduro	2000-04	297	
300EXC-E		Enduro	2007-08	293	
300GS		Enduro	1990-95	280	
350EXC Special R		Enduro	2005-06	350	
360EXC		Enduro	1996-98	360	
380EXC		Enduro	2000	368	
400GS		Enduro	1993-99	400	
400SC		400SC	1996-98	400	
400TE		400Te	2001	400	
450EXC		Enduro	2002-07	448	
450EXC-R		Enduro	2005-08	449	
500GS		Enduro	1984-91	553	
510EXC		Enduro	1999-02	510	
520EXC		Enduro	2000-02	510	
525EXC		Enduro	2002-05	510	
525EXC-R		Enduro	2005-07	510	
530EXC-R		Enduro	2007-08	510	
600 Enduro		Enduro	1987-93	553	
600 Enduro Incas		Enduro	1989-90	553	
625SMC		625SMC	2004	609	
660SMC		4T-EGS	2004	654	
Kymco		Bug Xciting	500i	2008-08	498
		Bug Xciting	500Ri	2005-08	498
	Bug Xciting	500	2005-08	498	
Lambretta	All model	Lambretta	Pre2008	Under 660	
Laverda	500	500	1979	497	
Lifan	LF400	LF400	2009	399	
Maico	Enduro	500E	1984-88	488	
Matchless	G12	G12, 650	Pre1966	646	
	G80	Harris	1988-90	494	
	G80	G80	Pre 1963	497	
	650	G11, G12, model 31	1958-66	646	
	500	G80 Major	1949-66	500	

<b>Make</b>	<b>Model</b>	<b>Variant Name</b>	<b>Year</b>	<b>Capacity</b>
MBK	Falcone	Yamaha XT660R	2005-08	660
	Yamaha XT660X	Yamaha XT660X	2005-08	660
Montessa	Cota 330	Trial	1985-86	328
	Cota 33	Trial	4986-88	328
	Cota 348T	Trial	1984-87	305
	Cota 3505	Trial	1984-85	349
Moto Guzzi	350 GT	350 GT	1992	350
	Falcone	Falcone	1972	498
Moto Guzzi cont	V35	V35	11977-80	346
	V50	V50	1977-79	490
	V50	Monza	980-85	490
	V65	V65	1982-87	643
	V65	Lario	1984-89	643
Moto Morini	3.5 Road	3.5 Road	1984-85	344
	350 Sport	350 Sport	1974-85	344
	500 Camel	Trail	1984-86	479
	500 SEI	500 SEI	1984-85	479
	500 Strada	500 Strada	1977-85	479
	500W	500 V-twin	1977	
MuZ	Baghira	Enduro	1999-02	660
	Mastiff	Supermotard	1999-02	660
	Skorpion	Replica	1998-02	660
	Skorpion	Sport	1998-02	660
	Skorpion	Traveller	1998-02	660
	Skorpion	Tour	1998-02	660
MV Agusta	350	350	1972-76	349
Norton	650SS	650SS	1962-68	650
	ES2	ES2	Pre 1963	490
	Manxman	Manxman	1961	650
	Model 88	Dominator	Pre 1966	497
	Navigator	Navigator	1964	350
Oz Trike	Fun 500	Fun 500	Pre 2008	500
Panther	Model 100	Model 100	Pre 1963	598
	Model 120	Model 120	Pre1966	645
Peugeot	Geopolis (400)	AEAA	2007-08	399
	Satelis (400)	AEAA	2007-08	399
	Satelis (500)	AFAA	2007-08	493
Piaggio	MP3 400	MP3 400	2008	399
	X7 Evo 300	Evo 300	2009	278
	X8 400	X8 400	2007-08	399
	X9 500	X9 500	2001-08	460
	XEVO 400ie	XEVO 400ie	2007-08	399
Rickman	650	Triumph	1964	649
Royal	Bullet	Bullet350	1988-01	500
Enfield	Bullet	Bullet 500	1993-08	500
	Bullet	Electra	2005-08	500
	Bullet	Classi	2005-08	500

<b>Make</b>	<b>Model</b>	<b>Variant Name</b>	<b>Year</b>	<b>Capacity</b>
Royal	Lightning	Lightning 500	2000-08	350
Enfield	Taurus	Diesel 324	1997	324
cont.	Taurus	Diesel 325	2000-01	325
RS Honda	XR400M	Motard	2005-08	397
Rudge	650	Rudge	Pre 1961	650
Whitworth				
Sherco	S4	Enduro	2005-06	448
	S4	Enduro 250	2010	248
	S4	Enduro 450	2010	448
	S4	Enduro 510	2010	510
	S4	Enduro 300	2010	290
Suzuki	AN400	Burgman	2008	400
	AN400A	Burgman 400	2006	400
	AN650	Burgman	2002-08	638
	DR350	All	1991-98	349
	DR400	DR400	1999	400
	DR500	All	1981-84	498
	DR600	DR600S, DR600R	1985-90	598
	DR650	All	1990-08	644
	DR650SE	DR650SE	1997-10	644
	DR-Z400E	DR-Z400E	2000-08	398
	DR-Z400S	DR-Z400S	2005-10	398
	DR-Z400SM	DR-Z400SM	2005-10	398
	GN400	GN400	1980-81	400
	GR650	All	1984-88	651
	GS400	GS400	1976-82	400
	GS450	All	1988-89	450
	GS450E	GS450E	1977-89	450
	GS500	GS500	2000-10	487
	GS500	GS500	1976-82	492
	GS500F	GS500F	2004-10	487
	GS550	All	1977-82	549
	GSX400	F	1981-04	398
	GSX400	E	1981-84	398
	GSX650FU	GSX650FU	2008-10	656
	GT380	GT380	1973-78	380
	GT500	GT500	1976-78	500
	GT550	GT550	1973-78	550
	KATANA550	KATANA550	1981-83	550
	LS650	Savage	1986-89	652
	PE400	PE400	1980-81	400
	RE5	Rotary	1974	500
	SFV650U	SFV650U	2009-10	645
	SP370	ENDURO	1978	370
	SV650SU	SV650SU	2008- 10	645
	T500	T500	1970-74	500
	TS400	TS400	1976	400

<b>Make</b>	<b>Model</b>	<b>Variant Name</b>	<b>Year</b>	<b>Capacity</b>
Suzuki	XF650	Freewind	1997-01	644
cont.				
SYM	Citycom 300	LH30W	2008	263
TM	300E	Enduro	2000-08	294
	400E	Enduro	2002-03	400
	450E	Enduro	2003-08	449
	450MX	450MX	2008	449
	530E	Enduro	2003-08	528
	530MX	530MX	2008	528
	300 Enduro	TM300E	2000	297
	450	TM450	2003	450
	530	TN530	2003	528
	TM300	TM300	2002	297
	TM400	TM400	2002	400
Triumph	21	21	1963	350
	Daytona 500	Daytona 500	1970	490
	T100	Tiger	1968	498
	T120	Bonneville	1968	649
	TR5	Trophy	1969	449
	TR6	Trophy	1967	649
	TR7	Tiger	1971	649
	Tribsa	Tribsa	1960-70	649
	Thunderbird 650	6T, TR65	1949-66	649
	Note: Only includes models manufactured up to and including 1983			
Ural	Dneiper	Dneiper	1974	650
	K650	K650	1967-74	650
	MT9	MT9	1974	650
Velocette	Thruxton	Thruxton	1965-67	499
	Venom	Venom	1955-70	499
Vespa	GTS 300 Super	GTS 300 S	2008	278
Vor	400 Enduro	400 Enduro	2000	399
	450 Enduro	450 Enduro	2002	450
	500 Enduro	500 Enduro	2001	503
	530 Enduro	530 Enduro	2001	530
	VOR Enduro	400SM	2000-01	399
	VOR Enduro	500SM	2000-01	503
Xingyue	XY400Y	XY400Y	2008-09	400
Yamaha	DT400	DT400	1976-77	400
	IT426	IT426	1987	426
	IT465	IT465	1987	465
	IT490	IT490	1983	490
	MX400	MX400	1976	400
	RD350	RD350	To 1975	350

<b>Make</b>	<b>Model</b>	<b>Variant Name</b>	<b>Year</b>	<b>Capacity</b>
Yamaha cont.	RD400	RD400	1976	398
	RT2	RT2	1970	360
	RT350	RT350	1972	347
	SR400	SR400	1978-82	400
	SR400	SR400	2002	400
	SR500	SR500	1978	499
	SRX400	SRX400	1985-90	400
	SRX600	SRX600	1996	608
	SZR660	SZR660	1997	659
	TT350	TT350	1986-01	346
	TT500	TT500	1975	500
	TT600	TT600	1995	595
	TT600E	TT600E	1997	595
	TT600R	TT600R	1999	595
	TX650	TX650	1976	653
	WR400F	WR400F	2000	399
	WR426F	Belgarda import only	2001	426
	WR450F	WR450F	2005	450
	WR450F	WR450F	2006-08	450
	XJ550	XJ550	1981-82	428
	XJ650	XJ650	1991	653
	XJR400	XJR400	1999	400
	XP500	XP500	2000-08	499
	XS400	XS400	1978-82	391
	XS650	XS650	1972	653
	XT350	XT350	1985-99	346
	XT500	XT500	1977-81	499
	XT550	XT550	1982-84	552
	XT600	XT600	1988-96	590
	XT660R	XT660R	2004-08	659
	XT660X	XT660X	2004-08	659
	XT660Z	XT660Z Tenere	2009	660
	XTZ660	XTZ660	2004-08	659
	XV400	XV400 Virago	1983	399
	XV535	XV535 Virago	1993	535
	XVS650	XVS650	1997-08	649
	XZ400	XZ400	1982	399
	XZ550	XZ550	1982-83	550
	YP400	Majesty	2008	395
	RD350LC	LC350	1980 - 86	350
	WR450	WR450	2002	450
	XT600Z	Tenere	1988 - 89	595
XVS650A	ZVS650A	2000	649	

**Note:**

All motorcycles built before December 1960 with an engine capacity not exceeding 660ml are approved.

All scooters with electric powered engines are approved.

**Schedule 2—Revocation**

The *Motor Vehicles (Approval of Motor Bikes and Motor Trikes) Notice 2009* made on 20 August 2009 (Gazette No. 18, 25 March 2010 p1101) is revoked.

**Made by Ron Shanks, Deputy Registrar of Motor Vehicles**

May 2010

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## TRAINING AND SKILLS DEVELOPMENT ACT 2008

### Part 4—Apprenticeships/Traineeships

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

- |                      |                     |                       |                       |
|----------------------|---------------------|-----------------------|-----------------------|
| 1. 25 September 2008 | 2. 23 October 2008  | 3. 13 November 2008   | 4. 4 December 2008    |
| 5. 18 December 2008  | 6. 29 January 2009  | 7. 12 February 2009   | 8. 5 March 2009       |
| 9. 12 March 2009     | 10. 26 March 2009   | 11. 30 April 2009     | 12. 18 June 2009      |
| 13. 25 June 2009     | 14. 27 August 2009  | 15. 17 September 2009 | 16. 24 September 2009 |
| 17. 9 October 2009   | 18. 22 October 2009 | 19. 3 December 2009   | 20. 17 December 2009  |
| 21. 22 October 2009  | 22. 3 December 2009 | 23. 17 December 2009  | 24. 11 February 2010  |
| 25. 19 February 2010 | 26. 18 March 2010   | 27. 8 April 2010      |                       |

### Trades or Declared Vocations and Required Qualifications and Training Contract Conditions for the RGR08 Racing Training Package

*Trade/ #Declared Vocation/ Other Occupation	Code	Title	Nominal Term of Training Contract	Probationary Period
#Racing Operations	RGR20308	Certificate II in Racing Services (Racing Administration)	12 months	1 month
#Racing Operations	RGR30308	Certificate III in Racing Services (Racing Administration)	24 months	2 months

## NOTICE TO MARINERS

NO. 17 OF 2010

*South Australia—River Murray—Morphett Flat*

DEPARTMENT of Water, Land and Biodiversity Conservation (DWLBC) will be carrying out a series of flow measurements approximately 2.5 km downstream of the Morgan Ferry, during the hours of 7 a.m. and 5 p.m. each day from Monday, 3 May 2010 to Friday, 7 May 2010 inclusive.

As a cable will be across the channel, the river will be closed to through traffic for periods of approximately 1.5 hours up to four times each day. Traffic will be able to pass through the area between closure periods.

Blocked Channel marks will be displayed within 300 m of and on either side of the closed area, duty personnel will be on site to advise operators when they may proceed.

Extreme caution should be used when approaching this section of the river.

Adelaide, 29 April 2010.

PATRICK CONLON, Minister for Transport

DTEI 2010/01461

## NOTICE TO MARINERS

NO. 18 OF 2010

*South Australia—Spencer Gulf—Thistle Island—Activation of Defence Practice Area 246*

MARINERS are advised that Defence trials involving a submarine will be carried out in this area from 0800 hours (8 a.m.) Sunday, 9 May 2010 to 1700 hours (5 p.m.) Friday, 14 May 2010.

Designated area R246 is bounded by a circle of radius two nautical miles centred on a position Latitude: 35°00'05.7064"S, Longitude: 136°15'08.1603"E and also links between the circle and Thistle Island.

Call sign 'Navy Range Control' at Thistle Island may be contacted on VHF marine Band 69 whilst trials are underway.

Mariners are further advised to use extreme caution whilst navigating in the vicinity of the defence practice area and where possible keep well clear of the area at all times.

Vessels entering the defined area during the above period are liable to prosecution.

Charts affected: Aus 134, 343, 345 and 776.

Adelaide, 30 April 2010.

P. CONLON, Minister for Transport.

DTEI 2010/01461

## NOTICE TO MARINERS

NO. 19 OF 2010

*South Australia—Spencer Gulf—Wallaroo—Vessel Sunk*

MARINERS are advised that a recreation vessel ST 191S caught fire and sank in Wallaroo Bay—Approximate location 33°54.711'S, 137°36.228'E. The sunken vessel will be marked with an isolated danger marker and all attempts will be made to retrieve the vessel.

In the meantime please exercise extreme caution when navigating in the area.

Charts affected: Aus 777

Adelaide, 30 April 2010.

PATRICK CONLON, Minister for Transport

DTEI 2010/00461

## NOTICE TO MARINERS

NO. 20 OF 2010

*South Australia—Murray River—Paringa Bridge*

MARINERS are advised that work on the lift span of Paringa Bridge will commence on 10 May 2010 and will continue till the end of June 2010.

River craft that require more than 3.5 m clearance will not be able to pass under the bridge during this closure. Height markers are placed at the entrance of the navigation channel to the bridge.

Mariners are advised to proceed with caution in the vicinity of the bridge.

Adelaide, 3 May 2010.

PATRICK CONLON, Minister for Transport

DTEI 2010/01461

## NOTICE TO MARINERS

NO. 21 OF 2010

*South Australia—Gulf St Vincent—Approaches to Port Adelaide—Recommended Routes*

MARINERS are advised that two Recommended Routes for shallower draft vessels have been approved in the Approaches to the Port Adelaide 14.2 m maintained channel.

The position of these two Routes, in approximate WGS84 co-ordinates, are as follows:

- Entry/Exit for 12.2 m draft vessels along a line 90°-270° between latitude 34°47'09.946"S, longitude 138°24'22.558"E and latitude 34°47'09.946"S, longitude 138°22'44.2243"E.
- Entry/Exit for 10 m draft vessels along a line 90°-270° between latitude 34°47'30.97"S, longitude 138°26'30.721"E and latitude 34°47'30.97"S, longitude 138°24'47.4634"E.

Navy Charts affected: Aus 130 and 138

Publication affected: Australian Pilot, Volume 1 (Second Edition, 2008) pages 402 and 403.

Adelaide, 4 May 2010.

PATRICK CONLON, Minister for Transport

DTEI 2010/01461

South Australia

## **Statutes Amendment (Transport Portfolio) Act (Commencement) Proclamation 2010**

### **1—Short title**

This proclamation may be cited as the *Statutes Amendment (Transport Portfolio) Act (Commencement) Proclamation 2010*.

### **2—Commencement of remaining provisions**

The remaining provisions of the *Statutes Amendment (Transport Portfolio) Act 2008* (Act No 26 of 2008) will come into operation on 15 May 2010.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 6 May 2010

MTR10/017

South Australia

# **Public Corporations (Land Management Corporation) Variation Regulations 2010**

under the *Public Corporations Act 1993*

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## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### **Part 2—Variation of *Public Corporations (Land Management Corporation) Regulations 1997***

- 4 Variation of regulation 13—Functions of subsidiary
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Public Corporations (Land Management Corporation) Variation Regulations 2010*.

### **2—Commencement**

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

### **3—Variation provisions**

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

## **Part 2—Variation of *Public Corporations (Land Management Corporation) Regulations 1997***

### **4—Variation of regulation 13—Functions of subsidiary**

Regulation 13(1)(e)—delete paragraph (e)

#### **Note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council  
on 6 May 2010

No 29 of 2010

MFI09/029

South Australia

## Motor Vehicles Regulations 2010

under the *Motor Vehicles Act 1959*

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### Contents

#### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Meaning of *interstate non-provisional licence, interstate provisional licence* and *unconditional licence*

#### Part 2—Registration of motor vehicles

##### Division 1—Exemptions and permits

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- 6 Exemption from registration and insurance for certain vehicles driven by or at direction of police officer etc
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## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Motor Vehicles Regulations 2010*.

### 2—Commencement

- (1) Subject to subregulation (2), these regulations will come into operation on 15 May 2010.
- (2) The item relating to rule 265(3) of the *Australian Road Rules* in clause 5 of Schedule 4 will come into operation on 1 July 2010.

### 3—Interpretation

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

*Act* means the *Motor Vehicles Act 1959*;

*articulated bus* means a bus consisting of more than 1 rigid section with passenger access between the sections and the sections connected to one another so as to allow rotary movement between the sections;

*articulated motor vehicle* means a motor vehicle consisting of a prime mover and a trailer that is pivoted to and superimposed on the prime mover (a semi-trailer);

*B-double* means an articulated motor vehicle that has a further semi-trailer superimposed on the semi-trailer that forms part of the articulated motor vehicle;

*bike rack* means a device that—

- (a) is designed or adapted for attachment to the rear of a motor vehicle (other than a motor bike or motor trike); and
- (b) is designed or adapted for the carriage of 1 or more pedal cycles, motor bikes, wheelchairs or other similar ride-on vehicles (whether self-propelled or propelled by the rider);

*bus* means a motor vehicle—

- (a) designed for the principal purpose of carrying passengers; and
- (b) designed to carry more than 12 seated adult persons;

*converter dolly* means a trailer with 1 axle group or single axle and a fifth wheel coupling designed to convert a semi-trailer into a dog trailer;

*dog trailer* means a trailer (including a trailer consisting of a semi-trailer and converter dolly) with—

- (a) 1 axle group or single axle at the front that is steered by connection to the towing vehicle by a drawbar; and
- (b) 1 axle group or single axle at the rear;

*fifth wheel coupling* means a device, other than the upper rotating element and the kingpin (which are parts of a semi-trailer), used with a prime-mover, semi-trailer or a converter dolly to permit quick coupling and uncoupling and to provide for articulation;

*golf cart* means a motor vehicle designed for the purpose of transporting a person or persons who are playing golf around a golf course;

**golf course** includes—

- (a) land (including land used for car parking) used for the purposes of, or in conjunction with, a golf course; and
- (b) 2 golf courses that are adjacent to one another and are managed by the same club or authority;

**government-registered motor vehicle** means a motor vehicle in respect of which the Registrar has issued number plates of the class established by the Registrar under section 47A of the Act as *Class 8—Government Vehicle Number Plates*;

**low loader** means a gooseneck semi-trailer with a loading deck no more than 1 metre above the ground;

**low loader dolly** means a mass distributing device that—

- (a) is usually coupled between a prime mover and a low loader; and
- (b) consists of a gooseneck rigid frame; and
- (c) does not carry any load directly on itself; and
- (d) is equipped with 1 or more axles, a kingpin and a fifth wheel coupling;

**Metropolitan Adelaide** has the same meaning as in the *Development Act 1993*;

**moped** means a 2 or 3 wheeled motor vehicle (other than a power-assisted pedal cycle) that—

- (a) is propelled by—
  - (i) an internal combustion engine with a capacity not exceeding 50 millilitres; or
  - (ii) a motor other than an internal combustion engine; and
- (b) is capable of a speed not exceeding 50 kilometres per hour;

**motor trike** means a motor vehicle with 3 wheels, but does not include—

- (a) a 2 wheeled motor vehicle with a sidecar attached to it and supported by a third wheel; or
- (b) a motor vehicle with 3 wheels that has a body type commonly known as, or similar to, a sedan, station wagon, coupe, convertible, roadster, utility, tray top or van;

**notifiable vehicle**—see Part 7;

**power-assisted pedal cycle** means a pedal cycle that has 1 or more auxiliary propulsion motors with a combined power output not exceeding 200 watts;

**registered number**, in relation to a motor vehicle, means the number allotted to the motor vehicle under section 46 of the Act;

**rigid** means not articulated, other than in respect of an articulated bus;

**road train** means a combination of vehicles, other than a B-double, consisting of a motor vehicle towing at least 2 trailers (counting as 1 trailer a converter dolly supporting a semi-trailer);

**special purpose vehicle** has the same meaning as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*;

**Transport Department** means the administrative unit that, under the Minister, is responsible for the administration of the Act;

**unladen mass** has the same meaning as in the *Road Traffic Act 1961*.

- (2) In these regulations, unless the contrary intention appears, **engine number**, **vehicle identification number** and **vehicle identification plate** have the same respective meanings as in Part 3A of the *Road Traffic Act 1961*.
- (3) For the purposes of these regulations—
  - (a) the **power to weight ratio** of a motor bike or motor trike is to be calculated by dividing its engine power by the sum of its tare weight and 90 kilograms, and multiplying the product of that division by 1 000; and
  - (b) the **engine power** of a motor bike or motor trike is the engine power stated in the Road Vehicle Descriptor for that vehicle's make and model published by the Commonwealth Department of Infrastructure, Transport, Regional Development and Local Government; and
  - (c) the **tare weight** of a motor bike or motor trike is the tare weight as stated in the Road Vehicle Descriptor for that vehicle's make or model.

