



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, THURSDAY, 30 AUGUST 2018

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

Department of the Premier and Cabinet
Adelaide, 30 August 2018

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

Member: from 30 August 2018 until 29 August 2021
David Alan Cherry

By command,

VICKIE ANN CHAPMAN, MP
Acting Premier

HEAC-2018-00050

Department of the Premier and Cabinet
Adelaide, 30 August 2018

Her Excellency the Governor's Deputy in Executive Council has been pleased to appoint the undermentioned to the South Australian Film Corporation, pursuant to the provisions of the South Australian Film Corporation Act 1972:

Member: from 3 September 2018 until 1 December 2018
John David Hill

Presiding Member: from 3 September 2018 until 1 December 2018
John David Hill

By command,

VICKIE ANN CHAPMAN, MP
Acting Premier

18IS/014CS

Department of the Premier and Cabinet
Adelaide, 30 August 2018

Her Excellency the Governor's Deputy in Executive Council has been pleased to appoint Michael Ashley Riches to act as the Independent Commissioner Against Corruption for a term commencing on 1 November 2018 and expiring on 18 November 2018 - pursuant to Section 11 of the Independent Commissioner Against Corruption Act 2012.

By command,

VICKIE ANN CHAPMAN, MP
Acting Premier

AGO0096-18CS

Department of the Premier and Cabinet
Adelaide, 30 August 2018

Her Excellency the Governor's Deputy in Executive Council has revoked the appointments of Jason Mavrikis and the former SafeWork SA employees Brian Adams and John Christopher McKie as Inspectors for the purposes of the Shop Trading Hours Act 1977, effective from 30 August 2018 - pursuant to the Shop Trading Hours Act 1977 and Section 36 of the Acts Interpretation Act 1915.

By command,

VICKIE ANN CHAPMAN, MP
Acting Premier

T&F18/076CS

Department of the Premier and Cabinet
Adelaide, 30 August 2018

Her Excellency the Governor's Deputy in Executive Council has been pleased to appoint the SafeWork SA officer, Phillip Edward Miles as an Inspector for the purposes of the Shop Trading Hours Act 1977, commencing on 30 August 2018 - pursuant to Section 7 of the Shop Trading Hours Act 1977.

By command,

VICKIE ANN CHAPMAN, MP
Acting Premier

T&F18/076CS

ENVIRONMENT PROTECTION ACT 1993

SECTION 69

Approval of Additional Collection Depots

I, ELISEO PALUMBO, Delegate of the Environment Protection Authority ('the Authority'), pursuant to section 69 of the Environment Protection Act, 1993 (SA) ('the Act') hereby:

1. Approval of Additional Collection Depots:

1.1 Approval of additional collection depots:

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

- (a) the name of the collection depot described in column 1 of Schedule 1 of this Notice;
- (b) the name of the company identified in column 2 of Schedule 1 of this notice;
- (c) the name of the proprietor of the depot identified in column 3 of Schedule 1 of this Notice;
- (d) the location of the depot described in columns 4-7 of Schedule 1 of this Notice; and

1.2 Conditions of approval:

Impose the following conditions of these approvals:

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

Column 1 Depot Name	Column 2 Company Name	Column 3 Proprietors	Column 4 Depot Location Street	Column 5 Depot Location Suburb	Column 6 Cert of Title Volume	Column 7 Collection Area
Tumby Bay Recycling Depot	GC & KM Holliday	Tumby Bay Recycling Depot	8 Bratten Road	TUMBY BAY	Lot 91 FP 209805 CT 5776/290	Regional

ELISEO PALUMBO
Delegate of the Environment Protection Authority

ENVIRONMENT PROTECTION ACT 1993

SECTION 69

Revocation of Collection Depot Approval

I, Eliseo Palumbo, Delegate of the Environment Protection Authority ('the Authority'), pursuant to section 69 of the Environment Protection Act, 1993 (SA) ('the Act') hereby:

1. Revocation of collection depot approval:

Revoke the approval of the collection depot identified by reference to the following matters, which previously received all containers belonging to a class of containers that were approved as Category B Containers:

- (a) the name of the collection depot described in column 1 of Schedule 1 of this Notice;
- (b) the name of the proprietor of the depot identified in column 3 of Schedule 1 of this Notice;
- (c) the location of the depot described in columns 4-7 of Schedule 1 of this Notice.

Column 1 Depot Name	Column 2 Company Name	Column 3 Proprietors	Column 4 Depot Location Street	Column 5 Depot Location Suburb	Column 6 Cert of Title Volume	Column 7 Collection Area
Tumby Bay Recycling	Tumby Bay Recycling	Warren Aspinall; Carol Ritchie	Lot 55, LeBruin Street	TUMBY BAY	n/a	Regional

ELISEO PALUMBO
Delegate of the Environment Protection Authority

ENVIRONMENT PROTECTION ACT 1993

SECTION 69(6)

Condition of Approval

I, Eliseo Palumbo, Team Leader, Container Deposit Legislation and Delegate of the Environment Protection Authority pursuant to Section 69(6) of the Environment Protection Act 1993 (SA) (the Act) hereby:

On its own initiative, impose the following condition of approval, on Marine Stores Pty Ltd, carrying on business as a super collector with the approval of the Environment Protection Authority pursuant to the approval under the Act and notified in the South Australian Gazette 17 April 2014:

1. If a dispute or claim arises in respect of any agreement between the Super Collector and a collection depot relating to the collection of containers that bear an approved refund marking under the Act, including but not limited to audits, payments and fees for, and handling of such containers, the following procedure applies.
2. Written notice of a dispute or claim (notice of dispute) may be served by a party alleging a dispute or claim upon any other party to the alleged dispute or claim and it must be identified as a notice of dispute pursuant to this condition.
3. If in receipt of a notice of dispute, the Super Collector must, within 14 days of receipt, serve on the other party, written acknowledgement of the notice of the dispute.
4. If not resolved in 28 days of receipt of the notice of dispute by executive negotiation, the Super Collector will if requested by the Collection depot, agree to such dispute being the subject of a conciliation administered by a conciliator appointed at the request of either party by the Resolution Institute ("RI") conducted and held in accordance with the Conciliation Rules of the RI in force from time to time.
5. If the collection depot accepts an offer of conciliation by the Super Collector in respect of a dispute and such dispute is not resolved within 28 days after the appointment of the conciliator, the Super Collector will if requested by the collection depot agree to such dispute being submitted to arbitration administered by the RI conducted and held in accordance with the Arbitration Rules of the RI in force from time to time.

6. Any conciliation or arbitration meetings and proceedings required to be conducted pursuant to either clause 4 or 5 will be held in Adelaide and responsibility of all costs and expenses of and incidental to such meetings will be determined by the conciliator or arbitrator as the case may be.
7. The Super Collector and the collection depot may agree in writing, at any time, that a contrary agreement in writing applies to the dispute or claim between them, including without limitation to the resolution of that dispute or claim, to the effect that the procedure herein does not apply to that dispute or claim.

In this notice:

Act means the Environment Protection Act 1993 (SA);

Collection depot means a person operating a collection depot with the approval of the Environment Protection Authority pursuant to an approval under section 69(1) of the Act;

Super Collector means Marine Stores Pty Ltd and is the person carrying on business as a super collector with the approval of the Environment Protection Authority pursuant to the approval under section 69(1) of the Act and notified in in the South Australian Government Gazette 17 April 2014 and as varied by this notice.

ELISEO PALUMBO
Delegate of the Environment Protection Authority

GUARDIANSHIP AND ADMINISTRATION ACT 1993

Declaration by the Attorney-General under Section 48

PURSUANT to section 48(1)(a) of the *Guardianship and Administration Act 1993*, I declare each of the following jurisdictions to be a reciprocal state for the purposes of section 48 of the *Guardianship and Administration Act 1993*:

- (a) Australian Capital Territory;
- (b) New South Wales;
- (c) Northern Territory;
- (d) Queensland;
- (e) Tasmania;
- (f) Victoria;
- (g) Western Australia.

This notice takes effect from the date of publication in the Gazette.

Dated: 24 August 2018

VICKIE CHAPMAN
Attorney-General

HOUSING IMPROVEMENT ACT 2016

SECTION 25

Rent Control Revocations

I am satisfied that each of the houses described hereunder has ceased to be unsafe or unsuitable for human habitation for the purposes of the *Housing Improvement Act 2016*, notice is hereby given that, in exercise of the powers conferred by the said Act, the Minister for Human Services Delegate does hereby revoke the said Rent Control in respect of each property.

Address of Premises	Allotment Section	Certificate of Title Volume/Folio
5 Birks Street, PARKSIDE SA 5063 (AKA 5-7)	Allotment 3 Filed Plan 7972 Hundred of Adelaide	CT1689/35, CT5798/358
73 Nashwauk Crescent, Moana SA 5169 (AKA 324 Esplanade)	Allotment 1 Deposited Plan 3752 Hundred of Willunga	CT5348/386
7 Todd ST, MCLAREN VALE SA 5171	Allotment 10 Deposited Plan 4338 Hundred of Willunga	CT5427/118
13 Churchill Road, Ovingham SA 5082	Allotment 60 Filed Plan 109126 Hundred of Yatala	CT5720/950
Lot 140 Sec 503 South Terrace, Blanchetown SA 5357 (AKA - Lot 140 SOUTH TERRACE)	Allotment 140 Filed Plan 177346 Hundred of Skurray	CT2623/33, CT5820/154

Dated: 30 August 2018

JOHN HERRMANN
Housing Regulator and Registrar
Office of Housing Regulation, Housing SA
Delegate of Minister for Human Services

South Australia

Liquor Licensing (Dry Areas) Notice 2018

under section 131(1a) of the *Liquor Licensing Act 1997*

1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2018*.

2—Commencement

This notice comes into operation on 9 December 2018.

3—Interpretation

(1) In this notice—

principal notice means the *Liquor Licensing (Dry Areas) Notice 2015* published in the Gazette on 5.1.15, as in force from time to time.

(2) Clause 3 of the principal notice applies to this notice as if it were the principal notice.

4—Consumption etc of liquor prohibited in dry areas

- (1) Pursuant to section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.
- (2) The prohibition has effect during the periods specified in the Schedule.
- (3) The prohibition does not extend to private land in the area described in the Schedule.
- (4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—
 - (a) a person who is genuinely passing through the area if—
 - (i) the liquor is in the original container in which it was purchased from licensed premises; and
 - (ii) the container has not been opened; or
 - (b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or
 - (c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.

Schedule—Lobethal Area 1

1—Extent of prohibition

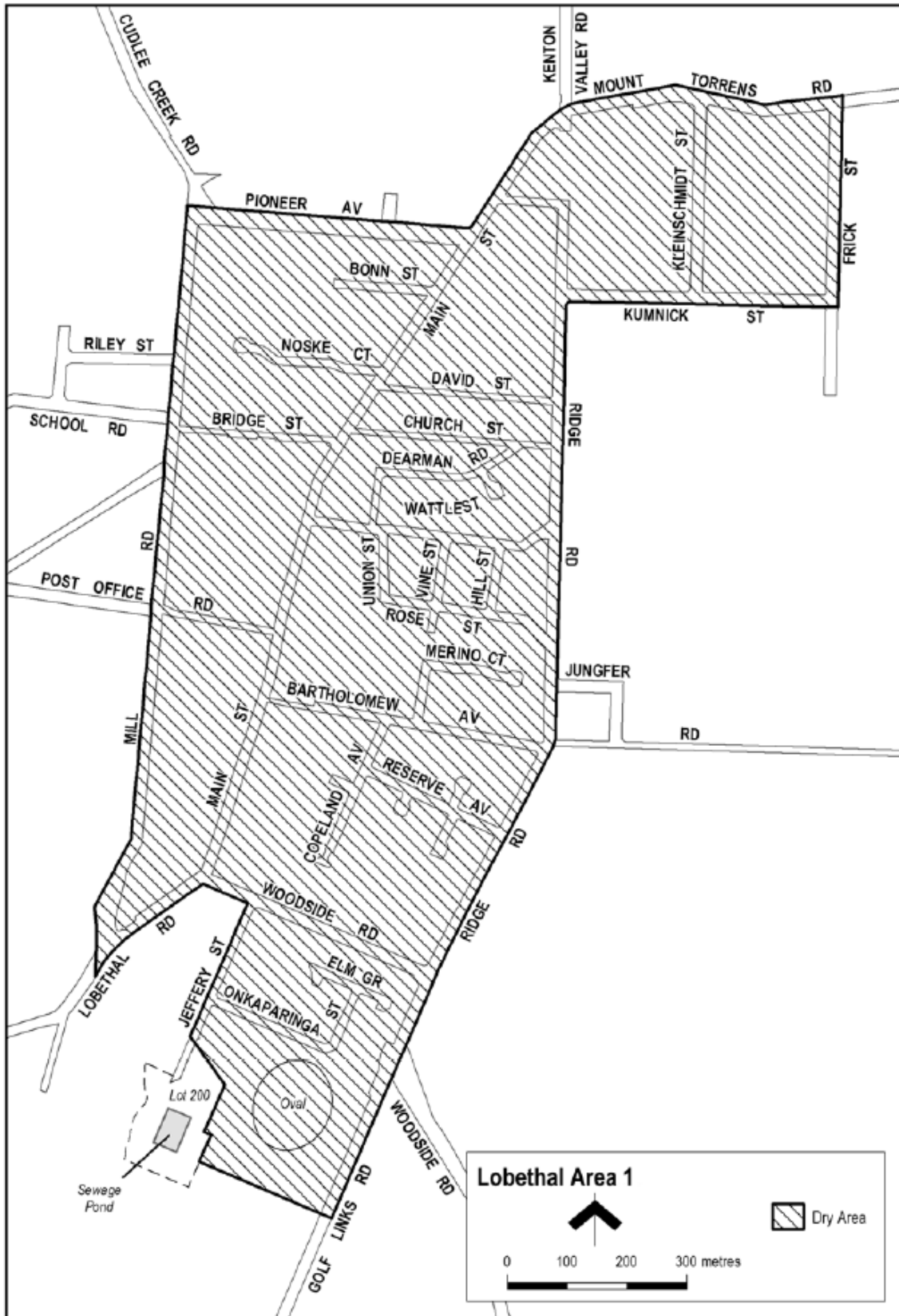
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 7:00pm to 7:00am, 9 December to 30 December 2018.

3—Description of area

The area in and adjacent to Lobethal bounded as follows: commencing at the point at which the western boundary of Mill Road meets the north-western boundary of the Adelaide to Lobethal Road, then generally northerly along that boundary of Mill Road and the prolongation in a straight line of that boundary to the point at which it is intersected by the prolongation in a straight line of the northern boundary of Pioneer Avenue, then easterly along that prolongation and boundary of Pioneer Avenue to the point at which it meets the north-western boundary of Main Street, then generally north-easterly and easterly along that boundary of Main Street and the northern boundary of the Lobethal to Mount Torrens Road to the point at which that northern boundary is intersected by the prolongation in a straight line of the eastern boundary of Frick Street, then southerly along that prolongation and boundary of Frick Street to the point at which it is intersected by the prolongation in a straight line of the southern boundary of Kumnick Street, then westerly along that prolongation and boundary of Kumnick Street to the eastern boundary of Ridge Road, then southerly and south-westerly along that boundary of Ridge Road to the point at which it meets the northern boundary of the Lobethal to Woodside Road, then in a straight line by the shortest route to the point at which the eastern boundary of Golf Links Road meets the southern boundary of the Lobethal to Woodside Road, then generally south-westerly along that boundary of Golf Links Road to the point at which it is intersected by the prolongation in a straight line of the southern boundary of the sewage pond in Lot 200 of DP 71985, then westerly along that prolongation to the eastern boundary of Lot 200, then generally north-easterly along that eastern boundary to the north-eastern boundary of Lot 200, then north-westerly along the north-eastern boundary of Lot 200 and the prolongation in a straight line of that boundary across Jeffery Street to the north-western boundary of Jeffery Street, then north-easterly along that boundary of Jeffery Street to the southern boundary of the Lobethal to Woodside Road, then westerly along that boundary of the Lobethal to Woodside Road to the south-eastern boundary of the Adelaide to Lobethal Road, then south-westerly along that boundary of the Adelaide to Lobethal Road to the point at which it is intersected by the prolongation in a straight line of the western boundary of Mill Road, then northerly along that prolongation to the point of commencement.



Made by the Attorney-General

on 21 August 2018

MENTAL HEALTH ACT 2009

Authorised Officers

NOTICE is hereby given in accordance with Section 3(1) of the Mental Health Act 2009, that the Chief Psychiatrist has determined the following classes of persons as Authorised Officers commencing from 9 August 2018:

Roxby Downs Hospital

- Registered Nurses (levels 1, 2 and 3) working within emergency departments and acute wards

DR J. BRAYLEY
Chief Psychiatrist

MINING ACT 1971

Notice pursuant to Section 28(5) of the Mining Act 1971

Notice is hereby given in accordance with Section 28(5) of the *Mining Act 1971* that the delegate of the Minister for Mineral Resources and Energy intends to grant Exploration Licences over the areas described below.

Applicant: OneSteel Manufacturing Pty Ltd
Location: North Middleback Ranges area - approximately 35km west of Whyalla
Pastoral Leases: Myola/Iron Baron, Cooyerdoo
Term: Two years
Area in km²: 28
Reference number: 2018/00070

Applicant: Leigh Creek Copper Mine Pty Ltd
Location: Mount Elkington area - approximately 50km south-southeast of Leigh Creek
Pastoral Leases: Alpana, Angorichina, Gum Creek, Moolooloo, Oratunga, Warraweena
Term: Two years
Area in km²: 597
Reference number: 2018/00126

Applicant: Leigh Creek Copper Mine Pty Ltd
Location: North Moolooloo area - approximately 10km east of Leigh Creek
Pastoral Leases: Burr Well, Leigh Creek, North Moolooloo
Term: Two years
Area in km²: 95
Reference number: 2018/00127

Plans and co-ordinates can be found on the Department for Energy and Mining website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on 08 8429 2572.

Community information on mineral exploration licence processes and requirements under the *Mining Act 1971* is available from: http://energymining.sa.gov.au/minerals/exploration/public_notices/exploration_licence_applications or hard copy on request to Mineral Tenements.

J MARTIN
Mining Registrar
Department for Energy and Mining
Delegate of the Minister for Energy and Mining

MINING ACT 1971

Section 35A(1)

Notice is hereby given in accordance with Section 35A(1) of the *Mining Act 1971*, that an application for an extractive minerals lease over the undermentioned mineral claim has been received:

Applicant: Boral Resources (SA) Limited
Claim Number: 4435
Location: Allotment 34, Deposited Plan 85416, Hundred of Riddoch
(Mount McIntyre area, approx. 7 km east-southeast of Mount Burr)
Area: 0.72 hectares approximately
Purpose: Construction Materials (Basalt)
Reference: 2017/0899

Notice is hereby given in accordance with Section 53(2) of the *Mining Act 1971*, that an application for a miscellaneous purposes licence has been received:

Applicant: Boral Resources (SA) Limited
Location: Section 14, Hundred of Riddoch
(Mount McIntyre area, approx. 8 km east-southeast of Mount Burr)
Area: 4.4 hectares approximately
Purpose: Providing amenities, operating plant and ancillary operations.
Reference: T02458

To arrange an inspection of the proposal and the management plan at the Department for Energy and Mining, please call the Department on 08 8463 3103.

A copy of the proposal and the management plan have been provided to the Wattle Range Council and electronic copies can be found on the Department for Energy and Mining website: http://energymining.sa.gov.au/minerals/mining/public_notices_mining.

Written submissions in relation to the applications are invited to be received at the Department for Energy and Mining, Mining Regulation, Attn: Business Support Officer, GPO Box 320 ADELAIDE SA 5001 or dem.miningregrehab@sa.gov.au by no later than 14 September 2018.

The delegate of the Minister for Energy and Mining is required to have regard to these submissions in determining whether to grant or refuse the applications and, if granted, the terms and conditions on which they should be granted.

When you make a written submission, that submission becomes a public record. Your submission will be provided to the applicant and may be made available for public inspection unless confidentiality is requested.

J MARTIN
Mining Registrar
Department for Energy and Mining
Delegate of the Minister for Energy and Mining

NATIONAL PARKS AND WILDLIFE (NATIONAL PARKS) REGULATIONS 2016

Full Closure of Fairview Conservation Park, Gum Lagoon Conservation Park, Hanson Scrub Conservation Park, Jip Jip Conservation Park, Mount Scott Conservation Park and Talapar Conservation Park

PURSUANT to Regulations 7(3) (a) and 7(3) (d) of the National Parks and Wildlife (National Parks) Regulations 2016, I, Stuart Paul, A/Director, Regional Programs Branch, Parks and Regions, authorised delegate of the Director of National Parks and Wildlife, close to the public, the whole of Big Heath Conservation Park, Fairview Conservation Park, the whole of Gum Lagoon Conservation Park, the whole of Hanson Scrub Conservation Park, the whole of Jip Jip Conservation Park, the whole of Mount Scott Conservation Park and Talapar Conservation Park from:

6pm on Sunday 23 September 2018 until 6am on Saturday 29 September 2018.

The purpose of the closure is to ensure the safety of the public during a pest control program within the reserves during the period indicated.

Dated: 23 August 2018

STUART PAUL
A/Director
Regional Programs Branch
Parks and Regions
Department for Environment and Water

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Application for Grant of Associated Activities Licence AAL 263

Pursuant to section 65(6) of the *Petroleum and Geothermal Energy Act 2000* (the Act) and Delegation dated 29 June 2018, notice is hereby given that an application for the grant of an associated activities licence over the area described below has been received from:

Santos Limited
Vamgas Pty Ltd
Alliance Petroleum Australia Pty Ltd
Reef Oil Pty Ltd
Santos Petroleum Pty Ltd
Bridge Oil Developments Pty Ltd
Santos (BOL) Pty Ltd
Lattice Energy Limited
Delhi Petroleum Pty Ltd
Basin Oil Pty Ltd
Santos (NARNL Cooper) Pty Ltd

The application will be determined on or after 13 September 2018.

Description of Application Area

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

Commencing at a point being the intersection of latitude 27°32'14" S GDA94 and longitude 140°00'00" E AGD66, thence east to longitude 140°07'00" E Clarke 1858, south to latitude 27°33'00" S Clarke 1858, west to longitude 140°06'00" E Clarke 1858, south to latitude 27°33'50" S AGD66, west to longitude 140°04'30" E AGD66, south to latitude 27°34'00" S AGD66, west to longitude 140°04'20" E AGD66, south to latitude 27°34'10" S AGD66, west to longitude 140°03'00" E Clarke 1858, north to latitude 27°34'00" S Clarke 1858, west to longitude 140°00'00" E Clarke 1858, south to latitude 27°34'00" S GDA94, west to longitude 139°59'00" E GDA94, north to latitude 27°33'00" S GDA94, east to longitude 140°00'00" E AGD66 and north to the point of commencement.

AREA: **35.16** square kilometres approximately

Dated: 28 August 2018

BARRY A. GOLDSTEIN
Executive Director
Energy Resources Division
Department for Energy and Mining
Delegate of the Minister for Energy and Mining

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Surrender of Geothermal Exploration Licence GEL 667

Notice is hereby given that I have accepted the surrender of the abovementioned geothermal exploration licence under the provisions of the *Petroleum and Geothermal Energy Act 2000*, pursuant to delegated powers dated 29 June 2018 -

No. of Licence	Licensee	Locality	Effective Date of Surrender	Reference
GEL 667	ReNu Energy Limited	Cooper Basin	17/07/2018	F2017/000346

Dated: 22 August 2018

NICK PANAGOPOULOS
A/Executive Director
Energy Resources Division
Department for Energy and Mining
Delegate of the Minister for Energy and Mining

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

SURRENDER OF GEOTHERMAL RETENTION LICENCES

GRLs 4 and 8

Notice is hereby given that I have accepted the surrender of the abovementioned geothermal retention licences under the provisions of the *Petroleum and Geothermal Energy Act 2000*, pursuant to delegated powers dated 29 June 2018 -

No. of Licence	Licensee	Locality	Effective Date of Surrender	Reference
GRL 4	ReNu Energy Limited Origin Energy Geothermal Pty Ltd	Cooper Basin	17/07/2018	27/2/424
GRL 8	ReNu Energy Limited Origin Energy Geothermal Pty Ltd	Cooper Basin	17/07/2018	27/2/428

Dated: 22 August 2018

NICK PANAGOPOULOS
A/Executive Director
Energy Resources Division
Department for Energy and Mining
Delegate of the Minister for Energy and Mining

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

SUSPENSION OF GAS STORAGE EXPLORATION LICENCE

GSELS 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624 and 625

Pursuant to section 90 of the *Petroleum and Geothermal Energy Act 2000*, notice is hereby given that the abovementioned Licences have been suspended for the period from 18 July 2018 until 17 July 2019 inclusive, pursuant to delegated powers dated 29 June 2018.

The expiry date of GSELS 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624 and 625 is now determined to be 31 May 2022.

Dated: 23 August 2018

NICK PANAGOPOULOS
A/Executive Director
Energy Resources Division
Department for Energy and Mining
Delegate of the Minister for Energy and Mining

South Australia

Public Sector (Office of the South Australian Productivity Commission) Notice 2018

under section 9(1) of the *Public Sector Act 2009*

1—Short title

This notice may be cited as the *Public Sector (Office of the South Australian Productivity Commission) Notice 2018*.

2—Commencement

This notice will come into operation on 27 October 2018.

3—Transfer of employees

- (1) The employees of the business unit known as the Simpler Regulation Unit within the Department of Treasury and Finance are transferred to the Office of the South Australian Productivity Commission on the same basis of engagement as applied before the transfer.
- (2) Subsection (1) includes any employees of the business unit who are:
 - (a) currently working on a term basis in another public sector agency and who have a right of return to duties pursuant to regulation 6 of the Public Sector Regulations 2010, or
 - (b) absent from their substantive duties on any form of paid or unpaid leave and who have a right of return at the conclusion of such leave to return to their duties.

Made by the Acting Premier

on 23 August 2018

DPC18/051CS

ROAD TRAFFIC ACT 1961

Authorised Officers to Operate Breath Analysing Instruments

I, GRANT STEVENS, Commissioner of Police, do hereby notify that on and from 24 August 2018, the following persons were authorised by the Commissioner of Police to operate breath analysing instruments as defined in and for the purposes of the:

- Road Traffic Act 1961;
- Harbors and Navigation Act 1993;
- Security and Investigation Industry Act 1995; and
- Rail Safety National Law (South Australia) Act 2012.

PD Number	Officer Name
76066	CARVOSSO, Matthew Peter
76184	HAZEL, James Ian
75771	HOLMES, Caitlin Lee
76560	JAMES, Robert John
76422	MORLEY, Joel Paul
76098	PROCTOR, Philip John Patrick
76251	STEPCICH, Matthew David
76202	STEVANOVIC, Richard James
76517	THAPA, Manoj
76356	WATSON, Denny James
75901	WEBB, Lachlan Robert

GRANT STEVENS
Commissioner of Police

Reference: 2018-0127

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

*Notice of Confirmation of Road Process Order**Road Closure –Portion Mattiske Street, Freeling*

BY Road Process Order made on 22 May 2018, the Light Regional Council ordered that:

1. Portion of Public Road situated adjoining Allotment 165 in File Plan 253837, Allotments 5 and 6 in File Plan 27518 and Allotment 129 in File Plan 174030 and more particularly delineated and marked 'A' in Preliminary Plan 17/0007 be closed.
2. The whole of land subject to closure marked 'A' will to be transferred from the Light Regional Council to the Minister for Education in accordance with the Agreement for Transfer dated 8 May 2018 and made between the Light Regional Council and the Minister for Education.
3. The following easements are to be granted over the whole of the land subject to that closure:
 - i. Grant to the Council for the area an easement for Drainage Purposes over the land marked 'C' in Deposited Plan 118895.

On 21 August 2018 that order was confirmed by the Minister for Transport, Infrastructure and Local Government conditionally upon the deposit by the Registrar-General of Deposited Plan 118895 being the authority for the new boundaries.

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

Dated: 30 August 2018

M. P. BURDETT
Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

*Notice of Confirmation of Road Process Order**Road Opening and Closing—Unmade Public Road, Mannum*

BY Road Process Order made on 26 February 2018, the Mid Murray Council ordered that:

1. Portion of Allotment 903 in Deposited Plan 82628, more particularly delineated and numbered '1' on Preliminary Plan 17/0051 be opened as road, forming a realignment of Piggery Road, Mannum.
2. Portion of unmade Public Road adjoining the western boundary of Allotment 903 in Deposited Plan 82628, more particularly delineated and lettered 'A' on Preliminary Plan 17/0051 be closed.
3. The road being opened in schedule 1 is being exchanged for the land being closed in schedule 2 in accordance with the Agreement for Exchange dated 7 February 2018 entered into between the Mid Murray Council and Douglas John Nowak.
4. The following easements are granted over portion of the land subject to that closure:
 - 4.1 Grant an easement for water supply purposes to Mid Murray Council.
 - 4.2 Grant an easements for electricity supply purposes over the land marked G and H to Transmission Lessor Corporation of 1 undivided 2nd part (subject to Lease 9061500) and ElectraNet Pty Ltd of 1 undivided 2nd part.

On 28 August 2018 that order was confirmed by the Minister for Transport, Infrastructure and Local Government conditionally upon the deposit by the Registrar-General of Deposited Plan 119204 being the authority for the new boundaries

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

Dated: 30 August 2018

M. P. BURDETT
Surveyor-General

DPTI: 2017/20539/01

TRAINING AND SKILLS DEVELOPMENT ACT 2008

Part 4 – Apprenticeships/Traineeships

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

1. 25 September 2008	2. 23 October 2008	3. 13 November 2008	4. 4 December 2008
5. 18 December 2008	6. 29 January 2009	7. 12 February 2009	8. 5 March 2009
9. 12 March 2009	10. 26 March 2009	11. 30 April 2009	12. 18 June 2009
13. 25 June 2009	14. 27 August 2009	15. 17 September 2009	16. 24 September 2009
17. 9 October 2009	18. 22 October 2009	19. 3 December 2009	20. 17 December 2009
21. 4 February 2010	22. 11 February 2010	23. 18 February 2010	24. 18 March 2010
25. 8 April 2010	26. 6 May 2010	27. 20 May 2010	28. 3 June 2010
29. 17 June 2010	30. 24 June 2010	31. 8 July 2010	32. 9 September 2010
33. 23 September 2010	34. 4 November 2010	35. 25 November 2010	36. 16 December 2010
37. 23 December 2010	38. 17 March 2011	39. 7 April 2011	40. 21 April 2011
41. 19 May 2011	42. 30 June 2011	43. 21 July 2011	44. 8 September 2011
45. 10 November 2011	46. 24 November 2011	47. 1 December 2011	48. 8 December 2011
49. 16 December 2011	50. 22 December 2011	51. 5 January 2012	52. 19 January 2012
53. 1 March 2012	54. 29 March 2012	55. 24 May 2012	56. 31 May 2012
57. 7 June 2012	58. 14 June 2012	59. 21 June 2012	60. 28 June 2012
61. 5 July 2012	62. 12 July 2012	63. 19 July 2012	64. 2 August 2012
65. 9 August 2012	66. 30 August 2012	67. 13 September 2012	68. 4 October 2012
69. 18 October 2012	70. 25 October 2012	71. 8 November 2012	72. 29 November 2012
73. 13 December 2012	74. 25 January 2013	75. 14 February 2013	76. 21 February 2013
77. 28 February 2013	78. 7 March 2013	79. 14 March 2013	80. 21 March 2013
81. 28 March 2013	82. 26 April 2013	83. 23 May 2013	84. 30 May 2013
85. 13 June 2013	86. 20 June 2013	87. 11 July 2013	88. 1 August 2013
89. 8 August 2013	90. 15 August 2013	91. 29 August 2013	92. 6 February 2014
93. 12 June 2014	94. 28 August 2014	95. 4 September 2014	96. 16 October 2014
97. 23 October 2014	98. 5 February 2015	99. 26 March 2015	100. 16 April 2015
101. 27 May 2015	102. 18 June 2015	103. 3 December 2015	104. 7 April 2016
105. 30 June 2016	106. 28 July 2016	107. 8 September 2016	108. 22 September 2016
109. 27 October 2016	110. 1 December 2016	111. 15 December 2016	112. 7 March 2017
113. 21 March 2017	114. 23 May 2017	115. 13 June 2017	116. 18 July 2017
117. 19 September 2017	118. 26 September 2017	119. 17 October 2017	120. 3 January 2018
121. 23 January 2018	122. 14 March 2018	123. 14 June 2018	124. 5 July 2018
125. 2 August 2018	126. 9 August 2018	127. 16 August 2018	128. 30 August 2018

TRADES OR DECLARED VOCATIONS AND REQUIRED QUALIFICATIONS AND TRAINING CONTRACT CONDITIONS FOR THE
BUSINESS SERVICES TRAINING PACKAGE BSB

*Trade/ #Declared Vocation/ Other Occupation	Qualification Code	Title	Nominal Term of Training Contract	Probationary Period
Library Technician #	BSB52115	Diploma of Library and Information Services	36 Months	90 Days

TRADES OR DECLARED VOCATIONS AND REQUIRED QUALIFICATIONS AND TRAINING CONTRACT CONDITIONS FOR THE
COMMUNITY SERVICES TRAINING PACKAGE CHC

*Trade/ #Declared Vocation/ Other Occupation	Qualification Code	Title	Nominal Term of Training Contract	Probationary Period
Community Worker #	CHC51015	Diploma of Counselling	36 Months	90 Days
Community Worker #	CHC51115	Diploma of Financial Counselling	36 Months	90 Days
Personal Servicing Worker (Disability) #	CHC41115	Certificate IV in Employment Services	24 Months	60 Days
Disability Worker #	CHC41115	Certificate IV in Employment Services	24 Months	60 Days

TRADES OR DECLARED VOCATIONS AND REQUIRED QUALIFICATIONS AND TRAINING CONTRACT CONDITIONS FOR THE
CREATIVE ARTS AND CULTURE TRAINING PACKAGE CUA

*Trade/ #Declared Vocation/ Other Occupation	Qualification Code	Title	Nominal Term of Training Contract	Probationary Period
Entertainment Industry Worker #	CUA30915	Certificate III in Music Industry	18 Months	60 Days
Music Business Assistant #	CUA30915	Certificate III in Music Industry	18 Months	60 Days
Entertainment Industry Worker #	CUA40915	Certificate IV in Music Industry	24 Months	60 Days
Music Business Assistant #	CUA40915	Certificate IV in Music Industry	24 Months	60 Days
Entertainment Industry Worker #	CUA50815	Diploma of Music Industry	36 Months	90 Days
Music Business Assistant #	CUA50815	Diploma of Music Industry	36 Months	90 Days

TRADES OR DECLARED VOCATIONS AND REQUIRED QUALIFICATIONS AND TRAINING CONTRACT CONDITIONS FOR THE
HEALTH TRAINING PACKAGE HLT

*Trade/ #Declared Vocation/ Other Occupation	Qualification Code	Title	Nominal Term of Training Contract	Probationary Period
Dental Technologist #	HLT55118	Diploma of Dental Technology	24 Months	60 Days

WATER MAINS AND SEWERS

OFFICE OF THE SOUTH AUSTRALIAN WATER CORPORATION

Adelaide, 30 August 2018

WATER MAINS LAID

Notice is hereby given that the following main pipes or parts of main pipes have been laid down by the South Australian Water Corporation in or near the undermentioned water districts and are now available for a constant supply of water to adjacent land.

ADELAIDE WATER DISTRICT

ADELAIDE CITY COUNCIL

Rutland Place, Adelaide. p38

ALEXANDRINA COUNCIL

Neighbour Avenue, Goolwa Beach. p84

CITY OF MARION

Struan Avenue, Warradale. p83

CITY OF MITCHAM

Thorpe Street, Torrens Park. p127 and 128

CITY OF ONKAPARINGA

Lovelock Drive, Noarlunga Downs. p4-6

Easements in lot 400 in LTRO DP 117914, Lovelock Drive, Noarlunga Downs. p4-6

Easements in lot 1100 in LTRO DP 116567 (proposed roads Goyder Road, Clark Road, Hudson Road, Standish Road, Rhen Court and Colwell Court in Land Division number 145/D215/12), Robinson Road, Seaford Heights. p67-69

Ultramarine Place, Moana. p129 and 130

Aqua Place, Moana. p129 and 130

CITY OF PROSPECT

Davenport Terrace, Prospect. p1 and 2

Easements in lot 501 in LTRO DP 81055 (roads shown as Road 'A', Road 'B', Road 'C' and Road 'D' in Land Development number 050/D021/16), Churchill Road, Prospect. p1-

OUTSIDE ADELAIDE WATER DISTRICT

DISTRICT COUNCIL OF MOUNT BARKER

East Parkway, Mount Barker. p47 and 48

Richmond Drive, Mount Barker. p47-49

Cheriton Avenue, Mount Barker. p47 and 48

Charlton Place, Mount Barker. p47 and 48

Morsby Street, Mount Barker. p47 and 48

Russell Road, Mount Barker. p47 and 49

Warwick Street, Mount Barker. p47 and 49

BLUE LAKE COUNTRY LANDS WATER DISTRICT

DISTRICT COUNCIL OF GRANT

Easements in lot 1001 in LTRO DP 115197, Tollner Road, and lot 202 in LTRO DP 112582, Crafter Road (proposed roads Elsie May Drive, Algernon Road and Kylusa Road in Land Division number 732/D011/14), p50-55

GOOLWA WATER DISTRICT

ALEXANDRINA DISTRICT COUNCIL

Currency Creek Road, Goolwa North. p44

KAPUNDA WATER DISTRICT

LIGHT REGIONAL COUNCIL

North Terrace, Kapunda. p42

MOONTA WATER DISTRICT

DISTRICT COUNCIL OF THE COPPER COAST

Haylock Road, North Moonta. p88

MURRAY BRIDGE WATER DISTRICT

THE RURAL CITY OF MURRAY BRIDGE
Alma Avenue, Murray Bridge. p98

ROBE WATER DISTRICT

DISTRICT COUNCIL OF ROBE
Davenport Street, Robe. p41
Fawks Drive, Robe. p41

TANUNDA WATER DISTRICT

THE BAROSSA COUNCIL
William Street, Tanunda. p45

SEWERS LAID

Notice is hereby given that the following sewers have been laid down by the South Australian Water Corporation in the undermentioned drainage areas and are now available for house connections.

ADELAIDE DRAINAGE AREA**TOWN OF GAWLER**

Brigalo Street, Gawler West. FB 1277 p37
Across and in Penrith Avenue, Gawler West. FB 1277 p37

CITY OF MARION

Sweetwater Street, Seacombe Gardens. FB 1277 p22
Howard Street, Dover Gardens. FB 1277 p25
Kent Avenue, Warradale. FB 1277 p39
Marryatt Street, Glengowrie. FB 1277 p45
Dunedin Street, Dover Gardens. FB 1277 p51

CITY OF MITCHAM

Easement in lot 18 in LTRO DP 849, Coromandel Parade, Blackwood. FB 1277 p46
Easements in lot 46 in LTRO FP 18769, Thorpe and lot 45 in LTRO FP 18769, McLaren Street, Torrens Park. FB 1278 p29-31

CITY OF ONKAPARINGA

In and across Lovelock Drive, Noarlunga Downs. FB 1278 p19-22
Easements in lot 400 in LTRO DP 117914, (proposed road currently known as Road 'A' in Land Development number 145/C147/15), Lovelock Drive, Noarlunga Downs. FB 1278 p19-22
Prion Court, Noarlunga Downs. FB 1277 p21
Easements in lots 200 and 201 in LTRO DP 110180, Prion Court, Noarlunga Downs. FB 1277 p21
Loader Crescent, Port Willunga. FB 1277 p24

CITY OF PORT ADELAIDE ENFIELD

Gurney Terrace, Enfield. FB 1277 p20
Bolingbroke Avenue, Devon Park. FB 1277 p31
Florence Avenue, Blair Athol. FB 1277 p38
Nash Street, Croydon Park. FB 1277 p40

CITY OF PROSPECT

Davenport Terrace, Prospect. FB 1278 p16-18
Easements in lot 501 in LTRO DP 81055 (proposed roads currently named Road 'A', Road 'B', Road 'C' and Road 'D' in Land Development number 050/D021/16), Churchill Road, Prospect. FB 1278 p16-18

CITY OF TEA TREE GULLY

Across Vingara Drive, Dernancourt. FB 1277 p32
Nioka Road, Dernancourt. FB 1277 p32

TOWN OF WALKERVILLE

Clarke Street, Walkerville. FB 1277 p23

MOUNT GAMBIER COUNTRY DRAINAGE AREA

Paltridge Street, Mount Gambier. FB 1254 p29

PORT AUGUSTA COUNTRY DRAINAGE AREA**PORT AUGUSTA CITY COUNCIL**

Harold Street, Port Augusta. FB 1277 p27
Mellor Street, Port Augusta West. FB 1277 p48

PORT LINCOLN COUNTRY DRAINAGE AREA**CITY OF PORT LINCOLN**

Robertson Road, Port Lincoln. FB 1277 p49

VICTOR HARBOR COUNTRY DRAINAGE AREA**CITY OF VICTOR HARBOR**

Laxton Street, McCracken. FB 1277 p28
Dwiar Road, Victor Harbor. FB 1277 p29
Malen Avenue, Victor Harbor. FB 1277 p30

OUTSIDE ADELAIDE DRAINAGE AREA**CITY OF ONKAPARINGA**

Easements in lot 1100 in LTRO DP 116567 (proposed roads Cowell Court, Rehn Court, Clark Road, Goyder Road, Standish Lane, Standish Road and Hudson Road in Land Division number 145/D215/12). Robinson Road, Seaford Heights. FB 1278 p23-28
Ultramarine Place, Moana. FB 1278 p32-34
Aqua Place, Moana. FB 1278 p32-34

ROCH CHEROUX
Chief Executive Officer
South Australian Water Corporation

South Australia

Criminal Law Consolidation (Children and Vulnerable Adults) Amendment Act (Commencement) Proclamation 2018

1—Short title

This proclamation may be cited as the *Criminal Law Consolidation (Children and Vulnerable Adults) Amendment Act (Commencement) Proclamation 2018*.

2—Commencement

The *Criminal Law Consolidation (Children and Vulnerable Adults) Amendment Act 2018* (No 6 of 2018) will come into operation on 6 September 2018.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 30 August 2018

AGO0098-18CS

South Australia

Farm Debt Mediation Act (Commencement) Proclamation 2018

1—Short title

This proclamation may be cited as the *Farm Debt Mediation Act (Commencement) Proclamation 2018*.

2—Commencement of Act

The *Farm Debt Mediation Act 2018* (No 7 of 2018) will come into operation on 3 September 2018.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 30 August 2018

MPI18/0014CS

South Australia

Administrative Arrangements (Administration of Farm Debt Mediation Act) Proclamation 2018

under section 5 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Administration of Farm Debt Mediation Act) Proclamation 2018*.

2—Commencement

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

3—Administration of Act committed to Minister for Industry and Skills

The administration of the *Farm Debt Mediation Act 2018* is committed to the Minister for Industry and Skills.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 30 August 2018

MPI18/0014CS

South Australia

Administrative Arrangements (Administration of History Trust of South Australia Act) Proclamation 2018

under section 5 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Administration of History Trust of South Australia Act) Proclamation 2018*.

2—Commencement

This proclamation will come into operation on 1 September 2018.

3—Administration of Act committed to Minister for Education

The administration of the *History Trust of South Australia Act 1981* is committed to the Minister for Education.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 30 August 2018

DPC18/049CS

South Australia

Administrative Arrangements (Conferral of Ministerial Functions and Powers) Proclamation 2018

under section 6 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Conferral of Ministerial Functions and Powers) Proclamation 2018*.

2—Commencement

This proclamation will come into operation on 1 September 2018.

3—Conferral of ministerial functions and powers

The ministerial functions and powers under the Constitution and Rules of Carlew Youth Arts Incorporated (other than the function specified in section 5.1(a) of the Constitution and Rules) are conferred on the Minister for Education.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 30 August 2018

DPC18/049CS

South Australia

Administrative Arrangements (Conferral of Ministerial Functions and Powers) Proclamation 2018

under section 6 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Conferral of Ministerial Functions and Powers) Proclamation 2018*.

2—Commencement

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

3—Conferral of ministerial functions and powers

The Ministerial functions and powers under the repealed *Retirement Villages Act 1987* are conferred on the Minister for Health and Wellbeing.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 30 August 2018

HEAC-2018-00051

South Australia

Administrative Arrangements (References to Minister for the Arts) Proclamation 2018

under section 8 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (References to Minister for the Arts) Proclamation 2018*.

2—Commencement

This proclamation will come into operation on 1 September 2018.

3—Interpretative provision

A reference to the "Minister" or "Minister for the Arts" in the *Public Corporations (Australian Children's Performing Arts Company) Regulations 2016* (other than the first occurring reference to the "Minister" in regulation 5(1)) will have effect as if it were a reference to the Minister for Education.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 30 August 2018

DPC18/049CS

South Australia

History Trust of South Australia (Designation of Employing Authority) Proclamation 2018

under section 2 of the *History Trust of South Australia Act 1981*

1—Short title

This proclamation may be cited as the *History Trust of South Australia (Designation of Employing Authority) Proclamation 2018*.

2—Commencement

This proclamation will come into operation on 1 September 2018.

3—Designation of employing authority

The person for the time being holding or acting in the position of Chief Executive of the Department for Education is designated as being the employing authority for the purposes of the definition of employing authority in section 2(1) of the *History Trust of South Australia Act 1981*.

Schedule 1—Revocation of proclamation

The *History Trust of South Australia (Designation of Employing Authority) Proclamation 2018* (Gazette 14.6.2018 p2151) is revoked.

Made by the Governor’s Deputy

with the advice and consent of the Executive Council
on 30 August 2018

DPC18/049CS

South Australia

Holidays (Substitution of Appointed Day) Proclamation 2018

under section 5 of the *Holidays Act 1910*

1—Short title

This proclamation may be cited as the *Holidays (Substitution of Appointed Day) Proclamation 2018*.

2—Commencement

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

3—Substitution of appointed day in 2020

Monday 9 March 2020 is declared to be a public holiday and a bank holiday instead of the third Monday in May 2020.

Made by the Governor’s Deputy

with the advice and consent of the Executive Council
on 30 August 2018

T&F18/078CS

South Australia

Construction Industry Long Service Leave Regulations 2018

under the *Construction Industry Long Service Leave Act 1987*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Allowable absence
- 5 Corresponding law
- 6 Ordinary weekly pay
- 7 Registration as an employer
- 8 Notice of work as a supervisor
- 9 Services
- 10 Return period
- 11 Penalty for late payment
- 12 Self-employed contractors and working directors

Schedule 1—Revocation of *Construction Industry Long Service Leave Regulations 2003*

1—Short title

These regulations may be cited as the *Construction Industry Long Service Leave Regulations 2018*.

2—Commencement

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

3—Interpretation

In these regulations—

Act means the *Construction Industry Long Service Leave Act 1987*.

4—Allowable absence

- (1) For the purposes of the definition of *allowable absence* in section 4 of the Act, the absence of a worker from work by reason of any of the following is an allowable absence:
 - (a) a public holiday;
 - (b) —
 - (i) paid annual leave; or
 - (ii) if the worker is paid an allowance instead of being entitled to paid annual leave—a period that is represented by the allowance (but, in this case, only up to 20 working days per year);
 - (c) —
 - (i) paid sick leave; or

- (ii) if the worker is paid an allowance instead of being entitled to paid sick leave—an injury or illness to which the allowance may be related (but, in this case, only up to 10 working days per year);
 - (d) long service leave (whether under the Act or the *Long Service Leave Act 1987*);
 - (e) any injury suffered during the course of employment.
- (2) If a worker suffers a work injury (within the meaning of the *Return to Work Act 2014*) and is entitled to weekly payments in respect of the injury under the *Return to Work Act 2014*, the absence of the worker from work because of the injury is an allowable absence under subregulation (1)(e) but only until the worker has received weekly payments for a period of 104 weeks or for separate periods that when aggregated amount to 104 weeks.

5—Corresponding law

For the purposes of the definition of *corresponding law* in section 4 of the Act, each of the following is a corresponding law:

- (a) *Long Service Leave (Portable Schemes) Act 2009* of the Australian Capital Territory;
- (b) *Construction Industry Long Service Leave Act 1997* of Victoria;
- (c) *Construction Industry (Long Service) Act 1997* of Tasmania;
- (d) *Construction Industry Portable Paid Long Service Leave Act 1985* of Western Australia;
- (e) *Building and Construction Industry Long Service Payments Act 1986* of New South Wales;
- (f) *Building and Construction Industry (Portable Long Service Leave) Act 1991* of Queensland;
- (g) *Construction Industry Long Service Leave and Benefits Act* of the Northern Territory.

6—Ordinary weekly pay

Pursuant to section 4(3)(d) of the Act—

- (a) the following payments made to or for the benefit of a construction worker must be included for the purposes of a determination or calculation under section 4(3):
 - (i) any payment related to annual leave (other than a payment in the nature of an annual leave loading);
 - (ii) any payment related to sick leave;
 - (iii) any payment related to a day off work for a public holiday;
 - (iv) any payment related to a rostered day off work;
 - (v) any industry allowance or tool allowance;
 - (vi) any weekly payments paid in respect of a work injury under the *Return to Work Act 2014* (but not if the period, or the aggregate of separate periods, for which the compensation has already been paid exceeds 104 weeks); and
- (b) the following payments made to or for the benefit of a construction worker must be excluded for the purposes of a determination or calculation under section 4(3):
 - (i) any payment in the nature of an annual leave loading;

- (ii) any payment in respect of overtime;
- (iii) any payment in the nature of a bonus;
- (iv) any site allowance;
- (v) any payment made on the retirement or retrenchment of the worker, or in relation to any redundancy, other than for back-pay;
- (vi) any payment in respect of fares or in the nature of a travelling allowance;
- (vii) any payment that is in the nature of a special rate paid to the worker on an irregular basis to compensate for occasional disabilities under which work is performed, other than where the rate is paid during a period of leave with pay.

7—Registration as an employer

- (1) A person who becomes an employer must register as an employer within 1 month of the date on which the person becomes an employer.
- (2) In order to register as an employer, a person must post or deliver to the Board an application in writing that is signed by or on behalf of the applicant and which sets out the following:
 - (a) the name of the applicant, including—
 - (i) if the employer is a partnership—the full name of each partner; or
 - (ii) if the employer is a body corporate—the full name of each director;
 - (b) any business name used by the employer;
 - (c) the postal address of the business;
 - (d) in the case of a body corporate—the address of its registered office (if that address is different from the postal address);
 - (e) the address at which business records are kept (if that address is different from the postal address);
 - (f) the date on which wages were first paid in South Australia to a construction worker;
 - (g) the number of construction workers employed.
- (3) A person who fails to comply with this regulation is guilty of an offence.
Maximum penalty: \$1 000.

8—Notice of work as a supervisor

- (1) In order to give notice under section 18 of the Act, a person must post or deliver to the Board a notice in writing that sets out the following:
 - (a) the person's full name and address;
 - (b) the date on which the person ceased to work as a construction worker;
 - (c) the date on which the person commenced work as a supervisor in the construction industry, and the full name and address of the person's employer.
- (2) A notice under subregulation (1) must be verified by a statutory declaration made by the person giving the notice.

9—Services

For the purposes of section 26(6) of the Act, but without derogating from the general meaning of *remuneration*—

- (a) the following payments made to or for the benefit of a construction worker will be taken as constituting remuneration for the purposes of section 26 of the Act:
 - (i) any payment related to annual leave (other than a payment in the nature of an annual leave loading);
 - (ii) any payment related to sick leave;
 - (iii) any payment related to a day off work for a public holiday;
 - (iv) any payment related to a rostered day off work;
 - (v) any industry allowance or tool allowance;
 - (vi) any weekly payments paid in respect of a work injury under the *Return to Work Act 2014* (but not if the period, or the aggregate of separate periods, for which the compensation has already been paid exceeds 104 weeks); and
- (b) the following payments made to or for the benefit of a construction worker will not be taken as constituting remuneration for the purposes of section 26 of the Act:
 - (i) any payment in the nature of an annual leave loading;
 - (ii) any payment in respect of overtime;
 - (iii) any payment in the nature of a bonus;
 - (iv) any site allowance;
 - (v) any payment made on the retirement or retrenchment of the worker, or in relation to any redundancy, other than for back-pay;
 - (vi) any payment in respect of fares or in the nature of a travelling allowance;
 - (vii) any payment that is in the nature of a special rate paid to the worker on an irregular basis to compensate for occasional disabilities under which work is performed, other than where the rate is paid during a period of leave with pay.

10—Return period

For the purposes of section 27(1) of the Act, the following periods in each financial year are prescribed as return periods:

July/August

September/October

November/December

January/February

March/April

May/June.

11—Penalty for late payment

- (1) For the purposes of section 29(1)(a) of the Act, the prescribed rate of interest is 20 per cent per annum.
- (2) For the purposes of section 29(1)(b) of the Act, the prescribed amount is \$75.

12—Self-employed contractors and working directors

- (1) For the purposes of section 37A(4)(b) of the Act, the following periods in respect of each financial year are prescribed:

July/August

September/October

November/December

January/February

March/April

May/June.

- (2) For the purposes of section 37A(4)(c)(I) of the Act, the prescribed number of days of effective service entitlement to be credited by the Board in respect of each period prescribed under subregulation (1) for which a payment is made under section 37A of the Act is the number of days of effective service entitlement that would be credited to the person under the Act for that period if the person was working full-time in the construction industry as a construction worker.

Schedule 1—Revocation of *Construction Industry Long Service Leave Regulations 2003*

The *Construction Industry Long Service Leave Regulations 2003* are revoked.

Note—

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

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 30 August 2018

No 205 of 2018

T&F18/062CS

South Australia

Shop Trading Hours Regulations 2018

under the *Shop Trading Hours Act 1977*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Meaning of hardware and building materials (section 4 of Act)
- 5 Prescribed hardware and building materials and prescribed percentage (section 13 of Act)
- 6 Licence to sell motor spirit and lubricants (section 17 of Act)
- 7 Closing and fastening of yards (section 19 of Act)

Schedule 1—Hardware and building materials (section 4 of Act)

Schedule 2—Hardware and building materials (section 13(5f)(b) of Act)

Schedule 3—Revocation of *Shop Trading Hours Regulations 2003*

1—Short title

These regulations may be cited as the *Shop Trading Hours Regulations 2018*.

2—Commencement

These regulations will come into operation on 1 September 2018.

3—Interpretation

In these regulations—

Act means the *Shop Trading Hours Act 1977*.

4—Meaning of hardware and building materials (section 4 of Act)

Pursuant to the definition of *hardware and building materials* in section 4(1) of the Act, the term *hardware and building materials* in the Act means goods of a class set out in Schedule 1 or Schedule 2 or goods of a similar class.

5—Prescribed hardware and building materials and prescribed percentage (section 13 of Act)

- (1) The hardware and building materials set out in Schedule 2 are prescribed for the purposes of section 13(5f)(b) of the Act.
- (2) The percentage of the aggregate price of all hardware and building materials sold at a shop for the purposes of section 13(5f)(b) of the Act is 20%.

6—Licence to sell motor spirit and lubricants (section 17 of Act)

- (1) An application for a licence under section 17 of the Act must be in writing and must state—
 - (a) the address of the shop to which the application relates; and
 - (b) the name and address of the applicant.

- (2) A licence granted under section 17 of the Act is subject to the following limitations, restrictions and conditions:
- (a) the shopkeeper must ensure that the business of the shop is predominantly the retail sale of motor spirit and lubricants;
 - (b) the aggregate price of goods (not being motor spirit, lubricants, spare parts and accessories for motor vehicles or foodstuffs or drinks) sold at the shop during any period of 7 consecutive trading days must not exceed 20% of the aggregate price of motor spirit, lubricants and spare parts and accessories for motor vehicles sold at the shop during that period;
 - (c) the shopkeeper must, at the request of an Inspector, produce the licence to the Inspector for examination.

7—Closing and fastening of yards (section 19 of Act)

- (1) Where a yard comprises the whole or part of a shop, the boundaries of the yard must be closed and fastened against the admission of the public by a fence that meets the following requirements:
- (a) the fence must form a barrier that is impossible or difficult for a person to cross and in the case of a fence comprising a chain or rail supported at each end, no part of the chain or rail may be less than 800 millimetres nor more than 1 000 millimetres from the ground;
 - (b) a gate or door comprising part of the fence must be securely locked;
 - (c) all parts of the fence that are designed to be removed must be securely locked in place.
- (2) In this regulation—
fence includes a wall or any other barrier.

Schedule 1—Hardware and building materials (section 4 of Act)

abrasives

adhesives

air compressors

animal fodder

annexes (caravans, tents)

asbestos cement sheet and articles

ashtrays

automotive polishes and waxes

aviaries

awnings

bathroom and toilet fittings

baths

batten holders

bedpans

bird food
bituminised paper
bolts
books of the "do-it-yourself" category
brackets
bricks
brooms
brushes (painting, clothes, scrubbing, other household use)
buckets
cabinet hardware
camping equipment
castors
cement
cement mixers
ceramic tiles
chains
chamois (natural, synthetic)
cleaners (for use in cleaning bowls, tubs, sinks, floors, walls, drains)
clothes hoists
clothes lines
clothes pegs
coal
coke
charcoal
compost
compost bins
dampcourse of plastic or other material
degreasing compounds
doorbells
door closures
doormats
doors
drill bits
dustpans
earth
earthenware pipes and fittings

electric cables
electric cable fasteners
electric switches
fasteners and catches
feed grains
fertilizers
fibrous cement sheet and articles
fibrous plaster board
fillers
fire extinguishers
fire screens
fire tools
firewood
fungicides
galvanised fittings
garages
garbage cans
garbage caddies
garbage disposal units
garden edging
garden loam
garden plastic
garden pots
garden pot supports
garden sand
garden stakes
garden furniture
garden furniture replacement covers
gas bottles
gas fittings
gas for household use
gas for industrial use
gas (liquefied petroleum gas)
gas cylinders (for liquefied petroleum gas)
gates
glass

gloves (garden, industrial, rubber)

gravel and screenings

ground sheets

grout

gully traps

gutter mesh

guttering and down pipe

gypsum board

hand tools

handles

heaters

hinges

hoses and fittings

hot water services

incinerators

insulating materials

insulation tape

kerosene

keys

labels (letters, numerals)

lacquers

ladders

laundry baskets

laundry carts

laundry troughs

lawn edgers

lawn edging

lawn (instant)

lawn mowers

lawn shears

lawnmower blades

lawnmower gaskets

lawnmower spark plugs

lawnmower spare parts

letter boxes

locks

markers
measuring tapes
mechanics' creepers
metal cleaners
metal fasteners
metal fittings
metal numerals
metal polish
metal roof decking
metal sheeting
metal—other metal products
mineral turpentine
mops
moss rocks
mulch (bark, scoria, any other mulch)
nails
nuts
outdoor cooking equipment
outdoor furniture
paint
paint rollers
paving slabs
peg holders
pencils
pens
pesticides
picture frame kits
pine bark
pine logs
pine mulch
pipes (water, sewage)
plants
plaster board
plastic (agricultural, decorative sheets, garden, wood)
plumbers fittings
potting mix

power points
power plugs
power tools
power tool attachments
power tool spare parts
pram wheels
proprietary veterinary medicines
pulleys
pumps (non-automotive)
railway sleepers
rain gauges
ridge capping
roof flashing
roofing material
roofing tiles
roller shutters
rope and cordage
roses (ceiling, electrical, shower)
sack trucks
safety equipment for personal use (for example, boots and shoes)
sand
sanitary ware
sauna equipment
sauna huts
saw blades
screening wire
screws
seeds
seedlings
shadecloth
sheds (garden, tool)
shelving constructed of metal
shelving constructed of plastic
shelving constructed of timber
shower screens
shrubs

signs for door
signs for gate
signs for house
sinks (kitchen, laundry)
skylights
sleeping bags
solid fuel stoves
solvents
spa baths
spa pools
spa tubs
stains
staples (electrical, wire)
stock foods
stone
swimming pool chemicals
swimming pool cleaning equipment
swimming pool pumps and other accessories
swimming pools
taps
tents
thinners
tiles (ceiling, floor, roofing, wall)
timber
timber board
trees
trellises
troughs (laundry)
tubs
twine
vacuum cleaner spare parts
varnishes
vents (roof, snap, wall)
vices (engineering, carpentry, pipe)
wall and ceiling board
wall paper and substitutes

washers (fixing, tap)
waste compactors
water (piping, softeners)
wax applicators
weedicides
welders (electric, gas)
welding electrodes
welding gases
welding rods
wheel barrows
wheels (non-automotive)
winches and pulleys
windows
window screens
wire
wire netting
work benches

Schedule 2—Hardware and building materials (section 13(5f)(b) of Act)

air fresheners
alarms (burglar, fire, household)
antennae (radio, television)
appliance covers
bags (garbage, tidy)
baking pans
ballers
bathroom scales
batteries (dry cell)
battery chargers (for dry cell batteries)
beaters
beverage sets
bicycle spare parts and accessories
biscuit cutters
blenders
bread boxes
broilers (electric, pans)

cake covers
cake decorating equipment
cake pans
canners
card tables
carpet shampooers
carpet sweepers
casseroles
cassette and other tapes (audio and video) (blank, pre-recorded)
choppers
cleavers
clothes driers
clothes horses
clothes racks
coffee grinders
coffee makers
coffee percolators
coffee pots
cookware parts
cooling racks
corn poppers
crispers
crockery
curtain accessories
curtain fittings
cutlery
cutting boards and blocks
deep fryers
dehumidifiers
deodorisers (non-personal)
dinnerware
dippers
dish mops
disinfectants
dispensers
dusters

dutch ovens

electrical appliances as follows:

- electric blankets
- blenders
- carving knives
- fans
- food choppers
- food warmers
- insect destructors
- irons
- jugs
- massagers
- mixers
- shavers
- other minor appliances

fabric cleaners

fabric conditioners

food and drink containers for cooling or storage

forks

frying pans

furniture polish

garbage can liners

gelatine moulds

glass cleaners

glassware

globes (lights, torches)

griddles

hair clippers

hair curlers

hair dryers

hamburger presses

hotplates

hot and cold surface protectors

household funnels

household measurers

household scales and balances

household shears
household silverware
household sponges
household waste tidies
ice-cream makers
ice crushers
ironing boards
juice extractors
kettles
kitchen canisters
kitchen scales
kitchen utensils
kneeling pads
knife sharpeners
knives
ladles
light fittings
meat slicers
mirrors
mixing bowls
openers (bottle, can)
oven mitts
paper towels
parers and peelers
pastry cloths
personal grooming aids
photographic parts and components
pitchers
pitters
pot holders
pots
preserving equipment
pressure cookers
radio parts and components
range hoods
records

refrigerator sets
roasters and roasting pans
rolling pins
salt ("High Grade Water Softener")
salt and pepper shakers
sandwich bags
sandwich boxes
sandwich toasters
saucepans
scissors
scoops
scouring pads
scrapers
servers
shelf and drawer liners
shoe repair materials
skillets
slicers
solid fuel
spice jars
spice racks
spatulas and turners
spoons
squeegees
stair tread
strainers
string
tape players
teapots
television parts and components
toasters
toaster ovens
tongs
torches
tumblers
vacuum flasks

vitamisers

waffle irons

wash boards

waste bags

waste baskets

water filter cartridges

water filter papers

whippers

wringers

Schedule 3—Revocation of *Shop Trading Hours Regulations 2003*

The *Shop Trading Hours Regulations 2003* are revoked.