#### **4—Meaning of *interstate non-provisional licence*, *interstate provisional licence* and *unconditional licence***

- (1) For the purposes of the definition of ***interstate non-provisional licence*** in section 5(1) of the Act, the following types of licences are prescribed:
  - (a) a licence to drive a motor vehicle (other than a permit licence or a provisional licence) issued under the *Motor Vehicles Act* of the Northern Territory;
  - (b) a driver licence (other than a learner permit or probationary licence) issued under the *Road Safety Act 1986* of Victoria;
  - (c) a driver's licence (other than a learners' permit or probationary licence) issued under the *Road Traffic Act 1974* of Western Australia;
  - (d) a driver licence (other than a learner licence or a provisional licence) issued under the *Road Transport (Driver Licensing) Act 1998* of New South Wales;
  - (e) a driver licence (other than a learner licence or a provisional licence) issued under the *Road Transport (Driver Licensing) Act 1999* of the Australian Capital Territory;
  - (f) a driver licence (other than a learner licence or a provisional licence) issued under the *Transport Operations (Road Use Management) Act 1995* of Queensland;
  - (g) a driver licence (other than a learner licence or a provisional licence) issued under the *Vehicle and Traffic Act 1999* of Tasmania.
- (2) For the purposes of the definition of ***interstate provisional licence*** in section 5(1) of the Act, the following types of licences are prescribed:
  - (a) a provisional licence issued under the *Motor Vehicles Act* of the Northern Territory;
  - (b) a probationary licence issued under the *Road Safety Act 1986* of Victoria;
  - (c) a probationary licence issued under the *Road Traffic Act 1974* of Western Australia;
  - (d) a provisional licence issued under the *Road Transport (Driver Licensing) Act 1998* of New South Wales;

- (e) a provisional licence issued under the *Road Transport (Driver Licensing) Act 1999* of the Australian Capital Territory;
  - (f) a provisional licence issued under the *Transport Operations (Road Use Management) Act 1995* of Queensland;
  - (g) a provisional licence issued under the *Vehicle and Traffic Act 1999* of Tasmania.
- (3) For the purposes of paragraph (b) of the definition of **unconditional licence** in section 5(1) of the Act, an interstate non-provisional licence that is not subject to 1 or more conditions the same as or similar to prescribed conditions is prescribed.
- (4) A reference in this regulation to a **licence** or **permit** of a particular type issued by a specified State or Territory includes a reference to a licence or permit of a type issued by that State or Territory that is the same in substance as that licence or permit.

## **Part 2—Registration of motor vehicles**

### **Division 1—Exemptions and permits**

#### **5—Exemption from registration and insurance for certain vehicles used by disabled persons**

A motor vehicle (other than a motor car) is prescribed for the purposes of section 12A(1) of the Act if—

- (a) the vehicle is specially designed and constructed (and not merely adapted) for the transport of a person suffering from some physical defect or disability; and
- (b) the vehicle has seating for 1 person only; and
- (c) the unladen mass of the vehicle does not exceed 250 kilograms; and
- (d) the vehicle is capable only of short low speed journeys.

#### **6—Exemption from registration and insurance for certain vehicles driven by or at direction of police officer etc**

- (1) A motor vehicle may be driven on roads without registration or insurance if the vehicle is being driven by, or at the direction of, a person of a class prescribed by subregulation (2) acting pursuant to powers conferred on the person, or in the discharge of duties imposed on the person, in relation to the vehicle (whether under the Act or any other Act or law).
- (2) For the purposes of subregulation (1), the following classes of persons are prescribed:
- (a) police officers;
  - (b) authorised officers;
  - (c) persons authorised to examine motor vehicles under section 139 of the Act.

#### **7—Exemption from registration and insurance for vehicles being towed by towtrucks**

A motor vehicle (other than a trailer) may be towed by a towtruck on roads without registration or insurance.

## 8—Exemption from registration and insurance for golf carts and mopeds

A golf cart or moped may be driven on roads without registration or insurance subject to the following conditions:

- (a) the vehicle must not be driven on a road that does not form part of a golf course except to travel by the shortest available route from one part of a golf course to another part of the golf course;
- (b) the vehicle must not be used, either wholly or partly, for the purpose of hiring it to another person for fee or reward;
- (c) the vehicle must not be driven except by the owner of the vehicle or a person authorised by the owner of the vehicle;
- (d) a policy of public liability insurance indemnifying the owner and any authorised driver of the vehicle in an amount of at least \$10 000 000 in relation to death or bodily injury caused by, or arising out of, the use of the vehicle must be in force.

## 9—Exemption from registration and insurance for self-propelled elevating work platforms

- (1) A self-propelled elevating work platform may be driven on roads without registration or insurance subject to the following conditions:
  - (a) the vehicle must not be driven on roads for a distance exceeding 500 metres;
  - (b) the vehicle must not be driven on roads except—
    - (i) to use it for a purpose for which it was manufactured; or
    - (ii) to do any of the following:
      - (A) load the vehicle onto another vehicle;
      - (B) unload the vehicle from another vehicle;
      - (C) reposition the vehicle at a work site;
  - (c) the vehicle must not be driven on roads except by the owner of the vehicle or a person authorised by the owner of the vehicle;
  - (d) a policy of public liability insurance indemnifying the owner and any authorised driver of the vehicle in an amount of at least \$20 000 000 in relation to death or bodily injury caused by, or arising out of, the use of the vehicle must be in force.
- (2) A person who drives a self-propelled elevating work platform on a road without registration or insurance as authorised by this regulation must, at the request of a police officer, produce evidence of the person's public liability insurance either—
  - (a) forthwith to the police officer who made the request; or
  - (b) within 48 hours after the making of the request, at a police station conveniently located for the driver, specified by the police officer at the time of making the request.

Maximum penalty: \$250.

- (3) In this regulation—

*self-propelled elevating work platform* means a self-propelled motor vehicle that—

- (a) is used for construction, maintenance or warehouse operations; and

- (b) is designed mainly for use outside roads; and
- (c) is not capable of travelling at a speed exceeding 10 kilometres per hour.

### **10—Exemption from registration and insurance for power-assisted pedal cycles**

A power-assisted pedal cycle may be driven on roads without registration or insurance.

### **11—Permit to drive unregistered vehicle in prescribed circumstances**

A permit under section 16(1)(c)(ii) of the Act may authorise a motor vehicle to be driven on roads without registration in the following prescribed circumstances:

- (a) to enable the vehicle to be driven in a street procession, motor club rally or other similar activity;
- (b) to enable the vehicle to be moved to another location;
- (c) to enable the vehicle to be towed by another motor vehicle (other than a towtruck);
- (d) to enable the vehicle to be driven for a limited number of short journeys.

### **12—Cancellation of permit to drive unregistered vehicle**

The holder of a permit under section 16 of the Act may at any time apply for cancellation of the permit and if the Registrar is satisfied that—

- (a) the permit has been destroyed; or
- (b) the motor vehicle in respect of which the permit was issued has been stolen or destroyed,

the Registrar must cancel the permit.

## **Division 2—Registration procedure**

### **13—Report required before registration of new vehicles—prescribed particulars**

A report required under section 23A of the Act in relation to a new motor vehicle must—

- (a) be completed by a police officer, an authorised officer or a person authorised by a delegation under section 7 of the Act; and
- (b) contain the following particulars:
  - (i) the name of the person who completed the report;
  - (ii) the vehicle identification number of the vehicle;
  - (iii) the month and year of manufacture of the vehicle;
  - (iv) the make of the vehicle;
  - (v) in the case of a motor vehicle other than a caravan or trailer—the body type and engine number of the vehicle.

### **14—Classes of vehicles Registrar may refuse to register**

For the purposes of section 24(3)(ca) of the Act, the following classes of vehicles are prescribed:

- (a) written-off vehicles, within the meaning of Part 7 of these regulations;
- (b) interstate written-off vehicles, within the meaning of Part 7 of these regulations.

## Division 3—Conditional registration

### Subdivision 1—Interpretation

#### 15—Interpretation

In this Division—

**ambulance** means a motor vehicle driven by—

- (a) a person engaged in the provision of emergency ambulance services under section 57(1) of the *Health Care Act 2008* on behalf of—
  - (i) SA Ambulance Service Inc; or
  - (ii) St Johns Ambulance Australia South Australia Incorporated; or
- (b) any other person engaged in the provision of emergency ambulance services under section 57(1) of the *Health Care Act 2008*;

**emergency response vehicle** means an ambulance, fire fighting vehicle or rescue vehicle;

**fire fighting vehicle** means a motor vehicle that is used principally for the purpose of fire fighting and is fitted with rotating flashing emergency lights, a siren or repeater horn and fire fighting equipment;

**historic vehicle** means a motor vehicle where 30 years or more have elapsed since 1 January of the year in which the vehicle was manufactured;

**left hand drive vehicle** means a motor vehicle that has its steering wheel on the left of the longitudinal axis of the vehicle;

**rescue vehicle** means a motor vehicle that is used principally for the purpose of taking action in connection with emergencies and is fitted with flashing emergency lights, a siren or repeater horn and rescue equipment.

### Subdivision 2—Prescribed classes of vehicles

#### 16—Historic and left hand drive motor vehicles

- (1) For the purposes of section 25(1)(a) of the Act, the following classes of motor vehicles are prescribed:
  - (a) a historic vehicle that has not been modified from its original design to any significant extent;
  - (b) a left hand drive vehicle that was manufactured before 1 January 1974 and has not been modified from its original design to any significant extent.
- (2) The registration of a historic vehicle or left hand drive vehicle under section 25 of the Act is subject to the following conditions:
  - (a) a condition that a person must not drive the vehicle, or cause, suffer or permit the vehicle to be driven, on a road unless the owner of the vehicle is a financial member of a motor vehicle club recognised by the Registrar for the purposes of this regulation;
  - (b) a condition that a person who drives the vehicle on a road must—
    - (i) while doing so, carry in the vehicle a log book in a form approved by the Registrar; and

- (ii) record in the log book, in accordance with the directions contained in the log book, particulars of each journey undertaken by the person in the vehicle; and
    - (iii) produce the log book for inspection on request made by an authorised officer or police officer;
  - (c) a condition that a person must not drive the vehicle, or cause, suffer or permit the vehicle to be driven, on a road on more than 90 days in each period of 12 months in the period of registration.
- (3) The Registrar may by notice in the Gazette—
- (a) recognise a motor vehicle club for the purposes of this regulation;
  - (b) if satisfied that there is good cause to do so, withdraw the recognition of a motor vehicle club with effect from a date specified in the notice (being not less than 28 days from the date of publication of the notice).

### **17—Vehicles used between farm blocks**

- (1) For the purposes of section 25(1)(a) of the Act, a vehicle (other than a tractor or agricultural machine) that—
- (a) is owned by a primary producer; and
  - (b) is used in connection with the working of 2 or more separate parcels of land that are worked in conjunction with each other by that primary producer,
- is a prescribed class of vehicle.
- (2) The registration of such a vehicle under section 25 of the Act is subject to the condition that a person must not, during the period for which the vehicle is registered under that section, drive the vehicle, or cause, suffer or permit the vehicle to be driven, on a road except to enable the vehicle to be driven between the parcels of land referred to in subregulation (1).

### **18—Vehicles used to tow commercial fishing boats**

- (1) For the purposes of section 25(1)(a) of the Act, a vehicle that—
- (a) is owned by the holder of a fishery authority under the *Fisheries Management Act 2007*; and
  - (b) is used solely for the purpose of towing a registered boat within the meaning of that Act,
- is a prescribed class of vehicle.
- (2) The registration of such a vehicle under section 25 of the Act is subject to the condition that a person must not, during the period for which the vehicle is registered under that section, drive the vehicle, or cause, suffer or permit the vehicle to be driven, on a road except for the purpose of—
- (a) towing a boat referred to in subregulation (1)(b) to a place at which it is to be launched; or
  - (b) retrieving such a boat from a place at which it has been landed.

## 19—Other prescribed classes of vehicles

For the purposes of section 25(1)(a) of the Act, the following classes of vehicles are prescribed:

- (a) an emergency response vehicle;
- (b) a special purpose vehicle;
- (c) a vehicle that is to be driven on a road for a limited number of short journeys;
- (d) a road train;
- (e) a B-double;
- (f) a vehicle in relation to which there is in force—
  - (i) an exemption granted by the Minister under section 163AA of the *Road Traffic Act 1961* exempting the vehicle from compliance with a requirement of Part 4 of that Act subject to conditions limiting the use of the vehicle (other than a restriction limiting the use of the vehicle to a particular road or roads or class of roads); or
  - (ii) an exemption granted by the Minister under regulation 46 of the *Road Traffic (Miscellaneous) Regulations 1999* exempting the vehicle from compliance with a requirement of the regulations subject to conditions limiting the use of the vehicle (other than a restriction limiting the use of the vehicle to a particular road or roads or class of roads).

## Subdivision 3—Miscellaneous

### 20—Exemption from stamp duty

An application to register a motor vehicle under section 25 of the Act (other than an application to register a road train, B-double or vehicle of a class referred to in regulation 19(f)) is declared to be exempt from stamp duty.

**Note—**

See the *Stamp Duties Act 1923* (Schedule 2 clause 2(2) exemption 10A).

### 21—Duration of registration

The period of registration of a motor vehicle registered under section 25 of the Act is—

- (a) in the case of the registration of a historic vehicle or left hand drive vehicle—1, 2 or 3 years, at the option of the applicant; or
- (b) in any other case—any number of quarters, not exceeding 12 quarters, at the option of the applicant.

### 22—Transfer of registration

The registration of a motor vehicle under section 25 of the Act may be transferred if—

- (a) the vehicle is a road train or B-double; or
- (b) the vehicle is a special purpose vehicle and the transferee undertakes that the conditions of registration of the vehicle under that section will be complied with.

## **Division 4—Duty to notify alterations or additions to vehicles**

### **23—Duty to notify alterations or additions to vehicles**

- (1) For the purposes of section 44(1) of the Act, the following alterations and additions are prescribed:
  - (a) an alteration of, or addition to, a motor vehicle by which the vehicle's mass is increased;
  - (b) an alteration of, or addition to, the specifications or tyres of a motor vehicle by which the GCM or GVM of the vehicle is varied;
  - (c) an alteration of the configuration of a heavy vehicle by which the configuration becomes an unregistered configuration within the meaning of section 43A of the Act;
  - (d) an alteration of, or addition to, the engine by which a motor vehicle is driven so as to enable the engine to drive the vehicle by a fuel that would not, but for the alteration or addition, drive the vehicle;
  - (e) the removal of the engine by which a motor vehicle is driven and the substitution of another engine;
  - (f) the removal of a pneumatic tyre from a motor vehicle having only pneumatic tyres, and the substitution of a tyre other than a pneumatic tyre;
  - (g) the removal of a tyre from a vehicle having no metal tyres, and the substitution of a metal tyre;
  - (h) the attachment of a sidecar to a motor bike not having a sidecar;
  - (i) an alteration or addition by which a motor vehicle that is not a commercial motor vehicle is converted into a commercial motor vehicle;
  - (j) an alteration or addition by which a commercial motor vehicle ceases to be a commercial motor vehicle;
  - (k) the wrecking or disassembling of a motor vehicle (other than a notifiable vehicle) where the engine, a part of the engine bearing the engine number or a part of the body bearing a vehicle identification number or vehicle identification plate is removed and not put back into place as part of the vehicle;
  - (l) the removal, alteration, defacement or obliteration of—
    - (i) a vehicle identification plate or vehicle identification number (other than a plate or number of a notifiable vehicle); or
    - (ii) an engine number,  
except where, in relation to the removal of a vehicle identification plate (or a plate bearing a vehicle identification number or engine number), the plate is put back into place on the vehicle;
  - (m) the changing of the colour of a motor vehicle such that the vehicle ceases to be of the primary colour recorded as its colour in the register of motor vehicles.
- (2) A registered owner or registered operator of a motor vehicle who gives written notice to the Registrar under section 44(1) of the Act must include the following particulars in the notice:
  - (a) a full description of the alteration or addition;

- (b) the date on which the alteration or addition was made;
- (c) if the engine by which the vehicle is driven has been removed and substituted by another engine—
  - (i) the substituted engine number; or
  - (ii) in the case of the substitution of an engine that does not have identical specifications—the make, the number of pistons, the diameter of the cylinders, the engine number and the type of substituted engine;
- (d) if an alteration has been made to the construction of the vehicle—a weighbridge note;
- (e) if any alteration or addition has been made that may vary the gross combination mass or gross vehicle mass of the vehicle—the size, ply and type of construction of the tyres;
- (f) details of any equipment that has been altered or added to the vehicle.

## **Division 5—Numbers and number plates**

### **24—Carriage of number plates**

For the purposes of section 47(1) of the Act, the following provisions apply to the carriage of number plates:

- (a) a motor vehicle must have attached to it—
  - (i) in the case of a motor bike or trailer—1 number plate at the rear;
  - (ii) in the case of a tractor or agricultural machine—1 number plate;
  - (iii) in any other case—1 number plate at the front and 1 number plate at the rear,such that—
  - (iv) the bottom edge of the plate is not less than 30 centimetres above the level of the ground and in such a position that every figure and letter of the registered number is upright; and
  - (v) —
    - (A) in the case of a plate placed on the front of the vehicle—the whole of the plate is visible from the front; and
    - (B) in the case of a plate placed on the rear of a vehicle—the whole of the plate is visible from the rear;
- (b) every letter and figure on a number plate must be—
  - (i) clearly visible in daylight to a person standing on the same plane as the vehicle at any point not less than 3 metres or more than 18 metres from the plate looking at the plate along an imaginary line approximately at right angles to the plate; and
  - (ii) legible from left to right on a plane level with the ground; and
  - (iii) clean and legible at all times;
- (c) a number plate must be rectangular.

## 25—Exemptions from duty to carry number plates

- (1) A person who drives a motor vehicle, the front and rear of which is marked with its registered number, is exempt from the operation of section 47(1) of the Act if—
  - (a) the registered number was allotted before 1 July 1996; and
  - (b) the registered number was marked on the vehicle before 1 July 1996; and
  - (c) number plates bearing the registered number and the slogan "SA • The Festival State" have never been obtained for the vehicle; and
  - (d) the vehicle is registered in the name of the person who was, immediately prior to 1 July 1996, recorded on the register of motor vehicles as the owner of the vehicle; and
  - (e) there is no agreement in force under section 47A of the Act between the Registrar and the registered owner of the vehicle in relation to the registered number; and
  - (f) every letter and figure of the registered number marked on the vehicle is—
    - (i) clearly visible in daylight to a person standing on the same plane as the vehicle at any point not less than 3 metres or more than 18 metres from the portion of the vehicle on which the number is marked looking at the number along an imaginary line approximately at right angles to the number; and
    - (ii) legible from left to right on a plane level with the ground; and
    - (iii) clean and legible at all times.
- (2) An officer or employee of the South Australian Police Department or the Transport Department who drives a motor vehicle on a road, or causes a motor vehicle to stand on a road, is exempt from the operation of section 47(1) of the Act if—
  - (a) the vehicle is being used for the purpose of testing the legibility of number plates; and
  - (b) the vehicle displays a sign bearing the word "test".

## 26—Return or recovery of number plates—exceptions

- (1) The Registrar is not required to give a person a direction under section 47C(2) of the Act requiring the return of number plates issued for a motor vehicle if—
  - (a) the Registrar is satisfied that—
    - (i) the vehicle is, or is to be, periodically registered for terms of less than 12 months on each occasion; or
    - (ii) the number plates are the subject of an agreement between the Registrar and the person under section 47A of the Act under which the person has acquired a right to attach the plates to any motor vehicle registered in the person's name from time to time; or
    - (iii) the vehicle has been purchased by a motor vehicle dealer or auctioneer; or
  - (b) the Registrar considers that there are reasonable grounds for not requiring the person to return the plates.

- (2) If the Registrar is not required to give a direction under section 47C(2) of the Act requiring the return of number plates, the Registrar, a police officer or an authorised officer is not empowered to seize the plates under section 47C(4) of the Act unless—
- (a) the Registrar has given a person such a direction in relation to the plates; and
  - (b) the person has failed to comply with the direction; and
  - (c) the person has no reasonable excuse for failing to comply.

### **27—Exemptions from section 47D of Act**

- (1) A police officer who, in the course of official duties, drives on a road, or causes to stand on a road, a government-registered motor bike at the front of which is attached a label or sticker that bears the number allotted to the motor bike under the Act is exempt from the operation of section 47D(1)(c) of the Act if—
- (a) the label or sticker is made of silver reflective decal material; and
  - (b) the label or sticker is 220 millimetres wide and 93 millimetres high; and
  - (c) every letter and figure on the label or sticker is printed in blue on a white background and in upper case; and
  - (d) the label or sticker bears the slogan "SA Government".
- (2) An officer or employee of the South Australian Police Department or the Transport Department who drives a motor vehicle on a road, or causes a motor vehicle to stand on a road, is exempt from the operation of section 47D(1)(a), (b) and (c) of the Act if—
- (a) the vehicle is being used for the purpose of testing the legibility of number plates; and
  - (b) the vehicle displays a sign bearing the word "test".

### **Division 6—Suspension, cancellation and transfer of registration**

#### **28—Exemption from section 56(b)(ii) of Act where motor vehicle dealer etc, acting as delegate of Registrar, transfers registration of vehicle sold by dealer**

If—

- (a) a motor vehicle dealer or auctioneer sells a motor vehicle in the course of his or her business; and
- (b) the Registrar has delegated to the dealer or auctioneer the Registrar's function under section 58(1) of the Act; and
- (c) the dealer or auctioneer, acting under that delegation, registers the vehicle in the name of the purchaser,

the dealer or auctioneer is exempt from the operation of section 56(b)(ii) of the Act in respect of the transfer of ownership of that vehicle.

## Division 7—Trade plates

### 29—Purposes for which trade plates may be issued and used

For the purposes of sections 62(1) and 66 of the Act, the following purposes are prescribed:

- (a) delivery of a motor vehicle from premises of the manufacturer or distributor of the vehicle to business premises of a motor vehicle dealer or auctioneer;
- (b) delivery of a motor vehicle from premises of the manufacturer of the vehicle to a place for storage or to business premises of the distributor of the vehicle;
- (c) relocation of a motor vehicle—
  - (i) between different business premises of a motor vehicle dealer or auctioneer; or
  - (ii) between business premises of different motor vehicle dealers or auctioneers;
- (d) demonstration to a prospective purchaser of a motor vehicle of the on-road performance of the vehicle—
  - (i) being a demonstration in respect of which the vendor of the vehicle does not receive any monetary consideration; and
  - (ii) in the case of a commercial motor vehicle that is to carry a load during a demonstration, provided that—
    - (A) the demonstration consists of not more than 2 separate journeys by the same prospective purchaser and each journey is completed within 3 days; and
    - (B) during the demonstration the vehicle is used only within the State;
- (e) demonstration to a prospective purchaser of a bus of the on-road performance of the bus, being a demonstration—
  - (i) in respect of which the vendor of the bus does not receive any monetary consideration; and
  - (ii) during which no passengers other than the prospective purchaser and any person advising the prospective purchaser in relation to the purchase of the bus are carried in the bus;
- (f) on-road testing of a motor vehicle prior to delivery of the vehicle to a purchaser of the vehicle;
- (g) delivery of a motor vehicle sold by a motor vehicle dealer or auctioneer to a place nominated by the purchaser of the vehicle (whether within or outside the State);
- (h) in the case of a motor vehicle that—
  - (i) is sold by a motor vehicle dealer who is not authorised by a delegation under section 7 of the Act to register vehicles sold by the dealer; and
  - (ii) is delivered to the purchaser on a day on which, or at a time of day at which, the office of the Registrar is closed for business,

to enable the vehicle to be driven by the purchaser or a person authorised by the purchaser without registration for any purpose until the time at which the office of the Registrar closes for business on the next day on which it is open for business;

- (i) delivery of a motor vehicle to a workshop or other place for repair or servicing of the vehicle or the making of alterations or additions to the vehicle;
- (j) return of a motor vehicle from a workshop or other place at which the vehicle has been repaired or serviced or at which alterations or additions have been made to the vehicle;
- (k) delivery of a motor vehicle to a place for wrecking or disassembling;
- (l) on-road testing of a motor vehicle in the course of repairs or servicing or the making of alterations or additions to the vehicle;
- (m) in the case of a motor vehicle on loan by a motor vehicle repairer to the owner of a motor vehicle under repair—to enable the loan vehicle to be driven for any purpose by the owner of the vehicle under repair provided that—
  - (i) the repairer does not receive any separate monetary consideration in respect of the provision of the loan vehicle; and
  - (ii) if the loan vehicle is a commercial motor vehicle—the loan vehicle is not used to carry a load during the loan period except within the State; and
  - (iii) if the loan vehicle is not a special purpose vehicle—
    - (A) the repairer is licensed as a dealer under the *Second-hand Vehicle Dealers Act 1995*; and
    - (B) the loan vehicle is a second-hand vehicle that is being offered or exposed for sale by the repairer; and
    - (C) a notice that complies with section 16 of the *Second-hand Vehicle Dealers Act 1995* is attached to the loan vehicle;
- (n) delivery of a motor vehicle to the site of a motor show or other similar event at which the vehicle is to be on display;
- (o) return of a motor vehicle from the site of a motor show or other similar event at which the vehicle has been on display;
- (p) demonstration of the on-road performance of a motor vehicle while the vehicle is on display at a motor show or other similar event;
- (q) delivery of a motor vehicle to a place for inspection or examination under the Act, the *Road Traffic Act 1961* or any other Act or law;
- (r) return of a motor vehicle from a place to which the vehicle has been taken for inspection or examination under the Act, the *Road Traffic Act 1961* or any other Act or law.

### **30—Trade plate label and certificate of issue of trade plate**

- (1) At the time of issuing a trade plate, the Registrar must issue to the holder of the trade plate or his or her agent—
  - (a) a trade plate label; and
  - (b) a certificate of issue of a trade plate.
- (2) A trade plate label will be in a form determined by the Registrar.

- (3) If the Registrar is satisfied by statutory declaration or such other evidence as the Registrar may require that the label or certificate issued in respect of a trade plate has been lost or destroyed, the Registrar may, on application by the holder of the trade plate or his or her agent and payment of the prescribed fee, issue a duplicate label or certificate.

### **31—Carriage of trade plate and trade plate label**

If a motor vehicle is to be driven on a road pursuant to section 66 of the Act—

- (a) a trade plate must be securely attached to the rear of the vehicle in such a position that the bottom edge of the plate is not less than 30 centimetres above the level of the ground; and
- (b) the label issued by the Registrar in respect of the trade plate must be displayed in a waterproof holder that has a transparent front and is affixed to the plate; and
- (c) every figure and letter on the plate and label must be—
  - (i) legible from left to right on a plane level with the ground; and
  - (ii) clean and legible at all times; and
- (d) every figure and letter on the plate must be clearly visible in daylight to a person standing on the same plane as the vehicle at any point not less than 3 metres or more than 18 metres from the plate, looking at the plate along an imaginary line approximately at right angles to the plate.

### **32—Offences**

- (1) A person must not—
- (a) drive or leave standing on a road a motor vehicle to which a colourable imitation of a trade plate is attached; or
  - (b) drive or leave standing on a road a motor vehicle to which is affixed a trade plate that displays a colourable imitation of a trade plate label; or
  - (c) drive or leave standing on a road a motor vehicle to which is affixed a trade plate that displays a trade plate label issued in respect of another trade plate; or
  - (d) without lawful excuse, have in his or her possession a trade plate label or an article resembling a trade plate label that is liable to be mistaken for a trade plate label.

Maximum penalty: \$1 250.

- (2) A person must not sell or supply trade plates without the approval of the Minister.

Maximum penalty: \$1 250.

### **33—Replacement of lost trade plate**

- (1) If—
- (a) a person satisfies the Registrar that—
    - (i) a trade plate has been lost; and
    - (ii) the loss has been reported to a police officer; and
    - (iii) the circumstances of the loss justify replacement of the plate; and
  - (b) an application for replacement of the lost plate is made to the Registrar; and

- (c) the fee set out in Schedule 1 for the issue of a replacement trade plate is paid to the Registrar,

the Registrar may issue a new trade plate to that person.

- (2) The Registrar may require an applicant for a replacement trade plate to furnish—
  - (a) a statutory declaration stating the matters referred to in subregulation (1)(a); and
  - (b) a written undertaking to—
    - (i) return to the Registrar the lost trade plate if it comes into the applicant's possession; or
    - (ii) inform the Registrar of and when the location of the lost trade plate becomes known to or suspected by the applicant.

## **Division 8—Registration labels**

### **34—Vehicles for which a registration label is not required to be issued**

For the purposes of section 48(1)(b), (2) and (3) of the Act, a government-registered motor vehicle is a motor vehicle of a prescribed class.

### **35—Carriage of registration labels and permits**

- (1) A registration label or permit under section 16 or 50 of the Act—
  - (a) must—
    - (i) if issued in respect of a motor vehicle that has a windscreen (other than a motor bike)—be firmly affixed in an upright position to the vehicle—
      - (A) to the inside surface of the front or rear windscreen in a corner on the opposite side of the windscreen to the driver's position; or
      - (B) in the case of a vehicle that has a pivoted, hinged or fixed side window adjacent to the front or rear windscreen on the opposite side of the windscreen to the driver's position—to the inside surface of that window,but not so as to obstruct the driver's vision; or
    - (ii) if issued in respect of a motor vehicle (other than a motor bike or trailer) that does not have a windscreen—be displayed in a waterproof holder that has a transparent front and is affixed to an external surface of the vehicle on the left hand or near side of the vehicle, as near as practicable to the position in which the label or permit would have been affixed in accordance with subparagraph (i), had the vehicle been fitted with a windscreen; or
    - (iii) if issued in respect of a motor bike—be displayed in a waterproof holder that has a transparent front and is affixed to the handlebar in the centre, left hand or near side of the motor bike; or
    - (iv) if issued in respect of a trailer—
      - (A) be displayed in a waterproof holder that has a transparent front and is affixed to an external surface of the trailer on the front left hand or near side of the trailer, at a height not exceeding 2 metres above ground level; or

- (B) in the case of a trailer that has a clear glass window be affixed to the inside of the bottom left hand corner of the window—be displayed at a height not exceeding 2 metres above ground level; and
  - (b) must be displayed so as to be clearly visible to a person facing the label or permit at a distance of 4 metres from the label or permit.
- (2) For the purposes of section 48(2) and (3) of the Act, a registration label must be affixed to and carried on a motor vehicle in accordance with subregulation (1).
- (3) For the purposes of section 48(4) of the Act, a motor vehicle registered under the Act may be driven on roads without the registration label being affixed to the vehicle—
- (a) if—
    - (i) the vehicle is, for the purpose of having the label destroyed, being driven to the place where the label is to be destroyed; and
    - (ii) the driver carries with him or her a receipt, issued by the Registrar or an officer appointed by the Registrar, for a completed application for cancellation of the registration of the vehicle; or
  - (b) if—
    - (i) the label has been destroyed; and
    - (ii) the vehicle is being driven by the nearest practicable route from the place where the label was destroyed to some other place where the vehicle is to be kept or stored or to a port or depot from which the vehicle is to be shipped or railed; and
    - (iii) the driver carries with him or her a receipt, issued by the Registrar or an officer appointed by the Registrar, for a completed application for cancellation of the registration of the vehicle; or
  - (c) if—
    - (i) payment of the fees payable for registration of the vehicle was made by mail, telephone or the Internet; and
    - (ii) the registration label has not been received by the registered owner or the registered operator of the vehicle or his or her agent; and
    - (iii) not more than 30 days have elapsed from the date the payment was made.

## **Division 9—Miscellaneous**

### **36—Offences**

- (1) A person must not drive a motor vehicle on a road while—
- (a) a device is attached to the vehicle or a number plate or trade plate on the vehicle; or
  - (b) a substance is painted on or otherwise added to or made part of a number plate or trade plate on the vehicle,

the effect of which is to obscure or distort a letter or figure on a number plate or trade plate on the vehicle when the plate is viewed or photographed from any particular angle or from all angles in daylight or at night.

Maximum penalty: \$1 250.

Expiation fee: \$329.

- (2) In subregulation (1), a reference to a **number plate** extends to that portion of a motor vehicle on which the registered number is marked in accordance with regulation 25.
- (3) Subregulation (1)(a) does not apply in relation to a motor vehicle to which a bike rack is attached if a number plate that—
- (a) conforms to the specifications and design prescribed for a number plate of a class established under section 47A of the Act for the purposes of this subregulation; and
  - (b) bears the number allotted to the vehicle under the Act,
- is attached to the bike rack and displayed such that—
- (c) the whole of the number plate is visible from the rear; and
  - (d) the bottom edge of the number plate is not less than 30 centimetres above the level of the ground and in such a position that every letter and figure of the registered number is upright; and
  - (e) every letter and figure on the number plate is—
    - (i) legible from left to right on a plane level with the ground; and
    - (ii) clean and legible at all times; and
    - (iii) clearly visible in daylight to a person standing on the same plane as the vehicle at any point not less than 3 metres or more than 18 metres from the plate looking at the plate along an imaginary line approximately at right angles to the plate.
- (4) If a bike rack that displays a number plate is attached to a motor vehicle, a person must not drive the motor vehicle on a road while—
- (a) a device is attached to the bike rack or the number plate on the bike rack; or
  - (b) a substance is painted on or otherwise added to or made part of the number plate on the bike rack,

the effect of which is to obscure or distort a letter or figure on the plate when the plate is viewed or photographed from any particular angle or from all angles in daylight or at night.

Maximum penalty: \$1 250.

Expiation fee: \$329.

## **Part 3—Heavy vehicles speeding control scheme**

### **37—Interpretation**

In this Part—

**road train** means a road train that, including its load (if any), is over 19 metres long.

### 38—Corresponding laws declared for purposes of scheme

For the purposes of Part 2A of the Act, the following laws are declared to be corresponding laws:

- (a) the *Motor Vehicles Act* of the Northern Territory;
- (b) the *Road Safety Act 1986* of Victoria;
- (c) the *Road Traffic Act 1974* of Western Australia;
- (d) the *Road Transport (Vehicle Registration) Act 1997* of New South Wales;
- (e) the *Road Transport (Vehicle Registration) Act 1999* of the Australian Capital Territory;
- (f) the *Transport Operations (Road Use Management) Act 1995* of Queensland;
- (g) the *Vehicle and Traffic Act 1999* of Tasmania.

### 39—Prescribed classes of heavy vehicles

For the purposes of paragraph (c) of the definition of *heavy vehicle* in section 71C(1) of the Act, a road train is a prescribed class of motor vehicle.

### 40—Prescribed speeds for different classes of heavy vehicles

For the purposes of the definition of *prescribed speed* in section 71C(1) of the Act, the following speeds are prescribed:

- (a) in relation to a road train—90 kilometres per hour;
- (b) in relation to any other class of heavy vehicle—100 kilometres per hour.

### 41—Speeding offences not to be registered under section 71D of Act

(1) Pursuant to section 71D(3)(b) of the Act—

- (a) a relevant speeding offence must not be registered in relation to a heavy vehicle unless it is an offence against a law of this State or another State or a Territory of the Commonwealth involving the driving of the vehicle at a speed 15 kilometres per hour or more over the highest speed-limit over which the vehicle must not be driven on roads under that law; and
- (b) a relevant speeding offence must not be registered in relation to a heavy vehicle if—
  - (i) the offence was committed before 9 July 2001; or
  - (ii) the offence was committed within 14 days after service on the registered owner of the vehicle of a written notice under section 71E of the Act in relation to the vehicle.

(2) In this regulation—

- (a) a reference to *an offence committed by a person* includes a reference to an offence allegedly committed by a person that the person has expiated;
- (b) *expiate* includes pay the amount payable in connection with an infringement notice or penalty notice issued under a law of another State or Territory of the Commonwealth in respect of an alleged offence.

## **Part 4—Driver's licences and learner's permits**

### **Division 1—Classification of licences**

#### **42—Classification of licences**

For the purposes of section 72(1) of the Act, the classifications appearing in column 1 of the table in Schedule 2 are prescribed.

### **Division 2—Driver's licences and learner's permits**

#### **43—Exemption from certain requirements for qualified supervising drivers**

- (1) A person to whom this regulation applies is exempted from the requirement specified in section 72A(1)(b) of the Act that the person must, in order to act as a qualified supervising driver for the holder of a licence or permit, have held a licence referred to in that paragraph during the whole of the immediately preceding 2 year period.
- (2) This regulation applies to a person if the person—
  - (a) has not held the relevant licence during the whole of the immediately preceding 2 year period only because the licence expired during that period; and
  - (b) renewed the licence within 3 months of that expiry; and
  - (c) has held the relevant licence for periods totalling at least 2 years (excluding any period between the expiry of the licence and the date of its renewal).

#### **44—Duty of applicant for licence or permit to supply specimen signature etc**

- (1) If—
  - (a) a person applies for the issue or renewal of a driver's licence or learner's permit; and
  - (b) the licence or permit is to include a photograph of the person and a specimen of the person's signature; and
  - (c) the Registrar requires the person to attend at a specified place for the purpose of having the person's photograph taken,

the person must, before having his or her photograph taken, supply the Registrar with 1 or more specimens of the person's signature, as specified by the Registrar.

- (2) If—
  - (a) a person applies for the issue or renewal of a driver's licence or learner's permit; and
  - (b) the licence or permit is to include a photograph of the person and a specimen of the person's signature; and
  - (c) the Registrar requires the person to supply to the Registrar 1 or more photographs of the person,

the person must, at the time of supplying the photographs to the Registrar, also supply the Registrar with 1 or more specimens of the person's signature, as specified by the Registrar.

- (3) If a person applies for the issue or renewal of a driver's licence or learner's permit that is not to bear a photograph of the person, the person must sign the licence or permit as soon as practicable after receiving it.

**45—Exemptions from duty to hold licence, learner's permit or particular class of licence**

- (1) A police officer who holds a driver's licence may, in the course of official duties, drive a motor vehicle of a class other than that for which he or she holds a licence in circumstances of emergency.
- (2) If a person holds a driver's licence or is, under section 97A of the Act, permitted to drive a motor vehicle on roads in this State pursuant to an interstate licence or foreign licence, the person may drive a moped on roads in this State without holding a licence endorsed with the classification R-DATE.
- (3) A person may drive a power-assisted pedal cycle without holding a driver's licence or learner's permit.
- (4) A person may drive a self-propelled wheelchair or a motor vehicle of a class prescribed by regulation 5 for the purposes of section 12A(1) of the Act without holding a driver's licence or learner's permit if the person reasonably requires the use of the wheelchair or vehicle because of some physical infirmity.
- (5) A person may drive a motor home on roads in this State without holding a driver's licence under the Act if—
  - (a) the person holds a foreign licence, written in English or accompanied by an English translation, authorising the person to drive a motor vehicle with a GVM not exceeding 3.5 tonnes; or
  - (b) the person holds—
    - (i) a foreign licence authorising the person to drive a motor vehicle with a GVM not exceeding 3.5 tonnes; and
    - (ii) an international driving permit.
- (6) However, subregulation (5) does not apply if—
  - (a) the person is disqualified from holding or obtaining an interstate licence in any State or Territory of the Commonwealth; or
  - (b) the person is disqualified from holding or obtaining a foreign licence in any country; or
  - (c) the person has resided in this State for a continuous period of more than 3 months and is a permanent resident or citizen of Australia; or
  - (d) the person's foreign licence only authorises the person to drive a motor bike, motor trike, moped, motorised wheelchair or other vehicle that is not a motor car; or
  - (e) a notice under subregulation (7) is in force in relation to the person.
- (7) If the Registrar is of the opinion that—
  - (a) a person to whom subregulation (5) applies is not suitable to drive a motor home in this State; or
  - (b) the ability of a person to whom subregulation (5) applies to drive a motor home safely is impaired due to a permanent or long term injury or illness,  
the Registrar may give the person notice in writing—
    - (c) prohibiting the person from driving a motor home on roads in this State without holding a driver's licence issued under the Act while the notice is in force; and

- (d) stating the reasons for the giving of the notice; and
  - (e) specifying any action that may be taken by the person to regain the benefit of subregulation (5).
- (8) The Registrar may revoke a notice under subregulation (7) by further notice to the person.
- (9) A person must, while driving a motor home on roads in this State under subregulation (5)—
- (a) carry his or her—
    - (i) foreign licence (together with any accompanying English translation of the licence); and
    - (ii) international driving permit (if any); and
  - (b) produce those documents if requested to do so by a police officer or authorised officer.

Maximum penalty: \$1 250.

- (10) If a person drives a motor home in this State under subregulation (5), the person's foreign licence will—
- (a) for the purposes of section 74 of the Act and any law prescribed for the purposes of section 97A(4)(a) of the Act, be taken to be a licence under the Act; and
  - (b) for the purposes of a contract or policy of insurance relating to the vehicle, be taken to be a licence under the Act.
- (11) In this regulation—
- (a) *international driving permit*, *interstate licence* and *permanent resident* have the same respective meanings as in section 97A of the Act;
  - (b) *motor home* means a motor vehicle with a GVM not exceeding 4.5 tonnes that is designed and constructed for the primary purpose of providing a temporary dwelling for persons using the vehicle for recreational travel.

#### **46—Examination of applicant for licence or learner's permit**

- (1) For the purposes of section 79(1) and (1a) of the Act—
- (a) a theoretical examination will consist of questions determined by the Registrar from time to time as to—
    - (i) the rules required by law to be observed by drivers of motor vehicles; and
    - (ii) the causes of motor vehicle accidents; and
    - (iii) safe driving behaviour and safe driving practices; and
    - (iv) the effects of alcohol and drugs on driving skills and driving behaviour; and
    - (v) the effects of speeding; and
    - (vi) the stopping distances of motor vehicles; and
    - (vii) the effects of road surfaces and weather conditions on the driving of motor vehicles; and
    - (viii) such other matters as are determined by the Registrar from time to time; and

- (b) a theoretical examination will be taken by a person—
  - (i) in writing in the English language; or
  - (ii) if the person is, by reason of impairment, unable to take the examination in writing—orally in the English language; or
  - (iii) if the person's principal language is not English and the person's understanding of English is not adequate to enable the person to take the examination in writing in English—orally in the person's principal language.
- (2) For the purposes of section 79(2) of the Act, the number of questions in the examination that a person must answer correctly is a number that equals 80% of the questions asked in the examination.

#### **47—Prescribed matters for the purposes of section 79A of Act**

- (1) For the purposes of section 79A(1)(a)(ii)(B) of the Act, the prescribed requirements are that the applicant has driven a motor vehicle of a class for which the licence is sought for periods totalling not less than 50 hours, at least 10 hours of which must have occurred at night.
- (2) For the purposes of section 79A(2)(b) of the Act, licence classes R-DATE and R are prescribed.
- (3) In this regulation—  
*night* means the period between sunset on one day and sunrise on the next day.