Note—

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

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 30 August 2018

No 206 of 2018

T&F18/063CS

South Australia

Southern State Superannuation (Miscellaneous) Variation Regulations 2018

under the *Southern State Superannuation Act 2009*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Southern State Superannuation Regulations 2009*

- 4 Variation of regulation 9—Membership
 - 5 Variation of regulation 36A—Notional salary
 - 6 Variation of regulation 37—Exemption from ambit of regulation 36
 - 7 Insertion of regulation 53A
53A Early access to superannuation benefits in case of severe financial hardship or on compassionate grounds
 - 8 Variation of regulation 62AA—Payment of Division 293 tax
 - 9 Variation of regulation 62AAB—Excess non-concessional contributions
 - 10 Insertion of regulation 63A
63A Early access to superannuation benefits in case of severe financial hardship or on compassionate grounds
 - 11 Variation of Schedule 3—Transitional provisions
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Southern State Superannuation (Miscellaneous) Variation Regulations 2018*.

2—Commencement

These regulations will come into operation on 3 September 2018 immediately after the *Southern State Superannuation (Insurance) Variation Regulations 2017* come into operation.

3—Variation provisions

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

Part 2—Variation of *Southern State Superannuation Regulations 2009*

4—Variation of regulation 9—Membership

Regulation 9(1)(b), (c) and (d)—delete paragraphs (b), (c) and (d)

5—Variation of regulation 36A—Notional salary

Regulation 36A—after subregulation (9) insert:

- (9a) An adjustment is not to be made under subregulation (1) if the effect of the adjustment would be to reduce the amount of a member's disability pension.

6—Variation of regulation 37—Exemption from ambit of regulation 36

Regulation 37(3)(b)—delete "1 month" and substitute:

3 months

7—Insertion of regulation 53A

After regulation 53 insert:

53A—Early access to superannuation benefits in case of severe financial hardship or on compassionate grounds

- (1) A member may apply to the Board for the early release of an amount of the member's benefit—
- (a) if the member is in severe financial hardship; or
 - (b) on a compassionate ground.
- (2) The Board may require that an application under subregulation (1) be made in such manner, comply with such requirements and be on such terms and conditions as the Board thinks fit.
- (3) The Board must, on receipt of an application under subregulation (1), determine whether, in the Board's opinion, if the SIS regulations applied, the member would be taken for the purposes of those regulations—
- (a) to be in severe financial hardship; or
 - (b) to satisfy a condition of release on a compassionate ground.
- (4) If the Board makes a determination that subregulation (3)(a) or (b) applies to the member, the Board must—
- (a) determine the maximum amount that the SIS regulations would permit to be paid to the member in those circumstances; and
 - (b) if the Board considers it appropriate to do so in all the circumstances, pay to the member—
 - (i) the amount applied for by the member; or
 - (ii) the amount determined by the Board under paragraph (a); or
 - (iii) the combined balance of the member's eligible contribution accounts (subject to any minimum account balance required by the Board),whichever is the lesser.

- (5) If the Board makes a payment to a member under subregulation (4)(b), the Board must debit the amount of the payment against the member's employee contribution account or, if the credit balance of the member's employee contribution account is not sufficient to make the payment, the member's employer contribution account, rollover account or co-contribution account.
- (6) A member making an application under subregulation (1) must furnish the Board with any information that it requires for the purposes of making a determination under this regulation.
- (7) In this regulation—
- compassionate ground* and *condition of release* have the same respective meanings as in Part 6 of the SIS regulations;
- eligible contribution accounts* of a member means—
- the member's employee contribution account; and
 - the member's employer contribution account; and
 - the member's rollover account; and
 - the member's co-contribution account;
- severe financial hardship* has the same meaning as in Part 6 of the SIS regulations;
- SIS regulations* means the *Superannuation Industry (Supervision) Regulations 1994* of the Commonwealth.

8—Variation of regulation 62AA—Payment of Division 293 tax

Regulation 62AA(1)—delete "Schedule 1 Division 135 of"

9—Variation of regulation 62AAB—Excess non-concessional contributions

Regulation 62AAB(1)—delete "section 96-12 of"

10—Insertion of regulation 63A

After regulation 63 insert:

63A—Early access to superannuation benefits in case of severe financial hardship or on compassionate grounds

- (1) A spouse member may apply to the Board for the early release of an amount of the spouse member's benefit—
 - if the spouse member is in severe financial hardship; or
 - on a compassionate ground.
- (2) The Board may require that an application under subregulation (1) be made in such manner, comply with such requirements and be on such terms and conditions as the Board thinks fit.
- (3) The Board must, on receipt of an application under subregulation (1), determine whether, in the Board's opinion, if the SIS regulations applied, the spouse member would be taken for the purposes of those regulations—

- (a) to be in severe financial hardship; or
 - (b) to satisfy a condition of release on a compassionate ground.
- (4) If the Board makes a determination that subregulation (3)(a) or (b) applies to the spouse member, the Board must—
- (a) determine the maximum amount that the SIS regulations would permit to be paid to the spouse member in those circumstances; and
 - (b) if the Board considers it appropriate to do so in all the circumstances, pay to the spouse member—
 - (i) the amount applied for by the spouse member; or
 - (ii) the amount determined by the Board under paragraph (a); or
 - (iii) the combined balance of the spouse member's eligible contribution accounts (subject to any minimum account balance required by the Board),
- whichever is the lesser.
- (5) If the Board makes a payment to a spouse member under subregulation (4)(b), the Board must debit the amount of the payment against the spouse member's contribution account or, if the credit balance of the spouse member's contribution account is not sufficient to make the payment, the spouse member's rollover account or co-contribution account.
- (6) A spouse member making an application under subregulation (1) must furnish the Board with any information that it requires for the purposes of making a determination under this regulation.
- (7) In this regulation—

compassionate ground and *condition of release* have the same respective meanings as in Part 6 of the SIS regulations;

eligible contribution accounts of a spouse member means—

- (a) the spouse member's contribution account; and
- (b) the spouse member's rollover account; and
- (c) the spouse member's co-contribution account;

severe financial hardship has the same meaning as in Part 6 of the SIS regulations;

SIS regulations means the *Superannuation Industry (Supervision) Regulations 1994* of the Commonwealth.

11—Variation of Schedule 3—Transitional provisions

Schedule 3, clause 13(7) to (9)—delete subclauses (7) to (9) (inclusive)

Note—

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

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 30 August 2018

No 207 of 2018

T&F18/029CS

South Australia

West Beach Recreation Reserve Regulations 2018

under the *West Beach Recreation Reserve Act 1987*

Contents

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- 7 Property left unattended
- 8 Hindering etc authorised persons

Part 3—Conduct of users of Reserve

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- 14 Authorisations and permissions
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- 1 Interpretation
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-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *West Beach Recreation Reserve Regulations 2018*.

2—Commencement

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

3—Interpretation

In these regulations, unless the contrary intention appears—

Act means the *West Beach Recreation Reserve Act 1987*;

authorised person—see regulation 4;

camping includes sleeping overnight in a motor vehicle parked in the Reserve;

motor vehicle has the same meaning as in the *Road Traffic Act 1961*.

Part 2—Authorised persons

4—Appointment of authorised persons

- (1) The Trust may appoint a member, officer or employee of the Trust to be an authorised person for the purposes of these regulations.
- (2) An appointment under subsection (1) may be made subject to conditions or limitations specified in the instrument of appointment (and the exercise by an authorised person of powers conferred under these regulations is subject to the conditions and limitations (if any) specified in the officer's instrument of appointment).
- (3) An authorised person must be issued with an identity card—
 - (a) containing the person's name and a photograph of the person; and
 - (b) stating that the person is an authorised person for the purposes of these regulations; and
 - (c) stating any conditions or limitations on the authorised person's authority.
- (4) An authorised person must, at the request of a person in relation to whom the authorised person intends to exercise any powers, produce for inspection by the person the authorised person's identity card.
- (5) If a person in possession of an identity card issued to the person under this section ceases to be an authorised person, the person must immediately return the identity card to the Trust.
Maximum penalty: \$250.

5—Powers of authorised persons

- (1) If an authorised person reasonably suspects that a person, while on the Reserve, has committed or is committing an offence against the Act or these regulations, the authorised person may do any 1 or more of the following:
 - (a) require the person to state the person's full name and usual place of residence;
 - (b) if the authorised person suspects on reasonable grounds that a name or place of residence stated by a person is false—require the person to produce evidence of the person's name or usual place of residence;
 - (c) require the person to leave the Reserve or a part of the Reserve immediately and not to return for a stated period (not exceeding 24 hours) or not to enter the Reserve or part of the Reserve;
 - (d) if the person refuses or fails to comply with a requirement under paragraph (c)—use such force as is reasonably necessary for the purpose of removing or excluding the person from the Reserve or part of the Reserve;
 - (e) cause the person to be detained and handed over into the custody of a police officer as soon as reasonably practicable.

- (2) An authorised person may also—
 - (a) require a person to surrender any object, substance or thing that the authorised person reasonably suspects has been, or is being, used on the Reserve in contravention of the Act or these regulations; and
 - (b) give such directions to persons on the Reserve that the authorised person considers necessary for—
 - (i) the maintenance of good order, the prevention of interference with events or other activities, or the safe and efficient regulation of vehicular or pedestrian traffic, on the Reserve; or
 - (ii) the protection of property under the care or control of the Trust; and
 - (c) use such force as may reasonably be required for the purpose of removing or excluding from the Reserve or part of the Reserve a person who refuses or fails to comply with a requirement or direction under this section.
- (3) An authorised person may, in exercising powers under these regulations, be accompanied by such assistants as are reasonably required in the circumstances.

6—Surrendered or confiscated property

- (1) The Trust should endeavour to return to a person, when leaving the Reserve, anything that was surrendered by or confiscated from the person under these regulations.
- (2) However, the Trust may retain, for such period as is necessary for the purposes of legal proceedings, anything that the Trust reasonably believes may constitute evidence of the commission of an offence.

7—Property left unattended

- (1) An authorised person may seize and impound a vehicle or other property left unattended for more than 24 hours in the Reserve without the permission of the Trust.
- (2) An authorised person may move or seize and impound a vehicle or other property left, without the permission of the Trust, in the Reserve in a position that obstructs access to or use of the Reserve or a place in the Reserve.
- (3) If the Trust has taken action under subregulation (1) or (2) in respect of a vehicle or other property, the Trust may recover any costs required to be paid by the Trust associated with that action from the owner of the property.
- (4) If—
 - (a) the owner of property seized or impounded under this regulation has been notified in writing of that action but has failed to pay the amount of any costs required to be paid by the Trust associated with that action, or has not collected the property, within 3 months of the notice being given; or
 - (b) the identity or whereabouts of the owner of property seized or impounded under this regulation has not, after reasonable enquiries, been ascertained within 3 months of the property being left unattended,the Trust may sell or otherwise dispose of the property.
- (5) The proceeds of the sale of any property seized under this Part will be dealt with as follows:
 - (a) the Trust may retain from those proceeds—

- (i) the reasonable costs of the sale; and
- (ii) the reasonable costs of seizing, impounding and keeping the seized property prior to sale; and
- (b) the balance (if any) will be paid—
 - (i) if the identity and whereabouts of the owner is known—to the owner; or
 - (ii) in any other case—to the Treasurer.

8—Hindering etc authorised persons

- (1) A person who—
 - (a) without reasonable excuse hinders or obstructs an authorised person; or
 - (b) fails to answer a question put by an authorised person to the best of the person's knowledge, information or belief; or
 - (c) produces a document that the person knows, or ought to know, is false or misleading in a material particular; or
 - (d) fails without reasonable excuse to comply with a requirement or direction of an authorised person; or
 - (e) uses abusive, threatening or insulting language to an authorised person or a person assisting an authorised person; or
 - (f) falsely represents, by words or conduct, that he or she is an authorised person,is guilty of an offence.
Maximum penalty: \$1 250.
- (2) A person is not obliged to answer a question or to produce a document as required under these regulations if to do so might tend to incriminate the person or make the person liable to a penalty.

Part 3—Conduct of users of Reserve

9—Entry into Reserve

A person must not enter the Reserve except by an entrance authorised by the Trust.

Maximum penalty: \$750.

Expiation fee: \$105.

10—Behaviour in Reserve

A person must not, while in the Reserve—

- (a) behave in a disorderly or offensive manner; or
- (b) use threatening, insulting, abusive or indecent language; or
- (c) create a disturbance or nuisance; or
- (d) wilfully obstruct, disturb or harass another person engaged in the proper use of the Reserve.

Maximum penalty: \$1 250.

Expiation fee: \$160.

11—Restricted activities

A person must not, without the permission of the Trust, while in the Reserve—

- (a) carry, use or discharge a firearm, airgun or other weapon; or
- (b) deposit litter or other waste except in an area or receptacle provided for that purpose; or
- (c) camp in an area other than a clearly designated camping area; or
- (d) light, maintain or use a fire other than in a clearly designated fire place; or
- (e) leave a fire without effectively extinguishing it; or
- (f) leave property unattended for more than 24 hours; or
- (g) erect a marquee, booth, gazebo or other similar structure that is not intended solely for camping or other personal use; or
- (h) use a sound amplification device or other noisy equipment; or
- (i) distribute printed matter; or
- (j) post, paint or otherwise display an advertisement, bill, sign, poster, placard, banner or flag; or
- (k) sell anything or offer anything for sale, conduct a business or provide a service; or
- (l) sell raffle or lottery tickets or take up a collection.

Maximum penalty: \$1 250.

Expiation fee: \$160.

12—Animals

- (1) A person must not, without the permission of the Trust, bring an animal other than a dog into the Reserve.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) If a person brings a dog into the Reserve, the person must—
 - (a) ensure that the dog does not enter or remain in an area of the Reserve indicated by signs or markings or a combination of signs and markings (erected or displayed with the authority of the Trust) as an area in which dogs are not permitted; and
 - (b) exercise effective control over the dog at all times while it is in the Reserve.

Maximum penalty: \$750.

Expiation fee: \$105.

- (3) For the purposes of this regulation, a dog is under the effective control of a person if—
 - (a) the person is exercising effective control of the dog—
 - (i) by means of a chain, cord or leash that does not exceed 2 metres in length restraining the dog; or
 - (ii) by command, the dog being in close proximity to the person and the person being able to see the dog at all times; or
 - (b) the person has effectively secured the dog—

- (i) by placing it in a cage, vehicle or other object or structure; or
 - (ii) by tethering it to a fixed object by means of a chain, cord or leash that does not exceed 2 metres in length.
- (4) Subregulation (2)(a) does not apply to an assistance dog within the meaning of the *Dog and Cat Management Act 1995*.

13—Use of motor vehicles

A person who drives or rides a motor vehicle in the Reserve must not—

- (a) unless authorised by the Trust—
 - (i) drive or ride at a speed greater than 15 kilometres per hour unless otherwise indicated (with the authority of the Trust) by signs or markings or a combination of signs and markings; or
 - (ii) fail to pay a parking fee indicated (with the authority of the Trust) by signs or markings or a combination of signs and markings; or
 - (iii) fail to comply with any other speed, parking or other traffic restriction or direction indicated (with the authority of the Trust) by signs or markings or a combination of signs and markings; or
 - (iv) drive or ride on the foreshore of the Reserve; or
 - (v) drive or ride except on roads, tracks or areas that are set aside by the Trust for that purpose; or
 - (vi) drive or ride in such a manner as to cause undue noise to be emitted from the vehicle; or
 - (vii) park or leave the vehicle in a position that obstructs access to or use of the Reserve or a place in the Reserve; or
- (b) drive or ride in a dangerous or careless manner or without reasonable consideration for others; or
- (c) fail to comply with any reasonable speed, parking or other traffic direction of an authorised person.

Maximum penalty: \$750.

Expiation fee: \$105.

Part 4—Miscellaneous

14—Authorisations and permissions

An authorisation or permission granted by the Trust under these regulations—

- (a) must be in writing or, if given orally, must be confirmed in writing as soon as practicable; and
- (b) may be granted to persons of a specified class; and
- (c) may be subject to conditions (including a condition requiring payment of a fee) specified by the Trust; and
- (d) may be varied or revoked by the Trust at any time.

15—Exemptions

The Trust may, by instrument in writing, exempt the application of a provision of these regulations in relation to a person undertaking official functions or duties in the course of employment by the Trust or in the exercise of powers under the Act or regulations.

Schedule 1—Revocation of *West Beach Recreation Reserve Regulations 2003*

The *West Beach Recreation Reserve Regulations 2003* are revoked.

Schedule 2—Transitional and savings provisions

1—Interpretation

In this Schedule—

commencement day means the day on which these regulations come into operation;

revoked regulations means the *West Beach Recreation Reserve Regulations 2003*.

2—Authorised persons

A person who was, immediately before the commencement day, an employee of the Trust (within the meaning of the revoked regulations) will, on and from the commencement day, be taken to be a person appointed as an authorised person under regulation 4 of these regulations for a period of 6 months or such shorter period as the Trust may determine.

3—Authorisations and permissions

An authorisation or permission granted by the Trust under the revoked regulations and in force immediately before the commencement day will, on and from the commencement day, continue as an authorisation or permission (as the case requires) granted by the Trust under these regulations.

4—Exemptions

An exemption in force under the revoked regulations immediately before the commencement day will, on and from the commencement day, continue as an exemption under these regulations for a period of 6 months or such shorter period as the Trust may determine.

Note—

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

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 30 August 2018

No 208 of 2018

MPL 18/006CS

RULES OF COURT
SOUTH AUSTRALIA

Rules of the Legal Practitioners Education and Admission Council 2018
Legal Practitioners Act 1981

Pursuant to the *Legal Practitioners Act 1981* the *Legal Practitioners Education and Admission Council* makes the following rules:

Part 1 – Preliminary

1 Citation

These rules may be cited as the LPEAC Rules 2018.

2 Commencement

These rules will come into operation on 2 October 2018.

3 Repeal

The LPEAC Rules 2004 are repealed.

4 Interpretation

(1) Terms used in the *Legal Practitioners Act 1981* and in these rules will have the same meaning in these rules as they have in the Act.

(2) In these rules, unless the contrary intention appears –

Act means the *Legal Practitioners Act 1981*.

admission means admission and enrolment under section 15 of the Act.

Board of Examiners or *Board* means the Board of Examiners established under Part 2A Division 2 of the Act.

Category A, B, C or D practising certificate – see rule 10.

CPD means continuing professional development.

CPD year means any year beginning on 1 April and ending on the following 31 March.

employed practitioner means a practitioner with an employee practising certificate employed to perform predominantly the work of a legal practitioner–

- (a) in a private law practice; or
- (b) in a government department or semi-government authority, if the employment requires the performance of the work of a legal practitioner which LPEAC considers appropriate for the purposes of these rules; or
- (c) in the legal office or department of a corporation; or
- (d) in a community legal centre; or
- (e) in the office of the Crown Solicitor, the Director of Public Prosecutions, the Commonwealth Australian Government Solicitor or the Commonwealth Director of Public Prosecutions; or
- (f) in any other organisation, department or office which LPEAC approves under subrule (3); or
- (g) as a judge's associate.

Full Court means the Full Court of the Supreme Court.

judge's associate means–

- (a) an associate of a judge of the Supreme Court or District Court of South Australia; or
- (b) an associate of a judge of the Federal Court of Australia; or
- (c) an associate to magistrates in the Magistrates Court of South Australia.

Original applicant means a person applying for admission on the basis of academic and practical qualifications obtained in Australia.

mandatory continuing professional development or *MCPD* – see rule 13 and Appendix C.

prescribed amount of MCPD is as set out in Appendix C.

Registrar means the Registrar of the Supreme Court.

supervised practice means practice as an employed practitioner or a volunteer practitioner that qualifies under rule 5.

Supreme Court means the Supreme Court of South Australia.

Supreme Court Admission Rules means the Rules of the Supreme Court that are relevant to the qualification or admission of legal practitioners (including any processes or procedures associated with the qualification or admission of legal practitioners).

State means the State of South Australia.

volunteer or *volunteer practitioner* means a practitioner who receives no remuneration for the work the practitioner does or who is only reimbursed for expenses actually incurred during the course of carrying out work.

(3) For the purposes of paragraph (f) of the definition of *employed practitioner* under these rules, LPEAC may from time to time–

- (a) grant approvals to such entities as it thinks fit; and
- (b) revoke the approval of an entity if LPEAC considers that an approval is no longer appropriate.

(4) For the purposes of Part 3 Division 3 and Appendix C, a reference to the *Law Society* is a reference to the Law Society while it continues to be assignee of the functions of the Supreme Court in respect of the issue and renewal of practising certificates pursuant to the Supreme Court Admission Rules and section 52A of the Act and, if it ceases to be such an assignee, then the term is to be read as a reference to the Supreme Court.

5 Supervised practice

- (1) For the purposes of these rules, practice by a practitioner qualifies as supervised practice if—
 - (a) the work of the practitioner is controlled or managed by a legal practitioner who has been in practice for at least 5 years preceding the commencement of the proposed supervised practice and who holds a Category A or Category B or unrestricted Category C practising certificate during the period of supervised practice (the *supervising practitioner*); and
 - (b) during the period of practice—
 - (i) the practitioner is employed or engaged by the supervising practitioner; or
 - (ii) the practitioner is employed and the supervising practitioner is employed or engaged by the same person; or
 - (iii) the practitioner is employed and the supervising practitioner is employed or engaged to perform the work of a legal practitioner in the same practice; and
 - (c) during the period of supervised practice the practitioner and the supervising practitioner work, or substantially work, at the same location.
- (2) During the period of supervision, the practitioner and the supervising practitioner must, insofar as is reasonably practicable, comply with any guidelines issued by LPEAC for the purposes of this rule.
- (3) If a practitioner is subject to a condition which requires that the practitioner must not practice without supervision, the requirement for supervision will not cease until the Board of Examiners is satisfied that there has been adequate compliance with that condition such that it is appropriate for the person to be permitted to practice without supervision.

Part 2 – Requirements for admission

Division 1 – General scheme

6 Interpretation

In this Part, unless the contrary intention appears –

appropriate workplace, for the purposes of overseas work experience as part of an approved practical legal training course, means–

- (a) the office of a legal practitioner in private practice; or
- (b) the legal office or department of a government or semi-government body; or
- (c) the legal office or department of a corporation,

in a common law jurisdiction where the nature of the legal work is equivalent to the legal work undertaken in a comparable office in Australia.

approving body means an organisation responsible to deliver a course of practical legal training which is accredited by LPEAC under these rules as providing through its training the required competence in the skills, values and practice areas set out in Appendix B.

eligible supervisor means a legal practitioner who–

- (a) has been in practice for at least 5 years preceding the commencement of proposed work experience; and
- (b) has not been the subject of any finding by a relevant court, licensing authority or disciplinary body under any law relating to the legal profession that, in the opinion of the approving body, makes it inappropriate for that person to act as a supervisor; and
- (c) demonstrates to the satisfaction of the approving body that the legal practitioner will be in a position to devote adequate time to supervising the work experience of a relevant applicant.

legal practitioner means a person who–

- (a) has been admitted to practice; and
- (b) holds a practising certificate or equivalent authorisation,

in either an Australian jurisdiction, or in the jurisdiction where the relevant student's approved workplace experience will occur.

relevant experience means experience in delivering legal services of a type, and in a manner, comparable with the delivery of legal services in Australia, which includes experience in applying common law legal knowledge and skills to practical legal problems–

- (a) in the procedures and relationships commonly found in a legal office; and
- (b) in meeting and dealing with clients of a legal office; and
- (c) in a manner that promotes professional legal attitudes, ethics and responsibilities, comparable to those required to practise law in Australia,

and if the approving body so requires, completion of either or both of:

- (d) a minimum period of workplace experience; and
- (e) particular tasks specified in advance by the approving body.

7 Academic requirements

- (1) The academic requirement for admission is the successful completion of a tertiary academic course in Australia, whether or not leading to a degree in law–
 - (a) which includes the equivalent of at least 3 years full-time study in law; and
 - (b) which, in the opinion of LPEAC, requires a satisfactory level of understanding and knowledge in the areas of knowledge referred to in Appendix A.

- (2) The following academic qualifications are taken to satisfy the requirements of this rule:
 - (a) Bachelor of Laws of the University of Adelaide;
 - (b) Bachelor of Laws or Bachelor of Laws and Legal Practice or the Juris Doctor of the Flinders University;
 - (c) Bachelor of Laws of the University of South Australia.
- (3) Subsection (2) does not apply in relation to a particular qualification if LPEAC determines that the qualification no longer provides a satisfactory level of understanding and competence in the areas of knowledge referred to in Appendix A.
- (4) If an applicant has completed a requirement under a preceding subrule more than 5 years before applying for admission, LPEAC may, after assessing the applicant's academic qualifications, require the applicant either or both to undertake further academic studies and to pass such further examinations as LPEAC may determine.

8 Practical requirements

- (1) The practical requirement for admission is—
 - (a) the successful completion of a course of study commenced in accordance with the requirements of Appendix B and which, in the opinion of LPEAC, requires understanding and competence in the knowledge, values and skills, in each of the practice areas set out in that Appendix at the level of proficiency prescribed by that Appendix; or
 - (b) the successful completion of—
 - (i) the course of study leading to the grant of the Graduate Diploma in Legal Practice of the University of Adelaide and the Law Society of South Australia; or
 - (ii) the degree of Bachelor of Laws and Legal Practice of the Flinders University; or
 - (iii) the course of study provided by the College of Law Limited known as the South Australian PLT Program; or
 - (iv) the course of study leading to the grant of the Graduate Diploma in Legal Practice of the Flinders University,
 unless the LPEAC determines, in relation to a particular course, that any of the courses referred to in subrule (1) to (iv) hereof no longer requires understanding and competence in the skills, values and practice areas set out in Appendix B at the level of proficiency prescribed by that Appendix.
- (2) A course of study must, in order to qualify under subrule (1), include a period of workplace experience at an appropriate workplace, being—
 - (a) a workplace in Australia; or
 - (b) a workplace overseas if prior approval has been given by the relevant approving body in respect of the workplace experience.
- (3) For the purposes of subrule (2)(b), an approving body may give an approval if the approving body—
 - (a) receives and approves an application to undertake workplace experience at the relevant place before the applicant commences the workplace experience; and
 - (b) is satisfied that the applicant will obtain relevant experience in an appropriate workplace under the supervision of an eligible supervisor.
- (4) For the purpose of subrule (2) workplace experience must be undertaken for a least 15 hours per week in blocks of not less than three hours unless exemption is obtained by the applicant prior to the commencement of work place experience.

9 Practical requirements – related matters

- (1) In order to assist LPEAC to determine whether or not a course offered wholly or in part in-house by an employer during the course of employment of an applicant for admission is of a nature and standard to enable LPEAC to form an opinion for the purposes of rule 8, LPEAC may require an employer, or a principal engaged in the practice conducted by an employer, to certify that the course offered by the employer, together with such other training or experience which the applicant for admission has received or will receive before admission, will, in the opinion of the person furnishing the certificate, be sufficient to impart an adequate understanding and competence in the skills, values and practice areas set out in Appendix B at the level of proficiency prescribed by that Appendix.
- (2) In forming an opinion as to a course of study for the purposes of rule 8, LPEAC may take into account the fact that an admitting authority in another State or a Territory has recognised the particular course as satisfying, wholly or in part, the practical requirement for admission in that State or Territory.
- (3) If an applicant has completed a requirement under rule 8 more than 5 years before applying for admission, LPEAC may, after assessing the applicant's practical legal training qualifications, require the applicant to undertake such further practical legal training requirements as LPEAC may determine.

Part 3 – Practice

Division 1 – Categories of practising certificates

10 Categories of practising certificates

- (1) Practising certificates issued under the *Legal Practitioners Act 1981* will be in the following categories:
 - (a) Category A: a principal practising certificate which enables the practitioner to practise as the principal of a law practice entitled to receive and manage trust monies;
 - (b) Category B: a principal practising certificate which enables the practitioner to practise as a principal of a law practice but not entitled to receive and manage trust monies, including as a barrister;
 - (c) Category C: an employee practising certificate which enables the practitioner to undertake work of an employed practitioner on a supervised basis pursuant to rule 11 (a *restricted practising certificate*) and, on certification by the Board of Examiners that the practitioner has satisfied rule 11, as an employed practitioner (an *unrestricted Category C practising certificate*);

- (d) Category D: a volunteer practising certificate which enables the practitioner to undertake legal practice in the manner they are otherwise entitled to in accordance with rule 11, but only as a volunteer for a community legal centre, or for an institution or project approved by LPEAC, and where the practitioner is covered by professional indemnity insurance (being a *restricted practising certificate* while the practitioner is undertaking supervised practice) and, after compliance with rule 11, as a volunteer legal practitioner (an *unrestricted Category D practising certificate*).
- (2) This rule applies subject to—
 - (a) the operation of rule 12; and
 - (b) any other provision made by or under these rules as to a requirement for supervised practice.

Division 2 – Right to practice following admission

11 Required experience

- (1) An original applicant admitted to practise in this State will not be entitled to hold a Category A, B, unrestricted C or unrestricted D practising certificate until he or she has completed supervised practice in this State or in another State or a Territory by way of—
 - (a) a continuous period of 2 years' full-time employment as an employed practitioner, or an equivalent period of part-time employment, following the first issue to the original applicant of a practising certificate; or
 - (b) a combination of employment as an employed practitioner and work as a volunteer practitioner, or an equivalent period of part-time employment, which together are the equivalent of 2 years' full-time employment or work, provided that the work as a volunteer practitioner does not exceed 3 months (in total) (full-time equivalent), or such longer period as may apply on application under subrule (2)(b).
- (2) For the purposes of subrule (1)—
 - (a) an original applicant may accumulate periods of practice as an employed practitioner in more than one State or Territory where he or she is entitled to practise; and
 - (b) the Board may, in its discretion, on application by the relevant practitioner, extend the period of 3 months of work as a volunteer under subrule (1)(b), provided that the total period of such work does not exceed 6 months (in total) (full-time equivalent); and
 - (c) the Board may, in its discretion, on application by the relevant practitioner, permit continuous or discontinuous periods of employment, whether full-time or part-time, to be accumulated.
- (3) This rule applies subject to—
 - (a) the operation of rule 12; and
 - (b) any other provision made by or under these rules as to a requirement for supervised practice.