#### **48—Power to refuse practical driving test where undue danger to any person**

If the Commissioner of Police or the Registrar believes on reasonable grounds that the testing of an applicant for a practical driving test would present undue danger to the applicant, the authorised examiner or a member of the public, the Commissioner or the Registrar (as the case may be) may refuse to conduct such a test.

#### **49—Certain practical driving tests not to be taken again within 13 day period**

- (1) A person who fails a Vehicle on Road Test taken for the purpose of enabling the person to qualify for the issue of a provisional licence endorsed with the classification C cannot take a subsequent Vehicle on Road Test for that purpose unless 13 days have elapsed since the day on which the person failed the test.
- (2) In subregulation (1)—  
*Vehicle on Road Test* means a practical driving test consisting of a single test during which the person taking the test drives a motor vehicle on roads in the company of an examiner who assesses the person's ability to drive safely and according to the rules required by law to be observed by drivers of motor vehicles.

#### **50—Learner's permits—display of L plates**

- (1) For the purposes of section 75A(3)(c) and (5aaa) of the Act—
  - (a) —
    - (i) in the case of a motor vehicle other than a motor bike—plates bearing the letter "L" (*L plates*) must be displayed on the vehicle so as to be clearly visible from the front and rear of the vehicle; or

- (ii) in the case of a motor bike—a L plate must be displayed at, and be clearly visible from, the rear of the motor bike; and
  - (b) an L plate must conform to the following requirements:
    - (i) the plate must measure not less than 14.5 centimetres by 14.5 centimetres;
    - (ii) the letter "L" must be displayed in black on a yellow background and be clearly legible;
    - (iii) the letter "L" must be not less than 10.5 centimetres in height and 8 centimetres in width;
    - (iv) the width of every line of the letter "L" must be not less than 2 centimetres.
- (2) A person other than the holder of a learner's permit must not drive a motor vehicle on a road while there is affixed to the vehicle a L plate in accordance with this regulation.
- Maximum penalty: \$1 250.
- (3) Subregulation (2) does not apply to—
- (a) a person driving a motor vehicle for the purpose of instructing the holder of a learner's permit in the safe and efficient driving of a motor vehicle; or
  - (b) the holder of a motor driving instructor's licence driving a motor vehicle that is clearly identified as one being used in the business of driving instruction and proceeding from or to a place where instruction has been or is to be given.

## 51—Display of P plates

- (1) For the purposes of sections 81A(1)(e), 81A(5a) and 81AB(3a)(a) of the Act—
- (a) —
    - (i) in the case of a motor vehicle other than a motor bike—plates bearing the letter "P" (*P plates*) must be displayed on the vehicle so as to be clearly visible from the front and rear of the vehicle; or
    - (ii) in the case of a motor bike—a P plate must be displayed at, and be clearly visible from, the rear of the motor bike; and
  - (b) a P plate must conform to the following requirements:
    - (i) the plate must measure not less than 14.5 centimetres by 14.5 centimetres;
    - (ii) the letter "P" must be displayed in red on a white background and be clearly legible;
    - (iii) the letter "P" must be not less than 10.5 centimetres in height and 8 centimetres in width;
    - (iv) the width of every line of the letter "P" must be not less than 2 centimetres.
- (2) A person other than the holder of a provisional licence or a probationary licence issued subject to alcohol interlock scheme conditions must not drive a motor vehicle on a road while there is affixed to the vehicle a P plate in accordance with this regulation.
- Maximum penalty: \$1 250.

## 52—Exemption from duty to display P plates for police officers and police cadets

A police officer or police cadet who holds a provisional licence is, while engaged in official duties or training, exempt from the operation of section 81A(1)(e) and (5a) of the Act.

**53—Exemption from provisional licence speed-limit for police officers and police cadets**

A police officer or police cadet who holds a provisional licence is, while engaged in official duties or training, exempt from the operation of section 81A(1)(d) and (5b) of the Act.

**54—Exemption from requirement to undertake a hazard perception test**

An applicant for a P2 licence who resides—

- (a) more than 100 kilometres from the nearest place at which hazard perception tests are conducted; or
- (b) on Kangaroo Island,

is exempt from the requirement in section 81A(3)(a)(iii) of the Act.

**55—Prescribed classes of applicants**

- (1) For the purposes of section 81A(3e) of the Act, the following classes of applicants are prescribed:
  - (a) applicants who have held a non-provisional licence or interstate non-provisional licence but not during the period of 5 years immediately preceding the application;
  - (b) applicants who hold an interstate non-provisional licence but who are under the age of 19 years;
  - (c) applicants who hold an interstate provisional licence;
  - (d) subject to subregulation (2), applicants who have, during the period of 5 years immediately preceding the application, held a provisional licence issued under Part 3 of the Act as in force before 31 October 2005 (provided that the application is made before 31 October 2010).
- (2) Subregulation (1)(d) does not include an applicant who—
  - (a) has, during the period of 5 years immediately preceding the application, held a provisional licence of a kind referred to in that paragraph; and
  - (b) was, during that period, disqualified from holding or obtaining a permit or licence; and
  - (c) has not held a licence issued under the Act since the end of the period of disqualification.

**56—Attendance at lectures by holder of learner's permit etc who contravenes probationary conditions or incurs 4 or more demerit points**

- (1) For the purposes of section 81B(3) of the Act, lectures must be conducted as to motor vehicle accidents and their causes and consequences in a manner determined by the Registrar.
- (2) A person who is convicted or found guilty of an offence against section 75A(5), section 81A(5) or section 81AB(5) of the Act is exempt from the operation of section 81B(3) and (3a) of the Act if the person resides outside Metropolitan Adelaide.

**57—Exemption from section 81B(11)(a) of Act**

- (1) If the Magistrates Court allows an appeal by a person against a disqualification under section 81B of the Act and the person holds a licence immediately before the determination of the appeal, the person is exempt from the operation of section 81B(11)(a) of the Act—
- (a) until the expiration of 2 business days after the day on which the appeal is determined; or
  - (b) until the person applies for a licence in accordance with section 81B(11)(b) of the Act,
- whichever occurs first.

- (2) In this regulation—

*business day* means any day except—

- (a) a Saturday, Sunday or public holiday; or
- (b) a day which falls between 25 December and 1 January in the following year.

**58—Exemption from duty to carry and produce probationary licence or provisional licence for police officers and police cadets**

A police officer or police cadet who holds a probationary licence or provisional licence is, while engaged in official duties or training, exempt from the operation of section 98AAB of the Act.

**59—Cancellation of licence on surrender**

The Registrar may cancel a driver's licence or motor driving instructor's licence if—

- (a) the holder of the licence gives the Registrar written notice of the holder's wish to surrender the licence; and
- (b) the Registrar is satisfied that the licence, or any duplicate of the licence, has been returned or has been lost or destroyed.

**60—Endorsement of conditions on driver's licences and learner's permits**

Conditions of driver's licences and learner's permits must be endorsed in accordance with Schedule 3.

**Division 3—Alcohol interlock schemes****61—Circumstances in which licence not subject to mandatory alcohol interlock scheme conditions**

For the purposes of section 81E(4) of the Act, the prescribed circumstances are that—

- (a) the applicant for a licence is unable to operate an alcohol interlock by reason of some physical or medical condition of the applicant; and
- (b) it is not reasonably practicable for an alcohol interlock to be modified so as to enable the applicant to operate the device.

## **62—Testing of alcohol interlocks**

For the purposes of section 81H(5) and Schedule 6 clause 7(7) of the Act, an alcohol interlock fitted to a vehicle must have been tested not more than 60 days before, and not more than 60 days after, the time of the vehicle's operation specified in the relevant certificate.

## **63—Counselling requirements applicable to holders of licence subject to voluntary alcohol interlock scheme conditions**

- (1) For the purposes of Schedule 6 clause 5(1)(h) of the Act, the holder of a licence subject to the voluntary alcohol interlock scheme conditions must attend the following counselling sessions with DASSA at times and in places determined by DASSA and notified to the holder in writing:
  - (a) an initial counselling session, to be held not more than 2 weeks before, and no later than 4 weeks after, the commencement of the required period for which the person's licence is subject to the voluntary alcohol interlock scheme conditions;
  - (b) at least 1 session of any further counselling that DASSA may recommend that the person undertake;
  - (c) a final counselling session, to be held before the end of the required period for which the person's licence is subject to the voluntary alcohol interlock scheme conditions.
- (2) In this regulation—

*DASSA* means Drug and Alcohol Services South Australia.

## **Part 5—Motor driving instructors' licences**

### **64—Applicant for licence to supply photographs to Registrar**

An applicant for a motor driving instructor's licence must supply to the Registrar 2 unmounted copies of a recent photograph of the applicant that—

- (a) depict only the head and shoulders of the applicant taken "full face" without any head covering and against a plain background; and
- (b) are not less than 3 centimetres but not more than 3.5 centimetres in width and in height.

### **65—Applicant for licence to pay fees before proficiency tests**

An applicant for a motor driving instructor's licence is not entitled to undergo the proficiency tests required by the Registrar under section 98A(5) of the Act unless the applicant has paid to the Registrar the appropriate fees set out in Schedule 1 Part 1.

### **66—Exemption from duty to hold motor driving instructor's licence for approved motor bike training courses**

A person is exempt from section 98A of the Act for the purposes of conducting a motor bike training course approved by the Registrar.

## **Part 6—Demerit points scheme**

### **67—Demerit points for offences**

- (1) For the purposes of section 98B(1) of the Act—
  - (a) the offences specified in Schedule 4 are prescribed; and
  - (b) the number of demerit points incurred by a person on conviction or expiation of an offence specified in Schedule 4 is the number set out alongside that offence.
- (2) For the purposes of section 98BC(2) of the Act, the offences specified in Schedule 4 Part 2 are prescribed.
- (3) Text set out in italic type under a heading and commencing with the words "Description of offence" is a description for convenience purposes only and is not to be taken to define the offence for which a particular number is prescribed as the number of demerit points attracted by the offence.

### **68—Demerit points for offences interstate—corresponding laws**

For the purposes of Part 3B of the Act, the following laws are declared to be corresponding laws:

- (a) the *Motor Vehicles Act* of the Northern Territory and regulations made under that Act;
- (b) the *Road Safety Act 1986* of Victoria and regulations made under that Act;
- (c) the *Road Traffic Act 1974* of Western Australia and regulations made under that Act;
- (d) the *Road Transport (Driver Licensing) Act 1998* of New South Wales and regulations made under that Act;
- (e) the *Road Transport (Driver Licensing) Act 1999* of the Australian Capital Territory and regulations made under that Act;
- (f) the *Transport Operations (Road Use Management) Act 1995* of Queensland and regulations made under that Act;
- (g) the *Vehicle and Traffic Act 1999* of Tasmania and regulations made under that Act.

### **69—Manner of giving Registrar notice of election under section 98BE of Act**

Notice of an election under section 98BE(2) of the Act is to be given by a person to the Registrar by lodging the notice of disqualification sent to or served on the person, completed in accordance with the instructions contained in the notice and signed by the person, at a place of a kind prescribed for the purposes of section 139BD(3)(a)(i) of the Act.

### **70—Notification of demerit points to interstate licensing authorities**

For the purposes of section 98BI(1) of the Act, the offences specified in Schedule 4 Part 1 are prescribed.

## Part 7—Written-off vehicles

### 71—Interpretation

- (1) In this Part, unless the contrary intention appears—

**corresponding law** means a law of another State or a Territory of the Commonwealth that corresponds to the provisions of this Part;

**interstate written-off vehicle** means a motor vehicle that, for the purposes of a corresponding law, is recorded in a register maintained by the vehicle registration authority of another State or a Territory of the Commonwealth as a written-off vehicle, statutory write-off, repairable write-off or wrecked vehicle (as defined in that corresponding law);

**notifiable vehicle** means—

- (a) a written-off vehicle that is less than 15 years of age (determined from its date of manufacture) and is—
  - (i) a motor vehicle (other than a motor bike or trailer) with a GVM not greater than 4.5 tonnes; or
  - (ii) a motor bike; or
  - (iii) a caravan; or
  - (iv) a trailer with a GVM greater than 4.5 tonnes; or
- (b) an interstate written-off vehicle; or
- (c) where a vehicle referred to in paragraph (a) or (b) is wrecked or wholly or partly disassembled, any part of the vehicle that bears a vehicle identification plate or vehicle identification number;

**repairable write-off** means a motor vehicle that is written-off and is not a statutory write-off;

**sell** means sell whether by treaty or auction and whether on one's own behalf or on behalf of others;

**statutory write-off** means a motor vehicle that is written-off and is—

- (a) a motor vehicle (other than a motor bike or a trailer) that has been—
  - (i) immersed in salt water above the door sill level for any period; or
  - (ii) immersed in fresh water up to the dashboard or steering wheel for more than 48 hours; or
- (b) a motor bike that has been—
  - (i) fully immersed in salt water for any period; or
  - (ii) fully immersed in fresh water for more than 48 hours; or
- (c) a motor vehicle that is burnt to such an extent that it is fit only for wrecking or scrap; or
- (d) a motor vehicle that is stripped of all, or a combination of most, interior and exterior body parts, panels and components (such as, for example, the engine, wheels, bonnet, guards, doors, boot lid); or
- (e) a motor vehicle (other than a motor bike or a trailer) that is damaged by at least 3 of the following impact damage indicators:

- (i) damage to an area of the roof equal to or exceeding 300 millimetres by 300 millimetres in size;
  - (ii) damage to an area of the cabin floor pan equal to or exceeding 300 millimetres by 300 millimetres in size;
  - (iii) damage to an area of the firewall equal to or exceeding 300 millimetres by 300 millimetres in size;
  - (iv) any damage to the suspension;
  - (v) damage to a major mechanical component such as the engine block or transmission casings (for example, where the component is cracked or broken); or
- (f) a motor bike that has impact damage (excluding scratching) to the suspension and at least 2 areas of structural frame damage;

**total loss** means a motor vehicle damaged by accident, collision, demolition, dismantling, fire, flood, trespass or other event to the extent that its fair salvage value, when added to the cost of repairing it for use on a road or road related area, would be more than its fair market value immediately before the event that caused the damage;

**vehicle dealer** means a person who carries on the business of selling motor vehicles;

**vehicle registration authority**, in relation to another State or a Territory of the Commonwealth, means the person or body responsible for registering vehicles in that State or Territory;

**vehicle wrecker** means a person who carries on the business of wrecking motor vehicles or disassembling motor vehicles for salvage;

**written-off**—see subregulation (2);

**written-off vehicle** means—

- (a) a statutory write-off; or
- (b) a repairable write-off;

**written-off vehicle notices** means notices (including labels) issued by the Registrar for the purpose of being affixed to written-off vehicles or vehicle parts in accordance with regulation 74.

- (2) For the purposes of this Part, a motor vehicle is **written-off** if the vehicle—
- (a) is a total loss; or
  - (b) is to be, or has been, wrecked or wholly or partly disassembled for salvage; or
  - (c) is to be, or has been, sold or acquired for wrecking or disassembling for salvage.

## 72—Meaning of written-off motor vehicle for purposes of section 145(8) of Act

For the purposes of section 145(8) of the Act, the following classes of motor vehicles are written-off vehicles:

- (a) written-off vehicles within the meaning of this Part;
- (b) interstate written-off vehicles within the meaning of this Part.

**73—Application of Part**

- (1) This Part applies to a motor vehicle if the vehicle would be required to be registered under the Act in order to be driven on a road, whether or not the vehicle is in fact registered.
- (2) Despite subregulation (1), this Part does not apply to a golf cart or moped.

**74—Registrar to be given notice of, and notices to be affixed to, written-off vehicles**

- (1) Subject to this regulation—
  - (a) an insurer who makes a determination that a motor vehicle is a total loss for insurance purposes must, if the vehicle is a notifiable vehicle—
    - (i) as soon as practicable after making the determination, but before selling or otherwise disposing of the vehicle, affix written-off vehicle notices to the vehicle in accordance with this regulation; and
    - (ii) within 7 days after making the determination, give notice in relation to the vehicle to the Registrar in accordance with this regulation;
  - (b) a person who brings a notifiable vehicle into the State from another State or a Territory of the Commonwealth must—
    - (i) as soon as practicable after bringing the vehicle into the State, but before selling or otherwise disposing of the vehicle, affix written-off vehicle notices to the vehicle in accordance with this regulation; and
    - (ii) within 7 days after bringing the vehicle into the State, give notice in relation to the vehicle to the Registrar in accordance with this regulation;
  - (c) a vehicle dealer who comes into possession of a notifiable vehicle must—
    - (i) as soon as practicable after coming into possession of the vehicle, but before selling or otherwise disposing of the vehicle, affix written-off vehicle notices to the vehicle in accordance with this regulation; and
    - (ii) within 7 days after coming into possession of the vehicle, give notice in relation to the vehicle to the Registrar in accordance with this regulation;
  - (d) a vehicle wrecker who acquires a notifiable vehicle must—
    - (i) as soon as practicable after acquiring the vehicle, but before commencing to dismantle the vehicle, or selling or otherwise disposing of the vehicle, affix written-off vehicle notices to the vehicle in accordance with this regulation; and
    - (ii) within 7 days after acquiring the vehicle, give notice in relation to the vehicle to the Registrar in accordance with this regulation;
  - (e) a person (other than a person referred to in a preceding paragraph of this subregulation) who is in possession of a notifiable vehicle must, before selling or otherwise disposing of the vehicle—
    - (i) affix written-off vehicle notices to the vehicle in accordance with this regulation; and
    - (ii) give notice in relation to the vehicle to the Registrar in accordance with this regulation.

- (2) A person is not required to affix written-off vehicle notices to a notifiable vehicle under subregulation (1) if—
- (a) such notices are already affixed to the vehicle in accordance with this regulation and (except where the person is a person referred to in subregulation (1)(d) or (e)) any identification of the vehicle as a statutory write-off or repairable write-off by the notices is correct; or
  - (b) in the case of an interstate written-off vehicle, the notices required to be affixed under the corresponding law of the relevant State or Territory are so affixed.
- (3) A person is not required to give notice in relation to a notifiable vehicle to the Registrar under subregulation (1) if—
- (a) notice has already been given in relation to the vehicle to the Registrar in accordance with this regulation and (except where the person is a person referred to in subregulation (1)(d) or (e)) the previous notification correctly identifies whether the vehicle is a statutory write-off or a repairable write-off; or
  - (b) the vehicle is an interstate written-off vehicle.
- (4) Written-off vehicle notices must be affixed to a notifiable vehicle in the manner determined by the Minister and specified on the notices or on accompanying material.
- (5) A notice required to be given to the Registrar in accordance with this regulation—
- (a) must be given in the manner and form determined by the Minister; and
  - (b) must—
    - (i) (except in the case of a notice given by a person referred to in subregulation (1)(e)) specify whether the notifiable vehicle is a statutory write-off or a repairable write-off; and
    - (ii) contain particulars of such other matters as may be determined by the Minister.
- (6) Written-off vehicle notices affixed to a notifiable vehicle in accordance with this regulation (or, in the case of an interstate written-off vehicle, notices affixed in accordance with the relevant corresponding law) must not be defaced, altered or removed from the vehicle except—
- (a) at a time or in a manner determined by the Minister and (except in the case of notices affixed in accordance with a corresponding law) specified in the notice; or
  - (b) by or with the approval of an authorised officer.
- (7) A person who contravenes or fails to comply with a requirement of this regulation is guilty of an offence.

Maximum penalty:

- (a) in the case of an offence committed in the course of a trade or business—\$2 500;
- (b) in any other case—\$750.

Expiation fee:

In the case of an alleged offence not committed in the course of a trade or business—\$210.

- (8) Without limiting the circumstances in which an insurer referred to in subregulation (1)(a) may be taken to have determined that a motor vehicle is a total loss, an insurer will for the purposes of that subregulation be taken to have made such a determination if the insurer—
  - (a) allows a claim for the full insured value of the vehicle; or
  - (b) sells or otherwise disposes of the vehicle to a third party.
- (9) A reference in this regulation to *commencing to dismantle, selling or otherwise disposing of, affixing written-off vehicle notices to* or *removing written-off vehicle notices from*, a vehicle, includes a reference to dismantling, selling or otherwise disposing of, affixing notices to or removing notices from, a part of the vehicle.

## 75—Offence to drive written-off vehicle on road

- (1) A person must not drive a notified written-off vehicle on a road except to or from—
  - (a) a place at which the vehicle is to be or has been repaired; or
  - (b) a place at which the vehicle is to be or has been inspected by an authorised officer.

Maximum penalty:

- (a) in the case of an offence committed in the course of a trade or business—\$2 500;
- (b) in any other case—\$750.

Expiation fee:

in the case of an alleged offence not committed in the course of a trade or business—\$210.

- (2) In this regulation—

*notified written-off vehicle* means—

  - (a) a motor vehicle recorded as a written-off vehicle by the Registrar following notification under this Part; or
  - (b) an interstate written-off vehicle.

## Part 8—Fees

### 76—Fees

- (1) For the purposes of the Act and these regulations, the fees set out in Schedule 1 Part 1 are prescribed.
- (2) For the purposes of section 81BA(3) of the Act, the fee payable for the issue of a P2 licence under that section is an amount equal to the fee that would be payable for the issue of a licence under section 75 of the Act.
- (3) For the purposes of the *Interstate Road Transport Act 1985* of the Commonwealth, the fees set out in Schedule 1 Part 2 are prescribed.<sup>1</sup>
- (4) Except as otherwise specified in Schedule 1, the fees set out in that Schedule must be paid to the Registrar.
- (5) The Registrar may, by written notice given to a person who is liable to pay the fee prescribed by clause 19(3) of Schedule 1 Part 1, require the person to pay the fee within the time specified in the notice (being a period of not less than 14 days from the day on which the notice is given).

- (6) If a fee is not paid as required by a notice given under subregulation (5), the Registrar may recover the fee in a court of competent jurisdiction as debt due to the Registrar.

**Note—**

- 1 For fees not prescribed by Schedule 1 Part 2 see the *Interstate Road Transport Regulations 1986* of the Commonwealth.

### **77—Reduced registration fees—prescribed amounts**

- (1) For the purposes of sections 34(1) and 37(2) of the Act, the prescribed amount is—
- (a) in the case of a heavy vehicle other than a special purpose vehicle, truck (type 1) or truck (type 2)—40% of the prescribed registration fee;
  - (b) in the case of a motor vehicle that is not a heavy vehicle—50% of the prescribed registration fee.
- (2) For the purposes of section 38(1) of the Act, the prescribed amount is 66.667% of the prescribed registration fee.
- (3) For the purposes of sections 38A(1), 38AB(1) and 38B(1) of the Act, the prescribed amount is 50% of the prescribed registration fee.
- (4) In this regulation—

*truck (type 1)* and *truck (type 2)* have the same respective meanings as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*.

### **78—Concession card holders**

For the purposes of section 38A(1)(a)(i) and 38AB(1)(a)(i) of the Act, a State Concession Card issued by the administrative unit of the Public Service that is, under a Minister, responsible for the administration of the *Family and Community Services Act 1972* is a State concession card of a prescribed class.

### **79—Exemption from section 41(2) of Act**

- (1) A person who uses a motor vehicle of restricted registration contrary to the terms of an undertaking in relation to the vehicle under section 34(1)(b) of the Act is exempt from the operation of section 41(2) of the Act if—
- (a) the purpose for which the vehicle is used is solely the carrying of primary produce to assist a charitable organisation or a sporting organisation in fundraising activities; and
  - (b) neither the owner of the vehicle nor a person using the vehicle (if not the owner) receives a monetary or other material benefit (including out of pocket expenses relating to the use of the vehicle) in relation to that use of the vehicle; and
  - (c) the use of the vehicle is within an area having a radius of 75 kilometres from the garage address of the vehicle.
- (2) In this regulation—

**charitable organisation** means a body (whether corporate or unincorporate) established on a non-profit basis for charitable, religious, educational or benevolent purposes and includes a trustee who holds property on behalf of such a body;

**sporting organisation** means a body (whether corporate or unincorporate) established on a non-profit basis principally for the purpose of facilitating and co-ordinating the sporting activities of its members.

**80—Additional amount payable where certain vehicles are altered or added to**

- (1) If a motor vehicle is altered or added to during the period for which it is registered and the alteration or addition is such that, if it had been made before the registration, the registration fee would have been more than the amount paid, the additional amount payable under section 44(3) of the Act is an amount that bears to the difference the same proportion as the number of days in the unexpired period of registration bears to the number of days in the period of registration.
- (2) Subregulation (1) does not apply in relation to a heavy vehicle, motor bike, trailer or motor vehicle that is not propelled by an internal combustion engine.

**81—Refund on cancellation of registration**

- (1) For the purposes of sections 54 and 60 of the Act, the amount to be refunded on cancellation of the registration of a motor vehicle under those sections is an amount equal to the product obtained by multiplying one three hundred and sixty-fifth of the prescribed annual registration fee by the number of days in the unexpired period of registration.
- (2) If—
  - (a) the registration of a motor vehicle is renewed before the expiry of the previous registration; and
  - (b) before that expiry the registered owner or the registered operator of the vehicle applies for cancellation of the renewal of registration,

the Registrar must also refund any surcharge paid in respect of the renewal of registration.

**82—Refund on surrender of trade plate**

For the purposes of section 70(5) of the Act, the amount to be refunded on the surrender of a trade plate is an amount equal to the product obtained by multiplying one three hundred and sixty-fifth of the annual fee paid for the issue of the plate by the number of days in the unexpired portion of the period for which the plate was issued.

**83—Refund on surrender of licence**

For the purposes of sections 75AAA(11) and 98A(4) of the Act, the amount to be refunded on the surrender of a driver's licence or motor driving instructor's licence is an amount equal to the product obtained by multiplying one quarter of the annual licence fee paid for the issue of the licence by the number of complete 3 month periods in the unexpired portion of the period for which the licence was issued.

**84—Refund of part of licence fee on eligibility for reduced fee**

If—

- (a) a driver's licence has been issued or renewed on payment of the licence fee prescribed in clause 19(1)(c) of Schedule 1 Part 1; and
- (b) the holder of the licence becomes, at any time during the currency of the licence, entitled to a reduction of the licence fee,

the Registrar may refund to the holder of the licence such part of the licence fee as the Registrar thinks just in the circumstances.

**85—No refund of administration fees**

Administration fees are not refundable.

**86—Registrar not required to make certain refunds or recover certain unpaid fees**

The Registrar is not required—

- (a) to refund a fee paid under the Act if the amount of the refund payable does not exceed \$3 (indexed); or
- (b) to recover a fee payable under the Act if the amount unpaid does not exceed \$3 (indexed).

**87—Calculation of fees and refunds to nearest 10 cents or whole dollar**

- (1) Subject to subregulation (2), in calculating a fee or refund payable under the Act a fraction of 10 cents not exceeding 5 cents must be excluded and a fraction of 10 cents exceeding 5 cents is to count as 10 cents.
- (2) In calculating the fees payable for—
  - (a) the registration of a motor vehicle; or
  - (b) the issue of a trade plate; or
  - (c) the issue of a replacement trade plate; or
  - (d) the issue of a probationary licence or provisional licence,a fraction of 1 dollar is to count as 1 dollar.
- (3) In applying this regulation, the calculation to the nearest 10 cents or to the whole next dollar is to be applied only to the final amount payable.

**88—Exemption from practical driving test fees**

An applicant for the issue or renewal of a learner's permit or driver's licence, or the holder of a learner's permit or driver's licence, who is required to be tested otherwise than pursuant to section 72(10) or 79A of the Act, is exempt from the requirement that he or she pay the prescribed practical driving test fee.

**89—Administration fee for licence subject to alcohol interlock scheme conditions**

The administration fee prescribed by clause 35 of Schedule 1 Part 1 for the issue of a licence subject to alcohol interlock scheme conditions—

- (a) is payable in addition to any other fee prescribed by Schedule 1 Part 1 for the issue of a licence; and
- (b) must be paid—
  - (i) in the case of a licence that is to be subject to alcohol interlock scheme conditions for a period of 12 months or less—before the issue of the licence; or
  - (ii) in any other case—on or before 1 or more dates determined by the Registrar.

**90—Remission and reduction of fees**

- (1) The Registrar may, for reasonable cause, remit or reduce any of the following fees:
  - (a) an administration fee payable under the Act or these regulations;

- (b) a fee payable for registration of a motor vehicle following cancellation of a current authority issued under the law of another State or a Territory by virtue of which the vehicle may be driven on roads within that State or Territory;
  - (c) a fee payable for the issue of a driver's licence following the surrender of a current interstate licence;
  - (d) a fee payable for the issue or renewal of a learner's permit;
  - (e) a fee payable for an examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act or regulation 13.
- (2) The Registrar may, for reasonable cause, reduce a fee payable under section 139BD of the Act for personal service of a notice of disqualification.

## **Part 9—Miscellaneous**

### **91—Offence to alter, deface etc permits, labels or certificates**

A person must not, without lawful authority, wilfully alter, deface, damage or destroy a permit, label or certificate issued under the Act.

Maximum penalty: \$1 250.

### **92—Forms determined by the Minister**

The following documents will be in the form determined by the Minister:

- (a) an application for a permit under section 16 or 50 of the Act;
- (b) an application for the issue, transfer or replacement of a trade plate;
- (c) an application for a duplicate driver's licence or learner's permit;
- (d) a certificate of issue of a trade plate;
- (e) a permit under section 50 of the Act;
- (f) a motor driving instructor's licence.

### **93—Appointment of authorised examiners**

- (1) The Registrar may, when appointing a person as an authorised examiner, or at any time by notice in writing to an authorised examiner, impose conditions limiting the kinds of tests that the authorised examiner may conduct as required by the Registrar under section 80 of the Act to assess the ability or fitness of applicants for the issue or renewal of licences and learner's permits.
- (2) The Registrar may, for the purpose of testing the proficiency of an applicant for appointment as an authorised examiner, require the applicant to undergo such tests (whether written, oral or practical) as the Registrar considers necessary.
- (3) An applicant for appointment as an authorised examiner (other than an employee in the Transport Department) is not entitled to undergo a proficiency test required by the Registrar under subregulation (2) unless he or she has paid the appropriate fees set out in Schedule 1 Part 1.

### **94—Application for review under Part 3E of Act**

For the purposes of section 98Z(2) of the Act, an application for a review must—

- (a) be in writing; and

- (b) set out the decision to which the application relates; and
- (c) set out the grounds on which the applicant seeks the review and the decision sought on the review; and
- (d) be accompanied by any information that the applicant considers should be taken into account on the review; and
- (e) be accompanied by the appropriate fee prescribed by Schedule 1 Part 1; and
- (f) be lodged with the Registrar.

### **95—Manner of giving Registrar notice of change of name, address etc under section 136 of Act**

Notice under section 136 of the Act is to be given by a person to the Registrar in a following manner:

- (a) in writing;
- (b) by telephone to a telephone number nominated by the Registrar for the purposes of giving notice;
- (c) by fax to a fax number nominated by the Registrar for the purpose of giving notice by fax;
- (d) by other telephonic or electronic means made available by the Registrar to members of the public for the purpose of giving notice in such manner.

### **96—Power of Registrar to require destruction of a document or thing issued or renewed in consequence of a void transaction**

If a transaction is void by virtue of section 138B of the Act, the Registrar may require the person who is liable to make the payment to destroy the licence, permit, label, certificate, plate or other document or thing issued or renewed by the Registrar in consequence of the purported transaction and to produce evidence of the destruction to the satisfaction of the Registrar.

### **97—Places at which receipt of notice of disqualification may be personally acknowledged**

For the purposes of section 139BD(3)(a)(i) of the Act, places of the following kinds are prescribed:

- (a) offices known as Service SA Customer Service Centres;
- (b) Australia Post outlets that have electronic point of sale (EPOS) systems.

### **98—Guidelines for disclosure of information**

- (1) In this regulation—

*Australian jurisdiction* means the Commonwealth or a State or Territory of the Commonwealth;

*confidential information* means information obtained in the administration of the Act or the *Road Traffic Act 1961*;

*personal information* means information pertaining to a natural person or body corporate;

***person concerned***—

- (a) in relation to personal information, means the natural person to whom the information pertains, or the body corporate to which the information pertains, as the case may be;
- (b) in relation to information relating to a motor vehicle, means the owner of the vehicle;

***registered security interest*** has the same meaning as in the *Goods Securities Act 1986*.

- (2) Pursuant to section 139D(1)(f) of the Act, confidential information the disclosure of which is not authorised by a preceding paragraph of section 139D(1) may, subject to such conditions as the Registrar thinks fit, be disclosed in accordance with this regulation.
- (3) Personal information or information relating to a motor vehicle may be disclosed to a person other than the person concerned if the person concerned has been made aware, or is reasonably likely to be aware, that—
  - (a) the information is generally used for the purpose for which it is to be released; or
  - (b) the information is generally passed on to those persons or bodies to whom it is to be released.
- (4) Personal information or information relating to a motor vehicle may be disclosed to a person other than the person concerned if—
  - (a) the person making the disclosure believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious threat to the life or health of the person concerned or some other person; or
  - (b) the disclosure is reasonably necessary to protect the public revenue; or
  - (c) the disclosure is reasonably necessary to protect the interests of the Crown as an employer; or
  - (d) the disclosure is made to a public authority responsible under the law of another Australian jurisdiction for the registration of motor vehicles or the licensing of drivers of motor vehicles; or
  - (e) the disclosure is made to a public authority of an Australian jurisdiction—
    - (i) authorised under a law of that jurisdiction to obtain the information directly from the person concerned; or
    - (ii) under an arrangement providing for the exchange of personal information; or
    - (iii) to enable the authority to ascertain whether a motor vehicle has been abandoned; or
    - (iv) to enable the authority to exercise or perform statutory powers or functions in relation to a motor vehicle that has been abandoned; or
    - (v) in connection with the administration of either of the following Acts:
      - (A) the *Harbors and Navigation Act 1993*;
      - (B) the *Passenger Transport Act 1994*; or
  - (f) the disclosure is made to Austroads Ltd; or

- (g) the disclosure is made to a person or body engaged in research related to road transport and the disclosure is made for the purposes of the research; or
  - (h) the disclosure—
    - (i) consists of information other than medical information about the person concerned or information about that person's history of driving or driving-related offences; and
    - (ii) is made to—
      - (A) a person acting under a power of attorney granted by the person concerned; or
      - (B) a person acting under an authorisation signed by the person concerned; or
      - (C) a legal practitioner acting on behalf of the person concerned; or
      - (D) where the person is deceased—an executor or administrator of the deceased estate; or
      - (E) where the person becomes bankrupt—the registered trustee of the bankrupt estate.
- (5) If a health professional has furnished information about a person to the Registrar in pursuance of section 148(1) of the Act, the health professional may be informed of the action taken (if any) by the Registrar as a result of the information.
- (6) Any of the following information may be disclosed to any person:
- (a) information comprised of statistical data that could not reasonably be expected to lead to the identification of any person to whom it pertains;
  - (b) whether a particular motor vehicle is registered;
  - (c) whether the registration of a particular motor vehicle has expired;
  - (d) whether the registration of a particular motor vehicle has been suspended or cancelled;
  - (e) whether a particular motor vehicle is, or has been, a written-off vehicle;
  - (f) whether a particular motor vehicle that is, or has been, a written-off vehicle, is eligible for registration in the future;
  - (g) whether a particular motor vehicle is recorded as stolen;
  - (h) whether a particular motor vehicle is the subject of a current defect notice under section 145 of the *Road Traffic Act 1961*;
  - (i) whether a particular number or number plate is the subject of an agreement under section 47A(4) of the Act and the commencement and expiry dates of any such agreement;
  - (j) whether an agreement under section 47A(4) of the Act relating to a particular number or number plate of a particular class provides for the assignment of rights conferred under the agreement and, if so, the nature of the assignment and details of any conditions imposed on the assignment.

**Example—**

An agreement under section 47A(4) may permit a particular number or number plate of a particular class to be transferred or sold to a person not party to the agreement. Such an assignment of the rights conferred under the agreement may, however, be subject to such conditions as may be specified by the Registrar in the agreement.

- (7) The name and address of the registered owner of a motor vehicle may be disclosed—
- (a) to the manufacturer of the vehicle for the purposes of a safety-related recall of vehicles; or
  - (b) to a legal practitioner or insurer, or an investigation agent acting on behalf of a legal practitioner or insurer, where the information is required to identify the registered owner of a vehicle involved in an accident; or
  - (c) to a person who holds a registered security interest in the vehicle; or
  - (d) to a person who has obtained a judgment in a court, or a legal practitioner acting on behalf of such a person, where the information is reasonably required to enforce the judgment and the judgment contains reference to property in the ownership or possession of the registered owner of the vehicle.

**99—Corresponding laws declared for purposes of section 141(2) of Act**

For the purposes of section 141(2) of the Act, the following laws are declared to be corresponding laws:

- (a) the *Motor Vehicles Act* of the Northern Territory;
- (b) the *Road Safety Act 1986* of Victoria;
- (c) the *Road Traffic Act 1974* of Western Australia;
- (d) the *Road Transport (Driver Licensing) Act 1998* of New South Wales;
- (e) the *Road Transport (Driver Licensing) Act 1999* of the Australian Capital Territory;
- (f) the *Road Transport (Vehicle Registration) Act 1997* of New South Wales;
- (g) the *Road Transport (Vehicle Registration) Act 1999* of the Australian Capital Territory;
- (h) the *Transport Operations (Road Use Management) Act 1995* of Queensland;
- (i) the *Vehicle and Traffic Act 1999* of Tasmania.

**100—Expiation of alleged offences**

- (1) The expiation fees set out in Schedule 5 are fixed for alleged offences against the Act specified in that Schedule.
- (2) Text set out in italic type under a heading in Schedule 5 commencing with the words "Description of offence" is a description for convenience purposes only and is not to be taken to define the offence for which a particular amount is fixed as the expiation fee.

## Schedule 1—Fees

### Part 1—Fees under *Motor Vehicles Act 1959* and these regulations

#### 1—Interpretation

In this Part—

**emergency response vehicle** has the same meaning as in regulation 15;

**government authorised examiner** means an authorised examiner who is—

- (a) a police officer; or
- (b) an employee in the Transport Department; or
- (c) a person appointed as an authorised examiner by some public authority and approved by the Registrar;

**level 1 fee** means an administration fee of \$6.00;

**level 2 fee** means an administration fee of \$15.00;

**level 3 fee** means an administration fee of \$21.00;

**special purpose vehicle (type O)** has the same meaning as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*;

**special purpose vehicle (type T)** has the same meaning as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*;

**Transport Department premises**, in relation to an examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act, includes a place specified under section 139(1)(d) of the Act at which the motor vehicle is required to be produced for the purpose of the examination;

**truck (type I)** has the same meaning as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*.

#### 2—Registration (section 24 of Act)

- (1) For registration of a heavy vehicle under section 24 of the Act for a period of 12 months—the fee prescribed by, or determined in accordance with, the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*.
- (2) For registration of a motor vehicle (other than a heavy vehicle) under section 24 of the Act for a period of 12 months—
 

(a) a motor bike	\$33.00
(b) a trailer	\$57.00
(c) a motor vehicle propelled other than by an internal combustion engine	\$99.00
(d) a commercial motor vehicle—	
(i) if the unladen mass of the vehicle does not exceed 1 000 kg and the vehicle is propelled by an internal combustion engine—	
(A) having 4 cylinders or less	\$99.00
(B) having 5 or 6 cylinders	\$201.00
(C) having 7 or more cylinders	\$292.00
(ii) if the unladen mass of the vehicle exceeds 1 000 kg but does not exceed 1 500 kg	\$218.00
(iii) if the unladen mass of the vehicle exceeds 1 500 kg	\$371.00

- (e) a motor vehicle (other than a vehicle referred to in paragraphs (a) to (d)) propelled by an internal combustion engine—
  - (i) having 4 cylinders or less \$99.00
  - (ii) having 5 or 6 cylinders \$201.00
  - (iii) having 7 or more cylinders \$292.00
- (3) The registration fee payable for the registration of a motor vehicle under section 24 of the Act for a period of less than 12 months is as follows:
  - (a) in the case of a registration for 1, 2 or 3 quarters—a fee equal to the product of the number of quarters for which the vehicle is to be registered multiplied by one-quarter of the fee that would be payable for registration of the vehicle for 12 months;
  - (b) in any other case—a fee equal to the product of the number of days for which the vehicle is to be registered multiplied by one three hundred and sixty-fifth of the fee that would be payable for registration of the vehicle for 12 months.
- (4) Administration fee (payable in addition to the registration fee) for—
  - (a) initial registration or re-registration of a motor vehicle under section 24 of the Act level 3 fee
  - (b) renewal of registration of a motor vehicle under section 24 of the Act level 1 fee
- (5) Surcharge (payable in addition to the registration fee and administration fee) for registration or renewal of registration of a motor vehicle under section 24 of the Act for—
  - (a) less than 6 months—a fee equal to 5.625% of the registration fee;
  - (b) 6 months or more but less than 9 months—a fee equal to 3.75% of the registration fee;
  - (c) 9 months or more but less than 12 months—a fee equal to 1.875% of the registration fee.

### 3—Conditional registration (section 25 of Act)

- (1) For registration of a motor vehicle under section 25 of the Act—
  - (a) in the case of—
    - (i) a heavy vehicle that is a special purpose vehicle (type O); or
    - (ii) a heavy vehicle that is a special purpose vehicle (type T) (other than an emergency response vehicle or a vehicle that is used principally for the purpose of fire fighting and is fitted with fire fighting equipment),
 

a fee equal to the product of the number of quarters for which the vehicle is to be registered multiplied by one-quarter of the amount that would be the registration fee for registration of the vehicle under section 24 of the Act for the financial year in which the registration is to take effect;
  - (b) in the case of a heavy vehicle that is a road train, B-double or a vehicle of a class referred to in regulation 19(f)—a fee equal to the registration fee that would be payable for registration of the vehicle under section 24 of the Act;
  - (c) in any other case—no fee.

- (2) Administration fee (payable whether or not a registration fee is payable under subclause (1)) for registration of a motor vehicle under section 25 of the Act—
- (a) initial registration or re-registration of a motor vehicle level 3 fee
  - (b) renewal of registration of a motor vehicle level 1 fee
- (3) If a registration fee is payable for the registration of a motor vehicle under section 25 of the Act and the period of registration is less than 12 months, a surcharge of the amount prescribed in clause 2(5) is payable in addition to the registration fee and administration fee.