12 Practising without supervision

- (1) A practitioner must not practise as a local legal practitioner without supervision unless the person holds—
 - (a) a Category A or B practising certificate; or
 - (b) an unrestricted Category C practising certificate; or
 - (c) an unrestricted Category D practising certificate.
- (2) If the Board of Examiners determines that a person has contravened subrule (1), the Board may—
 - (a) direct the person to complete a period of supervised practice that is in addition to the requirements of rule 11, subject to such conditions determined to be appropriate by the Board, before the person is entitled to a category of practising certificate referred to in that subrule; or
 - (b) refer the matter to the Court, and the Court may then deal with the matter as it thinks fit; or
 - (c) refer the matter to the Legal Profession Conduct Commissioner under Part 6 of the Act.
- (3) A practitioner will be entitled to hold a Category A, B, unrestricted C or unrestricted D practising certificate on satisfying the Board of Examiners that he or she has completed supervised practice pursuant to Rule 11.

Division 3 – MCPD requirements

13 MCPD requirements

- (1) The qualifications for the issue and renewal of a practising certificate to an individual legal practitioner will include completion of the prescribed amount of Mandatory Continuing Professional Development (*MCPD*).
- (2) It is a condition of a practising certificate issued or renewed by an individual legal practitioner that the practitioner undertake the prescribed amount of MCPD.
- (3) Before a practising certificate will be issued to or renewed by an individual legal practitioner, the applicant practitioner must first satisfy the Law Society that the practitioner has completed the prescribed amount of MCPD in respect of the preceding CPD year.

14 Non-compliance

- (1) If an individual legal practitioner has not completed the prescribed amount of MCPD in respect of the preceding CPD year—
 - (a) the Law Society may—
 - (i) direct that a practising certificate will be issued to or renewed by the practitioner subject to a condition or conditions determined to be appropriate by the Law Society;
 - (ii) excuse the practitioner from such compliance if the practitioner has permanently ceased legal practice during the course of the practising year, or has given notice of retirement to the Law Society and has undertaken not to apply for a further practising certificate in this State or in another State or Territory,

(and both of these subparagraphs may be applied if the Law Society so determines in a relevant case); or

- (b) on application by the Law Society or the relevant applicant, the Board may–
 - (i) direct that a practising certificate be issued to or renewed by the practitioner subject to a condition or conditions determined to be appropriate by the Board;
 - (ii) excuse the practitioner from such compliance if the practitioner has permanently ceased legal practice during the course of the practising year, or has given notice of retirement to the Law Society and has undertaken not to apply for a further practising certificate in this State or in another State or Territory;
 - (iii) direct that the practising certificate of the practitioner be suspended for a period specified by the Board, or that the practising certificate of the practitioner be cancelled,
 (and both subparagraphs (i) and (ii) may be applied if the Board so determines in a relevant case).
- (2) If the Law Society–
 - (a) decides not to issue or renew a practising certificate because an individual legal practitioner has failed to satisfy the Law Society that he or she has completed the prescribed amount of MCPD in respect of a CPD year; or
 - (b) decides to act under subrule (1)(a)(i) in relation to an individual legal practitioner,
 the practitioner may, within 7 days of notification of the decision of the Law Society (or such longer time as the Board may allow), apply to the Board for a review of the decision.
- (3) The Board may, on an application under subrule (2)–
 - (a) if the Board is satisfied that the practitioner has undertaken the prescribed amount of MCPD, direct that a practising certificate may be issued or renewed; or
 - (b) direct that a practising certificate be issued or renewed, subject to such conditions (or further conditions) as the Board considers to be appropriate; or
 - (c) direct that a practising certificate not be issued to or renewed by the practitioner.
- (4) A legal practitioner whose practising certificate is subject to one or more conditions imposed under this rule must comply with that condition or those conditions.

Division 4 – Renewal of practising certificates after break in practice

15 Renewal of practising certificates

- (1) This rule applies–
 - (a) to a practitioner who applies, or who is seeking to apply, for a practising certificate for the first time in this State more than 3 years after the practitioner was admitted in this State; and
 - (b) to a practitioner who applies, or who is seeking to apply, for a practising certificate after his or her last practising certificate, including an interstate practising certificate, has expired and has not been renewed for a period of 3 years or more from the date of expiry.
- (2) A practitioner to whom this rule applies is not eligible to be issued a practising certificate unless the practitioner has, on application under this rule, satisfied the Board that he or she remains a fit and proper person to undertake work as a legal practitioner.
- (3) An application under this rule must be by way of a statutory declaration lodged with the Board setting out the evidence on which the practitioner relies and exhibiting to the declaration documentary evidence relied on by the practitioner in support of his or her application.
- (4) On application by a practitioner under this rule, the Board may–
 - (a) direct that a practising certificate be issued to the practitioner;
 - (b) direct that a practising certificate–
 - (i) not be issued to the practitioner; or
 - (ii) not be issued to the practitioner until further direction, or until a specified event happens;
 - (c) direct that the practitioner–
 - (i) undertake further specified training or acquire further experience, or both;
 - (ii) provide further information or take further steps in relation to his or her fitness to practise;
 - (d) direct that a practising certificate be issued subject to conditions determined by the Board while the practitioner complies with any direction under paragraph (c).
- (5) Subject to subrule (4)(d), the practitioner must satisfy the Board that he or she has satisfactorily complied with any direction under subrule (4)(c) before a practising certificate may be issued.
- (6) The authority responsible for the issue or renewal of a practising certificate will act on a certificate of the Board in relation to the issuing of a practising certificate to a practitioner to whom this rule applies.

Part 4 – Overseas applicants

16 Applicants who have not been admitted overseas

- (1) A person who holds qualifications obtained outside Australia which are recognised as qualifying the person to be admitted in an overseas jurisdiction, including New Zealand, but who is not admitted to practise in that jurisdiction, may apply to the Board for a direction as to what further, if any, academic or practical requirements must be complied with in order to satisfy the requirements for admission as an original applicant in the State.
- (2) An application under this rule must be accompanied by a statutory declaration that–
 - (a) states the nature and provides details of the applicant’s academic qualifications and practical qualifications and experience; and
 - (b) provides evidence that the applicant has the academic and practical qualifications referred to by that applicant; and

- (c) states whether the applicant has applied for admission in any other Australian jurisdiction, and the result of any such application.
- (3) The statutory declaration must have annexed to it original or authenticated documentary evidence that supports the academic and practical qualifications relied on by the applicant under subrule (2)(b).
- (4) On application by a person under this rule, the Board may—
 - (a) decline to give a direction; or
 - (b) direct that the applicant—
 - (i) comply with any further academic requirements as may be specified by the Board; and
 - (ii) obtain further specified practical training or experience, or both; or
 - (c) direct that the applicant is not required to undertake any further academic requirements or practical training.

17 Applicants who have been admitted overseas

- (1) A person who is admitted to practise in an overseas jurisdiction, other than New Zealand, may apply to the Board for a direction as to what further, if any, academic or practical requirements must be complied with in order to satisfy the requirements for admission as an original applicant in the State.
- (2) An application under this rule must be accompanied by a statutory declaration that—
 - (a) states the nature and provides details of the applicant's academic qualifications and practical qualifications and experience; and
 - (b) provides evidence that the applicant has the academic and practical qualifications referred to by that applicant; and
 - (c) states that the applicant is currently admitted and entitled to practise in the overseas jurisdiction, has not at any stage been struck off the roll of practitioners or otherwise suspended from practice, and is not presently subject to disciplinary inquiry or proceedings; and
 - (d) describes the nature, range, duration and character of the applicant's practice in the overseas jurisdiction; and
 - (e) states whether the applicant has applied for a direction or for admission in any other Australian jurisdiction, and the result of any such application.
- (3) The statutory declaration must have annexed to it original or authenticated documentary evidence that supports the academic and practical qualifications relied on by the applicant under subrule (2)(b).
- (4) On application by a person under this rule, the Board may—
 - (a) decline to give a direction; or
 - (b) direct that the applicant—
 - (i) comply with any further academic requirements as may be specified by the Board; and
 - (ii) obtain further specified practical training or experience, or both; or
 - (c) direct that the applicant is not required to undertake any further academic requirements or practical training.

18 Related matters

- (1) In formulating a direction under this Part, the Board must endeavour to ensure that the applicant's qualifications, training and experience equate as closely as may be reasonably practicable with those of an original applicant.
- (2) On completion of any requirements of the Board under this Part, or if the Board determines that no further academic or practical training is required, the applicant will be taken to have satisfied the academic and practical requirements for admission in the State.
- (3) A person who seeks a direction under this Part must, when applying for the direction, in addition to the other requirements of this Part, provide to the Board—
 - (a) evidence (such as a passport) to verify the applicant's identity; and
 - (b) independent evidence that the applicant is the person who has obtained the academic, practical and professional qualifications relied on as part of the application, such as a notarised certification from the tertiary institution or professional body which has awarded or conferred the relevant qualification which identifies the applicant by reference to the applicant's passport (or other document of identity) including (in the case of a passport) the passport's number and the country of issue and, in any other case, similar identifying information; and
 - (c) if the applicant has not been admitted to practise in an overseas jurisdiction, two statutory declarations (or the overseas equivalent of a statutory declaration) from persons of good repute who have known the applicant for at least 5 years, attesting to the applicant's good character; and
 - (d) if the applicant has been admitted to practice in an overseas jurisdiction, two statutory declarations (or the overseas equivalent of a statutory declaration) from legal practitioners in that jurisdiction who have known the applicant for at least 2 years and who themselves have been admitted in that jurisdiction for at least 5 years, attesting to the applicant's good character and fitness to be admitted; and
 - (e) documentation relating to any academic or practical qualification relied on by the applicant (including a syllabus or other document describing course details and coverage) issued by the body which has awarded the qualification; and
 - (f) the original or duly authenticated copy of the applicant's student record relating to the academic subjects and practical courses undertaken, the year in which each subject or course was taken and the grade achieved by the applicant in respect of each subject or course.
- (4) If the first language of an applicant for admission in the State is not English, the applicant must satisfy the Board that the applicant has sufficient knowledge of written and spoken English to practise in Australia.
- (5) The Board may, in relation to an application under this Part, make such further inquiries as the Board thinks fit concerning—

- (a) the system of jurisprudence of the country in which the applicant has obtained his or her qualifications or in which the applicant has been admitted as a legal practitioner (as the case may be); and
- (b) the nature and adequacy of the applicant's training and experience in the practice of the law; and
- (c) the applicant's fitness to be admitted to practise in this State,

and the Board may act in respect of such matters on the written advice of the Attorney-General or the Solicitor-General for the State of South Australia, the Dean or Associate Dean of Law of the University of Adelaide, the Flinders University, or the University of South Australia, or of the Victorian Council of Legal Education, Victorian Legal Admissions Board, any other admitting authority in Australia, or on report of a committee appointed by the Board for the purposes of this subrule.

Part 5 – Board of Examiners

19 Proceedings

- (1) Any question before the Board will be decided by a majority of the members present at the relevant meeting, and the presiding member (and in the absence of the presiding member, the presiding member's deputy) will have a casting vote as well as a deliberative vote.
- (2) When the Board makes a report to the Court or to LPEAC, any member may make a dissenting or individual report.

20 Requirement to attend before Board

The Board may require an applicant for admission or for a practising certificate, or a practitioner to whom an applicant has been articulated, or under whose supervision the applicant has served, or with whom the applicant has served as a bona fide pupil, to answer in writing, or to attend before it and to answer orally, such questions as the Board thinks fit.

21 Exemptions

- (1) Subject to subrule (3), the Board may exempt a person from the requirements of, or from compliance or further compliance with, any of these rules (or any part of these rules).
- (2) An exemption may be granted subject to such conditions as the Board thinks fit.
- (3) Subrule (1) does not extend to a rule where a specific power of exemption is vested in LPEAC (other than rule 25).
- (4) Subrules (1) and (3) do not limit the power of LPEAC to delegate any power of exemption to the Board.
- (5) Without limiting a preceding subrule, a person who claims to have been qualified for admission under rules that have been repealed or any previous Admission Rules made pursuant to section 72(1)(j) of the *Supreme Court Act 1935* but has not been admitted to practise as a legal practitioner in the State, may apply to the Board for an exemption from compliance with these rules or for a direction as to what further (if any) academic or practical requirements must be complied with in order to satisfy the requirements for admission (and any such exemption or direction may be given on such terms or conditions as the Board thinks fit).

22 Reference of questions

The Board may refer any matter before the Board under these rules or under the Act to the Court or to LPEAC, and the Court or LPEAC may—

- (a) deal with the matter as it thinks fit; or
- (b) refer the matter back to the Board with such directions as it thinks fit.

23 Inquiries

- (1) In addition to any other inquiry that the Board may be authorised to undertake under any other law, the Board will inquire into every application for admission, and any objection to any such application, and report to the Court whether the applicant—
 - (a) is eligible for admission; and
 - (b) is a fit and proper person to be admitted; and
 - (c) has complied with the Act, these Rules and the Supreme Court Admission Rules insofar as the applicant has been required to do so; and
 - (d) has complied with any other requirement as to which the Board has been requested to report by the Court.
- (2) In the process of inquiry into the question of whether or not an applicant is a fit and proper person to be admitted, the Board may make a request in writing to any teaching institution at which the applicant has undertaken a course of study that is relevant to the practical or academic requirements for admission for a statement in writing as to whether or not the applicant has, to the knowledge of the institution, during the time when the applicant was enrolled in any such course, been guilty of any dishonest conduct (including plagiarism), of any other conduct relevant to the determination of the question whether the applicant is a fit and proper person to be admitted.
- (3) Subject to any rule in the Supreme Court Admission Rules, where the Board enquires into an application for readmission, the Board will, in addition to the matters referred to in subrule (1), report to the Court as to the fitness and capacity of an applicant to act as a practitioner in all business and matters usually transacted by or entrusted to practitioners.
- (4) If the circumstances so require, a report of the Board will be prefaced by, or have attached to it, a statement of the Board's findings in relation to the facts of the particular case.

24 Intimation as to eligibility

- (1) Any person may at any time apply to the Board for an intimation as to whether or not he or she would, in the opinion of the Board, be eligible on grounds relating to his or her character or fitness (or both) to be admitted as a practitioner.
- (2) The Board may require a person who has made application under this rule to attend before the Board and to furnish such evidence of his or her good character and fitness as the Board thinks fit.
- (3) The Board may (in its absolute discretion) give such intimation as to the eligibility of applicant as the Board thinks fit.
- (4) If, on an application for admission, the applicant relies on an intimation given by the Board under this rule, or by the Board constituted pursuant to the Supreme Court Admission Rules, the Board must give effect to the intimation when preparing its report to the Court in respect of the application for admission, except where the Board is satisfied—

- (a) that the intimation was obtained by fraud; or
- (b) that the intimation was obtained in circumstances where the applicant, whether deliberately or otherwise, failed to disclose to the Board facts material to the application for an intimation; or
- (c) that the conduct of the applicant since the intimation was given requires a reconsideration by the Board as to whether or not the applicant is ineligible for admission by reason of his or her character or fitness to be admitted.

Part 6 – Miscellaneous and exemptions

25 Exemptions by LPEAC

LPEAC may exempt a person from the requirements of, or from compliance or further compliance with, any of these rules, either entirely or in part, and subject to such conditions as LPEAC may think fit to impose.

26 General powers of Council

LPEAC may, for any purpose relating to the exercise of any of its powers under these rules—

- (a) seek a report from the Board;
- (b) appoint an ad hoc advisory committee (which may comprise or include persons who are not members of LPEAC or of the Board) to report to LPEAC;
- (c) either in a particular case or generally, have regard to and give such weight as it thinks fit to any approval, exemption, condition or decision given, allowed, imposed or made by any admitting authority or other statutory or regulatory body whose activities relate to legal practitioners in any other State or Territory of Australia.

27 Breach of conditions

If the Board determines that a person has breached a condition applying in relation to the person under these rules, the Board may—

- (a) direct the person to complete a period of supervised practice (being a period that is in addition to any other period of supervision that may be required under these rules); or
- (b) refer the matter to the Court or to LPEAC, and the Court or LPEAC may then deal with the matter as it thinks fit; or
- (c) refer the matter to the Legal Profession Conduct Commissioner under Part 6 of the Act.

28 Exercise of power, discretion or function

In exercising any power, discretion or function granted by these rules, LPEAC, the Board and the Law Society will have regard to guidelines prepared by the Law Admissions Consultative Committee contained in Appendix D.

29 Law Society entitlement to representation

The Law Society is entitled to be represented by a solicitor or counsel before LPEAC or the Board at any inquiry, or in relation to any application, under these rules.

30 Appointment of investigator

LPEAC or the Board may request the Law Society to appoint a practitioner to investigate any matter relating to any inquiry or application before it, or to assist LPEAC or the Board in relation to any such inquiry or application.

APPENDIX A: SYNOPSIS OF AREAS OF KNOWLEDGE (REVISED DECEMBER 2016)

Law Admissions Consultative Committee

Prescribed Academic Areas of Knowledge

Although the topics below are grouped for convenience under the headings of particular areas of knowledge, there is no implication that a topic needs to be taught in a subject covering the area of knowledge in the heading rather than in another suitable subject.

Criminal Law and Procedure

- (1) The definition of crime.
- (2) Elements of crime.
- (3) Aims of the criminal law.
- (4) Homicide and defences.
- (5) Non-fatal offences against the person and defences.
- (6) Offences against property.
- (7) General doctrines.
- (8) Selected topics chosen from:
 - (a) attempts
 - (b) participation in crime
 - (c) drunkenness
 - (d) mistake
 - (e) strict responsibility.
- (9) Elements of criminal procedure. Selected topics chosen from:
 - (a) classification of offences
 - (b) process to compel appearance
 - (c) bail
 - (d) preliminary examination
 - (e) trial of indictable offences. OR

Topics of such breadth and depth as to satisfy the following guidelines:

The topics should provide knowledge of the general doctrines of the criminal law and, in particular, examination of both offences against the person and against property. Selective treatment should also be given to various defences and to elements of criminal procedure.

Torts

- (1) Negligence, including defences.
- (2) A representative range of torts (other than negligence) and their defences.
- (3) Damages.
- (4) Concurrent liability.
- (5) Compensation schemes. OR
- (6) Topics of such breadth and depth as to satisfy the following guidelines.

The potential compass of this area is so large that considerable variation might be anticipated. At the very least, there should be a study of negligence and of a representative range of torts, with some consideration of defences and damages, and of alternative methods of providing compensation for accidental injury. Examples of these topics are: concurrent liability, defamation, economic torts, nuisance, breach of statutory duty and compensation schemes.

Contracts

- (1) Formation, including capacity, formalities, privity and consideration.
- (2) Content and construction of contract.
- (3) Vitiating factors.
- (4) Discharge.
- (5) Remedies.
- (6) Assignment. OR

Topics of such breadth and depth as to satisfy the following guidelines.

Some variation may be expected in the breadth and detail of the topics. In general, however, knowledge of the formal requirements for concluding contracts, capacity, the content and interpretation of contracts, their performance and discharge, and available remedies, together with an understanding of the broad theoretical basis of contract would be expected.

Property

- (1) Meaning and purposes of the concept of property.
- (2) Possession, seisin and title.
- (3) Nature and type (i.e. fragmentation) of proprietary interests.
- (4) Creation and enforceability of proprietary interests.
- (5) Legal and equitable remedies.
- (6) Statutory schemes of registration.
- (7) Acquisition and disposal of proprietary interests.
- (8) Concurrent ownership.
- (9) Proprietary interests in land owned by another.
- (10) Mortgages. OR

Topics of such breadth and depth as to satisfy the following guidelines.

The topics should provide knowledge of the nature and type of various proprietary interests in chattels and land, and their creation and relative enforceability at law and in equity. Statutory schemes of registration for both general law land and Torrens land should be included. A variety of other topics might be included, e.g., fixtures, concurrent interests and more detailed treatment of such matters as sale of land, leases, mortgages, easements, restrictive covenants, etc.

Equity

- (1)
 - (a) The nature of equity.
 - (b) Equitable rights, titles and interests.
 - (c) Equitable assignments.
 - (d) Estoppel in equity.
 - (e) Fiduciary obligations.
 - (f) Unconscionable transactions.
 - (g) Equitable remedies.
- (2) Trusts, with particular reference to the various types of trusts and the manner and form of their creation and variation. The duties, rights and powers of trustees should be included, as should the consequences of breach of trust and the remedies available to, and respective rights of, beneficiaries. (It is expected that about half the course will be devoted to trusts.) OR
- (3) Topics of such breadth and depth as to satisfy the following guidelines.

The topics should cover the elements of trust law, equitable doctrines apart from those relating to trusts, and equitable remedies. The following aspects of trusts law should be dealt with: various kinds of trusts; the rights, duties and powers of trustees; the consequences of breach of trust. Apart from trusts, the following equitable doctrines might be covered, for example, fiduciary obligations, equitable assignments, unconscionability and confidential information. The remedies of specific performance, injunction, declaration and damages in equity should be included. (It is expected that about half the course will be devoted to trusts.)

Company Law

- (1) Corporate personality.

- (2) The incorporation process.
- (3) The corporate constitution.
- (4) Company contracts.
- (5) Administration of companies and management of the business of companies.
- (6) Duties and liabilities of directors and officers.
- (7) Share capital and membership.
- (8) Members' remedies.
- (9) Company credit and security arrangements.
- (10) Winding up of companies. OR

Topics of such breadth and depth as to satisfy the following guidelines.

The topics should include an analysis of incorporation and its effects, management and control of a company, the various methods of financing - by the issue of shares and by debt - and the processes of winding up a company.

Administrative Law

- (1) Organisation and structure of the administration.
- (2) Administrative law theory.
- (3) Common law and statutory avenues of judicial review at Commonwealth and State level.
- (4) Grounds of judicial review.
- (5) Remedies.
- (6) Crown immunity.
- (7) Administrative Appeals Tribunal.
- (8) Statutory review.
- (9) Freedom of information. OR

Topics of such breadth and depth as to satisfy the following guidelines.

The topics should not only embrace traditional common law remedies concerning judicial review of administrative action, but should also cover the range of Commonwealth and State statutory regimes.

Federal and State Constitutional Law

- (1) State constitutions and constitutional systems.
- (2) The Commonwealth Constitution and constitutional system.
- (3) The constitution and operation of the legislature, executive and judiciary.
- (4) The relationship between the different institutions of government and the separation of powers.
- (5) The relationship between the different levels of government. OR

Topics of such breadth and depth as to satisfy the following guidelines.

The topics should include knowledge of the major principles of both the relevant State or Territory Constitution and the Commonwealth Constitution, including the relations between the different Commonwealth and State or Territory laws. A general knowledge of the scope of both State or Territory and Commonwealth Constitutions is required, although the topics will differ in the depth of treatment of specific heads of power, particularly in the Commonwealth sphere.

Civil Dispute Resolution

- (1) Court adjudication under an adversary system.
- (2) The cost of litigation and the use of costs to control litigation.
- (3) Service of originating process – as foundation of jurisdiction, including service out of the relevant state or territory and choice of forum.
- (4) Joinder of claims and parties, including group proceedings and the defence of prior adjudication as instances of the public interest in avoiding a multiplicity of proceedings and inconsistent verdict.
- (5) Defining the questions for trial – pleadings, notices to admit and other devices.
- (6) Obtaining evidence – discovery of documents, interrogatories, subpoena and other devices.
- (7) Disposition without trial, including the compromise of litigation.
- (8) Extra-judicial determination of issues arising in the course of litigation.
- (9) Judgment.
- (10) Appeal.
- (11) Enforcement.
- (12) Alternative dispute resolution.
- (13) Obligations of parties and practitioners relating to the resolution of disputes. OR

Topics of such breadth and depth as to satisfy the following guidelines.

The topic should embrace the general study of rules of civil procedure and alternative dispute resolution relevant in the State or Territory. The law concerning jurisdiction, the initiation and service of process, the definition of issues through pleadings and judgment and enforcement should all be included.

Evidence

Explanatory Note:

The following topics are fundamental to understanding the major features of evidence law and procedure, both statutory and common law, and the major sources of judicial interpretation relevant to a general study of the role, sources and foundation of the law of evidence and a trial procedure, of pre-trial obligations and of rules concerning the burden and standard of proof. These topics explicitly take into account the language of procedural changes created by the common law and uniform evidence law in Australia, including High Court jurisprudence that is indispensable to understanding the conduct of a trial.

- (1) Introduction
 - (a) The relevant sources of the law of evidence and procedure.
 - (b) Fair trials, proof and adversarialism, including principles underpinning accusatorial justice.
 - (c) Evidentiary issues to be addressed before trial: disclosure, notices and requests.
- (2) Forms of evidence
 - (a) Witnesses: Competence and compellability:
 - (i) The examination of witnesses, including vulnerable witnesses
 - (ii) The accused as a witness, including the privilege against self-incrimination
 - (b) Documentary evidence, including proof of contents.
 - (c) Real evidence.
- (3) Evidentiary principles and rules, and exceptions to the rules
 - (a) Relevance.
 - (b) Original evidence including *res gestae*.
 - (c) Hearsay evidence.
 - (d) Opinion evidence.
 - (e) Admissions and confessions.
 - (f) Tendency and coincidence evidence.
 - (g) Credibility evidence.
 - (h) Character evidence.
- (4) The bases for privilege including legal professional and client privilege
- (5) Judicial warnings, comment and directions
- (6) Mandatory and discretionary exclusions and the limitations on evidence

Ethics and Professional Responsibility

- (1) Professional and personal conduct in respect of a practitioner's duty:
 - (a) to the law;
 - (b) to the Courts;
 - (c) to clients, including a basic knowledge of the principles relating to the holding of money on trust; and
 - (d) to fellow practitioners. OR
 - (e) Topics of such breadth and depth as to satisfy the following guidelines.
The topics should include knowledge of the various pertinent rules concerning a practitioner's duty to the law, the Courts, clients and fellow practitioners, and a basic knowledge of the principles relating to the holding of money on trust.

APPENDIX B: COMPETENCY STANDARDS FOR ENTRY LEVEL LAWYERS

Law Admissions Consultative Committee¹

Practical Legal Training—Competency Standards for Entry-Level Lawyers

Commencement Date: 1 January 2015

(Revised: October 2017)

¹ LACC's Charter is approved by the Council of Chief Justices which also appoints its Chairman. LACC is not, however, a committee of the Council, nor does it act on the Council's behalf

1 BACKGROUND

In 2002, Admitting Authorities finally endorsed proposed national *PLT Competency Standards for Entry-level Lawyers*, which were recommended to them by LACC.

The *Standards* had been jointly developed by the Australasian Practical Legal Education Council (APLEC) and LACC and sought to describe the observable performance in several key areas relating to legal practice, required of entry-level lawyers at the point of admission to the legal profession.²

² The recommended Standards were drafted in the light of the *National Competency Standards Policy and Guidelines*, National Training Board, Canberra, 1991 and Heywood, Goncz and Hager, *A Guide to the Development of Competency Standards for Professions*, Department of Employment, Education and Training, Canberra, 1992.

Subsequent changes in both the training of lawyers and legal practice led LACC in 2010 to seek the assistance of APLEC and other stakeholders to undertake a review of the PLT Competency Standards. APLEC undertook a review, which was completed in 2013 following extensive consultation. This document is based on suggestions made by APLEC, as a result of that review.

One of the most significant changes in the intervening years is that, in several jurisdictions, many intending legal practitioners now obtain their PLT qualifications through PLT courses, conducted by PLT providers, rather than through serving a period as an articled clerk, to which service the Standards did not apply. In other jurisdictions, instead of articles, intending legal practitioners can choose either to undertake a PLT course or to engage in Supervised Workplace Training in a

legal office. In one jurisdiction, intending practitioners still undertake articles but also are required to undertake a program of assessment conducted by a PLT provider, to assess whether they have attained each of the prescribed competencies. Whichever form of PLT is now followed, all intending practitioners are required to demonstrate that they have attained prescribed competence in the Skills, Practice Areas and Values summarised in item 3 set out in detail in item 4 below.

Another significant change is that, since 2000, all jurisdictions have developed or applied means of accrediting and monitoring PLT courses and the performance of PLT providers. So-called Uniform Standards for PLT Courses and Providers, initially developed by the Victorian Council of Legal Education have been successfully deployed and revised in the light of that experience. APLEC has asked that they should be applied in all jurisdictions and LACC has commended successive versions to Admitting Authorities.

In those jurisdictions which allow SWT, means of approving and monitoring the performance of SWT providers are also being developed.

Such procedures enhance the possibility that entry-level lawyers will all have attained the various competencies prescribed by, or pursuant to, this document.

2 INTERPRETATION

(1) Definitions

In this document:

Admitting Authority means the body responsible in a jurisdiction for approving the content of either or both of PLT courses and SWT.

applicant means applicant for admission to the legal profession.

PLT means Practical Legal Training.

PLT course means a PLT course approved by an Admitting Authority, conducted by a PLT provider.

PLT provider means a body authorised by an Admitting Authority to provide a PLT course in that jurisdiction.

programmed training means structured and supervised training activities, research and tasks, each with comprehensive assessment.

SWT means supervised workplace training and includes articles of clerkship.

SWT provider means a body providing SWT in a jurisdiction.

workplace experience means supervised employment in a legal office, or supervised paid or unpaid placement in a law or law-related work environment.

(2) Interpretation of Item 5

The following principles apply when interpreting item 5.

- (a) An Element describes a relevant competence that an applicant is required to demonstrate in relation to the relevant prescribed Skill, Practice Area or Value.
- (b) A Performance criterion sets out an activity by reference to which an applicant's achievement of an appropriate level of competence in the corresponding Element may be demonstrated. An applicant may, however, demonstrate the requisite achievement in relation to an Element:
 - (i) by attaining some, but not all, of the relevant Performance criteria nominated in item 5 for that Element; and
 - (ii) by attaining equivalent Performance criteria in the course of undertaking another Practice Area set out in item 5.
- (c) Where a Performance criterion refers to an action which can only be performed by a person who has both been admitted to the legal profession and holds a practising certificate, the requisite competency may be demonstrated by satisfactorily completing a simulated exercise offered, and assessed in accordance with item 4.6(a), by a PLT provider or SWT provider.
- (d) Where a Performance criterion provides for a competency to be demonstrated by observing something:
 - (i) the entry-level lawyer must document in writing and critically evaluate what has been observed; and
 - (ii) the resulting record must be assessed by the relevant PLT provider or SWT provider in accordance with item 4.6(a), before the relevant Performance criterion can be satisfied.
- (e) The expression of particular Elements, Performance criteria or Explanatory Notes in relation to a Skill, Practice Area or Value is not intended either:
 - (i) to limit the way in which that Skill, Practice Area or Value is taught; or
 - (ii) to prevent either wider or more detailed training in that Skill, Practice Area or Value.