#### **4—Transfer of registration**

- (1) Administration fee for transfer of the registration of a motor vehicle level 3 fee
- (2) Additional fee for late payment of the fee prescribed in subclause (1) \$69.00

#### **5—Cancellation of registration**

Administration fee for cancellation of the registration of a motor vehicle level 2 fee

#### **6—Duplicate certificates of registration and registration labels**

Administration fee for the issue of a duplicate certificate of registration or duplicate registration label level 2 fee

#### **7—Permit to drive an unregistered motor vehicle**

Administration fee for the issue of—

- (a) a permit under section 16(1)(c)(i) of the Act level 1 fee
- (b) a permit under section 16(1)(c)(ii) of the Act level 3 fee

#### **8—Duplicate permit to drive an unregistered motor vehicle**

Administration fee for the issue of a duplicate permit under section 16(12) of the Act level 2 fee

#### **9—Temporary configuration certificate for heavy vehicle**

Administration fee for the issue of a temporary configuration certificate for a heavy vehicle level 3 fee

#### **10—Duplicate temporary configuration certificate for heavy vehicle**

Administration fee for the issue of a duplicate temporary configuration certificate for a heavy vehicle level 2 fee

#### **11—Number allotment**

Administration fee for variation or amendment of the number allotted to a motor vehicle (per vehicle) level 3 fee

#### **12—Number plates**

- (1) Administration fee for the issue or replacement of a single number plate, a pair of number plates or a supplementary number plate for a bike rack level 3 fee
- (2) Administration fee (payable in addition to the fee prescribed in subclause (1)) for postal delivery of a number plate or plates level 2 fee

#### **13—Issue or reissue of trade plate**

- (1) For the issue or reissue of a trade plate—
  - (a) in respect of a motor vehicle that has a gross vehicle mass exceeding 4 500 kg (other than a special purpose vehicle) (*Category A*)—an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a heavy vehicle that is a truck (type 1) with 2 axles and a gross vehicle mass exceeding 4 500 kg but not exceeding 12 000 kg;

- (b) in respect of a motor vehicle that has a gross vehicle mass not exceeding 4 500 kg (other than a motor bike, trailer or special purpose vehicle) (*Category B*)—an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a motor vehicle referred to in clause 2(2)(d)(i) or 2(2)(e) that has 7 or more cylinders;
- (c) in respect of a motor bike (*Category C*)—an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a motor bike;
- (d) in respect of a trailer that has a gross vehicle mass not exceeding 4 500 kg (*Category D*)—an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a trailer;
- (e) in respect of a special purpose vehicle (*Category E*)—no fee.

If an application for the issue or reissue of a trade plate relates to more than 1 category of vehicle such that more than 1 fee becomes payable, then only the highest fee must be paid.

- (2) Administration fees (payable in addition to the fee prescribed in subclause (1))—
  - (a) on application for the issue of a trade plate level 3 fee
  - (b) for allocation of a trade plate number on the issue of a trade plate (per plate) level 2 fee
- (3) Administration fee (payable in addition to the fee prescribed in subclause (1)) on application for the reissue of a trade plate level 1 fee

#### 14—Supply of trade plate by Registrar

Administration fee for the supply of a trade plate by the Registrar level 3 fee

#### 15—Issue of replacement trade plate

Administration fee on application for the issue of a new trade plate in lieu of a lost trade plate level 2 fee

#### 16—Duplicate trade plate label or certificate of issue of trade plate

Administration fee for the issue of a duplicate trade plate label or duplicate certificate of issue of a trade plate level 2 fee

#### 17—Trade plate transfer

Administration fee payable on application for the transfer of a trade plate level 3 fee

#### 18—Trade plate surrender

Administration fee payable on surrender of a trade plate under section 70(5) of the Act level 2 fee

#### 19—Driver's licences

- (1) For the issue or renewal of a driver's licence—
  - (a) where the applicant is a person who as a result of his or her service in a naval, military or air force of Her Majesty— \$13.50
    - (i) is totally or permanently incapacitated; or
    - (ii) has lost a leg or foot; or

- (iii) receives under the law of the Commonwealth relating to repatriation a pension at the rate for total incapacity or a pension granted by reason of impairment of his or her power of locomotion at the rate of not less than 70% of the rate for total incapacity (per year);
- (b) where the applicant is a concession card holder (per year) \$13.50
- (c) in any other case (per year) \$27.00
- (2) The licence fee for a driver's licence issued or renewed for a period other than for full years is one-quarter of the annual licence fee for each complete 3 months of the period for which the licence is issued or renewed.
- (3) If—
- (a) a person ceases to be a concession card holder; and
- (b) the person holds a driver's licence that was issued or renewed on payment of a reduced fee,
- the person must pay an additional fee of an amount that is equal to the difference between—
- (c) the amount obtained by multiplying the number of complete 3 month periods in the unexpired period of the licence by one-quarter of the annual fee paid for the issue or renewal of the licence; and
- (d) the amount obtained by multiplying the number of complete 3 month periods in the unexpired period of the licence by one-quarter of the annual fee that would have been payable for the issue or renewal of the licence if the person had not been a concession card holder.
- (4) For the purposes of subclause (3), the unexpired period of the licence commences on the day on which the person ceases to be a concession card holder.
- (5) Administration fee (payable in addition to the licence fee) for the issue or renewal of a driver's licence level 2 fee
- (6) Administration fee (payable in addition to the fee prescribed in subclause (5)) where application for the issue of a driver's licence is made more than 6 months after the expiry of a previously held licence and the applicant was not, during the whole of the period of 6 months after the expiry of the previously held licence, disqualified from holding or obtaining a driver's licence level 3 fee
- (7) In this clause—
- concession card holder** means a person who—
- (a) holds—
- (i) a State Concession Card issued by the Department for Families and Communities; or
- (ii) a pensioner entitlement card issued under a law of the Commonwealth; and
- (b) is entitled, as the holder of such a card, to travel on public transport in this State at reduced fares;

**reduced fee** means the fee payable for the issue or renewal of a driver's licence where the applicant is a concession card holder.

## 20—Duplicate driver's licence

Administration fee for the issue of a duplicate driver's licence that bears a photograph of the holder level 2 fee

**21—Learner's permit**

- |   |             |
|---|-------------|
| (1) For the issue or renewal of a learner's permit  | \$27.00     |
| (2) Administration fee for the issue or renewal of a learner's permit (payable in addition to the permit fee) | level 2 fee |

**22—Duplicate learner's permit**

Administration fee for the issue of a duplicate learner's permit	level 2 fee
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**23—Theoretical examination**

For a theoretical examination prescribed for the purposes of section 79 of the Act—

- |   |             |
|---|-------------|
| (a) examination fee   | \$11.00     |
| (b) administration fee (payable in addition to the examination fee) | level 2 fee |

**24—Practical driving tests conducted by government authorised examiners**

For a practical driving test conducted by a government authorised examiner—

- |  |             |
|--|-------------|
| (a) booking fee  | level 2 fee |
| (b) test fee—  |             |
| (i) for a test of up to, but not exceeding, 40 min duration  | \$42.00     |
| (ii) for a test exceeding 40 min duration                    | \$94.00     |
| (c) administration fee (payable in addition to the test fee) | level 2 fee |

**25—Other practical driving tests; final assessments**

Booking fee, for notice to the Registrar of—	level 2 fee
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- |  |  |
|--|--|
| (a) a practical driving test; or   |  |
| (b) a final assessment in a competence based training course for drivers of motor vehicles (other than motor bikes) undertaken in accordance with the directions of the Registrar, |  |

to be conducted by an authorised examiner other than a government authorised examiner

**26—Hazard perception tests**

For a hazard perception test—

- |  |             |
|--|-------------|
| (a) test fee   | \$11.00     |
| (b) administration fee (payable in addition to the test fee) | level 2 fee |

**27—Motor bike training courses**

For a motor bike training course undertaken in accordance with the directions of the Registrar—

- |  |          |
|--|----------|
| (a) training course fee—   |          |
| (i) for basic motor bike training preparatory to obtaining a motor bike learner's permit     | \$326.00 |
| (ii) for advanced motor bike training preparatory to obtaining a motor bike driver's licence | \$288.00 |
| (b) administration fee (payable in addition to the training course fee)                      | \$15.00  |

**28—Proficiency test for motor driving instructor's licence**

For a proficiency test of an applicant for a driving instructor's licence—

- |                        |  |
|------------------------|--|
| (a) for a theory test— |  |
|------------------------|--|

(i)	test fee	\$57.00
(ii)	administration fee (payable in addition to the test fee)	level 2 fee
(b)	for a practical training course test—	
(i)	test fee	\$5 021.00
(ii)	administration fee (payable in addition to the test fee)	level 2 fee
<b>29</b>	<b>Motor driving instructor's licence</b>	
	For the issue of a motor driving instructor's licence (per year)	\$80.00
<b>30</b>	<b>Duplicate motor driving instructor's licence</b>	
	Administration fee for the issue of a duplicate motor driving instructor's licence	level 2 fee
<b>31</b>	<b>Appointment as authorised examiner</b>	
	For appointment as an authorised examiner (other than a government authorised examiner) (per year)	\$117.00
<b>32</b>	<b>Proficiency tests for authorised examiners</b>	
(1)	For a proficiency test, required by the Registrar, of an applicant for appointment as an authorised examiner in relation to the driving of motor vehicles with a gross vehicle mass not exceeding 4.5 t—	
(a)	practical training course test (per day)	\$205.00
(b)	administration fee (payable in addition to test fee)	\$17.00
(2)	For a proficiency test, required by the Registrar, of an applicant for appointment as an authorised examiner in relation to the driving of motor vehicles with a gross vehicle mass exceeding 4.5 t—	
(a)	practical training course test (per day)	\$346.00
(b)	administration fee (payable in addition to test fee)	\$17.00
<b>33</b>	<b>Lectures as to motor vehicle accidents and their causes</b>	
	For attendance at a lecture conducted under regulation 56	\$34.00
<b>34</b>	<b>Counselling sessions with DASSA</b>	
	For attendance at a counselling session conducted under regulation 63—	
(a)	for the initial counselling session	\$55.00
(b)	for the final counselling session	\$55.00
<b>35</b>	<b>Administration fee for issue of alcohol interlock scheme licence</b>	
	Administration fee for the issue of a licence subject to mandatory alcohol interlock scheme conditions or voluntary alcohol interlock scheme conditions—for each month in the period for which the licence will be subject to alcohol interlock provisions (a part of a month being treated as a whole month)	\$15.00
<b>36</b>	<b>Disabled person's parking permit</b>	
	For the issue of a disabled person's parking permit—	
(a)	permit fee—	
(i)	for 1 year or less	\$3.00
(ii)	for 2 years	\$5.00
(iii)	for 3 years	\$7.00

- |  |             |
|--|-------------|
| (iv) for 4 years   | \$9.00      |
| (v) for 5 years  | \$13.00     |
| (b) administration fee (payable in addition to the permit fee) | level 1 fee |

**37—Register searches etc**

- |   |             |
|---|-------------|
| (1) Administration fee for searching the register and supplying information—                            |             |
| (a) for manual search of archived information (per search)  | level 3 fee |
| (b) for manual search of current information (per search)   | level 3 fee |
| (c) for multiple searches where separate extracts of entries are not required                           | level 2 fee |
| (d) where the applicant prepares computer input data in a form acceptable to the Registrar (per search) | level 1 fee |
| (2) Administration fee for an extract of an entry in the register                                       | level 3 fee |

**38—Motor vehicle examinations**

- |  |          |
|--|----------|
| (1) For an examination of a motor vehicle for the purposes of completion of a report under regulation 13   | \$14.00  |
| (2) A fee for an examination referred to in subclause (1) must be paid—  |          |
| (a) in the case of an examination to be carried out by an authorised officer—on the registration of the vehicle; or  |          |
| (b) in the case of an examination to be carried out by a police officer—prior to the examination.  |          |
| (3) For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by a person authorised by the Registrar under section 139(1) of the Act                        | \$30.00  |
| (4) For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by a police officer  | \$52.00  |
| (5) For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by an authorised officer at Transport Department premises                                      | \$52.00  |
| (6) For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by an authorised officer at a site other than Transport Department premises—                   |          |
| (a) fee for call out (per site visit)—\$173.00; plus   |          |
| (b) fee for examination (per vehicle)—\$52.00.   |          |
| (7) For a comprehensive examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by an authorised officer   | \$258.00 |
| (8) For a further examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act following a comprehensive examination referred to in subclause (7), to be carried out by an authorised officer | \$30.00  |
| (9) A fee for an examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act must be paid—   |          |
| (a) in the case of a fee specified in subclause (3), (5) or (6)(b)—on the registration of the vehicle; or  |          |
| (b) in the case of a fee specified in subclause (4), (6)(a), (7) or (8)—prior to the examination.  |          |

- (10) If more than 1 fee becomes payable under subclauses (1) to (7) (inclusive) in respect of the examination of the same motor vehicle, only the higher or highest fee (as the case may be) must be paid.
- (11) A fee for an examination referred to in this clause to be carried out by a police officer must be paid to the South Australian Police Department.

### 39—Application for review of decision of Registrar

Administration fee payable on application for a review under section 98Z of the Act level 3 fee

### 40—Dishonoured cheque or debit card or credit card transactions

Administration fee payable under section 138B of the Act level 3 fee

### 41—Fees payable by insurer for emergency treatment

For the purposes of section 110(1) of the Act—

- (a) the fee payable to a medical practitioner who renders emergency treatment is a fee equal to a level 3 fee;
- (b) the fee payable to a nurse who renders emergency treatment is a fee equal to a level 2 fee;
- (c) the amount payable to a person who conveys an injured person is an amount equal to one-tenth of a level 1 fee for every kilometre that the person is conveyed.

### 42—Fees payable in connection with service of notices of disqualification

- (1) Administration fee payable under section 139BD of the Act \$25.00
- (2) Service fee payable under section 139BD of the Act \$63.00

## Part 2—Fees under Commonwealth *Interstate Road Transport Act 1985*

### 43—Interpretation

In this Part—

*level 1 fee* means an administration fee of \$6.00;

*level 2 fee* means an administration fee of \$15.00;

*level 3 fee* means an administration fee of \$21.00.

### 44—Administration fees

- (1) Administration fee (payable in addition to the registration charge imposed by Commonwealth law) (section 9(1)(a))—
  - (a) for registration level 3 fee
  - (b) for renewal of registration level 1 fee
- (2) Administration fee to accompany notice surrendering registration (section 12(2)) level 2 fee

## Schedule 2—Classification of driver's licences

### 1—Classification of licences

- (1) Subject to this clause, a licence that is endorsed with a classification appearing in column 1 of the table below authorises the holder of the licence to drive a motor vehicle of the description appearing opposite that classification in column 2.
- (2) A reference in column 3 of the table below to a *driver's licence* of a particular class includes a reference to an interstate licence of that class.
- (3) Subject to this clause, the Registrar may not endorse a licence with a particular classification unless the Registrar is satisfied that the applicant—
  - (a) fulfils the criteria specified in column 3 of the table below; and
  - (b) has passed a practical driving test approved by the Registrar,
 in respect of that classification.
- (4) The Registrar may endorse a licence with a particular classification despite the fact that the applicant does not fulfil the criteria specified in column 3 of the table below in respect of that classification if—
  - (a) the applicant is of or over the age of 17 years and 6 months; and
  - (b) the Registrar is satisfied that—
    - (i) by reason of the applicant having undertaken the driver training course known as the "Training In Lieu of Experience" ("TILE") course or some other driver training course approved by the Registrar; or
    - (ii) for some other reason,
 special circumstances exist for doing so.

1—Licence class	2—Motor vehicles authorised to be driven	3—Minimum driving experience	
C	1	A motor vehicle with a GVM not greater than 4.5 t but not including— <ol style="list-style-type: none"> <li>(a) a bus; or</li> <li>(b) a motor bike or motor trike.</li> </ol>	Nil.
	2	A motor vehicle included in 1 towing a single trailer, subject to the combination mass limits fixed under the <i>Road Traffic Act 1961</i> .	
LR	1	A motor vehicle authorised to be driven by a licence of the preceding class.	The applicant must have held a driver's licence endorsed with the classification C for at least 1 year.
	2	A motor vehicle with a GVM greater than 4.5 t but not greater than 8 t.	
	3	A bus with a GVM not greater than 8 t.	
	4	A motor vehicle included in 2 or 3 towing a single trailer, subject to the combination mass limits fixed under the <i>Road Traffic Act 1961</i> .	

1—Licence class	2—Motor vehicles authorised to be driven	3—Minimum driving experience	
MR	1	A motor vehicle authorised to be driven by a licence of a preceding class.	The applicant must have held a driver's licence endorsed with the classification C for at least 1 year.
	2	A motor vehicle with 2 axles and a GVM greater than 8 t.	
	3	A motor vehicle included in 2 towing a single trailer (other than a semi-trailer) with a GVM not greater than 9 t, subject to the combination mass limits fixed under the <i>Road Traffic Act 1961</i> .	
	4	A special purpose vehicle with a GVM not greater than 15 t.	
HR	1	A motor vehicle authorised to be driven by a licence of a preceding class.	The applicant must have held— (a) a driver's licence endorsed with the classification C for at least 2 years; or (b) a driver's licence endorsed with the classification LR or MR for at least 1 year.
	2	A motor vehicle (including an articulated bus but not including any other articulated motor vehicle) with 3 or more axles and a GVM greater than 8 t.	
	3	A motor vehicle included in 2 towing a single trailer (other than a semi-trailer) with a GVM not greater than 9 t, subject to the combination mass limits fixed under the <i>Road Traffic Act 1961</i> .	
HC	1	A motor vehicle authorised to be driven by a licence of a preceding class.	The applicant must have held a driver's licence endorsed with the classification MR or HR for at least 1 year.
	2	A prime mover to which is attached a single semi-trailer (whether or not any unladen converter dolly or low loader dolly is also attached).	
	3	A rigid motor vehicle to which is attached a single trailer with a GVM greater than 9 t (whether or not any unladen converter dolly or low loader dolly is also attached).	
MC	1	Any motor vehicle or combination of motor vehicles except a motor bike or motor trike.	The applicant must have held a driver's licence endorsed with the classification HC or HR for at least 1 year.
R-DATE	1	A motor bike or motor trike that— (a) has an engine capacity not exceeding 660 mL and a power to weight ratio not exceeding 150 kW per tonne; and (b) is of a kind approved from time to time by the Registrar by notice in the Gazette.	Nil.
R	1	Any motor bike or motor trike.	The applicant must have held a driver's licence endorsed with the classification R-DATE for at least 1 year.

## Schedule 3—Conditions of driver's licences and learner's permits

### 1—Endorsement of conditions of licences and permits

Where a provision of the Act requires a condition imposed on a licence or learner's permit to be endorsed on the licence or permit, the condition is sufficiently endorsed if—

- (a) full particulars of the condition are endorsed on the front of the licence or permit; or
- (b) in the case of a condition set out in column 1 of the table below—the front of the licence or permit is endorsed with the letter appearing opposite in column 2; or
- (c) in the case of a condition recorded on the Register and advised in writing by the Registrar to the holder of the licence or permit—the front of the licence or permit is endorsed with the letter "X"; or
- (d) in the case of a condition imposed by a court—the front of the licence or permit is endorsed with the letter "Y".

1—Condition	2—Letter
The holder of the licence or permit is permitted to drive only a motor vehicle that is fitted with automatic transmission.	A
The holder of the licence or permit is permitted to drive only a motor vehicle that is fitted with automatic or synchromesh transmission.	B
The holder of the licence is permitted to drive only a motor bike or motor trike that—	E
(a) has an engine capacity not exceeding 660 mL and a power to weight ratio not exceeding 150 kW per tonne; and	
(b) is of a kind approved from time to time by the Registrar by notice in the Gazette.	
The holder of the permit is permitted to drive only a motor bike or motor trike that—	R-DATE
(a) has an engine capacity not exceeding 660 mL and a power to weight ratio not exceeding 150 kW per tonne; and	
(b) is of a kind approved from time to time by the Registrar by notice in the Gazette.	
The holder of the licence or permit is permitted to drive only a motor vehicle fitted with an alcohol interlock.	I
The holder of the licence or permit must, at all times while driving, wear glasses or contact lenses prescribed by a medical practitioner or optometrist.	S
The holder of the licence or permit is permitted to drive only a bus or truck that is fitted with automatic transmission.	T
The holder of the licence or permit is permitted to drive only a motor vehicle that is modified as recorded on the Register and advised in writing by the Registrar to the holder.	V
The holder of the licence or permit is permitted to drive a motor vehicle only if the concentration of alcohol present in the holder's blood is 0.	Z

## Schedule 4—Demerit points

### Part 1—Demerit points within the national scheme

#### 1—Offences against *Road Traffic Act 1961*

Section	Description of offence against <i>Road Traffic Act 1961</i>	Demerit points
40I(2)	<i>Engaging in conduct in contravention of direction of authorised officer or police officer to move vehicle to specified location</i>	3
40J(3)	<i>Engaging in conduct in contravention of direction of authorised officer or police officer to move vehicle or do anything else reasonably required by officer to avoid causing harm or obstruction</i>	3
79B(2)	<i>Being the owner of a vehicle that appears from evidence obtained through the operation of a photographic detection device to have been involved in the commission of a prescribed offence</i>	
	Contravention where the owner is a natural person and the prescribed offence in which the vehicle appears to have been involved is an offence against 1 of the following <i>Australian Road Rules</i> :	
	r 20— <i>Speeding</i>	
	Exceeding applicable speed-limit on length of road—	
	by less than 15 km/h	1
	by 15 km/h or more but less than 30 km/h	3
	by 30 km/h or more	4
	r 56(1)— <i>Failing to stop for red traffic light</i>	3
	r 56(2)— <i>Failing to stop for red traffic arrow</i>	3
	r 59(1)— <i>Proceeding through red traffic light</i>	3
	r 60— <i>Proceeding through red traffic arrow</i>	3
	r 123(a)— <i>Entering level crossing while warning lights are operating</i>	3
82(1)	<i>Speeding</i>	
	Exceeding speed-limit while passing school bus—	
	by less than 15 km/h	1
	by 15 km/h or more but less than 30 km/h	3
	by 30 km/h or more	4
91(3)	<i>Failing to comply with direction of ferry operator</i>	3
164A(1)	<i>Contravening or failing to comply with provision of Act</i>	
	Contravention of or failure to comply with—	
	s 45— <i>Driving without due care or attention etc</i>	3
	s 83(1)(a)— <i>Speeding while passing emergency vehicle</i>	
	Exceeding 40 km/h while passing an emergency vehicle—	
	by less than 15 km/h	1
	by 15 km/h or more but less than 30 km/h	3
	by 30 km/h or more	4