3 REQUIREMENTS FOR APPLICANTS FOR ADMISSION

(1) Required Competencies

- (a) Every applicant is required to satisfy the Admitting Authority that the applicant has achieved the prescribed competence in the Skills, Compulsory and Optional Practice Areas and Values set out in item 5 and summarised as follows:

Skills

Lawyer's Skills Problem Solving

Work Management and Business Skills Trust and Office Accounting

Compulsory Practice Areas

Civil Litigation Practice

Commercial and Corporate Practice Property Law

Practice

Optional Practice Areas

Subject to paragraph (b), any two of:

- Administrative Law Practice
- Banking and Finance Criminal Law Practice
- Consumer Law Practice
- Employment and Industrial Relations Practice
- Family Law Practice
- Planning and Environmental Law Practice
- Wills and Estate Practice.

Values

Ethics and Professional Responsibility

- (b) Paragraph (a) applies to every applicant who has undertaken PLT in Australia, whether by completing a PLT course, undertaking SWT, or any combination thereof approved by the relevant Admitting Authority.

(2) When PLT may be commenced

- (a) An applicant may commence PLT:
- (i) in the case of SWT, only after the applicant has completed an academic qualification in law, leading to admission to the legal profession;
 - (ii) in the case of a PLT course that is not integrated with the applicant's academic qualification in law, only after the applicant has completed an academic qualification in law leading to admission to the legal profession, unless the applicant has no more than two academic subjects to complete:
 - a. neither of which is one of the Academic Requirements for admission; and
 - b. for which the applicant must be enrolled while undertaking the PLT course, and the applicant has received the prior permission of the Admitting Authority to commence the PLT course.
- (b) Despite paragraph (a), an applicant may undertake an integrated program of academic study and PLT that:
- (i) requires the equivalent of three years' full-time academic study of law, apart from the time required to undertake the PLT components of the program; and
 - (ii) has been recognised by the relevant Admitting Authority for the purposes of preparing students for admission to the legal profession.

4 REQUIREMENTS FOR EACH FORM OF PLT**(1) Programmed training and workplace experience**

PLT must comprise both programmed training and workplace experience as follows:

- (a) subject to paragraph (d), in the case of a graduate diploma:
 - (i) programmed training appropriate to such a diploma³; and
 - (ii) the equivalent of at least 15 days' workplace experience;
- (b) subject to paragraph (d), in the case of a training course other than a graduate diploma, the equivalent of at least 900 hours' duration, comprising:
 - (i) at least 450 hours of programmed training; and
 - (ii) at least 15 days' workplace experience;
- (c) in the case of SWT the equivalent of at least 12 months' full-time work which includes a minimum of at least 90 hours' programmed training.
- (d) for the purposes of paragraphs (a) and (b), one day comprises seven working hours.

(2) Timing and duration of workplace experience

- (a) 15 days of workplace experience, as specified in clauses 4.1(a)(ii) and 4.1(b)(ii), is the **minimum requirement**.
- (b) require a student, as part of a PLT course, to undertake more than the minimum requirement of workplace experience (**additional requirement**).
- (c) A student must undertake the minimum requirement –
 - (i) within Australia; and
 - (ii) concurrently with or after completing the programmed training of the PLT course.
- (d) On or after 1 July 2018, a student may only obtain credit for the minimum requirement if the student undertakes not less than –
 - (i) 2 full days of workplace experience per week; or
 - (ii) 4 x 4 hour sessions of workplace experience per week.
- (e) A student may undertake any additional requirement –
 - (i) within Australia; or
 - (ii) with the permission of the PLT provider, outside Australia.
- (f) A PLT provider may grant credit towards any additional requirement of workplace experience for any workplace experience acquired by a student up to 2 calendar years before the student commences programmed training for a PLT course, if the workplace experience was acquired –

- (i) while the student was enrolled in an academic law course accredited for professional admission purposes by an Australian Admitting Authority ;and
- a. as part of a clinical education program, internship or externship program of that law course; or
- b. in a legal office or during supervised placement in a law or law-related workplace; or
- (ii) after the student has completed an academic law course, but before the student commences programmed training for a PLT course.
- (g) A PLT provider may grant credit towards either or both of the minimum requirement and any additional requirement of workplace experience for any workplace experience acquired by a student up to 2 calendar years after the student has completed the programmed training component of a PLT course.
- (3) Common requirements**
The requirements in items 4.4 to 4.7 apply to both PLT courses and SWT.
- (4) Level of training**
PLT must be provided at a level equivalent to post-graduate training and build on the academic knowledge, skills and values about the law, the legal system and legal practice which a graduate of a first tertiary qualification in law should have acquired in the course of that qualification.
- (5) Qualification of instructors and supervisors**
A person instructing or supervising an applicant while acquiring competence in any Skill, Practice Area or Value must:
- (a) either have substantial current or recent experience in practising law; or
- (b) have comparable relevant qualifications or experience; and
- (c) comply with any other relevant legislative or regulatory requirements in the relevant jurisdiction.
- (6) Assessment of applicants**
- (a) Each form of PLT must employ comprehensive methods, appropriate to post- graduate training, of:
- (i) assessing an applicant's competence; and
- (ii) certifying whether or not an applicant has demonstrated the requisite level of competence, in each relevant Skill, Practice Area and Value.
- (b) Wherever practicable, an applicant's competence in any Practice Area should be assessed in a way that allows the applicant, at the same time, to further develop and to demonstrate competence in, relevant Skills and Values.
- (7) Resilience and well-being**
All PLT providers and SWT providers should:
- (a) make applicants aware of the importance of personal resilience in dealing with the demands of legal practice;
- (b) provide applicants with appropriate access to resources that will help them develop such resilience;
- (c) provide applicants with information about how and where to seek help in identifying mental health difficulties and in dealing with their effects;
- (d) make applicants aware of the benefits of developing and maintaining personal well- being in their professional and personal lives; and
- (e) provide applicants with information about how and where to find resources to help them develop and maintain such well-being.

5 COMPETENCY STANDARDS

Item 2.2 sets out particular principles of interpretation that apply to items 5.1 –5.16.

(1) Administrative Law Practice

Descriptor: An entry-level lawyer who practises in administrative law should be able to:

- (a) obtain information for clients under freedom of information legislation and otherwise;
- (b) seek review of administrative decisions; and
- (c) represent parties before courts and administrative tribunals.

Element	Performance criteria
	The lawyer has competently:
1. Obtaining information	<ul style="list-style-type: none"> • identified whether "freedom of information" or "right to information" legislation applies to the situation. • identified the specific legislation under which the information may be obtained. • taken the steps required under that legislation. • identified and taken any other practical steps required to obtain the information.
2. Obtaining review of administrative decisions	<ul style="list-style-type: none"> • concluded correctly that the decision may be reviewed. • identified and advised the client, or participated in or observed discussions with the client, about alternative means of obtaining a review. • completed all preparation required by law, good practice and the circumstances of the matter. • represented the client effectively at, or participated in or observed, any mediation, hearing or other review forum, where this is appropriate and permitted. • identified all alternative means of obtaining redress and discussed them with the client.

3. Representing a client
- completed all preparation required by law, good practice and the circumstances of the matter.
 - represented the client effectively at, or participated in or observed, any mediation, hearing or other proceeding, where this is appropriate or permitted.

Descriptor: An entry-level lawyer who practises in administrative law should be able to:

Explanatory notes

This competency standard applies to both State and Federal administrative law and practice and to proceedings before both State and Federal courts and tribunals.

In the Performance criteria for Elements 2 and 3, "preparation" includes drafting written submissions.

(2) **Banking and Finance**

Descriptor: An entry-level lawyer who practises in Banking and Finance should be able to demonstrate competence in advising clients on some of the common ways to finance commercial transactions and they should be able to demonstrate competence in drafting simple loan agreements and associated security documents, and in taking the actions required to perfect those securities.

Element	Performance criteria
	The lawyer has competently:
1. Preliminary investigation	<ul style="list-style-type: none"> • identified one or more ways of financing a borrower's proposal and identified the securities available to a financier in the situation • undertaken any necessary preliminary searches and inquiries to investigate issues of ownership, title and the capacity of any party to enter into the proposed financial arrangement • identified any consents to, or notifications of, the proposed financial arrangement required by existing financial or contractual arrangements • identified any requirements imposed on the financier by law in respect of the proposed financial arrangement.
2. Planning	<ul style="list-style-type: none"> • planned the steps to be taken to effect the proposed arrangement including identifying and recording any critical dates, identifying any necessary searches and inquiries and identifying the required documentation
3. Documentation	<ul style="list-style-type: none"> • drafted the relevant loan and security documents • informed the borrower of their obligations in relation to the arrangement including any personal obligations under any guarantees
4. Due Diligence	<ul style="list-style-type: none"> • complied with any legislative requirements relating to the proposed arrangement • undertaken any further searches and inquiries required and advised the client what experts need to be engaged for due diligence (accountants etc.)
5. Finalisation	<ul style="list-style-type: none"> • had the transaction documentation executed, and (if necessary) stamped and registered according to law and good practice.

Explanatory Note

An entry-level lawyer may not demonstrate competence in this elective practice area by submitting the same or similar work, to work that the entry-level lawyer submits to demonstrate competence in the Commercial and Corporate Practice area.

(3) **Civil Litigation Practice**

Descriptor: An entry-level lawyer should be able to conduct civil litigation in first instance matters in at least one State or Territory court of general jurisdiction, in a timely and cost-effective manner.

Element	Performance criteria
	The lawyer has competently:
1. Assessing the merits of a case and identifying dispute resolution alternatives	<ul style="list-style-type: none"> • assessed the strengths and weaknesses of both the claimant's and opponent's cases. • identified the facts and evidence required to support the claimant's case. • advised the client of relevant rights and remedies in a way that a reasonable client could understand. • identified means of resolving the case, having regard to the client's circumstances. • where possible, confirmed in writing any instructions given by the client in response to initial advice. • Identified and complied with the relevant limitation period.
2. Advising on costs of litigation	<ul style="list-style-type: none"> • identified any litigation funding options and a means of reducing or recovering costs. • identified alternative types of costs orders and how they may be affected by formal and informal offers of compromise and the manner of conducting the litigation. • advised the client of relevant cost considerations in a way that a reasonable client could understand.
3. Initiating and responding to claims	<ul style="list-style-type: none"> • identified an appropriate claim or defence. • identified a court of appropriate jurisdiction. • identified the elements of the claim or defence, according to law. • followed procedures for bringing the claim or making the defence in accordance with the court's rules and in a timely manner. • drafted all necessary documents in accordance with those procedures.

- | | |
|---|---|
| 4. Taking and responding to interlocutory and default proceedings | <ul style="list-style-type: none"> • identified any need for interlocutory steps, according to the court's rules. • followed procedures for taking those steps in accordance with the court's rules and in a timely manner. |
| 5. Gathering and presenting evidence | <ul style="list-style-type: none"> • drafted all necessary documents in accordance with those procedures and rules. • identified issues likely to arise at the hearing. • identified evidence needed to prove the client's case or disprove the opponent's case, according to the rules of evidence. • identified various means of gathering evidence, and used at least one of them to gather evidence. • presented, or observed the presentation of, that evidence according to law and the court's rules. |
| 6. Negotiating settlements | <ul style="list-style-type: none"> • conducted, participated in or observed, settlement negotiations. • identified any revenue and statutory refund implications. • properly documented any settlement reached. |
| 7. Taking action to enforce orders and settlement agreements | <ul style="list-style-type: none"> • identified available means of enforcing the order or settlement according to law and the court's rules. • followed procedures relevant to the chosen means of enforcement in a timely manner. |

Explanatory notes

This competency standard applies to first instance civil litigation in local lower and higher courts of an Australian State or Territory, having general jurisdiction, and in the Federal Court.

In the Performance criteria for Element 1, "means of resolving a case" includes:

- negotiation;
- mediation;
- arbitration;
- litigation;
- expert appraisal.

In the Performance criteria for Element 5, "means of gathering evidence" includes:

- statements from witness;
- notices to admit;
- discovery;
- subpoena;
- expert reports;
- certified official records, banker's books and similar documents.

In the Performance criteria for Element 5, reference to presenting evidence includes presenting evidence:

- orally on oath;
- by affidavit;
- by video or telephone link.

In the Performance criteria for Element 7, "means of enforcement" includes:

- execution process including attachment of debts;
- taxation or assessment of costs;
- oral examination.

(4) Commercial and Corporate Practice

Descriptor: An entry-level lawyer should be able to:

- (a) conduct standard commercial transactions such as the sale and purchase of a small business;
- (b) understand the relevant risks associated with such a transaction for both parties;
- (c) set up simple business structures using entities such as companies, trusts and partnerships;
- (d) provide basic advice on finance and securities and on the obligations of companies and their officers; and
- (e) appreciate the type of advice needed to assess the revenue implications of standard commercial transactions.

Element

Performance criteria

The lawyer has competently:

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| 1. Conducting commercial transactions | <ul style="list-style-type: none"> • identified the nature of the transaction. • undertaken sufficient searches and inquiries to investigate any relevant issues of title to real or personal property. • drafted documents, had them executed, and (if necessary) certified, stamped and registered, according to law and good practice. • obtained or given any necessary consents to, or notifications of, the transaction required by law. |
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| 2. Setting up commercial structures | <ul style="list-style-type: none"> • selected a structure that will achieve the client's objectives • drafted all documents required to set up the structure (including establishing any discrete entities that will form part of the structure). • had the documents executed and (if necessary) certified, stamped and registered, according to law and good practice. • informed the client of any continuing obligations in relation to the structure, and, where the structure involves a corporation, of the continuing obligations of the company and its officers. |
| 3. Dealing with loans and securities | <ul style="list-style-type: none"> • identified one or more types of financial arrangements and securities available to the borrower and lender. • informed the borrower and lender of their immediate, continuing, and potential liabilities under any proposed financing and security arrangements. • drafted loan or security documents which reflect the agreement between lender and borrower. • had the loan or security documents executed and (if necessary) stamped and registered, according to law and good practice. |
| 4. Advising on revenue law and practice | <ul style="list-style-type: none"> • identified in a general way the possible revenue implications of the client's proposed commercial venture or arrangement. • referred the client to experts for more comprehensive or detailed advice, where appropriate. |

Explanatory notes

In Element 2, "structure" includes:

- basic trusts;
- private companies;
- partnerships;
- joint ventures;
- franchise arrangements.

In Element 3, "securities" includes:

- personal property security agreements;
- chattel leases;
- loans agreements;
- guarantees, including guarantees from spouses.

In the Performance criteria for Element 4, "revenue implications" includes:

- stamp duties;
- income tax;
- capital gains tax;
- GST;
- fringe benefits tax;
- land and property taxes.

(5) Consumer Law Practice

Descriptor: An entry-level lawyer who practises in consumer law should be able to:

- (a) advise clients on the procedures and remedies available in relation to consumer protection complaints and disputes; and
- (b) represent the client in any related negotiations or proceedings.

Element	Performance criteria
	The lawyer has competently:
1. Obtaining information	<ul style="list-style-type: none"> • identified the consumer protection complaint or dispute as one to which consumer protection legislation applies. • identified the relevant legislation and any applicable case law. • identified any possible common law remedies.
2. Drafting documents	<ul style="list-style-type: none"> • drafted any documents required, in accordance with the client's instructions and the relevant legislation.
3. Initiating and responding to claims	<ul style="list-style-type: none"> • identified the appropriate forum for initiating or responding to a claim. • initiated a claim or taken action to oppose a claim in accordance with the rules and procedures of the relevant court or tribunal, in a timely manner. • obtained all necessary evidence and drafted all necessary documents in accordance with those rules.

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| 4. Representing the client | <ul style="list-style-type: none"> • identified all possible means of resolving the consumer protection complaint or dispute to the satisfaction of the client; and discussed them with the client, or participated in or observed, such discussions. • completed all necessary preparation in accordance with the law, good practice and the circumstances of the matter. • represented the client effectively at, or participated in or observed, any negotiation, mediation, hearing or other proceedings. |
| 5. Taking action to implement outcomes | <ul style="list-style-type: none"> • documented any order or settlement properly and explained it to the client in a way which a reasonable client could understand. • identified any procedures necessary to enforce the order or settlement and implemented them in a timely manner. |

Explanatory notes

This competency standard applies to the practice of consumer law under both State and Federal consumer protection legislation and codes.

In the Performance criteria for Element 1, "consumer protection dispute" includes a dispute relating to:

- competition and consumer legislation;
- misleading and deceptive conduct;
- motor car traders;
- domestic building contracts;
- consumer credit;
- guarantees;
- residential tenancies.

In the Performance criteria for Element 1 "consumer protection legislation" includes State and Federal legislation and codes concerning:

- competition and consumer law;
- misleading and deceptive conduct;
- motor car traders;
- domestic building contracts;
- consumer credit;
- residential tenancies.

In the Performance criteria for Element 3, "court or tribunal" includes:

- Federal courts;
- State courts;
- statutory tribunals;
- industry complaint panels;
- industry ombudsmen.

(6) Criminal Law Practice

Descriptor: An entry-level lawyer who practises in criminal law should be able to advise clients before arrest, seek bail, make pleas, participate in minor contested hearings and assist in preparing cases for trial.

Element	Performance criteria
	The lawyer has competently:
1. Providing advice	<ul style="list-style-type: none"> • identified the client's legal rights and legal powers of the police or other prosecutors or investigators in relation to a criminal matter. • informed the client of those rights and powers in a way that a reasonable client could understand. • identified the legal elements of any offence with which the client is charged. • where possible, confirmed in writing any instructions given by the client in response to initial advice.
2. Applying for bail	<ul style="list-style-type: none"> • implemented the client's instructions, when it is appropriate in the circumstances to do so. • identified the client's options and communicated them to the client in a way a reasonable client could understand. • helped the client to make an informed decision about which option to select. • made, or been involved in the process of making, or observed, an application for bail or taken other action effectively in the circumstances. • fully advised the client of any bail conditions.
3. Making pleas	<ul style="list-style-type: none"> • identified the client's options and communicated them to the client in a way a reasonable client could understand. • identified and gathered all material useful to the plea, according to law and good practice. • presented, or been involved in the process of presenting or observed the presentation of the plea in an effective and persuasive manner, having regard to the circumstances of the case. • advised the client fully of the outcome in a way a reasonable client would understand.

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| 4. Representing a client in minor matters | <ul style="list-style-type: none"> • completed all preparation required by law, good practice and the circumstances of the case. • represented, or been involved in representing the client, or observed the client being represented, effectively at a contested hearing. |
| 5. Assisting to prepare cases for trial | <ul style="list-style-type: none"> • identified and gathered the evidence needed to support the client's case. • identified and briefed, or been involved in briefing, appropriate experts (including counsel) having regard to good practice and the requirements of the case. |

Explanatory notes

In the Performance criteria for Element 1, "criminal matter" includes:

- traffic offences;
- domestic violence and apprehended violence orders;
- drink driving;
- drug offences.

(7) Employment and Industrial Relations Practice

Descriptor: An entry-level lawyer who practises in the area of employment and industrial relations should be able to:

- (a) advise clients on the relevant law and procedures;
- (b) represent clients in negotiations; and
- (c) initiate and respond to applications in relevant State and Federal courts and tribunals.

Element	Performance criteria
	The lawyer has competently:
1. Assessing the merits of the dispute and identify the dispute resolution alternatives	<ul style="list-style-type: none"> • identified the relevant facts. • assessed the strengths and weaknesses of the dispute according to the relevant law. • identified all means of resolving the dispute, having regard to the client's circumstances.
2. Advising client on procedures	<ul style="list-style-type: none"> • advised the client of means of avoiding a dispute, where appropriate. • advised the client of available steps to strengthen the client's position.
3. Commencing negotiations	<ul style="list-style-type: none"> • explored opportunities for a negotiated settlement, subject to the client's instructions. • represented, or been involved in representing, the client, or observed the client being represented, effectively at any negotiations.
4. Initiating and responding to proceedings	<ul style="list-style-type: none"> • identified the appropriate jurisdiction. • initiated or opposed, or been involved in initiating or opposing, a claim or observed the initiation or opposition of a claim, in accordance with the rules of the relevant court or tribunal, in a timely manner. • obtained all necessary evidence and drafted all necessary documents in accordance with those rules.
5. Representing the client	<ul style="list-style-type: none"> • completed all preparation required by law, good practice and the circumstances. • represented, or been involved in representing the client, or observed the client being represented, effectively at any mediation, hearing or other forum.
6. Taking action to implement outcomes	<ul style="list-style-type: none"> • properly documented any order or settlement and explained it to the client in a way which the client can understand. • identified and implemented, or been involved in identifying and implementing, any procedures required to enforce the order or settlement.

Explanatory notes

This competency standard applies to the practice of employment and industrial relations law at both State and Federal levels.

In the Performance criteria for Elements 1 and 2, "dispute" includes:

- award negotiations;
- an industrial dispute relating to an individual employee or to a workplace or industry;
- an equal employment opportunity or anti-discrimination claim;
- a claim for unfair dismissal.

In the Performance criteria for Element 1, "means of resolving the dispute" includes:

- negotiation;
- mediation;
- conciliation;
- arbitration;
- litigation.

In the Performance criteria for Element 2, "means of avoiding a dispute" and "steps to strengthen the client's position" include:

- altering internal employment practices and procedures;
- revising employment contracts;
- entering or revising enterprise bargaining agreements;

- altering individual employment contracts;
- taking disciplinary proceedings;
- allowing industrial representation.

(8) **Ethics and Professional Responsibility**

Descriptor: An entry-level lawyer should act ethically and demonstrate professional responsibility and professional courtesy in all dealings with clients, the courts, the community and other lawyers.

Element	Performance criteria
	The lawyer has competently:
1. Acting ethically	<ul style="list-style-type: none"> • identified any relevant ethical dimension of a particular situation. • taken action which complies with professional ethical standards in that situation.
2. Knowing when to raise ethical problems with others	<ul style="list-style-type: none"> • identified circumstances in which matters relating to the ethical conduct of legal practice should be brought to the attention of others. • identified with whom different matters of this type should be raised (for example, employers, professional associations, legal services boards, police). • learned about relevant protocols, institutional procedures and difficulties, associated with raising such matters with others.
3. Discharging the legal duties and obligations of legal practitioners	<ul style="list-style-type: none"> • identified any duty or obligation imposed on the lawyer by law in a particular situation. • discharged that duty or obligation according to law and good practice.
4. Complying with professional conduct rules	<ul style="list-style-type: none"> • identified any applicable rules of professional conduct. • taken action which complies with those rules.
5. Complying with fiduciary duties	<ul style="list-style-type: none"> • recognised and complied with any fiduciary duty, according to law and good practice.
6. Avoiding conflicts of interest	<ul style="list-style-type: none"> • identified any potential or actual conflict, as soon as is reasonable in the circumstances. • taken effective action to avoid a potential conflict or, where a conflict has already arisen, dealt with it in accordance with law and good practice, or been involved in the process of doing one or more of those things. • taken, or been involved in the process of taking, appropriate action, where applicable, to prevent such a conflict arising in the future.
7. Acting courteously	<ul style="list-style-type: none"> • demonstrated professional courtesy in all dealings with others.
8. Complying with rules relating to the charging of fees	<ul style="list-style-type: none"> • identified any rules applying to charging professional fees. • complied with those rules, where they are relevant. • maintained file notes and records in accordance with law and good practice.
9. Being aware of the importance of pro bono contributions	<ul style="list-style-type: none"> • recognised the importance of pro bono contributions to legal practice. • identified various means whereby lawyers may provide pro bono contributions. • where necessary, used resources provided by professional or community organisations to facilitate pro bono contributions. • Identified when a client with insufficient resources may be entitled to legal aid, or assistance from professional or community organisations.

Explanatory notes

The purpose of this standard is to assist entry-level lawyers to adopt ethical habits in legal practice to ensure that they effectively and appropriately discharge their obligations to the Court, to the legal profession and to clients by:

- acting ethically;
- observing general and statutory law relating to the duties and obligations of legal practitioners;
- observing written and unwritten rules of professional conduct; or
- observing written and unwritten rules of professional courtesy.

In the Performance criteria for Element 3, "duty or obligation" includes the duties and obligations:

- of confidentiality;
- to maintain competence;
- to act honestly;
- not to mislead the court;
- not to pervert the course of justice or the due administration of justice.

In Element 6, "conflicts of interest" include conflicts between:

- joint venture partners;
- directors and shareholders of a company;
- trustees and beneficiaries in a family trust;
- parties to any transaction where the interests of the parties may differ.

(9) **Family Law Practice**

Descriptor: An entry-level lawyer who practises in family law should be able to:

- (a) advise and take action in relation to parenting matters, property settlements, spouse maintenance and child

- support problems;
- (b) identify appropriate dispute-resolution processes for such matters, in the light of the client's circumstances and concerns; and
- (c) advise clients on pre-action procedures.

Element	Performance criteria
	The lawyer has competently:
1. Advising on matters relating to children and property	<ul style="list-style-type: none"> • elicited information necessary to identify the client's options. • informed the client of all relevant available options, in a way that a reasonable client could understand. • identified any pre-action procedures that apply to the matter. • taken any steps necessary to enable the client to obtain access to those procedures.
2. Representing a client in matters relating to children and property	<ul style="list-style-type: none"> • prepared, or been involved in preparing, or observed the preparation of, either an application for interim, final or consent orders relating to a matter concerning children or property, or a response to such an application. • pursued, or been involved in the pursuit of, the case in accordance with good practice for the chosen dispute resolution process. • identified and explained, or been involved in identifying and explaining, to the client the revenue implications of any proposed settlement. • documented and acted upon, or been involved in documenting and acting upon, any results of the chosen dispute resolution process, in accordance with law and good practice.

Explanatory notes

This competency standard applies to children and property matters arising from the breakdown of marriages or other domestic relationships, rather than the dissolution of marriage. It includes:

- responsibility for parenting, including residence of and contact with, children;
- property settlements;
- spouse maintenance;
- child support;
- domestic violence orders;
- injunctions and sole-use orders;
- de facto proceedings.

(10) Lawyer's Skills

Descriptor: An entry-level lawyer should be able to demonstrate oral communication, legal interviewing, advocacy, negotiation, dispute resolution, letter-writing and drafting skills.

Element	Performance criteria
	The lawyer has competently:
1. Communicating effectively	<ul style="list-style-type: none"> • identified the purpose of a proposed communication, the most effective way of making it, and the content of the proposed communication. • presented thoughts, advice, and submissions in a logical, clear, succinct and persuasive manner, having regard to the circumstances and the person or forum to whom they are made.
2. Cross-cultural awareness	<ul style="list-style-type: none"> • identified and appropriately dealt with verbal and non-verbal aspects of cross-cultural communication. • taken any follow-up action in accordance with good practice. • demonstrated awareness of difficulties of communication attributable to cultural differences; their possible effect on a client's dealings with lawyers, the police, courts, government and legal agencies; and the desirability of cross-cultural communications training for all lawyers.
3. Interviewing clients	<ul style="list-style-type: none"> • prepared for the interview properly, having regard to relevant information available before the interview and all known, relevant circumstances. • conducted, participated in conducting or observed, the interview, using communication techniques appropriate to both the client and the context. • ensured that the client and lawyer have both obtained all the information which they wanted from the interview in a timely, effective and efficient way, having regard to the circumstances. • ensured that the lawyer and client left the interview with a common understanding of the lawyer's instructions (if any) and any future action that the lawyer or client is respectively to take. • made a record of the interview that satisfies the requirements of law and good practice. • taken, or participated in taking, any follow-up action in a timely manner.
4. Writing letters	<ul style="list-style-type: none"> • identified the need for, and purpose of, the letter. • written the letter in plain English that conveys its purpose clearly and could be understood by the person to whom it is sent, acting reasonably.

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| 5. Drafting other documents | <ul style="list-style-type: none"> • identified the need for, and purpose of, the document. • devised an effective form and structure for the document having regard to the parties, the circumstances, good practice, plain English principles and the relevant law. • drafted the document effectively having regard to the parties, the circumstances, good practice, plain English principles, and the relevant law. • considered whether the document should be settled by counsel. • taken every action required to make the document effective and enforceable in a timely manner and according to law (such as execution by the parties, stamping, delivery and registration). |
| 6. Negotiating settlements and agreements | <ul style="list-style-type: none"> • prepared, or participated in the preparation of, the client's case properly having regard to the circumstances and good practice. • identified the strategy and tactics to be used in negotiations and discussed them with and obtained approval from the client, or been involved in or observed that process. • carried out, been involved in or observed, the negotiations effectively having regard to the strategy and tactics adopted, the circumstances of the case and good practice. • documented any resolution as required by law or good practice and explained it, or been involved in the process of explaining it, to the client in a way a reasonable client could understand. |
| 7. Facilitating early resolution of disputes | <ul style="list-style-type: none"> • identified the advantages and disadvantages of available dispute resolution options and explained them to, or been involved in explaining them to, the client. • performed in the lawyer's role, or been involved in or observed that performance, in the dispute resolution process effectively, having regard to the circumstances. • documented any resolution as required by law or good practice and explained it, or been involved in explaining it, to the client in a way a reasonable client could understand. |
| 8. Representing a client in a legal forum | <ul style="list-style-type: none"> • observed the etiquette and procedures of the forum. • organised and presented in an effective, strategic way: <ul style="list-style-type: none"> • factual material; • analysis of relevant legal issues; and • relevant decided cases. • presented and tested evidence in accordance with the law and good practice. • made submissions effectively and coherently in accordance with law and good practice. |

Explanatory notes

Assessment of competence for this standard should require the entry-level lawyer to synthesise or combine the above skills and apply them in one or more specific legal contexts.

In the Performance criteria for Element 2, "difficulties of communication attributable to cultural differences" includes difficulties of communication encountered by Indigenous people.

In the Performance criteria for Element 7, "dispute resolution options" includes:

- negotiation;
- mediation;
- arbitration;
- litigation;
- expert appraisal.

In Element 8, "Representing" refers to appearing, being involved in appearing, or observing another appearing, on behalf of a client in a court, tribunal or other legal forum on a matter, including:

- an aspect of preliminary or pre-trial civil or criminal proceedings;
- an aspect of first instance trial advocacy in a simple matter;
- leading evidence-in-chief, cross-examination and re-examination; and
- making submissions.

(11) Planning and Environmental Law Practice

Descriptor: An entry-level lawyer who practises in planning and environmental law should be able to:

- (a) advise, and generally assist, clients on the relevant law and planning process;
- (b) apply for approvals and consents under relevant planning legislation;
- (c) object to applications; and
- (d) initiate or defend planning or environmental actions.

Element	Performance criteria
	The lawyer has competently:
1. Assessing the merits of the matter and advising the client	<ul style="list-style-type: none"> obtained full instructions from the client. analysed the facts in accordance with the relevant law. obtained and clarified any relevant technical information. advised, or been involved in advising, the client of any rights and obligations of the client and potential penalties if obligations are not observed. identified, or been involved in identifying, all options and developed a plan of action in accordance with the client's instructions. alerted, or been involved in alerting, the client to the need to identify the commercial, political and public relations implications of any proposed action.
2. Preparing planning applications or objections	<ul style="list-style-type: none"> identified and analysed relevant provisions of the appropriate planning scheme. identified any appropriate grounds of objection. prepared either an application for development or other planning approval, or an objection to such an application. identified any need to obtain plans or other information.
3. Initiating or responding to environmental claims	<ul style="list-style-type: none"> identified the appropriate forum for initiating or responding to a claim. initiated or opposed, or been involved in initiating or opposing, a claim in accordance with the rules of the relevant court or tribunal, in a timely manner. obtained all necessary evidence and drafted all necessary documents in accordance with those rules.
4. Representing the client in resolving a planning matter or environmental claim	<ul style="list-style-type: none"> identified appropriate means of resolving the matter to the satisfaction of the client and discussed them, or been involved in discussing them, with the client. completed all preparation required by law and good practice. represented, or been involved in representing, or observed the representation of, the client effectively in any negotiation, mediation, hearing or other proceedings.
5. Implementing outcomes	<ul style="list-style-type: none"> properly documented any order or settlement and explained, or been involved in explaining it to the client in a way which a reasonable client could understand. identified and carried out any procedures to enforce the order or settlement in a timely manner.

Explanatory notes

This competency standard applies to the practice of planning and environmental law under both common law and State and Federal legislation.

In Element 4, "planning matter or environmental claim" includes:

- an application for, or an application for exemption from the need for, a permit, licence, approval or other authority;
- an objection, appeal or application for review of a decision, relating to such an application;
- a prosecution for breach of relevant planning or environmental legislation;
- a civil action relating to either or both a planning and environmental matter.

(12) Problem Solving

Descriptor: An entry-level lawyer should be able to:

- investigate and analyse facts and law;
- provide legal advice; and
- solve legal problems.

Element	Performance criteria
	The lawyer has competently:
1. Analysing facts and identifying issues	<ul style="list-style-type: none"> identified and collected all relevant facts as far as is practicable. analysed the facts to identify any existing or potential legal issues. distinguished relevant facts from other facts, if the matter so requires.
2. Analysing law	<ul style="list-style-type: none"> identified any questions of law raised by the matter. researched those questions of law properly, having regard to the circumstances. identified and interpreted any relevant statutory provisions and applied them appropriately to the facts.
3. Providing legal advice	<ul style="list-style-type: none"> applied the law to the facts of the matter in an appropriate and defensible way. given, or been involved in giving, the client advice in a way which a reasonable client could understand. identified any developments that might affect the accuracy of previous advice and told, or been involved in telling, the client about the effect of those developments.

4. Generating solutions and strategies
- identified the problem and the client's goals as fully as
 - is practicable.
 - investigated the facts and legal issues as fully as is practicable.
 - developed creative options and strategies to meet the
 - client's objectives.
 - identified the advantages and disadvantages of pursuing each option or strategy.
 - assisted, or been involved in assisting, the client to choose between those options in a way consistent with good practice.
 - developed a plan to implement the client's preferred
 - option.
 - acted, or been involved in acting, to resolve the problem in accordance with the client's instructions and the lawyer's plan of action.
 - remained open to new information and ideas and updated advice to the client where necessary.

Explanatory notes

In Element 2, "Analysing law" includes:

- (a) researching legal issues by using:
- law libraries;
 - on-line searches;
 - electronic data bases;
 - legal citators and digests; and
- (b) applying principles of precedent and statutory interpretation.

(13) Property Law Practice

Descriptor: An entry-level lawyer should be able to:

- (a) convey, lease and mortgage real property; and
- (b) provide general advice on standard matters arising under local government, planning, environmental or other legislation relating to land use in the relevant State or Territory.

Element	Performance criteria
	The lawyer has competently:
1. Transferring title	<ul style="list-style-type: none"> • identified the nature of the interest being dealt with, pursuant to the pre-eminent title system in the relevant jurisdiction. • prepared, commented on and advised, or been involved in advising, on an appropriate contract of sale or other type of agreement for transferring the relevant interest in land; and had it executed according to law and good practice. • undertaken sufficient searches and inquiries to investigate title, any issues about land use and responsibility for outgoing. • drafted an appropriate instrument of transfer or conveyance and had it executed and (if necessary) stamped and registered, according to law. • obtained or given any consents to, or notifications of, the transfer or conveyance, according to law. • arranged for the instrument to be executed and (if necessary) stamped and registered, as required by law.
2. Creating leases	<ul style="list-style-type: none"> • made and obtained all searches and consents required by law and good practice. • drafted, commented on and advised, or been involved in advising, on a lease in a form allowed by law, reflecting the agreement between lessor and lessee and protecting their respective interests. • arranged for the lease to be executed and (if necessary) stamped and registered, according to law.
3. Creating and releasing mortgages	<ul style="list-style-type: none"> • made and obtained all searches and consents required by law and good practice. • drafted, commented on and advised, or been involved in advising, on an effective instrument to create or release the security, reflecting the agreement between the grantor and grantee and protecting their respective interests.
4. Advising on land use	<ul style="list-style-type: none"> • identified any planning scheme or other statutory provisions regulating the relevant use. • Advised, or been involved in advising, the client generally about processes to be followed to obtain permission for, or to object to the use, as the case requires.
5. Advising on revenue implications	<ul style="list-style-type: none"> • identified the revenue implications of any transaction and advised, or been involved in advising, the client accordingly.

Explanatory notes

In Element 1, "Transferring title" refers to title pursuant to the pre-eminent title system in the relevant jurisdiction.

In the Performance criteria for Element 1, "contract of sale" includes a contract of sale subject to special conditions.

In Element 2, "Creating leases" refers to residential tenancies or leases and standard commercial leases.

In Element 3, "mortgages" includes any other relevant security over land. In Element 4, "Advising on land use" includes advising on issues relating to:

- town planning schemes;
- local government by-laws;
- environment and heritage legislation;
- revenue and tax legislation.

(14) Trust and Office Accounting

Descriptor: An entry-level lawyer should have sufficient knowledge, skills and values to maintain trust and general account records according to law and good practice, to the extent usually permitted and expected of an employed solicitor: See Explanatory notes below.

Element	Performance criteria
	The lawyer has competently:
1. Understand relevant fiduciary and other duties	<ul style="list-style-type: none"> • identified and applied: • general law fiduciary and other duties; codified duties; • duties to supervise and report in relation to trust monies; and • duties and obligations of maintaining a trust account.
2. Receiving money	<ul style="list-style-type: none"> • dealt with money received from or on behalf of a client, as required by law and good practice. • where the law and good practice requires money to be deposited in a trust account or general account, recorded the deposit as required by law and good practice. • issued any receipt required by law and good practice.
3. Making outlays	<ul style="list-style-type: none"> • made any outlay from the correct account, according to law and good practice. • recorded the outlay as required by law and good practice.
4. Rendering costs	<ul style="list-style-type: none"> • demonstrated an ability to comply with regulations relating to disclosure of costs and a client's rights relating to costs. • calculated the costs in accordance with law, good practice and any agreement between the lawyer and client. • added to the bill all outlays made by the firm for which the client is responsible. • accounted to the client for any money received from the client on account of costs and outlays, as required by law and good practice. • drafted the bill and delivered it in accordance with law and good practice.

Explanatory notes

This competency standard applies to trust and general accounting and to rendering bills of costs. It requires a general knowledge of solicitors' trust account law and practice and costs regulation in the relevant jurisdiction and an understanding of the general principles of maintaining trust and office records.

(15) Wills and Estates Practice

Descriptor: An entry-level lawyer who practises in wills and estates should be able to draft wills, administer deceased estates and take action to solve problems about wills and estates.

Element	Performance criteria
	The lawyer has competently:
1. Drafting wills	<ul style="list-style-type: none"> • advised the client of issues, options, and potential problems that might arise in respect of the client's testamentary intentions. • obtained instructions reflecting the client's informed and independent wishes, which can be effectively implemented. • drafted a will reflecting the client's instructions. • identified any issues of testamentary capacity and resolved them in accordance with law and good practice. • ensured that the client executed the will in accordance with law. • given any necessary follow up advice to the client.
2. Administering deceased estates	<ul style="list-style-type: none"> • obtained a grant of probate or letters of administration where required. • identified the debts and assets of the estate. • gathered in the estate or transferred or transmitted assets directly to beneficiaries, as appropriate, having regard to the law, good practice, and the circumstances. • discharged the estate's debts, distributed specific gifts and the residue and ensured that the executors have been released of their obligations in a timely fashion.
3. Taking action to resolve wills and estates problems	<ul style="list-style-type: none"> • identified the nature of the problem properly, having regard to the law of the jurisdiction. • identified the client's options for dealing with the problem, having regard to the law of the particular jurisdiction and the client's circumstances. • explained the options to the client in a way a reasonable client could understand. • taken action to resolve the problem in accordance with the client's instructions.

Explanatory notes

In the Performance criteria for Element 1, "follow-up advice" includes advice on:

- the effects of marriage on a will;
- the effects of divorce on a will;

- storage options for a will;
- revocation of a will;
- modification of a will;
- associated documents such as enduring powers of attorney.

In Element 3, "wills and estates problems" include problems of:

- testamentary capacity;
- construction;
- validity of the will;
- validity of gifts;
- assets outside the jurisdiction;
- revenue issues;
- family provision;
- mutual wills;
- trusts;
- informal wills;
- testamentary directions.

(16) Work Management and Business Skills

Descriptor: An entry-level lawyer should be able to manage workload, work habits, and work practices in a way that ensures that clients' matters are dealt with in a timely and cost-effective manner.

Element	Performance criteria
	The lawyer has competently:
1. Managing personal time	<ul style="list-style-type: none"> • used a diary or another system to record time limits or deadlines and to assist in planning work. • identified conflicting priorities as they arise and managed the conflict effectively. • used available time effectively, to the benefit of the lawyer's clients and employer.
2. Managing risk	<ul style="list-style-type: none"> • conducted each matter in a way that minimises any risk to the client, lawyer or firm arising from missed deadlines, negligence or failure to comply with the requirements of the law, a court or other body. • recognised the limits of the lawyer's expertise and experience and referred the client or matter to other lawyers, counsel or other professionals, as the circumstances require.
3. Managing files	<ul style="list-style-type: none"> • used a file management system to ensure that work priorities are identified and managed; clients' documents are stored in an orderly and secure manner; and to alert the lawyer to any need to follow up a matter or give it other attention. • rendered timely bills, in accordance with law and any agreement between the lawyer and client, which set out the basis for calculating the lawyer's fees. • accurately recorded all communications and attendances, with details of dates and times.
4. Keeping client informed	<ul style="list-style-type: none"> • communicated with the client during the course of the matter as frequently as circumstances and good practice require. • confirmed oral communications in writing when requested by the client or required by good practice. • dealt with the client's requests for information promptly. • informed the client fully of all important developments in the matter, in a way which a reasonable client could understand.
5. Working cooperatively	<ul style="list-style-type: none"> • worked with support staff, colleagues, consultants and counsel in a professional and cost effective manner.
6. Self-management	<ul style="list-style-type: none"> • Demonstrated an ability to manage work and personal issues consistent with principles of resilience and well-being.

Explanatory notes

The purpose of this standard is to assist entry-level lawyers to adopt good work habits in legal practice to ensure that:

- clients do not suffer loss or damage from a lawyer missing deadlines or neglecting matters;
- clients are kept informed regularly and fully of the progress of their matters; and
- clients' matters are dealt with in a cost-effective manner.

APPENDIX C: MANDATORY CONTINUING PROFESSIONAL DEVELOPMENT

1 Definitions

In this Appendix:

1.1 **CPD** means continuing professional development.

1.2 **CPD activity** means an activity:

- of significant intellectual or practical content primarily related to the practice of law; and
- conducted by persons qualified by practical or academic experience in the subject covered; and

- (c) relevant to the immediate or long-term professional development needs of the legal practitioner undertaking it; and
- (d) comprising:
 - (i) attendance at or presenting material for, a seminar, workshop, lecture, conference, educational program or course or discussion group; or
 - (ii) viewing or listening to material for, a multi-media, web-based or recorded program; or
 - (iii) preparing material for any seminar, workshop, lecture, conference, education program, course, discussion group, or a multimedia, web-based or recorded program; or
 - (iv) publishing, or substantively editing or refereeing, an article in a legal or non-legal publication; or
 - (v) regular attendance at meetings, and participation as a member, of a committee or other body undertaking work of substantial significance to the practice of the law and which is reasonably likely to assist the attendee's professional development.

1.3 **CPD unit** means:

- (a) in relation to a CPD activity referred to in (d) (i), (ii) or (iii) above, one hour of the activity;
- (b) in relation to a CPD activity referred to in (d) (iv) above, 1000 words of the article;
- (c) in relation to a CPD activity referred to in (d) (v) above, two hours of the activity.

1.4 CPD year means a year beginning on 1 April to the following 31 March.

1.5 **Defined Circumstances:** see paragraph 5.1.

1.6 **Minimum CPD units:** see paragraph 2.

1.7 **The prescribed amount of Mandatory Continuing Professional Development:** see paragraph 3.

1.8 Professional skills includes as subject matter the substance of the law and procedures in the legal system.

1.9 Required CPD activity: see paragraph 2.2.

2 Minimum CPD units are:

2.1 For an individual legal practitioner, 10 CPD units of CPD activity in each CPD year.

2.2 The 10 CPD units must include at least 3 units of Required CPD activity as detailed below:

Required CPD activity

- (a) one CPD unit relating to practical legal ethics;
- (b) one CPD unit relating to practice management or business skills; and
- (c) one CPD unit relating to professional skills.

2.3 In calculating the minimum 10 CPD units of CPD activity in respect of a CPD year, the total units must not include more than:

- (a) 5 CPD units of CPD activity referred to in paragraph 1.2 (d)(ii);
- (b) 4 CPD units for the preparation of material for any individual seminar, workshop etc. as identified in 1.2 (d)(iii);
- (c) 5 CPD units of CPD activity referred to in paragraph 1.2 (d)(iv); or
- (d) 5 CPD units of CPD activity referred to in paragraph 1.2 (d)(v).

2.4 CPD units completed in January, February or March of a CPD year, may at the election of the practitioner be assigned in whole or in part either to that CPD year or to the next CPD year.

2.5 Any CPD activity completed in respect of a CPD year pursuant to this paragraph cannot be taken into account for any other CPD year.

3 The prescribed amount of Mandatory Continuing Professional Development is:

3.1 Where an individual legal practitioner holds a practising certificate for a full CPD year, the Minimum CPD units.

3.2 Where an individual legal practitioner holds a practising certificate for less than a full CPD year, the Minimum CPD units in respect of that year are reduced proportionally in accordance with the following rules:

- (a) the number of CPD units specified in paragraph 2.1 (10 units) shall be reduced by 1 unit for each whole calendar month of the CPD year for which the practitioner did not hold a practising certificate;
- (b) the number of required CPD units specified in paragraph 2.2 (3 units) shall be reduced by 1 unit for each 3 units reduced by (a) hereof;
- (c) the number of CPD Units permitted at paragraph 2.3 (a) (5 units) and (b) (4 units) shall be reduced by 50% (rounded up to the nearest whole number) of the number derived under (a) hereof;
- (d) the number of CPD Units permitted at paragraph 2.3(c) (5 units) shall be reduced by 1 unit for each 3 units reduced by (a) hereof.

3.3 Where during a CPD year Defined Circumstances have occurred which prevented or impeded a practitioner from completing the CPD units prescribed in sub-paragraphs 3.1 or 3.2, as applicable, the reduced number of CPD units intimated under paragraph 5.

3.4 Where rectification has occurred under paragraph 7.1, the CPD units which the Law Society has determined to accept.

4 Records of CPD

4.1 An individual legal practitioner must, in respect of each CPD year, maintain and retain for 3 years after the end of that CPD year:

- (a) a written record of CPD activities undertaken and of CPD units completed and of any activities undertaken pursuant to a condition imposed by the Board pursuant to sub-rule 14(b)(1);
 - (b) material indicating the nature of each CPD activity undertaken and of any activity undertaken pursuant to a condition imposed by the Board pursuant to sub-rule 14(b)(1);
 - (c) a record of the fact that the practitioner undertook each such activity.
- 4.2 An individual legal practitioner must provide to the Law Society within 14 days of receipt of a written request for information about and/or evidence of the practitioner's compliance with his or her obligations under this Appendix in respect of any CPD year within the previous 3 years as specified in the request.

5 Inability to Comply

In this paragraph 5, references to completing the prescribed amount of Mandatory Continuing Professional Development are references to the prescribed amount of Mandatory Continuing Professional Development under sub-paragraphs 3.1 or 3.2, as applicable.

5.1 In this paragraph, Defined Circumstances means:

- (a) illness or disability;
- (b) the location of the practitioner's legal practice in Australia;
- (c) the temporary absence of the practitioner from ongoing legal practice (for example, by reason of a period of leave such as parental leave); or
- (d) financial hardship; or
- (e) any other special circumstance

which prevents, or impedes, the practitioner's completion of the prescribed amount of Mandatory Continuing Professional Development.

5.1A It is not a Defined Circumstance for a practitioner to be temporarily absent from legal practice by reason of being engaged in employment unrelated to legal practice.

5.2 Where during a CPD year Defined Circumstances exist or occur which are likely to prevent or impede a practitioner from completing the prescribed amount of Mandatory Continuing Professional Development, the practitioner must lodge with the Law Society a statutory declaration as soon as practicable after it becomes apparent that it is likely that the practitioner will not complete the prescribed amount of Mandatory Continuing Professional Development:

- (a) setting out details of the Defined Circumstances and their past and/or likely future effect upon the practitioner's ability or availability to complete the prescribed amount of Mandatory Continuing Professional Development;
- (b) setting out the number of CPD units (including Required CPD activities) the practitioner has completed and plans to complete during the balance of the CPD year;
- (c) setting out the evidence and exhibiting any documentary evidence which demonstrates the matters in (a) and (b);

5.3 The statutory declaration filed pursuant to paragraph 5.2 shall seek an intimation from the Law Society of the number of CPD units to comprise his or her prescribed amount of Mandatory Continuing Professional Development, the relevant date for their completion and the modification of any Required CPD activity or other limits or requirements of the prescribed amount of Mandatory Continuing Professional Development, and shall:

- (a) in any case where the Defined Circumstances are constituted by parental leave:
 - (i) set out the dates of the proposed parental leave,
 - (ii) where applicable, exhibit a letter from the practitioner's employer confirming the arrangements that have been made for such leave;
- (b) in any other case:
 - (i) set out full details of the Defined Circumstances and their past and/or likely future effect upon the practitioner's ability or availability to complete the prescribed amount of Mandatory Continuing Professional Development;
 - (ii) set out the evidence and exhibiting any documentary evidence which demonstrates the matters in subparagraphs (b)(i) and (c) of paragraph 5.3.

5.4 The employer of a practitioner who takes, or proposes to take, a period of leave due to any Defined Circumstances shall provide confirmation by letter of any leave arrangements to the employed practitioner

5.5 A practitioner who does not complete the prescribed amount of Mandatory Continuing Professional Development by 31 March and who seeks to complete a lesser prescribed amount because of Defined Circumstances must by 14 April lodge with the Law Society a statutory declaration setting out:

- (a) the number of CPD units (including required CPD activities) the practitioner completed in respect of that CPD year;
- (b) whether or not the practitioner has lodged a statutory declaration as required by paragraph 5.2 and any intimation given the Law Society and if not, why not.
- (c) in any case where the Defined Circumstances were constituted by parental leave:
 - (i) if no statutory declaration as required by paragraph 5.2 has been lodged,
 - (A) sets out the dates of the parental leave,
 - (B) where applicable, exhibits a letter from the practitioner's employer confirming such leave;

- (ii) in any other case:
 - (A) sets out full details of the Defined Circumstances and there upon the practitioner's ability **or availability** to complete the prescribed amount of Mandatory Continuing Professional Development,
 - (B) sets out the evidence and exhibiting any documentary evidence which demonstrates the matters in subparagraphs.

5.6 Where during a CPD year Defined Circumstances have occurred which prevented a practitioner from completing the prescribed amount of Mandatory Continuing Professional Development, provided the practitioner has complied with sub-paragraphs 5.2 and 5.3, the prescribed amount of Mandatory Continuing Professional Development which the practitioner is required to accrue is reduced under sub-paragraph 3.3 to the extent that the Defined Circumstances have so prevented compliance.

6 Certification of Compliance

6.1 An individual legal practitioner must by 14 April each year lodge with the Law Society a certificate by the practitioner that the practitioner has complied with the obligations contained in paragraphs 3 and 4 of Appendix C in respect of the preceding CPD year.

7 Rectification of Contravention

7.1 Where a practitioner has not completed the prescribed amount of Mandatory Continuing Professional Development in accordance with sub-paragraphs 3.1, 3.2 or 3.3, he or she must:

- (a) by 14 April lodge with the Law Society a statutory declaration setting out:
 - (i) the number of CPD units (including Required CPD activities) the practitioner has completed in respect of that CPD year;
 - (ii) the number of CPD units (including Required CPD activities) which the practitioner has not completed in respect of that CPD year;
 - (iii) details of CPD activities which the practitioner proposes to undertake prior to 31 May of that year to rectify the non-compliance;
 - (iv) if Defined Circumstances have existed and an intimation has not previously been sought under paragraph 5.2, details of the matters set out in paragraph 5.2.
- (b) by 31 May undertake sufficient CPD and other activities as are necessary to rectify the non-compliance; and
- (c) by 7 June lodge with the Law Society a certificate by the practitioner setting out the number of CPD units (including of Required CPD activities) completed in respect of the prior CPD year up to the date of the certificate.

The Law Society may determine to accept the number of CPD units so completed as completion of the prescribed amount of Mandatory Continuing Professional Development for the issue of a practising certificate subject to a condition or conditions under Rule 14(1)(a)(i).

7.2 If a practitioner has completed the prescribed amount of Mandatory Continuing Professional Development, notwithstanding any failure by the practitioner to adhere to the time limits in paragraphs 5, 6 and 7, the Law Society may be satisfied that the practitioner has completed the prescribed amount of Mandatory Continuing Professional Development within Rule 13.

8 Sundry

- 8.1 The Law Society may be satisfied on the basis of a certificate received in compliance with 6 and 7.1(c) that a practitioner has completed the prescribed amount of MCPD within Rule 13(3).
- 8.2 The Law Society may charge a practitioner who does not comply with a time limit in paragraphs 5, 6 and 7 a reasonable fee for receipt and processing documents lodged after the expiry of the time limit.

APPENDIX D: LACC STANDARDS FOR PLT WORKPLACE EXPERIENCE AND LACC DISCLOSURE GUIDELINES FOR APPLICANTS FOR ADMISSION TO THE LEGAL PROFESSION

Guidelines Prepared by the Law Admissions Consultative Committee

Law Admissions Consultative Committee³ Standards for PLT Workplace Experience

³ LACC's Charter is approved by the Council of chief Justices which also appoints its Chairman. LACC is not, however, a committee of the Council, nor does it act on the Council's behalf.

1 INTRODUCTION

Experience in a legal or law-related workplace has long been acknowledged as indispensable to the proper preparation of a legal practitioner. When structured PLT courses were first introduced, it was acknowledged that supplementary workplace experience would still be necessary. In England, this was achieved by requiring students to complete a 2-year training contract after a PLT course, before becoming eligible for admission. The required content of that training contract – and consequently the training which host organisations and supervisors were obliged to provide – is closely regulated by the Solicitors Regulation Authority.

Australia followed a different path. Instead of a 2-year pre-admission training contract, Australian arrangements require a period of workplace training as part of a PLT course, followed by 2 years of supervised practice, after admission – neither element of which is closely regulated.

In 2002, national PLT Competency Standards for Entry-level Lawyers were first adopted by all Australian Admitting Authorities. While these prescribed competencies in certain knowledge, skills and values that PLT providers must impart to their students, little was said about workplace experience. Although the Standards required a student to obtain workplace experience as part of a PLT course, they simply set out a minimum period for such experience.

The minimum period chosen reflected the period of external workplace experience then required by one established PLT provider, whose course was structured to provide substantial simulated workplace experience, while conducting programmed training. Other established PLT providers operated under a different model which required substantially longer periods of external workplace experience.

Apart from setting this minimum period (which suited the courses then offered by all existing PLT providers), Admitting Authorities offered no other guidance to PLT providers about what would constitute appropriate workplace experience, or how it might be accumulated. Like the 2-year post-admission period of supervised practice, workplace experience to be undertaken during a PLT course was otherwise unregulated.

In the intervening years, the social, technological and other circumstances of students undertaking PLT courses have changed in significant ways, as have the commercial circumstances facing PLT providers in a highly competitive market. Thus, the Australasian Professional Legal Education Council (APLEC) proposed to LACC that now PLT courses "should be predicated on" the following matters that it suggests are "pervasive" –

- (a) the financial costs to students undertaking workplace experience, particularly where students are not paid by the host organisation;
- (b) student carer commitments;
- (c) student commitments to other work;
- (d) the shortage of available workplace experience;
- (e) the (un?) willingness of the profession to contribute to the legal education of law students and law graduates;
- (f) what should be regarded as acceptable periods of unpaid work;
- (g) the cost to a PLT provider of comprehensively administering workplace experience programs; and
- (h) equity and access issues – enabling participation in work experience programs by ALL students and diversity within the legal profession.⁴

⁴ APLEC, *Work Placement Requirements for PLT Courses*, 3 February 2015, p4.

Any of these matters, alone or in combination, may present significant obstacles for some intending legal practitioners and for some PLT providers. However sympathetic an Admitting Authority may be to those affected, its inescapable statutory duty is to establish, apply and maintain what it considers to be appropriate standards for the preparation of members of the legal profession. These are the values upon which its regulatory requirements must be predicated. It must strike a balance between factors such as those advanced by APLEC and what it considers to be reasonable and proportionate requirements which will help assure the educational value of workplace experience in the context of a PLT course.

Concern about the effectiveness of, and variation between prevailing practices of PLT providers relating to workplace experience led the Victorian Council of Legal Education, in 2014, to refer questions about the following matters to LACC, arising from an application by a PLT provider to alter its workplace training requirements –

- (a) the purpose of the work experience requirement as an element of a PLT course;
- (b) the appropriate duration of such workplace experience;
- (c) how the relevant workplace experience may be accumulated;
- (d) whether work experience undertaken before a PLT course can be taken into account to satisfy a work experience requirement; and
- (e) whether additional programmed training requirements might be substituted for some of the requisite workplace experience.

LACC received 2 submissions from APLEC about these issues in the intervening years, and has sought and obtained expert advice from other sources. It has also noted that there have been several significant regulatory developments since 2014.

The Legal Profession Uniform Law has come into effect, placing renewed focus on how effectively matters relating to admission to the legal profession are presently being regulated. Further, a completely revised version of the PLT Competency Standards for Entry-level Lawyers came into effect in January 2015, containing much more explicit explanatory and regulatory material. Standards for accrediting PLT providers and courses, previously endorsed by LACC have been renamed as Uniform Standards and have already been applied in a number of jurisdictions. Finally, Accreditation Standards for Australian Law Courses are in the final stages of development.

Consistent with these developments, LACC thus considers it is appropriate to adopt the following standards relating to workplace experience.

2 DEFINITIONS AND INTERPRETATION

2.1 Definitions

In this document –

Competency Standards means the Law Admissions Consultative Committee's Practical Legal Training Competency Standards for Entry-level Lawyers 2015.

workplace experience means supervised employment in a legal office or supervised paid or unpaid placement in a law or law-related work environment.

2.2 Interpretation

Expressions used in this document and in the Competency Standards that are not defined in clause 1.1 or elsewhere in this document have the same meaning as in the Competency Standards.

3 PURPOSES OF THE STANDARDS

The purposes of these Standards are –

- (a) to assist Admitting Authorities, when accrediting, monitoring or re-accrediting a PLT provider to determine whether the PLT provider will provide for a student of the PLT course to undertake appropriate workplace experience; and
- (b) where appropriate, to provide clear, tangible guidance to PLT providers of ways in which a PLT provider can demonstrate its compliance with the Standards

4 PURPOSE OF WORKPLACE EXPERIENCE

In the context of a PLT course, the purpose of workplace experience is to provide a student with an opportunity –

- (a) to apply, test and reflect on what has been learned during programmed training, while interacting with practising lawyers, other staff, government officers and clients; and
- (b) to develop an understanding of the nature of legal practice and of the student's aptitude for engaging in legal practice.

5 LEARNING OUTCOMES

1. On completing workplace experience, a student will have –
 - (a) applied elements of the student's programmed training in the context of legal practice;
 - (b) experienced supervision by a qualified member of the legal profession in the execution of legal or law-related work;
 - (i) acquired a basic understanding of what a legal practitioner does in the course of legal practice;
 - (c) critically reflected upon significant experiences obtained by the student in the course of workplace experience; and considered how those experiences will influence the student's future actions.
2. A PLT provider must satisfy itself that a student has achieved each of the learning outcomes set out in subclause (1) before certifying that a student has satisfied the requirements of clause 4.1(a)(ii) or 4.1(b)(ii) of the Competency Standards, as the case requires.

How can a PLT provider show it has met this standard?

A PLT provider is required to assess whether or not a student has achieved each of the learning outcomes specified in subclause (1). The PLT provider might, for example –

- (a) require a student to keep a journal which records activities undertaken by the student during workplace training, and the student's reflections on those activities;
- (b) assess the content of the journal and the quality of the workplace experience undertaken by the student;
- (c) require a report from the relevant supervisor on the activities undertaken by the student, and the supervision the student received;
- (d) monitor the activities of both supervisors and students in undertaking workplace experience.

6 SUPERVISION OF WORKPLACE EXPERIENCE

A PLT provider must not approve workplace experience for a student unless it is satisfied that –

- (a) before the workplace experience commences, the student will have been instructed how to make the most of available supervision during workplace experience and how to obtain feedback on the student's performance;
- (b) the student will be appropriately supervised throughout the period of workplace experience; and
- (c) any person supervising the student –
 - i. is admitted to the legal profession; and
 - ii. has substantial experience in practising law; and
 - iii. is currently practising law; and
 - iv. is currently of good standing in the legal profession.

How can a PLT provider show it has met this standard?

A PLT provider will need to be able to demonstrate that –

- (a) it arranges properly to brief host organisations and proposed supervisors about the purpose of a student's workplace experience; and of the PLT provider's expectations about the nature of supervision required; and
- (b) it requires a potential supervisor to acknowledge that the person –
 - (i) has been informed about the PLT provider's expectations about the nature of supervision required; and
 - (ii) has each of the attributes referred to in paragraph 6(c) above.

A PLT provider might also demonstrate that –

- (a) it arranges for students and host organisations to enter into training contracts setting out mutual undertakings about workplace experience;
- (b) it provides written or web-based resources for host organisations, supervisors and students relating to expectations about their respective roles in offering, supervising and undertaking workplace experience.