Section	Description of offence against <i>Road Traffic Act 1961</i>	Demerit points
	s 83(1)(b)— <i>Speeding while passing emergency vehicle</i>	
	Exceeding lesser speed required to avoid endangering person while passing an emergency vehicle	3
	s 145(6)— <i>Driving contrary to terms of defect notice</i>	3

## 2—Offences against *Australian Road Rules*

Rule	Description of offence against <i>Australian Road Rules</i>	Demerit points
20	<i>Speeding</i> Exceeding applicable speed-limit on length of road—	
	by less than 15 km/h	1
	by 15 km/h or more but less than 30 km/h	3
	by 30 km/h or more	4
27(1)	<i>Failing to keep left when starting left turn (from other than multi-lane road)</i>	2
28(1)	<i>Failing to keep within left lane when starting left turn on multi-lane road</i>	2
29(1)	<i>Failing to make left turn as indicated by turn line</i>	2
31(1)	<i>Starting right turn incorrectly (from other than multi-lane road)</i>	2
32(1)	<i>Failing to keep within right lane when starting right turn on multi-lane road</i>	2
33(1)	<i>Making right turn at intersection incorrectly</i>	2
34(1)	<i>Making hook turn at "hook turn only" sign incorrectly</i>	2
37	<i>Starting U-turn without clear view etc</i>	2
38	<i>Failing to give way when making U-turn</i>	3
39(1)	<i>Making U-turn contrary to "no U-turn sign" at break in dividing strip</i>	2
39(2)	<i>Making U-turn contrary to "no U-turn sign" on length of road</i>	2
40	<i>Making U-turn at intersection with traffic lights and no "U-turn permitted" sign</i>	2
41	<i>Making U-turn at intersection without traffic lights where "no U-turn" sign</i>	2
42	<i>Starting U-turn at intersection from incorrect position</i>	2
46(1)	<i>Failing to give left change of direction signal before turning left</i>	2
48(1)	<i>Failing to give right change of direction signal before turning right</i>	2
53(1)	<i>Failing to give stop signal before stopping or suddenly slowing</i>	2
53(2)	<i>Failing to give sufficient warning of stopping</i>	2
53(3)	<i>Failing to give stop signal while slowing</i>	2
56(1)	<i>Failing to stop for red traffic light</i>	3
56(2)	<i>Failing to stop for red traffic arrow</i>	3
57(1)	<i>Failing to stop for yellow traffic light</i>	3
57(2)	<i>Failing to stop for yellow traffic arrow</i>	3
59(1)	<i>Proceeding through red traffic light</i>	3

<b>Rule</b>	<b>Description of offence against <i>Australian Road Rules</i></b>	<b>Demerit points</b>
60	<i>Proceeding through red traffic arrow</i>	3
61(2)	<i>Failing to stop at intersection when traffic lights or arrows change to yellow or red</i>	3
62	<i>Failing to give way when turning at intersection with traffic lights</i>	3
63(2)	<i>Failing to give way at intersection with traffic lights not operating or only partly operating—where traffic light-stop sign</i>	3
63(3)	<i>Failing to give way at intersection with traffic lights not operating or only partly operating—where no traffic light-stop sign</i>	3
64	<i>Failing to give way at flashing yellow traffic arrow at intersection</i>	3
65(2)	<i>Failing to give way at marked foot crossing (except at intersection) with flashing yellow traffic light</i>	3
66(1)	<i>Failing to stop for twin red lights (except at level crossing)</i>	3
66(4)	<i>Proceeding after stopping for twin red lights (except at level crossing)</i>	3
67(1)	<i>Failing to stop and give way at stop sign or stop line at intersection without traffic lights</i>	3
68(1)	<i>Failing to stop and give way at stop sign or stop line at other place</i>	3
69(1)	<i>Failing to give way at give way sign or give way line at intersection (except roundabout)</i>	3
70	<i>Failing to give way at give way sign at bridge or length of narrow road</i>	3
71(1)	<i>Failing to give way at give way sign or give way line at other place</i>	3
72(1)	<i>Failing to give way at intersection (except T-intersection or roundabout)</i>	3
73(1)	<i>Failing to give way at T-intersection</i>	3
74(1)	<i>Failing to give way when entering road from road-related area or adjacent land</i>	3
75(1)	<i>Failing to give way when entering road-related area or adjacent land from road</i>	3
76(1)	<i>Moving into path of tram travelling in tram lane etc</i>	3
76(2)	<i>Failing to move out of path of tram travelling in tram lane etc</i>	3
77(1)	<i>Failing to give way to bus</i>	3
78(1)	<i>Moving into path of police or emergency vehicle</i>	3
78(2)	<i>Failing to move out of path of police or emergency vehicle</i>	3
79(1)	<i>Failing to give way to police or emergency vehicle</i>	3
80(1)	<i>Driving near children's crossing at speed at which driver cannot stop safely</i>	3
80(2)	<i>Failing to stop at children's crossing</i>	3
80(3)	<i>Failing to obey hand-held stop sign at children's crossing</i>	3
80(4)	<i>Proceeding while pedestrian on children's crossing</i>	3
81(1)	<i>Driving near pedestrian crossing at speed at which driver cannot stop safely</i>	3
81(2)	<i>Failing to give way at pedestrian crossing</i>	3
82	<i>Overtaking or passing vehicle at children's crossing or pedestrian crossing</i>	3
83	<i>Failing to give way to pedestrian in shared zone</i>	3

<b>Rule</b>	<b>Description of offence against <i>Australian Road Rules</i></b>	<b>Demerit points</b>
84(1)	<i>Failing to give way when driving through break in dividing strip</i>	3
85	<i>Failing to give way on painted island</i>	3
86(1)	<i>Failing to give way in median turning bays</i>	3
87(1)	<i>Failing to give way when moving from side of road</i>	3
87(3)	<i>Failing to give way when moving from median strip parking area</i>	3
88(1)	<i>Failing to turn left at intersection with "left turn only" sign</i>	2
88(2)	<i>Failing to turn left when in left lane at intersection with "left lane must turn left" sign</i>	2
89(1)	<i>Failing to turn right at intersection with "right turn only" sign</i>	2
89(2)	<i>Failing to turn right when in right lane at intersection with "right lane must turn right" sign</i>	2
90	<i>Turning at intersection with "no turn" sign</i>	2
91(1)	<i>Turning left at intersection or other place with "no left turn" sign</i>	2
91(2)	<i>Turning at intersection or other place with "no right turn" sign</i>	2
93(1)	<i>Driving or overtaking on bridge or length of road where "no overtaking or passing" sign applies</i>	2
94	<i>Overtaking on bridge with "no overtaking on bridge" sign</i>	2
101(1)	<i>Failing to stop before hand-held stop sign</i>	3
101(2)	<i>Proceeding after stopping for hand-held stop sign</i>	3
112(2)	<i>Failing to give left change of direction signal when entering roundabout</i>	2
112(3)	<i>Failing to continue left change of direction signal while on roundabout</i>	2
113(2)	<i>Failing to give right change of direction signal when entering roundabout</i>	2
113(3)	<i>Failing to continue right change of direction signal while in roundabout</i>	2
114(1)	<i>Failing to give way when entering roundabout</i>	3
114(2)	<i>Failing to give way to tram when driving in roundabout</i>	3
115(1)	<i>Failing to drive in roundabout to left of central traffic island</i>	2
117(1)	<i>Failing to give left change of direction signal when changing marked lanes or lines of traffic in roundabout</i>	2
117(2)	<i>Failing to give right change of direction signal when changing marked lanes or lines of traffic in roundabout</i>	2
118(1)	<i>Failing to give left change of direction signal when leaving roundabout</i>	2
121	<i>Failing to stop and give way at stop sign at level crossing</i>	3
122	<i>Failing to give way at give way sign or give way line at level crossing</i>	3
123	<i>Entering level crossing when train or tram approaching etc</i>	3
126	<i>Failing to keep safe distance behind other vehicle</i>	1
127(1)	<i>Failing to keep required minimum distance behind long vehicle</i>	1
129(1)	<i>Failing to keep to far left side of road</i>	2
130(2)	<i>Driving in right lane on certain multi-lane roads</i>	2
131	<i>Failing to keep to left of oncoming vehicle</i>	2

<b>Rule</b>	<b>Description of offence against <i>Australian Road Rules</i></b>	<b>Demerit points</b>
132(1)	<i>Failing to keep to left of centre of road</i>	2
132(2)	<i>Failing to keep to left of dividing line—dividing line formed by 2 parallel continuous lines</i>	3
132(2)	<i>Failing to keep to left of dividing line—any other dividing line</i>	2
135(1)	<i>Failing to keep to left of median strip</i>	3
140	<i>Overtaking when not safe to do so</i>	2
141(1)	<i>Driver overtaking to left of other vehicle</i>	2
142(1)	<i>Overtaking to right of vehicle turning right</i>	2
143(1)	<i>Passing or overtaking to left of turning left vehicle displaying "do not overtake turning vehicle" sign</i>	2
143(2)	<i>Passing or overtaking to right of turning right vehicle displaying "do not overtake turning vehicle" sign</i>	2
144	<i>Failing to keep safe distance when overtaking</i>	2
148(1)	<i>Failing to give way when moving from one marked lane to another marked lane</i>	3
148(2)	<i>Failing to give way when moving from one line of traffic to another line of traffic</i>	3
149	<i>Failing to give way when lines of traffic merge into single line of traffic</i>	3
152(1)	<i>Driving in marked lane to which overhead lane control device applies—failing to comply with rule</i>	3
155(1)	<i>Driving in tram lane</i>	3
160(2)	<i>Passing or overtaking to right of tram not at or near far left side of road</i>	2
160(3)	<i>Passing or overtaking left turning etc tram not at or near far left side of road</i>	2
161(2)	<i>Passing or overtaking to left of tram at or near the left side of road</i>	2
161(3)	<i>Passing or overtaking tram turning right or giving right change of direction signal</i>	2
162(1)	<i>Driving past safety zone</i>	3
163(1)	<i>Driving past rear of stopped tram</i>	3
164(1)	<i>Failing to give way to pedestrians crossing road near stopped tram</i>	3
215(1)	<i>Failing to use lights when driving at night or in hazardous weather conditions</i>	1
216(1)	<i>Failing to use lights when towing vehicle at night or in hazardous weather conditions</i>	1
218(1)	<i>Using headlights on high-beam</i>	1
219	<i>Using lights to dazzle other road users</i>	1
264(1)	<i>Failing to wear seatbelt—driver</i>	3
266(1)	<i>Failing to ensure passengers under 16 years old are restrained and seated in accordance with rule—</i>	
	(a) driver who is a person referred to in section 98BI(1)(a)(i) or (ii) of the <i>Motor Vehicles Act 1959</i>	3
	(b) all other drivers	see clause 5

<b>Rule</b>	<b>Description of offence against <i>Australian Road Rules</i></b>	<b>Demerit points</b>
270(1)	<i>Riding motor bike without wearing helmet or with passenger not wearing helmet</i>	3
281	<i>Failing to stop for red B light—bus driver</i>	3
282	<i>Failing to stop for yellow B light—bus driver</i>	3
284	<i>Proceeding after stopping for red or yellow B light—bus driver</i>	3
286(2)	<i>Proceeding when white B light or white traffic arrow no longer showing—bus driver proceeding before entering intersection</i>	3
286(3)	<i>Proceeding when white B light or white traffic arrow no longer showing—bus driver failing to leave intersection</i>	3
288(4)	<i>Driving on path—failing to give way</i>	3
289(2)	<i>Driving on nature strip—failing to give way</i>	3
300(1)	<i>Using mobile phone while driving vehicle</i>	3
304(1)	<i>Failing to obey direction of police officer or authorised person</i>	3

### **3—Offences against *Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008***

<b>Regulation</b>	<b>Description of offence against <i>Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008</i></b>	<b>Demerit points</b>
6(1)	<i>Driving while fatigued</i>	3
16(3)	<i>Failing to comply with regulation 16(3)—standard hours for solo drivers:</i> severe risk offence	3
	critical risk offence	4
17(3)	<i>Failing to comply with regulation 17(3)—standard hours for solo drivers (buses):</i> severe risk offence	3
	critical risk offence	4
19(3)	<i>Failing to comply with regulation 19(3)—standard hours for two-up drivers:</i> severe risk offence	3
	critical risk offence	4
21(3)	<i>Failing to comply with regulation 21(3)—solo drivers under BFM accreditation:</i> severe risk offence	3
	critical risk offence	4
23(3)	<i>Failing to comply with regulation 23(3)—two-up drivers under BFM accreditation:</i> severe risk offence	3
	critical risk offence	4
24(3)	<i>Failing to comply with regulation 24(3)—drivers under AFM accreditation:</i> severe risk offence	3
	critical risk offence	4

<b>Regulation</b>	<b>Description of offence against <i>Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008</i></b>	<b>Demerit points</b>
25(3)	<i>Failing to comply with regulation 25(3)—offences related to AFM outer limits:</i>	
	severe risk offence	3
	critical risk offence	4
62(2)	<i>Failing to comply with regulation 62(2)—offences relating to work time and rest time under work/rest hours exemption:</i>	
	severe risk offence	3
	critical risk offence	4

## **Part 2—Demerit points peculiar to South Australia**

### **4—Offences against *Road Traffic Act 1961***

<b>Section</b>	<b>Description of offence against <i>Road Traffic Act 1961</i></b>	<b>Demerit points</b>
40H(5)	<i>Engaging in conduct in contravention of direction of authorised officer or police officer to stop vehicle, or not move it, or not interfere with vehicle or its equipment or load</i>	3
43(1)	<i>Failing to stop and give assistance immediately after accident involving injury or death</i>	5
44B(3)	<i>Misuse of motor vehicle</i>	4
45A	<i>Excessive speed</i>	6
46(1)	<i>Driving recklessly or at speed or in manner dangerous to public</i>	6
47(1)	<i>Driving or attempting to put vehicle in motion while under influence of liquor or drug</i>	6
47B(1)	<i>Driving whilst having prescribed concentration of alcohol in blood</i>	
	Contravention involving less than 0.08 g of alcohol in 100 mL of blood	4
	Contravention involving 0.08 g or more but less than 0.15 g of alcohol in 100 mL of blood	5
	Contravention involving 0.15 g or more of alcohol in 100 mL of blood	6
47BA(1)	<i>Driving while a prescribed drug is in oral fluid or blood</i>	4
47E(3)	<i>Refusing or failing to comply with direction of police officer in relation to alcotest or breath analysis</i>	6
47EAA(9)	<i>Refusing or failing to comply with direction of police officer in relation to drug screening test, oral fluid analysis or blood test</i>	6
47I(14)	<i>Refusing or failing to comply with request to submit to taking of sample of blood</i>	6
79B(2)	<i>Being the owner of a vehicle that appears from evidence obtained through the operation of a photographic detection device to have been involved in the commission of a prescribed offence</i>	

Section	Description of offence against <i>Road Traffic Act 1961</i>	Demerit points
	Contravention where the owner is a natural person and the prescribed offence in which the vehicle appears to have been involved is an offence against 1 of the following provisions of the <i>Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999</i> :	
	r 9A(1)— <i>Speeding while driving road train</i>	
	Exceeding 90 km/h speed limit—	
	by less than 15 km/h	1
	by 15 km/h or more but less than 30 km/h	3
	by 30 km/h or more	4
	r 9A(2)— <i>Speeding while driving road train</i>	
	Exceeding 40 km/h speed limit—	
	by less than 15 km/h	1
	by 15 km/h or more but less than 30 km/h	3
	by 30 km/h or more	4
164A(1)	<i>Contravening or failing to comply with provision of Act</i>	
	Contravention of or failure to comply with—	
	s 110— <i>Failing to keep whole of vehicle on sealed surface when driving on sealed road</i>	3

## 5—Offences against *Australian Road Rules*

Rule	Description of offence against <i>Australian Road Rules</i>	Demerit points
28(1A)	<i>Failing to use slip lane when starting left turn on multi-lane road</i>	2
28(2A)	<i>Bicycle rider starting left turn on multi-lane road from incorrect position in bicycle storage area</i>	2
32(2A)	<i>Bicycle rider starting right turn on multi-lane road from incorrect position in bicycle storage area</i>	2
46(4)	<i>Failing to stop giving left change of direction signal after turning left</i>	2
48(4)	<i>Failing to stop giving right change of direction signal after turning right</i>	2
51	<i>Using direction indicator lights when not permitted</i>	2
57(3)	<i>Failing to leave intersection showing yellow traffic light or arrow</i>	3
60A(1)	<i>Proceeding through bicycle storage area before red traffic light</i>	3
60A(2)	<i>Proceeding through bicycle storage area before red traffic arrow</i>	3
61(5)	<i>Failing to leave intersection when traffic lights or arrows change to yellow or red</i>	3
92(1)	<i>Failing to drive in direction indicated by traffic lane arrows</i>	3
95(1)	<i>Driving in emergency stopping lane</i>	3
96(1)	<i>Stopping on area of road marked with keep clear marking</i>	3
97(1)	<i>Driving on length of road where "road access" sign applies</i>	3
98(1)	<i>Driving in wrong direction on length of road where "one-way" sign applies</i>	3

<b>Rule</b>	<b>Description of offence against <i>Australian Road Rules</i></b>	<b>Demerit points</b>
99(1)	<i>Failing to drive to left of "keep left" sign</i>	3
99(2)	<i>Failing to drive to right of "keep right" sign</i>	3
100	<i>Driving past "no entry" sign</i>	3
101A(1)	<i>Driving on safety ramp or arrester bed</i>	3
102(1)	<i>Driving past "clearance" or "low clearance" sign</i>	3
103(1)	<i>Driving past "bridge load limit (gross mass)" or "gross load limit" sign—vehicle exceeding gross mass indicated by sign</i>	3
103(2)	<i>Driving past "bridge load limit (mass per axle group)" sign—vehicle axle group carrying mass exceeding mass indicated by sign</i>	3
104(1)	<i>Driving past "no trucks" sign—vehicle GVM exceeding permitted mass</i>	3
104(2)	<i>Driving truck past "no trucks" sign—vehicle or combination exceeding permitted length</i>	3
104(3)	<i>Driving truck past "no trucks" sign where no mass or length indicated</i>	3
105	<i>Failing to enter area indicated by "trucks must enter" sign</i>	3
106(1)	<i>Driving bus past "no buses" sign—bus exceeding mass indicated by sign</i>	3
106(2)	<i>Driving bus past "no buses" sign—bus exceeding length indicated by sign</i>	3
106(3)	<i>Driving bus past "no buses sign" where no mass or length indicated</i>	3
107	<i>Failing to enter area indicated by "buses must enter" sign</i>	3
108(1)	<i>Failing to drive truck or bus in low gear on length of road where "trucks and buses low gear" sign applies</i>	3
111(1)	<i>Failing to enter roundabout from multi-lane road or road with 2 or more lines of traffic travelling in same direction correctly</i>	3
116	<i>Failing to obey traffic lane arrows when driving in or leaving roundabout</i>	3
118(2)	<i>Failing to stop left change of direction signal after leaving roundabout</i>	2
119	<i>Failing to give way by rider of bicycle or animal to vehicle leaving roundabout</i>	3
124	<i>Failing to leave level crossing as soon as safe to do so</i>	3
128	<i>Entering blocked intersection</i>	3
128A	<i>Entering blocked crossing</i>	3
132(2A)	<i>Making U-turn across certain dividing lines</i>	3
136	<i>Driving in wrong direction on one-way service road</i>	2
141(2)	<i>Bicycle rider overtaking to left of vehicle turning left</i>	2
145	<i>Increasing speed while being overtaken</i>	2
146(1)	<i>Failing to drive within single marked lane</i>	3
146(2)	<i>Failing to drive within single line of traffic</i>	3
148A	<i>Failing to give way when diverging left or right within marked lane</i>	3
151(1)	<i>Riding motor bike or bicycle alongside more than 1 other rider on non multi-lane road</i>	3
151(2)	<i>Riding motor bike or bicycle alongside more than 1 other rider in marked lane</i>	3

<b>Rule</b>	<b>Description of offence against <i>Australian Road Rules</i></b>	<b>Demerit points</b>
151(4)	<i>Riding motor bike or bicycle more than 1.5 m from another rider</i>	3
155A(1)	<i>Driving in tramway</i>	3
247A(1)	<i>Bicycle rider failing to enter bicycle storage area correctly at intersection with red traffic light or arrow</i>	2
247B(1)	<i>Bicycle rider failing to give way when entering bicycle storage area</i>	3
247B(2)	<i>Bicycle rider in bicycle storage area on multi-lane road failing to give way to motor vehicles in certain lanes when traffic lights are green or yellow</i>	3
260(1)	<i>Failing to stop bicycle for red bicycle crossing light</i>	3
260(2)	<i>Proceeding after stopping for red bicycle crossing light—proceeding before light changes etc</i>	3
261(1)	<i>Failing to stop bicycle for yellow bicycle crossing light</i>	3
262(1)	<i>Bicycle rider proceeding when bicycle crossing lights change—failing to cross in accordance with rule</i>	3
265(1)	<i>Failing to wear seatbelt, and be seated, in accordance with rule—passenger 16 years old, or older</i>	3
265(3)	<i>Failing to ensure passengers 16 years old or older are wearing seatbelts, and are seated, in accordance with rule—</i>	
	failure in relation to 1 such passenger	3
	failure in relation to more than 1 such passenger	5
266(1)	<i>Failing to ensure passengers under 16 years old are restrained and seated in accordance with rule—</i>	
	driver who is a person referred to in section 98BI(1)(a)(i) or (ii) of the <i>Motor Vehicles Act 1959</i>	see clause 2
	all other drivers—	
	(a) failure in relation to 1 such passenger	3
	(b) failure in relation to more than 1 such passenger	5
268(1)	<i>Travelling in or on part of motor vehicle not designed primarily for carriage of passengers or goods</i>	3
268(2)	<i>Travelling in or on part of motor vehicle designed primarily for carriage of goods</i>	3
268(3)	<i>Travelling in or on motor vehicle with part of body outside window or door</i>	3
268(4)	<i>Driving motor vehicle with part of passenger's body outside window or door</i>	3
268(4A)	<i>Driving motor vehicle with passenger in or on part of vehicle not designed primarily for carriage of passengers or goods</i>	3
268(4B)	<i>Driving motor vehicle with passenger in or on part of vehicle designed primarily for carriage of goods</i>	3
269(3)	<i>Creating hazard by opening door of vehicle, leaving door open etc</i>	3
270(2)	<i>Passenger on motor bike failing to wear helmet</i>	3
274	<i>Failing to stop for red T light—tram driver</i>	3
275	<i>Failing to stop for yellow T light—tram driver</i>	3
277	<i>Proceeding after stopping for red or yellow T light—tram driver</i>	3