7 TIMING AND DURATION OF WORKPLACE EXPERIENCE

1. 15 days of workplace experience, as specified in clauses 4(1)(a)(ii) and 4.1(b)(ii) of the Competency Standards, is the **minimum requirement**.
2. A PLT provider may require a student, as part of a PLT course, to undertake more than the minimum requirement of workplace experience (**additional requirement**).
3. A student must undertake the minimum requirement –
 - (a) within Australia; and
 - (b) concurrently with or after completing the programmed training of the PLT course.
4. On or after 1 July 2018, a student may only obtain credit for the minimum requirement if the student undertakes no less than –
 - (a) 2 full days of workplace experience per week; or
 - (b) 4 x 4 hour sessions of workplace experience per week.
5. A student may undertake any additional requirement –
 - (a) within Australia; or

- (b) with the permission of the PLT provider, outside Australia.
- 6. A PLT provider may grant credit towards any additional requirement of workplace experience for any workplace experience acquired by a student up to 2 calendar years before the student commences programmed training for a PLT course, if the workplace experience was acquired –
 - (a) while the student was enrolled in an academic law course accredited for professional admission purposes by an Australian Admitting Authority ; and
 - i. as part of a clinical education program, internship or externship program of that law course; or
 - ii. in a legal office or during supervised placement in a law or law- related workplace; or
 - (b) after the student has completed an academic law course, but before the student commences programmed training for a PLT course.
- 7. A PLT provider may grant credit towards either or both of the minimum requirement and any additional requirement of workplace experience for any workplace experience acquired by a student up to 2 calendar years after the student has completed the programmed training component of a PLT course.

8 QUALITY OF WORKPLACE EXPERIENCE

A PLT provider must not approve workplace experience for a student unless it is satisfied that the student will receive appropriate legal or law-related work that includes most or all of the following –

- (a) significant interaction with external or in-house clients;
- (b) drafting documents;
- (c) legal research;
- (d) using a file management system.

How can a PLT provider show that it has met this standard?

A PLT provider will need to be able to demonstrate that –

- (a) it arranges properly to brief host organisations and proposed supervisors about the purpose of a student's workplace experience; and of the PLT provider's expectations about the nature of the work that a student will experience;
- (b) it has a system for checking with a student about the nature and quality of work the student is receiving during workplace experience;
- (c) it has a system for advising a host organisation or supervisor of any concerns about the quality of work being assigned to a student.

A PLT provider might also demonstrate that –

- (a) it arranges for students and host organisations to enter into training contracts setting out mutual undertakings about workplace experience;
- (b) it provides written or web-based resources for host organisations, supervisors and students relating to expectations about their respective roles in offering, supervising and undertaking workplace experience.

9 SUBSTITUTION OF PROGRAMMED TRAINING FOR WORKPLACE EXPERIENCE

- (1) A PLT provider that conducts a PLT course which normally would require a student to undertake workplace experience that substantially exceeds the minimum requirement, may permit a student to undertake more programmed training than would normally be required, instead of part of the additional requirement of workplace experience.
- (2) The PLT provider must determine and apply a maximum number of days of workplace experience for which programmed training may be substituted under subclause (1).
- (3) The PLT provider must not fix a maximum number of days under subclause (2) that could have the effect of significantly detracting from the duration or quality of workplace experience –
 - (a) which that PLT course was initially designed to require; and
 - (b) which was nominate in the PLT provider's application to an Admitting Authority for accreditation or reaccreditation.
- (4) A PLT provider must not allow a student to undertake additional programmed learning pursuant to subclause (1) unless the student has previously completed the minimum requirement of workplace experience.
- (5) Additional programmed training referred to in subclause (1) must comprise coursework activities designed to enhance a student's skills in clinical legal practice or practice management.

10 HOW WORKPLACE EXPERIENCE MAY BE ACCUMULATED

A PLT provider must not approve workplace experience for a student unless it is satisfied that the student will undertake not less than –

- (a) 1 full day of workplace experience per week; or
- (b) 2 x 4-hour sessions of workplace experience per week, throughout the whole period of workplace experience.

LAW ADMISSIONS CONSULTATIVE COMMITTEE⁵

Disclosure Guidelines for Applicants for Admission to the Legal Profession

⁵ LACC'S Charter is approved by the Council of Chief Justices which also appoints its Chairman. LACC is not, however, a committee of the Council, nor does it act on the Council's behalf.

CAUTION:

The Appendix to this document refers to legislation which applies in New South Wales and Victoria. Every other Admitting Authority may need to make minor adjustments to this document accurately to reflect variations in both the legislation and admission arrangements in that jurisdiction.

Applicants are therefore advised to consult any version of the attached Guidelines approved by the Admitting Authority in the jurisdiction in which admission is sought.

1 PURPOSES OF THESE GUIDELINES

As an applicant for admission, you need to satisfy your Admitting Authority that you are “a fit and proper person” to be admitted to the legal profession.⁶ In all jurisdictions other than South Australia, the relevant legislation also requires the Admitting Authority to consider whether you are currently “of good fame and character”.⁷ Each of these tests reflects the overarching requirements of the pre-existing common law.

⁶ *Legal Practitioners Act 1981* (SA) section 15(1)(a); *Legal Profession Act 2006* (ACT) section 26(2)(b); *Legal Profession Act 2006* (NT) section 25(2)(b); *Legal Profession Act 2007* (Qld) section 35(2)(a)(ii); *Legal Profession Act 2007* (Tas) section 31(6)(b); *Legal Profession Act 2008* (WA) section 26(1)(a)(ii); *Legal Profession Uniform Law* (NSW & Vic) section 17(1)(c)

⁷ *Legal Profession Act 2006* (ACT) section 11(1)(a); *Legal Profession Act 2006* (NT) section 11(1)(a); *Legal Profession Act 2007* (Qld) section 9(1)(a); *Legal Profession Act 2007* (Tas) section 9(1)(a); *Legal Profession Act 2008* (WA) section 8(1)(a); *Uniform Admission Rules 2015* (NSW & Vic) rule 10(1)(f).

The purposes of these Guidelines are -

- (a) to emphasise that Admitting Authorities and Courts place a duty and onus squarely on you to disclose to your Admitting Authority any matter that could influence its decision about whether you are “currently of good fame and character” and “a fit and proper person”;
- (b) to explain that, when you do make a disclosure, you must do so honestly and candidly, and be full and frank in what you say; and
- (c) to remind you that failure to do so, if subsequently discovered, can have catastrophic consequences. You might either be refused admission, or struck off the roll, if you have been admitted without making a full disclosure.

There are many judicial explanations of what the phrase “fit and proper person” means in different contexts. For example -

The requirement for admission to practice (*sic*) law that the applicant be a fit and proper person, means that the applicant must have the personal qualities of character which are necessary to discharge the important and grave responsibilities of being a barrister and solicitor. A legal practitioner, upon being admitted to practice, assumes duties to the courts, to fellow practitioners as well as to clients. At the heart of all of those duties is a commitment to honesty and, in those circumstances when it is required, to open candour and frankness, irrespective of self-interest or embarrassment. The entire administration of justice in any community which is governed by law depends upon the honest working of legal practitioners who can be relied upon to meet high standards of honesty and ethical behaviour. It is the legal practitioner who is effectively the daily minister and executor in the administration of justice when advising clients, acting for clients, certifying documents, and making presentations to courts, governments, other professionals, and so on. The level and extent of trust placed in what legal practitioners say or do is necessarily high and the need for honesty is self-evident and essential.⁸

⁸ *Frugmiet v Board of Examiners* [2002] VSC 140 per Pagone, J.

2 STATUS OF THESE GUIDELINES

These Guidelines do not, and cannot, diminish or supplant in any way your personal duty to disclose any matter which may bear on your fitness for admission. They merely provide information about how Admitting Authorities approach the requirement of disclosure. They also give examples of matters which you might otherwise overlook when deciding what to disclose.

The examples given are not, and could not be, comprehensive or exhaustive. You must disclose any matter which is or might be relevant to your fitness, whether or not that matter is mentioned in these Guidelines. Please err on the side of disclosing, rather than concealing, information that might turn out to be relevant in the eyes of an Admitting Authority.

3 RELEVANT PRINCIPLES

Your Admitting Authority will apply the following principles when determining your fitness for admission.

- (a) The onus is squarely on you to establish your fitness.
- (b) The statutory test is cast in the present tense – whether you are “currently of good fame and character” and, except in South Australia, whether an applicant “is a fit and proper person”. Your past conduct, though relevant, is therefore not decisive.
- (c) The honesty and candour with which you make any disclosure is relevant when determining your present fitness. High standards are applied in assessing honesty and candour. Full and frank disclosure is essential - although in most circumstances your disclosure of past indiscretions will not result in you being denied admission.
- (d) Your present understanding and estimation of your past conduct at the time you make your application is relevant.
- (e) Any disclosure you make that may be relevant to whether you are currently able to carry out the inherent requirements of practice is confidential.

4 WHAT YOU NEED TO DISCLOSE

Your duty is to disclose any matter that might be relevant to your Admitting Authority considering whether you are currently of good fame and character and are a fit and proper person for admission to the legal profession.

This means that you *must* state whether any of the matters set out in **Appendix 1** applies to you. Your Admitting Authority has a statutory duty to have regard to each of those matters when considering your application.

But you also need to disclose any *other* matter that might be relevant to your Admitting Authority's decision about whether you are a fit and proper person for admission. Courts now clearly consider that you must disclose any matters relevant to the assessment of your honesty.

Unfortunately it is not possible to provide you with an exhaustive list of everything that might turn out to be relevant to assessing whether you are currently of good fame and character, or a fit and proper person for admission - and which you should therefore disclose.

Generally, however, your duty is to disclose *any* matter which does or might reflect negatively on your honesty, candour, respect for the law or ability to meet professional standards. You need to provide a full account of any such matter, including a description of your conduct (whether acts or omissions).

Avoid editing, or just selecting those matters that *you* believe *should* be relevant to your Admitting Authority's decision. Rather, you need to fully disclose every matter that might fairly assist the Admitting Authority or a Court in deciding whether you are a fit and proper person.

Revealing more than might strictly be necessary counts in favour of an applicant - especially where the disclosure still carries embarrassment or discomfort. Revealing less than may be necessary distorts the proper assessment of the applicant and may itself show an inappropriate desire to distort by selecting and screening relevant facts.⁹

⁹ *Frugniet v Board of Examiners* [2002] VSC 140, per Pagone J.

You will find a list of helpful dos and don'ts in item 6 below to help you decide how to frame any disclosure you need to make. Item 8 also includes further information about disclosures about your capacity.

Note that if you don't disclose anything, you must include the following statement in your application -

I have read and understood the Disclosure Guidelines for Applicants for Admission to the Legal Profession. I am and always have been of good fame and character and am a fit and proper person to be admitted and I have not done or suffered anything likely to reflect adversely on my good fame and character or on whether I am a fit and proper person. I am not aware of any matter or circumstance that might affect my suitability to be admitted as an Australian lawyer and an officer of the Court.

5 SOME EXAMPLES

The following are examples of matters which you may need to disclose in addition to the matters set out in **Appendix 1**.

(a) Social security overpayments or offences

You should disclose any overpayment to you of any kind of Centrelink or social security entitlements at any time, or for any reason, whether or not you have already repaid the relevant amount; or whether or not you have been prosecuted in relation to the overpayment.

(b) Academic misconduct

You should disclose any academic misconduct. You would be wise to disclose such conduct, whether or not a formal finding was made or a record of the incident retained by the relevant organisation.

Academic misconduct includes, but is not limited to, plagiarism, impermissible collusion, cheating and any other inappropriate conduct, whereby you have sought to obtain an academic advantage either for yourself or for some other person.

(c) Inappropriate or criminal conduct

You may also need to disclose general misconduct which occurred, say, in your workplace, educational institution, volunteer position, club, association or in other circumstances, if such conduct may reflect on whether you are a fit and proper person to be admitted to the legal profession. This is so, even if the misconduct does not directly relate to your ability to practise law.

General misconduct may include, but is not limited to, offensive behaviour, workplace or online bullying, property damage, sexual harassment or racial vilification.¹⁰

¹⁰ By way of illustration, in *XY v Board of Examiners* [2005] VSC 250, Habersberger, J found that an applicant was under a duty to disclose that a volunteer position had been terminated as a result of making offensive remarks to a fellow worker and that she was also required to disclose property damage she had caused at a meditation retreat, notwithstanding that charges were not

You also need to disclose any misconduct relating to dishonesty on your part, whether or not that conduct may have amounted to an offence; and whether or not you were charged with, or convicted of an offence. This includes conduct that involved misappropriating any sort of property in any way, or making false or misleading statements of any kind.

You should disclose any criminal conviction for any offence whatsoever.

You may also need to disclose any criminal *charge*, as distinct from a criminal conviction - even if the charge was subsequently withdrawn or you were acquitted. This will, however, depend on the circumstances. If the charge did not proceed for a technical reason, such as the expiration of a time limit, you should disclose it.

On the other hand, if the charge was denied and the matter did not proceed because of an acknowledged lack of evidence, you need not disclose it, unless your underlying conduct itself warrants disclosure. You should carefully consider whether the facts giving rise to a criminal charge might reasonably be regarded as relevant when assessing your suitability for admission.

You should also carefully consider whether it might be prudent to disclose an offence, even if spent convictions legislation applies to that offence. Where spent convictions legislation does not apply, you should declare any offence of which you have been convicted.

At the other end of the scale, if you had dealings with police as a juvenile, such as being warned for drinking alcohol, it is likely that your Admitting Authority would regard the matter as minor and you would not need to disclose it.

(d) Intervention orders and apprehended violence orders

(e) Infringement or traffic offences

You may need to declare offences resulting in a court-ordered fine or other sanction or even an administrative penalty, such as traffic or public transport offences. This is certainly necessary if the frequency or number of fines, or your failure to pay fines, could give rise to concern about your respect for the law.

(f) Making a false statutory declaration

(g) Tax Offences

(h) Corporate insolvency, penalties or offences

You may need to disclose any instances of insolvency, offences or penalties relating to any company or organisation of which you were a director or responsible officer at the time.

6 DOS AND DON'TS

A number of recent cases consider the over-arching obligation to be candid and honest when making a full and frank disclosure of something you choose to disclose. The following dos and don'ts emerge from those cases.

- (a) You need to make sure that what you tell the Admitting Authority is completely accurate.

- (b) Check the relevant facts to ensure that your statement cannot be misleading. If necessary, check those facts with third parties who know about them.
- (c) Even if the matter you are disclosing seems to you to be relatively minor, you must provide full and frank details to the Admitting Authority. You need to include all matters that could be relevant to your Admitting Authority's assessment.
- (d) You must do this when you first make your disclosure. Don't wait for the Admitting Authority to ask you for further information.
- (e) Failing to make a full and frank disclosure first up may show that you do not fully understand the honesty and candour that a legal practitioner must demonstrate – even if you didn't intend to mislead or conceal information.
- (f) This failure, alone, may show that you are not yet a fit and proper person to be admitted.
- (g) If you deliberately or recklessly misrepresent or conceal facts relevant to your disclosure, you may not be admitted.
- (h) If you are admitted after deliberately or recklessly concealing facts relevant to your disclosure, your admission may well be revoked once your deception is uncovered.
- (i) Make sure that you give the Admitting Authority as much information about the circumstances of the event you are disclosing as will allow it to assess the gravity of the event for itself.
- (j) Give a full picture of the events and a thorough explanation of your conduct.
- (k) Views can differ about what level of detail is sufficient to demonstrate honesty, candour and full and frank disclosure. The Admitting Authority's view may be different from yours. If in doubt, it may be wise to give more, rather than less, information.
- (l) Don't seek to minimise your culpability; to deflect blame onto others; or to conceal information that may be unfavourable to you.
- (m) Try to show the Admitting Authority that you have insight into why and how the event occurred; that you take full responsibility for it; and why the Admitting Authority can be satisfied that you will not do similar things in the future.
- (n) It is not enough simply to express remorse. Because your fitness to practise is assessed at the time you make your application, you need to show the Admitting Authority that what you have done to redeem yourself, or to rehabilitate yourself since the event occurred.
- (o) You may need to produce independent evidence from others to show that you are now a fit and proper person. Your own assertions may not be enough.
- (p) If you can show the Admitting Authority the active steps you have taken to rehabilitate yourself, this may demonstrate that you have appreciated the gravity of your conduct; have accepted responsibility for it; have taken steps to rehabilitate yourself; and understand the obligation of honesty, candour and full and frank disclosure.
- (q) If, however, your past conduct was very serious or involved extreme dishonesty, it may be hard to convince an Admitting Authority that you are a fit and proper person to be admitted.

7 CERTIFICATES OF CHARACTER

Please also note that any person who supplies a certificate of character to support an application -

- (a) must be aware of, and have actually read, any disclosure you make of the type mentioned above; and
- (b) must attest to those facts in the person's certificate of character.

Because of the privacy implications of disclosures about your capacity, a person who supplies a certificate of character need not be aware of any disclosure you have made about your capacity: see item 8.

8 DISCLOSURES ABOUT CAPACITY

(1) What the law says

An Admitting Authority is also required to consider whether, at the time of making your application, you are able to carry out the inherent requirements of legal practice.

The requirement of capacity is separate and distinct from the requirement to be a fit and proper person or of good fame and character.

The Legal Profession Acts and Admission Rules variously describe matters relating to an applicant's capacity about which an Admitting Authority must satisfy itself, in the following ways -

- (a) whether the person is currently unable satisfactorily to carry out the inherent requirements of practice as an Australian legal practitioner;¹¹

¹¹ *Legal Profession Act 2006* (ACT) section 11(m); *Legal Profession Act 2004* (NSW) section 9(m); *Legal Profession Act 2007* (Qld) section 9(1)(m); *Legal Profession Act 2007* (Tas) section 9(m); Uniform Admission Rules 2015 (NSW & Vic) rule 10(1)(k).

- (b) whether the person is currently unable to carry out the inherent requirements of practice as an Australian legal practitioner;¹²

¹² *Legal Profession Act 2008* (WA) section 8(m).

- (c) whether the person currently has a material inability to engage in legal practice.¹³

¹³ *Legal Profession Act 2006* (ACT) section 22(2); *Legal Profession Act 2006* (NT) section 30(1)(b); *Legal Profession Act 2007* (Tas) section 26(1)(b); *Legal Profession Act 2004* (Vic) section 2.3.3(1)(b); *Legal Profession Act 2008* (WA) section 22(1)(b). Section 31(2)(b) of the *Legal Profession Act 2007* (Qld) and section 17(2)(a) of the *Legal Profession Uniform Law* (NSW & Vic) are in similar, though not identical, terms.

Further, in deciding whether you are a fit and proper person, most Admitting Authorities also have power to have regard to any other matter it considers relevant, in addition to each of the matters particularly prescribed by legislation.¹⁰

Your precise obligation thus depends on the relevant legislation in the jurisdiction in which you seek admission.

Note, however, that apart from making disclosures which respond to the particular legislative requirement relevant to your capacity, it would be sensible for you to disclose any other matters which an Admitting Authority might think relevant when assessing your current capacity to engage in legal practice.

(2) **What your Admitting Authority does**

Your Admitting Authority has a positive, encouraging approach to people seeking admission who experience mental, physical or other health conditions or disabilities. It wishes to ensure that such people are assisted, encouraged and supported to seek admission and to engage in legal practice.

It encourages people to seek medical or psychological help before seeking admission and, indeed, whenever they feel the need. Willingness to seek help counts in one's favour.

Seeking early help can both demonstrate appropriate insight into one's condition or disability and also avert the risk of conduct that could become relevant to one's suitability for admission. Seeking psychological or medical help will not, of itself, prejudice one's ability to be admitted. Similarly, telling the Admitting Authority about the circumstances underlying the help received will not, of itself, prejudice one's ability to be admitted. On the contrary, it may show that one has appropriate strategies to deal with any stresses that arise in the course of legal practice; and that any former difficulties have been overcome.

If you happen to have, or to have experienced in the past, a mental, physical or other health condition or disability -

- (a) you are encouraged to obtain medical or psychological help if you feel you need it; and
- (b) that condition or disability, or the fact that you have sought or are obtaining help, will not necessarily prejudice your application for admission; but
- (c) your Admitting Authority is likely to consider that any behaviour or conduct arising from, or attributable to, that condition or disability is relevant, and should therefore be disclosed.

Your Admitting Authority's task is to determine if you are *currently* able to carry out the inherent requirements of practice. It will do this in the light of any disclosures you make and any supporting information you choose to provide.

Any mental, physical or other health condition or disability which you have, or may have had in the past, will only be relevant if it affects your current ability to carry out the inherent requirements of practice.

Except for the purposes of the administration of its relevant legislation, or as otherwise required by law, your Admitting Authority will not disclose to others (including any prospective employer) any personal or medical evidence that you disclose to it. In order to further protect your privacy, you may make any disclosure about your capacity in a separate statutory declaration lodged with your application.

(3) **When a health condition may be relevant**

- (a) Very occasionally, the mere existence of a health condition or disability may directly affect your current ability to carry out the inherent requirements of practice. For example, if you earlier had a car accident, or an illness, that means you are no longer able to remember instructions which you are given, you may not currently be able to carry out the inherent requirements of practice. You need to disclose any such difficulties to your Admitting Authority.
- (b) Sometimes your past conduct (whether by act or omission) might raise questions about whether you are currently able to carry out the inherent requirements of practice. Repeated instances of certain conduct might cast doubt on your insight, or on your ability to make sound judgments. You need to disclose any such conduct to your Admitting Authority.
- (c) If you think that conduct might be wholly or partly explained by, or associated with, some physical, mental or other health condition or disability (whether diagnosed or not), you can choose to disclose that condition or disability; and may provide any supporting medical evidence that you think might assist your Admitting Authority to decide whether you are currently able to carry out the inherent requirements of practice. Such information may well explain the reasons underlying your conduct; and demonstrate that the underlying cause has been effectively dealt with or appropriately managed.

If you seek to demonstrate that your condition or disability is appropriately managed and stable, a certificate to that effect from one or more of your treating medical practitioners would greatly assist your Admitting Authority.

(4) **Examples**

The following examples are merely indicative illustrations. An Admitting Authority responds to the particular circumstances of each application. The examples cannot thus be considered as binding on an Admitting Authority.

- (1) S found first year law very difficult. She wasn't prepared for the work required, and found it hard to meet all deadlines. As she had always done well at school, she was surprised that her law school marks were always bare passes. She became anxious about her capacity, and questioned whether she should be doing law.

On the recommendation of a lecturer, she attended the University's counselling service. The counsellor helped her to recognise the causes of her anxiety; advised her how to manage those causes; and recommended that she should attend a mindfulness course. After working with the counsellor, and undertaking the mindfulness course, S still felt stressed about law school. Having learned how to manage her stress appropriately, however, she successfully completed her law course and PLT course.

S would not need to disclose these circumstances to her Admitting Authority.

- (2) P comes from a family with a history of severe depression and has suffered depression for many years, attempting suicide on several occasions. He managed to get through his law course with difficulty, often requiring substantial special consideration to complete assessments and examinations. He has completed an on-line PLT course, but his depression persists. It severely affects his ability to engage in daily activities; and he often finds that he is unable to get out of bed in the morning.

P would need to disclose his difficulties to his Admitting Authority, as they raise questions about whether he is *currently* able to carry out the inherent requirements of practice. Disclosing his condition to the Admitting Authority does not necessarily mean that he would not be admitted, however. The Admitting Authority would probably wish to know whether, and if so how, his present difficulties might be overcome or managed. It would be sensible for P to answer these questions in his initial disclosure, rather than waiting to be asked for further information by the Admitting Authority.

- (3) M enjoyed the early years of his law course and was doing well. In his third year, however his mother was diagnosed with a serious illness and died late in the year. M was her primary care-giver during her illness and was devastated by her death. He failed several subjects that year, because of the stress of nursing his mother and his inability to talk about his circumstances with others, and obtained special consideration.

Subsequently, however, he became depressed and stopped attending law school. He consulted his GP who diagnosed depression and assisted him to undertake a series of treatments. M found that a combination of medication and counselling helped him regain his equilibrium. He re-enrolled and successfully completed both law and a PLT course. He no longer requires either medication or counselling.

M would not need to disclose these circumstances to his Admitting Authority.

- (4) During his law course, T developed delusions that his teachers were conspiring to have him removed from the law school. He wrote angry, hostile emails to law school and university staff, and alleged serious misconduct and mistreatment on their part to a number of authorities.

When several internal University investigations found no proof of his allegations, he became convinced that the conspiracy was widespread. Several University disciplinary actions followed in response to his behaviour, one of which referred him to his GP who, in turn, referred him to a specialist who diagnosed paranoid schizophrenia.

T would need to disclose the activities which preceded his reference to his GP. Given the seriousness of his diagnosis, it would also be prudent for T to declare that condition and how it is being treated and managed, as each of these matters reflect on whether he is *currently* able to carry out the inherent requirements of practice.

Disclosing his condition and treatment to the Admitting Authority does not necessarily mean that he would not be admitted, however. The Admitting Authority would need to know whether, and if so how, his present difficulties are being overcome or managed.

9 MATTERS PRESCRIBED BY LEGAL PROFESSION LEGISLATION

You must disclose any matter relevant to an applicant's suitability that is prescribed by legislation relating to the legal profession in the jurisdiction where you seek admission. The matters prescribed for Victoria [*Insert name of relevant jurisdiction*] are set out in **Appendix 1**.

10 FORM OF DISCLOSURE

Any disclosure which you are required to make must be included either in your statutory declaration applying for a compliance certificate or, in the case of a disclosure about capacity, in a supplementary statutory declaration, if you prefer. To corroborate your disclosures, you should make any available supporting document an exhibit to your statutory declaration.

APPENDIX 1 OF DISCLOSURE GUIDELINES FOR APPLICANTS FOR ADMISSION

Prescribed Matters Relating to Suitability for Admission

[This Appendix must set out the particular matters relating to an applicant's suitability for admission prescribed by or under legislation relating to the legal profession in the relevant jurisdiction in which these guidelines are issued. The following example is from the Legal Profession Uniform Admission Rules 2015, rule 10, which applies in New South Wales and Victoria.]

As noted in items 4 and 8 of the Guidelines, your Admitting Authority is required to satisfy itself about each of the following matters. Accordingly you need to disclose anything that your Admitting Authority might consider relevant when satisfying itself about each of these matters.

- (1) For the purposes of section 17(2)(b) of the Law, the following matters are specified as matters to which the Board must have regard –
- a. any statutory declaration as to the person's character, referred to in rule 16;
 - b. any disclosure or statement made by the person under rule 17;
 - c. any police report provided under rule 18;
 - d. any academic conduct report provided under rule 19;
 - e. any certificate of good standing provided under rule 20;
 - f. whether the person is currently of good reputation and character;
 - g. whether the person is or has been a bankrupt or subject to an arrangement under Part 10 of the **Bankruptcy Act 1966** of the Commonwealth or has been an officer of a corporation that has been wound up in insolvency or under external administration;
 - h. whether the person has been found guilty of an offence including a spent offence in Australia or in a foreign country, and if so –
 - (i) the nature of the offence; and
 - (ii) how long ago the offence was committed; and
 - (iii) the person's age when the offence was committed;
 - i. whether the person has been the subject of any disciplinary action, howsoever expressed, in any profession or occupation in Australia or in a foreign country;
 - j. whether the person has been the subject of disciplinary action, howsoever expressed, in another profession or occupation that involved a finding adverse to the person;
 - k. whether the person is currently unable to satisfactorily carry out the inherent requirements of practice as an Australian legal practitioner;
 - l. whether the person has a sufficient knowledge of written and spoken English to engage in legal practice in this jurisdiction.

Dated: 27 August 2018

C J KOURAKIS
Chief Justice

NORTHERN AREAS COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

Road Closing - Palmer Road, Beetaloo Valley

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the Northern Areas Council proposes to make a Road Process Order to close the whole of the Public Road situated between Sections 132, 133, 149, 150, 151, 168, 169, 171 and 172 Hundred of Howe and merge with the adjoining said Sections, more particularly delineated and lettered 'A', 'B', 'C', 'D' and 'E' on Preliminary Plan 18/0027.

The Preliminary Plan and Statement of Persons Affected are available for public inspection at the office of the Council at 94 Ayr Street, Jamestown and the Adelaide Office of the Surveyor-General during normal office hours. The Preliminary Plan can also be viewed at www.sa.gov.au/roadsactproposals

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons. The application for easement or objection must be made in writing to the Council at PO Box 120, Jamestown SA 5491 WITHIN 28 DAYS OF THIS NOTICE and a copy must be forwarded to the Surveyor-General at GPO Box 1354, Adelaide 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

COLIN BYLES
Chief Executive Officer

NORTHERN AREAS COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

Road Closing - Public Road (adjacent Young Road), Beetaloo Valley

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the Northern Areas Council proposes to make a Road Process Order to close the whole of the Public Road situated adjacent Sections 103, 104 and 105 Hundred of Howe and merge with the adjoining Section 103, more particularly delineated and lettered 'A' on Preliminary Plan 18/0029.

The Preliminary Plan and Statement of Persons Affected are available for public inspection at the office of the Council at 94 Ayr Street, Jamestown and the Adelaide Office of the Surveyor-General during normal office hours. The Preliminary Plan can also be viewed at www.sa.gov.au/roadsactproposals

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COLIN BYLES
Chief Executive Officer

NORTHERN AREAS COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

Road Closing - Public Road (between Gladstone-Beetaloo Road and Clogg Road), Beetaloo Valley

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the Northern Areas Council proposes to make a Road Process Order to close the whole of the Public Road situated adjacent Sections 159, 160 and 161 Hundred of Howe and merge with the adjoining said Sections, more particularly delineated and lettered 'A', 'B' and 'C' respectively on Preliminary Plan 18/0028.

The Preliminary Plan and Statement of Persons Affected are available for public inspection at the office of the Council at 94 Ayr Street, Jamestown and the Adelaide Office of the Surveyor-General during normal office hours. The Preliminary Plan can also be viewed at www.sa.gov.au/roadsactproposals

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COLIN BYLES
Chief Executive Officer

LOCAL GOVERNMENT (ELECTIONS) ACT 1999

Local Government Elections—Nominations Open

Nominations to be a candidate for election as a member of Council will be received from Tuesday 4 September until 12 noon Tuesday 18 September 2018. Eligible candidates to any of the positions listed below must submit a profile of not more than 150 words with their nomination form and may also provide a photograph, predominantly head and shoulders, taken within the previous 12 months.

Council nomination information is set out below.

Dated: 30 August 2018

M. SHERRY
Returning Officer

CORPORATION OF THE CITY OF ADELAIDE

Vacancies:

- 1 Vacancy - Lord Mayor
- 4 Vacancies - Area Councillor
- 2 Vacancies - Councillor for North Ward
- 3 Vacancies - Councillor for Central Ward
- 2 Vacancies - Councillor for South Ward

Nomination kits are available from:
Customer Service Centre
25 Pirie St, Adelaide
Phone: 8203 7203

ADELAIDE HILLS COUNCIL

Vacancies:

- 1 Vacancy - Mayor
- 7 Vacancies - Councillor for Ranges Ward
- 5 Vacancies - Councillor for Valleys Ward

Nomination kits are available from:
Customer Service
Coventry Library
63 Mt Barker Rd, Stirling
Phone: 8408 0400

A briefing session for intending candidates will be held at:
7.00 pm on Monday 3 September
Council Chambers
63 Mt Barker Rd, Stirling

ADELAIDE PLAINS COUNCIL

Vacancies:

- 1 Vacancy - Mayor
- 3 Vacancies - Councillor for Mallala/Dublin Ward
- 3 Vacancies - Councillor for Two Wells Ward
- 3 Vacancies - Councillor for Lewiston Ward

Nomination kits are available from:
Council Office
2A Wasleys Rd, Mallala
Phone: 8527 0200

Two Wells Service Centre
69 Old Port Wakefield Rd, Two Wells

A briefing session for intending candidates will be held at:
6.00 pm on Monday 3 September
Council Chambers
Redbanks Rd, Mallala

ALEXANDRINA COUNCIL

Vacancies:

- 1 Vacancy - Mayor
- 1 Vacancy - Councillor for Nangkita Kuitpo Ward
- 2 Vacancies - Councillor for Strathalbyn Ward
- 2 Vacancies - Councillor for Angas Bremer Ward
- 2 Vacancies - Councillor for Port Elliot Middleton Ward
- 4 Vacancies - Councillor for Goolwa Hindmarsh Island Ward

Nomination kits are available from:
Council Office
11 Cadell St, Goolwa
Phone: 8555 7000

Strathalbyn Library
1 Colman Tce, Strathalbyn

A briefing session for intending candidates will be held at:
6.00 pm on Wednesday 5 September
Council Chambers
11 Cadell St, Goolwa

6.00 pm on Tuesday 11 September
Strathalbyn Library
1 Colman Tce, Strathalbyn

THE BAROSSA COUNCIL

Vacancies:

- 1 Vacancy - Mayor
- 11 Vacancies - Area Councillor

Nomination kits are available from:
Nuriootpa Council Office
43-51 Tanunda Rd, Nuriootpa
Phone: 8563 8444

Lyndoch Council Branch Office
29 Barossa Valley Way, Lyndoch

Mount Pleasant Council Branch Office
130-132 Melrose St, Mount Pleasant

BARUNGA WEST COUNCIL**Vacancies:**

9 Vacancies - Area Councillor

Nomination kits are available from:Council Office
11 Bay St, Port Broughton
Phone: 8635 2107Council Branch Office
Railway Tce, Bute**A briefing session for intending candidates will be held at:**7.00 pm on Wednesday 5 September
Council Chambers
11 Bay St, Port Broughton

BERRI BARMERA COUNCIL**Vacancies:**

1 Vacancy - Mayor

8 Vacancies - Area Councillor

Nomination kits are available from:Council Office
19 Wilson St, Berri
Phone: 8582 1922Barmera Council Office
Barwell Ave, Barmera

CITY OF BURNSIDE**Vacancies:**

1 Vacancy - Mayor

2 Vacancies - Councillor for Beaumont Ward

2 Vacancies - Councillor for Burnside Ward

2 Vacancies - Councillor for Eastwood and Glenunga Ward

2 Vacancies - Councillor for Kensington Gardens and Magill Ward

2 Vacancies - Councillor for Kensington Park Ward

2 Vacancies - Councillor for Rose Park and Toorak Gardens Ward

Nomination kits are available from:Customer Service Centre
Civic Centre
401 Greenhill Rd, Tasmore
Phone: 8366 4200**A briefing session for intending candidates will be held at:**7.00 pm on Thursday 6 September
Council Chamber
Civic Centre
401 Greenhill Rd, Tasmore

CITY OF CAMPBELLTOWN**Vacancies:**

1 Vacancy - Mayor

2 Vacancies - Councillor for Hectorville Ward

2 Vacancies - Councillor for Gorge Ward

2 Vacancies - Councillor for Newton Ward

2 Vacancies - Councillor for River Ward

2 Vacancies - Councillor for Woodforde Ward

Nomination kits are available from:Council Office
172 Montacute Rd, Rostrevor
Phone: 8366 9222**A briefing session for intending candidates will be held at:**7.00 pm on Wednesday 5 September
Council Chambers
172 Montacute Rd, Rostrevor

DISTRICT COUNCIL OF CEDUNA**Vacancies:**

1 Vacancy - Mayor

8 Vacancies - Area Councillor

Nomination kits are available from:Council Office
44 O'Loughlin Tce, Ceduna
Phone: 8625 3407

CITY OF CHARLES STURT

Vacancies:

- 1 Vacancy - Mayor
- 2 Vacancies - Councillor for Semaphore Park Ward
- 2 Vacancies - Councillor for Grange Ward
- 2 Vacancies - Councillor for Henley Ward
- 2 Vacancies - Councillor for Woodville Ward
- 2 Vacancies - Councillor for West Woodville Ward
- 2 Vacancies - Councillor for Findon Ward
- 2 Vacancies - Councillor for Hindmarsh Ward
- 2 Vacancies - Councillor for Beverley Ward

Nomination kits are available from:

Civic Centre
72 Woodville Rd, Woodville
Phone: 8408 1111

A briefing session for intending candidates will be held at:

7.00 pm on Thursday 6 September
Civic Centre
72 Woodville Rd, Woodville

CLARE & GILBERT VALLEYS COUNCIL

Vacancies:

- 1 Vacancy - Mayor
- 9 Vacancies - Area Councillor

Nomination kits are available from:

Council Office
4 Gleeson St, Clare
Phone: 8842 6400

Council Office
19 Belvidere Rd, Saddleworth

DISTRICT COUNCIL OF CLEVE

Vacancies:

- 7 Vacancies - Area Councillor

Nomination kits are available from:

Council Office
10 Main St, Cleve
Phone: 8628 2004

DISTRICT COUNCIL OF COOBER PEDY

Vacancies:

- 1 Vacancy - Mayor
- 8 Vacancies - Area Councillor

Nomination kits are available from:

Council Office
Hutchison St, Coober Pedy
Phone: 8672 4600

A briefing session for intending candidates will be held at:

4.00 pm on Thursday 30 August
Council Office
Hutchison St, Coober Pedy

COORONG DISTRICT COUNCIL

Vacancies:

- 2 Vacancies - Councillor for Parks Ward
- 4 Vacancies - Councillor for Mallee Ward
- 3 Vacancies - Councillor for Lakes Ward

Nomination kits are available from:

Coorong Civic Centre
95-101 Railway Tce, Taillem Bend
Phone: 1300 785 277

A briefing session for intending candidates will be held at:

5.00-8.00 pm on Tuesday 4 September
Coorong Civic Centre
95-101 Railway Tce, Taillem Bend

COPPER COAST COUNCIL

Vacancies:

- 1 Vacancy - Mayor
- 9 Vacancies - Area Councillor

Nomination kits are available from:

Council Office
51 Taylor St, Kadina
Phone: 8828 1200

DISTRICT COUNCIL OF ELLISTON**Vacancies:**

8 Vacancies - Area Councillor

Nomination kits are available from:Council Office
21 Beach Tce, Elliston
Phone: 8687 9177Lock Post Office
9 Railway Tce, Lock

THE FLINDERS RANGES COUNCIL**Vacancies:**

1 Vacancy - Mayor

8 Vacancies - Area Councillor

Nomination kits are available from:Council Office
1 Seventh St, Quorn
Phone: 8620 0500**A briefing session for intending candidates will be held at:**5.30 pm on Tuesday 11 September
Hawker Hospital Community Room
Hawker

DISTRICT COUNCIL OF FRANKLIN HARBOUR**Vacancies:**

6 Vacancies - Area Councillor

Nomination kits are available from:Council Office
6 Main St, Cowell
Phone: 8629 2019

TOWN OF GAWLER**Vacancies:**

1 Vacancy - Mayor

10 Vacancies - Area Councillor

Nomination kits are available from:Administration Centre
43 High St, Gawler East
Phone: 8522 9211

REGIONAL COUNCIL OF GOYDER**Vacancies:**

1 Vacancy - Councillor for Hallett Ward

3 Vacancies - Councillor for Burra Ward

2 Vacancies - Councillor for Eudunda Ward

1 Vacancy - Councillor for Robertstown Ward

Nomination kits are available from:Council Office
1 Market Sq, Burra
Phone: 8892 0100Council Office
25 Bruce St, Eudunda

DISTRICT COUNCIL OF GRANT**Vacancies:**

1 Vacancy - Mayor

7 Vacancies - Councillor for Central Ward

1 Vacancy - Councillor for Tarpeena Ward

1 Vacancy - Councillor for Port MacDonnell Ward

Nomination kits are available from:Council Office
324 Commercial St West, Mount Gambier
Phone: 8721 0444Port MacDonnell Community Complex
5 Charles St, Port MacDonnell

CITY OF HOLDFAST BAY**Vacancies:**

1 Vacancy - Mayor

3 Vacancies - Councillor for Glenelg Ward

3 Vacancies - Councillor for Somerton Ward

3 Vacancies - Councillor for Brighton Ward

3 Vacancies - Councillor for Seacliff Ward

Nomination kits are available from:
Brighton Civic Centre
24 Jetty Rd, Brighton
Phone: 8229 9999

KANGAROO ISLAND COUNCIL

Vacancies:

1 Vacancy - Mayor
9 Vacancies - Area Councillor

Nomination kits are available from:
Customer Service Foyer
Council Office
43 Dauncey St, Kingscote
Phone: 8553 4500

DISTRICT COUNCIL OF KAROONDA EAST MURRAY

Vacancies:

1 Vacancy - Mayor
6 Vacancies - Area Councillor

Nomination kits are available from:
Council Office
11 Railway Tce, Karoonda
Phone: 8578 1004

DISTRICT COUNCIL OF KIMBA

Vacancies:

7 Vacancies - Area Councillor

Nomination kits are available from:
Council Administration Office
9 Cross St, Kimba
Phone: 8627 2026

A briefing session for intending candidates will be held at:
5.30 pm on Friday 31 August
Council Chambers
27 West Tce, Kimba

KINGSTON DISTRICT COUNCIL

Vacancies:

1 Vacancy - Mayor
7 Vacancies - Area Councillor

Nomination kits are available from:
Council Office
29 Holland St, Kingston SE
Phone: 8767 2033

A briefing session for intending candidates will be held at:
5.00 pm on Wednesday 12 September
Council Office
29 Holland St, Kingston SE

LIGHT REGIONAL COUNCIL

Vacancies:

1 Vacancy - Mayor
3 Vacancies - Councillor for Dutton Ward
2 Vacancies - Councillor for Light Ward
2 Vacancies - Councillor for Laucke Ward
3 Vacancies - Councillor for Mudla Wirra Ward

Nomination kits are available from:
Kapunda Council Office
93 Main St, Kapunda
Phone: 8525 3200

Freeling Council Office
12 Hanson St, Freeling

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

Vacancies:

7 Vacancies - Area Councillor

Nomination kits are available from:
Council Office
32 Railway Tce, Cummins
Phone: 8676 0400

Branch Office
38 Washington St, Port Lincoln

DISTRICT COUNCIL OF LOXTON WAIKERIE

Vacancies:

- 1 Vacancy - Mayor
- 10 Vacancies - Area Councillor

Nomination kits are available from:

Council Office
29 East Tce, Loxton
Phone: 8584 8000

Council Office
Strangman Rd, Waikerie

CITY OF MARION

Vacancies:

- 1 Vacancy - Mayor
- 2 Vacancies - Councillor for Mullawirra Ward
- 2 Vacancies - Councillor for Woodlands Ward
- 2 Vacancies - Councillor for Warracowie Ward
- 2 Vacancies - Councillor for Warriparinga Ward
- 2 Vacancies - Councillor for Coastal Ward
- 2 Vacancies - Councillor for Southern Hills Ward

Nomination kits are available from:

Administration Centre
245 Sturt Rd, Sturt
Phone: 8375 6600

A briefing session for intending candidates will be held at:

7.00 pm on Monday 3 September
Administration Centre
Council Chamber
245 Sturt Rd, Sturt

MID MURRAY COUNCIL

Vacancies:

- 1 Vacancy - Mayor
- 3 Vacancies - Councillor for Eyre Ward
- 4 Vacancies - Councillor for Shearer Ward
- 2 Vacancies - Councillor for Murray Ward

Nomination kits are available from:

Council Office
49 Adelaide Rd, Mannum
Phone: 8569 0100

Council Office
Main St, Cambrai

Morgan & Districts Community Hub
Cnr Fourth and Eighth St, Morgan

CITY OF MITCHAM

Vacancies:

- 1 Vacancy - Mayor
- 2 Vacancies - Councillor for Boorman Ward
- 2 Vacancies - Councillor for Gault Ward
- 2 Vacancies - Councillor for Overton Ward
- 2 Vacancies - Councillor for Babbage Ward
- 3 Vacancies - Councillor for Craigburn Ward
- 2 Vacancies - Councillor for The Park Ward

Nomination kits are available from:

Customer Service
Civic Centre
131 Belair Rd, Torrens Park
Phone: 8372 8888

A briefing session for intending candidates will be held at:

7.00 pm on Monday 10 September
Mayor's Parlour
Civic Centre
131 Belair Rd, Torrens Park

MOUNT BARKER DISTRICT COUNCIL

Vacancies:

- 1 Vacancy - Mayor
- 4 Vacancies - Councillor for North Ward
- 4 Vacancies - Councillor for Central Ward
- 2 Vacancies - Councillor for South Ward

Nomination kits are available from:

Local Government Centre
6 Dutton Rd, Mount Barker
Phone: 8391 7200

A briefing session for intending candidates will be held at:

7.00 pm on Wednesday 5 September
Council Chamber
Local Government Centre
6 Dutton Rd, Mount Barker

CITY OF MOUNT GAMBIER

Vacancies:

1 Vacancy - Mayor
8 Vacancies - Area Councillor

Nomination kits are available from:

Level 3
Civic Centre
10 Watson Tce, Mount Gambier
Phone: 8721 2555

DISTRICT COUNCIL OF MOUNT REMARKABLE

Vacancies:

3 Vacancies - Councillor for Telowie Ward
4 Vacancies - Councillor for Willochra Ward

Nomination kits are available from:

Council Office
3 Stuart St, Melrose
Phone: 8666 2014

THE RURAL CITY OF MURRAY BRIDGE

Vacancies:

1 Vacancy - Mayor
9 Vacancies - Area Councillor

Nomination kits are available from:

Local Government Centre
2 Seventh St, Murray Bridge
Phone: 8539 1100

A briefing session for intending candidates will be held at:

6.00 pm on Tuesday 11 September
Local Government Centre
2 Seventh St, Murray Bridge

NARACOORTE LUCINDALE COUNCIL

Vacancies:

1 Vacancy - Mayor
10 Vacancies - Area Councillor

Nomination kits are available from:

Council Office
DeGaris Pl, Naracoorte
Phone: 8760 1100

NORTHERN AREAS COUNCIL

Vacancies:

4 Vacancies - Councillor for Belalie Ward
1 Vacancy - Councillor for Broughton Ward
3 Vacancies - Councillor for Rocky River Ward
1 Vacancy - Councillor for Yackamoорundie Ward

Nomination kits are available from:

Council Office
94 Ayr St, Jamestown
Phone: 8664 1139

Gladstone Office
14 Fifth St, Gladstone

Spalding Office
Main St, Spalding

CITY OF NORWOOD PAYNEHAM & ST PETERS

Vacancies:

1 Vacancy - Mayor
2 Vacancies - Councillor for St Peters Ward
2 Vacancies - Councillor for Torrens Ward
2 Vacancies - Councillor for Payneham Ward
3 Vacancies - Councillor for Maylands/Trinity Ward
2 Vacancies - Councillor for West Norwood/Kent Town Ward
2 Vacancies - Councillor for Kensington/East Norwood Ward

Nomination kits are available from:

Norwood Town Hall
175 The Parade, Norwood
Phone: 8366 4555

CITY OF ONKAPARINGA

Vacancies:

- 1 Vacancy - Mayor
- 2 Vacancies - Councillor for South Coast Ward
- 2 Vacancies - Councillor for Mid Coast Ward
- 2 Vacancies - Councillor for Knox Ward
- 2 Vacancies - Councillor for Pimpala Ward
- 2 Vacancies - Councillor for Thalassa Ward
- 2 Vacancies - Councillor for Southern Vales Ward

Nomination kits are available from:

Council Office
Ramsay Pl, Noarlunga Centre
Phone: 8384 0666

A briefing session for intending candidates will be held at:

7.00 pm on Thursday 30 August
Noarlunga Office
Ramsay Pl, Noarlunga Centre

DISTRICT COUNCIL OF ORROROO CARRIETON

Vacancies:

- 6 Vacancies - Area Councillor

Nomination kits are available from:

Council Office
17 Second St, Orroroo
Phone: 8658 1260

DISTRICT COUNCIL OF PETERBOROUGH

Vacancies:

- 1 Vacancy - Mayor
- 8 Vacancies - Area Councillor

Nomination kits are available from:

Council Office
108 Main St, Peterborough
Phone: 8651 3566

CITY OF PLAYFORD

Vacancies:

- 1 Vacancy - Mayor
- 3 Vacancies - Councillor for Ward 1
- 3 Vacancies - Councillor for Ward 2
- 3 Vacancies - Councillor for Ward 3
- 3 Vacancies - Councillor for Ward 4
- 3 Vacancies - Councillor for Ward 5

Nomination kits are available from:

Customer Care Centre
Playford Civic Centre
10 Playford Blvd, Elizabeth
Phone: 8256 0333

A briefing session for intending candidates will be held at:

7.00 pm on Tuesday 4 September
Council Chambers
Playford Civic Centre
10 Playford Blvd, Elizabeth

7.00 pm on Wednesday 5 September
Virginia Horticulture Centre
Old Port Wakefield Rd, Virginia

7.00 pm on Thursday 6 September
One Tree Hill Institute
1009 Black Top Rd, One Tree Hill

CITY OF PORT ADELAIDE ENFIELD

Vacancies:

- 1 Vacancy - Mayor
- 2 Vacancies - Councillor for Outer Harbor Ward
- 2 Vacancies - Councillor for Semaphore Ward
- 2 Vacancies - Councillor for Port Adelaide Ward
- 3 Vacancies - Councillor for Parks Ward
- 3 Vacancies - Councillor for Enfield Ward
- 2 Vacancies - Councillor for Klemzig Ward
- 3 Vacancies - Councillor for Northfield Ward

Nomination kits are available from:

Civic Centre
163 St Vincent St, Port Adelaide
Phone: 8405 6600

A briefing session for intending candidates will be held at:

7.00 pm on Tuesday 4 September
Town Hall
34 Nile St, Port Adelaide

CITY OF PORT AUGUSTA

Vacancies:

1 Vacancy - Mayor
9 Vacancies - Area Councillor

Nomination kits are available from:

Council Office
1st Floor, City Management
4 Mackay St, Port Augusta
Phone: 8641 9100

CITY OF PORT LINCOLN

Vacancies:

1 Vacancy - Mayor
9 Vacancies - Area Councillor

Nomination kits are available from:

Council Office
Level 1/60 Tasman Tce, Port Lincoln
Phone: 8621 2300

PORT PIRIE REGIONAL COUNCIL

Vacancies:

1 Vacancy - Mayor
9 Vacancies - Area Councillor

Nomination kits are available from:

Council Office
115 Ellen St, Port Pirie
Phone: 8633 9777

Rural Office
Bowman St, Crystal Brook

CITY OF PROSPECT

Vacancies:

1 Vacancy - Mayor
2 Vacancies - Councillor for North Ward
2 Vacancies - Councillor for West Ward
2 Vacancies - Councillor for Central Ward
2 Vacancies - Councillor for East Ward

Nomination kits are available from:

Council Office
Prospect Town Hall
126 Prospect Rd, Prospect
Phone: 8269 5355

REMARK PARINGA COUNCIL

Vacancies:

1 Vacancy - Mayor
8 Vacancies - Area Councillor

Nomination kits are available from:

Civic Centre
61 Eighteenth St, Renmark
Phone: 8580 3000

DISTRICT COUNCIL OF ROBE

Vacancies:

1 Vacancy - Mayor
6 Vacancies - Area Councillor

Nomination kits are available from:

Council Office
3 Royal Circus, Robe
Phone: 8768 2003

CITY OF SALISBURY

Vacancies:

1 Vacancy - Mayor
2 Vacancies - Councillor for Central Ward
2 Vacancies - Councillor for East Ward
2 Vacancies - Councillor for South Ward
2 Vacancies - Councillor for Hills Ward
2 Vacancies - Councillor for Para Ward
2 Vacancies - Councillor for North Ward
2 Vacancies - Councillor for West Ward

Nomination kits are available from:
Council Office
12 James St, Salisbury
Phone: 8406 8222

SOUTHERN MALLEE DISTRICT COUNCIL

Vacancies:

7 Vacancies - Area Councillor

Nomination kits are available from:
Council Office
Day St, Pinnaroo
Phone: 8577 8002

Lameroo Office
Railway Tce North, Lameroo

A briefing session for intending candidates will be held at:

5.30 pm on Tuesday 4 September
Lameroo Office
Railway Tce North, Lameroo

5.30 pm on Wednesday 5 September
Council Office
Day St, Pinnaroo

DISTRICT COUNCIL OF STREAKY BAY

Vacancies:

4 Vacancies - Councillor for Flinders Ward
4 Vacancies - Councillor for Eyre Ward

Nomination kits are available from:
Council Office
29 Alfred Tce, Streaky Bay
Phone: 8626 1001

Visitor Information Centre
21 Bay Rd, Streaky Bay

A briefing session for intending candidates will be held at:

3.00 pm on Monday 3 September
Visitor Information Centre
21 Bay Rd, Streaky Bay

TATIARA DISTRICT COUNCIL

Vacancies:

1 Vacancy - Mayor
9 Vacancies - Area Councillor

Nomination kits are available from:
Council Office
43 Woolshed St, Bordertown
Phone: 8752 1044

Council Office
34 Hender St, Keith

A briefing session for intending candidates will be held at:

6.30 pm on Thursday 30 August
Keith Institute
Heritage St, Keith

CITY OF TEA TREE GULLY

Vacancies:

1 Vacancy - Mayor
2 Vacancies - Councillor for Pedare Ward
2 Vacancies - Councillor for Drumminor Ward
2 Vacancies - Councillor for Hillcott Ward
2 Vacancies - Councillor for Balmoral Ward
2 Vacancies - Councillor for Steventon Ward
2 Vacancies - Councillor for Water Gully Ward

Nomination kits are available from:

Civic Centre Reception
571 Montague Rd, Modbury
Phone: 8397 7444

A briefing session for intending candidates will be held at:

7.00 pm on Thursday 30 August
Civic Centre
571 Montague Rd, Modbury

7.00 pm on Tuesday 4 September
Civic Centre
571 Montague Rd, Modbury

DISTRICT COUNCIL OF TUMBY BAY**Vacancies:**

- 1 Vacancy - Mayor
- 6 Vacancies - Area Councillor

Nomination kits are available from:

Council Office
Mortlock St, Tumby Bay
Phone: 8688 2101

CORPORATION OF THE CITY OF UNLEY**Vacancies:**

- 1 Vacancy - Mayor
- 2 Vacancies - Councillor for Unley Ward
- 2 Vacancies - Councillor for Parkside Ward
- 2 Vacancies - Councillor for Fullarton Ward
- 2 Vacancies - Councillor for Goodwood Ward
- 2 Vacancies - Councillor for Clarence Park Ward
- 2 Vacancies - Councillor for Unley Park Ward

Nomination kits are available from:

Council Office
181 Unley Rd, Unley
Phone: 8372 5111

CITY OF VICTOR HARBOR**Vacancies:**

- 1 Vacancy - Mayor
- 9 Vacancies - Area Councillor

Nomination kits are available from:

Council Office
1 Bay Rd, Victor Harbor
Phone: 8551 0500

WAKEFIELD REGIONAL COUNCIL**Vacancies:**

- 1 Vacancy - Mayor
- 3 Vacancies - Councillor for North Ward
- 4 Vacancies - Councillor for Central Ward
- 2 Vacancies - Councillor for South Ward

Nomination kits are available from:

Civic Centre
Scotland Pl, Balaklava
Phone: 8862 0800

Briefing sessions for intending candidates will be held at:

9.30 am on Tuesday 4 September
Phil Barry Chamber
Scotland Pl, Balaklava

4.00 pm on Tuesday 11 September
Phil Barry Chamber
Scotland Pl, Balaklava

CORPORATION OF THE TOWN OF WALKERVILLE**Vacancies:**

- 1 Vacancy - Mayor
- 8 Vacancies - Area Councillor

Nomination kits are available from:

Civic Centre
66 Walkerville Tce, Gilberton
Phone: 8342 7100

A briefing session for intending candidates will be held at:

7.00 pm on Monday 3 September
Council Chamber
66 Walkerville Tce, Gilberton

WATTLE RANGE COUNCIL**Vacancies:**

- 1 Vacancy - Mayor
- 2 Vacancies - Councillor for Kintore Ward
- 2 Vacancies - Councillor for Riddoch Ward
- 5 Vacancies - Councillor for Corcoran Ward
- 2 Vacancies - Councillor for Sorby Adams Ward

Nomination kits are available from:

Council Office
Civic Centre
George St, Millicent
Phone: 8733 0900

Penola Visitor Information Centre
22 Arthur St, Penola
Beachport Visitor Information Centre
Millicent Rd, Beachport

CITY OF WEST TORRENS

Vacancies:

- 1 Vacancy - Mayor
- 2 Vacancies - Councillor for Keswick Ward
- 2 Vacancies - Councillor for Hilton Ward
- 2 Vacancies - Councillor for Plympton Ward
- 2 Vacancies - Councillor for Lockleys Ward
- 2 Vacancies - Councillor for Airport Ward
- 2 Vacancies - Councillor for Morphet Ward
- 2 Vacancies - Councillor for Thebarton Ward

Nomination kits are available from:

Civic Centre
165 Sir Donald Bradman Dr, Hilton
Phone: 8416 6333
Hamra Centre, 1 Brooker Tce, Hilton
Thebarton Community Centre
Cnr South Rd & Ashwin Pde, Torrensville

CITY OF WHYALLA

Vacancies:

- 1 Vacancy - Mayor
- 9 Vacancies - Area Councillor

Nomination kits are available from:

Civic Building
Darling Tce, Whyalla
Phone: 8640 3444

WUDINNA DISTRICT COUNCIL

Vacancies:

- 7 Vacancies - Area Councillor

Nomination kits are available from:

Council Office
11 Burton Tce, Wudinna
Phone: 8680 2002

A briefing session for intending candidates will be held at:

5.30 pm on Tuesday 4 September
Council Office
11 Burton Tce, Wudinna

DISTRICT COUNCIL OF YANKALILLA

Vacancies:

- 4 Vacancies - Councillor for Field Ward
- 5 Vacancies - Councillor for Light Ward

Nomination kits are available from:

Council Office
1 Charles St, Yankalilla
Phone: 8558 0200

YORKE PENINSULA COUNCIL

Vacancies:

- 1 Vacancy - Mayor
- 4 Vacancies - Councillor for Kalkabury Ward
- 3 Vacancies - Councillor for Gum Flat Ward
- 4 Vacancies - Councillor for Innes/Penton Vale Ward

Nomination kits are available from:

Council Office
8 Elizabeth St, Maitland
Phone: 8832 0000
Council Office
18 Main St, Minlaton
Council Office
15 Edithburgh Rd, Yorketown

NATIONAL ELECTRICITY LAW

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

Under s 43, the AEMC gives notice that the Ministerial Council on Energy has directed it to review the regulatory framework for standalone power systems under the NEL and the National Electricity Rules (Ref. EMO0037). The terms of reference for the review are available on the AEMC website.

Under s 99, the making of a draft determination and related draft rule on the *Global settlement and market reconciliation* proposal (Ref. ERC0240). Written submissions for a pre-determination hearing must be received by **6 September 2018**. Submissions must be received by **25 October 2018**.

Submissions can be made via the AEMC's website. Before making a submission, please review the AEMC's privacy 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 confidentiality.

Written requests should be sent to submissions@aemc.gov.au and cite the reference in the title. Before sending a request, please review the AEMC's privacy statement on its website.

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

Australian Energy Market Commission

Level 6, 201 Elizabeth Street
Sydney NSW 2000

Telephone: (02) 8296 7800

www.aemc.gov.au

Dated: 30 August 2018

NATIONAL ENERGY RETAIL LAW

The Australian Energy Market Commission (AEMC) gives notice under section 230 of the National Energy Retail Law (NERL) that the Ministerial Council on Energy has directed the AEMC to review the regulatory framework for standalone power systems under the NERL and the National Energy Retail Rules (Ref. EMO0037).

The terms of reference for the review are available on the AEMC website.

Australian Energy Market Commission

Level 6, 201 Elizabeth Street
Sydney NSW 2000

Telephone: (02) 8296 7800

www.aemc.gov.au

Dated: 30 August 2018

NATIONAL GAS LAW

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

Under ss 311 and 313, the making of the *National Gas Amendment (Cross period revenue smoothing (Gas) rule change) Rule 2018 No. 2* (Ref. GRC0043) and related final determination. All provisions commence on **6 September 2018**.

Australian Energy Market Commission

Level 6, 201 Elizabeth Street
Sydney NSW 2000

Telephone: (02) 8296 7800

www.aemc.gov.au

Dated: 30 August 2018

TRUSTEE ACT 1936

PUBLIC TRUSTEE

Estates of Deceased Persons

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

CHAPLIN Alwin Jeffery late of 740 Torrens Road Rosewater Glazier who died 5 January 2018

COLLINA Valarie Anne late of 9 Harry Court Port Augusta West of no occupation who died 22 August 2017

DONOGHUE Una Kathleen late of 38 Nairne Road Woodside Home Duties who died 11 April 2018

HARRY Georgine Constance late of 27 Pinkerton Road Naracoorte Retired Cook who died 17 December 2017

OSBORNE Wendy Joan late of 52 Williamson Road Para Hills of no occupation who died 2 February 2018

PARTON Robert William late of 72 Sydenham Road Norwood Retired Bottle Recycler who died 29 July 2017

Notice is hereby given pursuant to the Trustee Act 1936, the Inheritance (Family Provision) Act 1972 and the Family Relationships Act 1975 that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the office of Public Trustee at GPO Box 1338, Adelaide, 5001, full particulars and proof of such claims, on or before the 28 September 2018 otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver same to the Public Trustee.

Dated: 30 August 2018

N S RANTANEN
Acting Public Trustee

NOTICE SUBMISSION

Notices for publication must be submitted before 4 p.m. Tuesday, the week of intended gazettal.

Proofs of formatted content are supplied for all notice submissions. Alterations must be returned before 4 p.m. Wednesday.

The *SA Government Gazette* is compiled and published each Thursday. Requests to withdraw submitted notices must be received before 10 a.m. on the day of publication.

Gazette notices should be emailed as Word files—and signed PDF files if applicable—in the following format:

- Title (name of the governing legislation/department/organisation)
- Subtitle (description of notice)
- A structured body of text
- Date of authorisation
- Name, position, and department/organisation of the authorising person

Please provide the following information in your email:

- Date of intended gazettal
- Details that may impact on publication of the notice
- Email address and phone number of the person authorising the submission
- Name of the person and organisation to be charged for the notice, if applicable
- Request for a quote, if required
- Purchase order, if required

EMAIL: governmentgazettesa@sa.gov.au

PHONE: (08) 8207 1025

WEBSITE: www.governmentgazette.sa.gov.au