<b>Rule</b>	<b>Description of offence against <i>Australian Road Rules</i></b>	<b>Demerit points</b>
279(2)	<i>Proceeding when white T light or white traffic arrow no longer showing—tram driver proceeding before entering intersection</i>	3
279(3)	<i>Proceeding when white T light or white traffic arrow no longer showing—tram driver failing to leave intersection</i>	3
287(1)	<i>Driver involved in crash failing to give required particulars</i>	3
288(1)	<i>Driving on path</i>	3
289(1)	<i>Driving on nature strip</i>	3
292	<i>Driving or towing vehicle carrying insecure or overhanging load</i>	3
298	<i>Driving motor vehicle towing trailer with person in trailer</i>	3

### **6—Offences against *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999***

<b>Regulation</b>	<b>Description of offence against <i>Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999</i></b>	<b>Demerit points</b>
9A(1)	<i>Speeding while driving road train</i> Exceeding 90 km/h speed-limit— by less than 15 km/h	1
	by 15 km/h or more but less than 30 km/h	3
	by 30 km/h or more	4
9A(2)	<i>Speeding while driving road train</i> Exceeding 40 km/h speed-limit— by less than 15 km/h	1
	by 15 km/h or more but less than 30 km/h	3
	by 30 km/h or more	4
26A	<i>Failing to ensure passengers 16 years old or older are wearing seatbelts—</i> failure in relation to 1 such passenger	3
	failure in relation to more than 1 such passenger	5
33(1)	<i>Learner or P1 driver using mobile phone while driving vehicle</i>	3

### **Schedule 5—Expiation fees**

<b>Section</b>	<b>Description of offence against <i>Motor Vehicles Act 1959</i></b>	<b>Fee</b>
9(1)	<i>Driving unregistered motor vehicle on road or causing unregistered motor vehicle to stand on road</i>	\$250
9(3)	<i>Being owner of unregistered motor vehicle found standing on road</i>	\$250
16(9)	<i>Driving motor vehicle without carrying permit under section 16 of the Act</i>	\$89
16(11)	<i>Contravening condition of permit under section 16 of the Act</i>	\$72
43A(3)	<i>Causing or permitting unregistered heavy vehicle to be driven on road</i>	\$250
43A(7)	<i>Failing to carry temporary configuration certificate in vehicle or to produce it for inspection by police officer or authorised officer</i>	\$25

<b>Section</b>	<b>Description of offence against <i>Motor Vehicles Act 1959</i></b>	<b>Fee</b>
47(1)	<i>Driving, or causing to stand, motor vehicle not bearing number plates</i>	\$500
47(1a)	<i>Being registered owner or registered operator of motor vehicle driven, or caused to stand, in contravention of section 47(1) of the Act</i>	\$500
47A(7)	<i>Driving motor vehicle to which is attached number plates in respect of which a declaration under section 47A(2) of the Act has been made</i>	\$500
47B(2)	<i>Selling or supplying number plates without approval of Minister</i>	\$500
47C(3)	<i>Failing to comply with direction of Registrar under section 47C(2) of the Act to return number plates</i>	\$200
47D(1)(a)	<i>Driving, or causing to stand, motor vehicle to which is attached number plate bearing number other than number allotted to vehicle</i>	\$500
47D(1)(b)	<i>Driving, or causing to stand, motor vehicle to which is attached number plate altered, defaced, mutilated or added to</i>	\$500
47D(1)(c)	<i>Driving, or causing to stand, motor vehicle to which is attached colourable imitation of number plate</i>	\$500
47D(1)(d)	<i>Without lawful excuse, having in possession number plate or article resembling number plate</i>	\$500
47D(2)	<i>Being registered owner or registered operator of motor vehicle driven, or caused to stand, in contravention of section 47D(1) of the Act</i>	\$500
48(3)	<i>Driving, or causing to stand, registered motor vehicle not carrying registration label issued for vehicle or carrying registration label not in conformity with section 48 of the Act or these regulations</i>	\$89
48(3a)	<i>Being registered owner or registered operator of motor vehicle driven, or caused to stand, in contravention of section 48(3) of the Act</i>	\$89
53(1)(a)	<i>Driving, or causing to stand, motor vehicle on which is affixed registration label, or in which is carried permit, no longer in force or issued in respect of another vehicle</i>	\$86
53(1)(b)	<i>Driving, or causing to stand, motor vehicle on which is affixed registration label, or in which is carried permit, that has been altered, defaced, mutilated or added to</i>	\$86
53(1)(c)	<i>Driving, or causing to stand, motor vehicle on which is affixed colourable imitation of registration label or in which is carried colourable imitation of permit</i>	\$86
53(1)(d)	<i>Without lawful excuse, having in possession registration label, permit or article resembling registration label or permit</i>	\$86
53(1a)	<i>Being registered owner or registered operator of motor vehicle driven, or caused to stand, in contravention of section 53(1) of the Act</i>	\$86
56(b)(ii)	<i>Failing to lodge notice of transfer of ownership of motor vehicle within 14 days after transfer</i>	\$160
66(2)	<i>Where motor vehicle to which trade plates are affixed is driven other than for a prescribed purpose stated in application for issue of the plates, being driver or person to whom plates were issued</i>	\$86
71B(2)	<i>Failure by person to whom replacement number plate, trade plate, duplicate certificate of registration or duplicate registration label issued to return found or recovered original plate, certificate or label to Registrar</i>	\$86
72A	<i>Acting as qualified supervising driver while having prescribed concentration of alcohol in blood or prescribed drug in oral fluid or blood</i>	\$167

<b>Section</b>	<b>Description of offence against <i>Motor Vehicles Act 1959</i></b>	<b>Fee</b>
74(1)	<i>Driving motor vehicle without holding appropriate licence or learner's permit</i>	\$329
75A(5)	<i>Contravening condition of learner's permit referred to in section 75A(3)(c) of the Act</i>	\$157
75A(5)	<i>Contravening condition of learner's permit referred to in section 75A(3)(d) of the Act</i>	\$166
75A(5)	<i>Contravening condition of learner's permit (other than the condition referred to in section 75A(3)(c) or (d) of the Act)</i>	\$68
75A(5aaa)	<i>Holder of learner's permit driving motor vehicle without displaying 2 "L" plates</i>	\$59
81(4)	<i>Contravening condition endorsed on licence under section 81 of the Act</i>	\$68
81A(5)	<i>Contravening condition of P1 licence referred to in section 81A(1)(ca) of the Act</i>	\$167
81A(5)	<i>Contravening condition of P1 licence referred to in section 81A(1)(d) of the Act</i>	\$68
81A(5)	<i>Contravening condition of P1 licence referred to in section 81A(1)(e) of the Act</i>	\$150
81A(5)	<i>Contravening condition of P2 licence referred to in section 81A(3a)(a) of the Act</i>	\$167
81A(5)	<i>Contravening condition of P2 licence referred to in section 81A(3a)(b) of the Act</i>	\$68
81A(5a)	<i>Holder of P1 licence driving motor vehicle without displaying 2 "P" plates</i>	\$75
81AB(5)	<i>Contravening condition of probationary licence referred to in section 81AB(1)(a) or (c) of the Act</i>	\$68
81AB(5)	<i>Contravening condition of probationary licence referred to in section 81AB(1)(b) of the Act</i>	\$167
81B(3a)	<i>Failing to comply with requirement made by Registrar under section 81B(3)(a) of the Act to attend lecture</i>	\$74
96(1)	<i>Failing to produce licence or learner's permit on request of police officer</i>	\$108
97A(3)	<i>Failing to carry or produce licence while driving under section 97A of the Act</i>	\$108
98AAA(1)	<i>Failing to carry or produce licence while driving heavy vehicle</i>	\$108
98AAB	<i>Failing to carry or produce probationary licence, provisional licence or learner's permit while driving</i>	\$108
102(1)	<i>Driving uninsured motor vehicle on road or causing uninsured motor vehicle to stand on road</i>	\$500
102(2)	<i>Being owner of uninsured motor vehicle found standing on road</i>	\$500
136(1)	<i>Failing to notify Registrar of change of residence of natural person who is registered owner or registered operator of motor vehicle or holds licence or learner's permit</i>	\$106
136(2)	<i>Failing to notify Registrar of change of name or principal place of business of natural person who holds trade plates</i>	\$106
136(2a)	<i>Failing to notify Registrar of change of principal place of business of body corporate that is registered owner or registered operator of motor vehicle or holds trade plates</i>	\$106

<b>Section</b>	<b>Description of offence against <i>Motor Vehicles Act 1959</i></b>	<b>Fee</b>
136(2b)	<i>Failing to notify Registrar of change of garage address of motor vehicle</i>	\$106
136(2c)	<i>Failing to notify Registrar of change of registered operator of motor vehicle</i>	\$106
136(2d)	<i>Failing to notify Registrar of change of postal address</i>	\$102
143(1)	<i>Causing or permitting the commission of an expiable offence against the Act or these regulations</i>	\$56

## **Schedule 6—Revocation and transitional provisions**

### **Part 1—Revocation of *Motor Vehicles Regulations 1996***

#### **1—Revocation of regulations**

The *Motor Vehicles Regulations 1996* are revoked.

### **Part 2—Transitional provisions**

#### **2—Transitional provision relating to licence classifications**

- (1) A licence in force immediately before 1 November 1998 that is endorsed with 1 or more of the classifications set out in column 1 of the table below will be taken for all purposes to be a licence endorsed with the corresponding classification or classifications appearing opposite in column 2.

<b>1—Old classification</b>	<b>2—Corresponding new classification</b>
CAR	C
LT	MR
HT	HR
LA	HC
HA	HC
DA	MC
RT	MC
BIKE-DATE	R-DATE
BIKE	R
SB	LR
LB	MR
HB	HR
AB	HR

- (2) The Registrar is required to remove each endorsement on a licence in force immediately before 1 November 1998 relating to any of the classifications set out in column 1 of the table above and to substitute, in each case, the appropriate endorsement relating to the corresponding new classification as set out in column 2 of that table.
- (3) The Registrar may comply with the obligation imposed by subclause (2) over such period of time as the Registrar considers practicable.

### 3—Transitional provision relating to licence conditions

- (1) A licence or learner's permit in force immediately before 1 November 1998 that is endorsed with 1 or more of the conditions set out in column 1 of the table below will be taken for all purposes to be a licence or learner's permit endorsed with the corresponding condition or conditions appearing opposite in column 2.

1—Old condition	2—Corresponding new condition
B	A
C	V
F	V
G	V
K	V
M	X
P	No new condition
Q	X
S	S
T	T
V	T
W	B
Z	Y

- (2) The Registrar is required to remove each endorsement on a licence or learner's permit in force immediately before 1 November 1998 relating to any of the conditions set out in column 1 of the table above and to substitute, in each case, the appropriate endorsement relating to the corresponding new condition as set out in column 2 of that table.
- (3) The Registrar may comply with the obligation imposed by subclause (2) over such period of time as the Registrar considers practicable.

**Note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council  
on 6 May 2010

No 30 of 2010

MTR09/044

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## CITY OF MOUNT GAMBIER

*Road Name Change*

NOTICE is hereby given pursuant to section 219 of the Local Government Act 1999 ('the Act') that the City of Mount Gambier, at its meeting held on Tuesday, 20 April 2010, resolved to correct a technical error made in naming a street, to formally change the name of a street from 'New Road' to 'Megan Place'.

Dated 26 April 2010.

G. MULLER, Chief Executive Officer

[2/2]

## PORT AUGUSTA CITY COUNCIL

## ERRATUM

*Corrected Notice of Vacancy—Councillor*

NOTICE is hereby given in accordance with section 54 (6) of the Local Government Act 1999, that a vacancy has occurred in the office of Councillor due to the resignation of Renee S. Ellis on 14 April 2010.

In accordance with section 6 (2) of the Local Government (Elections) Act 1999, a Supplementary Election will not be held to fill the casual vacancy as it has arisen after 1 January in the year in which a periodical election is due to be held.

G. PERKIN, City Manager

## THE BAROSSA COUNCIL

## DEVELOPMENT ACT 1993

*The Barossa Council Development Plan—  
Tanunda East Development Plan Amendment—  
Draft for Public Consultation*

THE Barossa Council has prepared a draft Development Plan Amendment (DPA) to amend The Barossa Council Development Plan.

The DPA amends the existing Development Plan by rezoning land on Menge Road, Tanunda from Rural (Valley Floor) to Residential, by introducing a new Menge Road Policy Area, by introducing a concept plan for portion of the area proposed to be rezoned, and by changing the bushfire hazard rating of the affected area.

The DPA is available for inspection from 6 May 2010 until 9 July 2010 at the following locations:

- Principal Office and Library: 43-51 Tanunda Road, Nuriootpa (Monday to Thursday, 9 a.m. to 6 p.m.; Friday, 9 a.m. to 5 p.m.; Saturday, 9 a.m. to 12 noon and Sunday, 12 noon to 3 p.m.).
- Angaston, Washington Street (Town Hall) (Monday, 2 p.m. to 6 p.m.; Tuesday, 9 a.m. to 1 p.m. and Wednesday to Friday, 1 p.m. to 5 p.m.).
- Lyndoch, 29 Barossa Valley Way (Monday to Friday, 9 a.m. to 12.30 p.m., 1.30 p.m. to 5 p.m. and Saturday, 9 a.m. to 12 noon).
- Tanunda, 79 Murray Street (Monday, Wednesday to Friday, 9 a.m. to 12.30 p.m., 1.30 p.m. to 5 p.m.; Tuesday, 9 a.m. to 12.30 p.m., 1.30 p.m. to 7 p.m. and Saturday, 9 a.m. to 12 noon).
- Mount Pleasant, 130-132 Melrose Street (Monday to Friday, 9 a.m. to 12.30 p.m. and 1.30 p.m. to 5 p.m.).
- Council's web site at [www.barossa.sa.gov.au](http://www.barossa.sa.gov.au) (all times).

The DPA documents can be downloaded from Council's website. A print copy or electronic version on CD will be provided on request at no cost.

An information session will be held at 7 p.m. on Monday, 17 May 2010, at the Council Office, 43-51 Tanunda Road, Nuriootpa.

Anyone may make a written submission on the DPA. Submissions must be sent to the Chief Executive Officer by no later than 9 July 2010:

- by post to P.O. Box 867, Nuriootpa, S.A. 5355; or
- by email [barossa@barossa.sa.gov.au](mailto:barossa@barossa.sa.gov.au); or
- by fax on (08) 8563 8461.

Submissions must indicate if the author wishes to speak in support of their submission at a public meeting about the DPA.

Copies of all submissions received will be made available to the public for inspection by interested persons at the Council Office, 43-51 Tanunda Road, Nuriootpa and on Council's website from 12 July 2010, until the date of the public meeting.

The public meeting will be held on 28 July 2010 at 7 p.m. at the Council Chamber, 43-51 Tanunda Road, Nuriootpa. If no-one requests to be heard, then there will be no public meeting.

Dated 5 May 2010.

D. MORCOM, Chief Executive Officer

## DISTRICT COUNCIL OF KIMBA

## DEVELOPMENT ACT 1993

*Better Development Plan (BDP) and General Development Plan  
Amendment—Public Consultation*

NOTICE is hereby given that the District Council of Kimba, pursuant to sections 24 and 25 of the Development Act 1993, has prepared a draft Development Plan Amendment (DPA) to amend its Development Plan.

The DPA converts the existing Development Plan policy by adopting the relevant planning modules, structure and format of the Better Development Plan (BDP) project promoted by the Department of Planning and Local Government. The DPA will, as a result, be easier to navigate and comprehend and thereby help improve the clarity and understanding of Development Plan Policy. The Amendment will also rezone an area of land on Buckleboo Road adjacent the Kimba Recreation Grounds for residential purposes.

The DPA report will be on public consultation from 6 May 2010 until 5 p.m. on 9 July 2010.

The draft Development Plan Amendment and Statement of Investigations will be available for public inspection and purchase during normal office hours at the District Council of Kimba Office, Cross Street, Kimba. Alternatively the documents can be viewed on the Internet at <http://www.kimba.sa.gov.au>. A CD-ROM copy of the amendment can be purchased from Council's offices for \$5.

Written submissions regarding the DPA should be submitted no later than 5 p.m. on 9 July 2010. All submissions should be addressed to Daryl Cearn, Chief Executive Officer, District Council of Kimba, P.O. Box 189, Kimba, S.A. 5641 and should clearly indicate whether you wish to be heard in support of your submission at the public meeting. If you wish to lodge your submission electronically, please email it to:

[council@kimba.sa.gov.au](mailto:council@kimba.sa.gov.au), with the subject line,

ATTENTION CEO—DPA SUBMISSION.

Copies of all submissions will be available for inspection at the District Council of Kimba Office, Cross Street, Kimba from 12 July 2010 until the conclusion of the public meeting.

A public meeting will be held on 14 July 2010 at 7.30 p.m. at the District Council of Kimba Council Chamber, Cross Street, Kimba at which time interested persons may be heard in relation to the DPA and the submissions. The public meeting will not be held if no submissions are received or if no submission makes a request to be heard.

If you would like further information about the DPA, contact Daryl Cearn, CEO on 08 8627 2026 or email [council@kimba.sa.gov.au](mailto:council@kimba.sa.gov.au).

Dated 6 May 2010.

D. CEARN, Chief Executive Officer

## LIGHT REGIONAL COUNCIL

*Adoption of an Amendment of a Management Plan for  
Community Land*

NOTICE is hereby given that in accordance with the provision of section 198 (4) of the Local Government Act 1999, the Light Regional Council, at a meeting held on 20 April 2010, adopted an amended Community Land Management Plan for the Gundry's Hill Lookout located in Kapunda and identified as Allotment 101 in Filed Plan 11655 and contained in certificate of title volume 5483, folio 282 and located at Maxwell Street, Kapunda.

B. CARR, Chief Executive Officer

IN the matter of the estates of the undermentioned deceased persons:

- Adams, Dorothy Hazel Irene*, late of Ruwoldt Road, Yahl, of no occupation, who died on 22 March 2010.
- Ashton Glen Walter*, late of 26 Cambridge Terrace, Kingswood, labourer, who died on 3 December 2009.
- Biggadike, Connie*, late of 7 Water Lane, Port Elliot, widow, who died on 6 December 2009.
- Cousins, Martin Bevan*, late of 2 Jelley Street, Woodville, retired labourer, who died on 24 September 2009.
- Farmers, Jemima Taylor*, late of 422 Salisbury Highway, Parafield Gardens, of no occupation, who died on 25 December 2009.
- Gent, Anne*, late of 175 Main Road, Yankalilla, of no occupation, who died on 21 February 2010.
- Girolamo, Giuseppe*, late of 314 Henley Beach Road, Underdale, retired newspaper seller, who died on 6 January 2010.
- Hanna, Laura Mary Patricia*, late of 13 Athlone Street, Woodville South, home duties, who died on 16 April 2009.
- Hazel, Jean*, late of 81 Tapleys Hill Road, Hendon, of no occupation, who died on 15 March 2010.
- Kohnke, Dulcie Kitty*, late of 7 Carey Street, Goolwa South, home duties, who died on 13 December 2009.
- Lyons, Ambrose Patrick*, late of 225 Seacombe Road, South Brighton, retired senior conductor, who died on 27 July 2009.
- Marchant, Gwen Peggy*, late of 18 Cross Road, Myrtle Bank, married woman, who died on 18 February 2010.
- Marks, Philip John*, late of 34 McQuillan Avenue, Renown Park, retired sales executive, who died on 25 October 2009.

*Pfitzner, Austin John*, late of 52 Dunrobin Road, Hove, retired technical officer, who died on 31 January 2010.

*Pugh, Leonard Anthony*, late of 20 Petersen Crescent, Port Noarlunga, retired marketing executive, who died on 22 February 2010.

*Zupanovich, Mary Bridgett*, late of 324 Military Road, Semaphore Park, retired hotel manager, who died on 6 October 2009.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972, and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Public Trustee, 25 Franklin Street, Adelaide, S.A. 5000, full particulars and proof of such claims, on or before 4 June 2010, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 6 May 2010.

M. I. BODYCOAT, Public Trustee

IN the matter of the estate of the undermentioned deceased person:

*Schlosser, Walter Richard Christian*, late of 8 Fletcher Road, Mount Barker, pensioner, who died on 19 September 2009.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972-1975 and the Family Relationships Act 1975, that all creditors, beneficiaries and other persons having claims against the abovenamed estate are directed to send full particulars and evidence of such claims to the undersigned, on or before 4 June 2010, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estate are required to pay the amount of their debt to the undersigned or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estate are forthwith to deliver the same to the undersigned.

NATIONAL AUSTRALIA TRUSTEES LIMITED,  
Debbie Haworth, Level 1, 22 King  
William Street, Adelaide, S.A. 5000

# ATTENTION

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**Remember**—the onus is on you to inform us of any corrections necessary to your notice.

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