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**THE SOUTH AUSTRALIAN**

**GOVERNMENT GAZETTE**

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# Governor’s Instruments

## Appointments, Resignations and General Matters

Department of the Premier and Cabinet

Adelaide, 3 April 2025

Her Excellency the Governor in Executive Council has been pleased to appoint Dale Wayne Agius as the Commissioner for Aboriginal Children and Young People for a term of three years, commencing on 5 April 2025 and expiring on 4 April 2028 - pursuant to the provisions of the Children and Young People (Oversight and Advocacy Bodies) Act 2016.

By command,

Kyam Joseph Maher, MLC

For Premier

ME25/018

## Proclamations

South Australia

### Child Sex Offenders Registration (Public Register) Amendment Act (Commencement) Proclamation 2025

**1—Short title**

This proclamation may be cited as the *Child Sex Offenders Registration (Public Register) Amendment Act (Commencement) Proclamation 2025*.

**2—Commencement of Act and suspension of certain provisions**

(1) Subject to [subclause (2)](#id64672121_d24b_4f49_b512_70ae782b85), the [*Child Sex Offenders Registration (Public Register) Amendment Act 2024*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Child%20Sex%20Offenders%20Registration%20(Public%20Register)%20Amendment%20Act%202024) (No 45 of 2024) comes into operation on 4 April 2025.

(2) The operation of the following provisions of the Act is suspended until a day or time or days or times to be fixed by subsequent proclamation or proclamations:

(a) section 5;

(b) section 6;

(c) section 7;

(d) section 8.

**Made by the Governor**

with the advice and consent of the Executive Council

on 3 April 2025

## Regulations

South Australia

### Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) (School Days) Amendment Regulations 2025

under the *Road Traffic Act 1961*

**Contents**

[Part 1—Preliminary](#Elkera_Print_BK1)

[1 Short title](#Elkera_Print_BK2)

[2 Commencement](#Elkera_Print_BK3)

[Part 2—Amendment of *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*](#Elkera_Print_BK4)

[3 Insertion of regulation 48A](#Elkera_Print_BK5)

[48A Traffic control devices applying on school days](#Elkera_Print_BK6)

**Part 1—Preliminary**

**1—Short title**

These regulations may be cited as the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) (School Days) Amendment Regulations 2025*.

**2—Commencement**

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

**Part 2—Amendment of *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014***

**3—Insertion of regulation 48A**

After regulation 48 insert:

**48A—Traffic control devices applying on school days**

(1) For the purposes of rule 317 (Information on or with traffic control devices), if information on a traffic control device that is at a place indicates that it applies on school days, the device has effect on any day other than a Saturday or Sunday, a day that is a public holiday or a day publicly notified as a school holiday for Government schools.

(2) In this regulation—

***Government school*** has the same meaning as in the [*Education and Children’s Services Act 2019*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Education%20and%20Childrens%20Services%20Act%202019).

**Editorial note—**

As required by section 10AA(2) of the [*Legislative Instruments Act 1978*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Legislative%20Instruments%20Act%201978), the Minister has certified that, in the Minister’s opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council

on 3 April 2025

No 9 of 2025

South Australia

### Summary Offences (Knives and Other Weapons) Amendment Regulations 2025

under the *Summary Offences Act 1953*

**Contents**

[Part 1—Preliminary](#Elkera_Print_BK1)

[1 Short title](#Elkera_Print_BK2)

[2 Commencement](#Elkera_Print_BK3)

[Part 2—Amendment of *Summary Offences Regulations 2016*](#Elkera_Print_BK4)

[3 Insertion of Part 3A](#Elkera_Print_BK5)

[Part 3A—Searches of persons to prevent and detect certain offences](#Elkera_Print_BK6)

[17A Prescribed offence (section 66ZA)](#Elkera_Print_BK7)

[17B Prescribed person (section 66ZC)](#Elkera_Print_BK8)

**Part 1—Preliminary**

**1—Short title**

These regulations may be cited as the *Summary Offences (Knives and Other Weapons) Amendment Regulations 2025*.

**2—Commencement**

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

**Part 2—Amendment of *Summary Offences Regulations 2016***

**3—Insertion of Part 3A**

After Part 3 insert:

**Part 3A—Searches of persons to prevent and detect certain offences**

**17A—Prescribed offence (section 66ZA)**

(1) For the purposes of section 66ZA(1)(a) of the Act, the following offences are prescribed:

(a) an offence of violence;

(b) an offence relating to the carriage of a weapon.

(2) In this regulation—

***offence of violence*** means an offence against one of the following provisions of the [*Criminal Law Consolidation Act 1935*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Criminal%20Law%20Consolidation%20Act%201935):

(a) section 11;

(b) section 12A;

(c) section 13;

(d) section 20(4);

(e) section 20AA;

(f) section 20A (only where aggravated by the use of a weapon pursuant to section 5AA(1)(b) of the [*Criminal Law Consolidation Act 1935*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Criminal%20Law%20Consolidation%20Act%201935));

(g) section 23;

(h) section 24;

(i) section 29;

(j) section 29A;

(k) section 31;

(l) section 32;

(m) section 32AA;

(n) section 83B (only where aggravated by the use of a weapon pursuant to section 5AA(1)(b) of the [*Criminal Law Consolidation Act 1935*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Criminal%20Law%20Consolidation%20Act%201935));

(o) section 84C (only where aggravated by the use of a weapon pursuant to section 5AA(1)(b) of the [*Criminal Law Consolidation Act 1935*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Criminal%20Law%20Consolidation%20Act%201935));

(p) section 137 (only where aggravated by the use of a weapon pursuant to section 5AA(1)(b) of the [*Criminal Law Consolidation Act 1935*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Criminal%20Law%20Consolidation%20Act%201935));

(q) section 170 (only where aggravated by the use of a weapon pursuant to section 5AA(1)(b) of the [*Criminal Law Consolidation Act 1935*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Criminal%20Law%20Consolidation%20Act%201935));

(r) section 170A (only where aggravated by the use of a weapon pursuant to section 5AA(1)(b) of the [*Criminal Law Consolidation Act 1935*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Criminal%20Law%20Consolidation%20Act%201935));

***offence relating to the carriage of a weapon*** means an offence against a provision of Part 3A of the [*Summary Offences Act 1953*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Summary%20Offences%20Act%201953) other than section 21B or 21D.

**17B—Prescribed person (section 66ZC)**

(1) For the purposes of the definition of ***prescribed person*** in section 66ZC(4) of the Act, the following persons are prescribed:

(a) if the Commissioner has determined a person to be a prescribed person in relation to a declared shopping precinct, declared public transport hub, declared public transport service or declared place of worship—that person; plus

(b) —

(i) for a declared shopping precinct—

(A) in the case of a shopping mall or other area where retail shops are concentrated on council‑owned land, where there is no owner or manager of the precinct—the Chief Executive Officer of the relevant council; or

(B) in any other case—the owner or manager of the shopping precinct;

(ii) for a declared public transport hub—

(A) in the case of a public transport hub operated by the Transport Department—that Department; or

(B) in the case of a public transport hub on or adjacent to a shopping precinct—the owner or manager of the shopping precinct and the Transport Department; or

(C) in any other case—the owner or manager of the public transport hub and the Transport Department;

(iii) for a declared public transport service—the Chief Executive (or equivalent) of the operator of the service;

(iv) for a declared place of worship—the person responsible for the day to day management or operation of the place of worship.

(2) In this regulation—

***Transport Department*** means the Department responsible for the administration of the [*Passenger Transport Act 1994*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Passenger%20Transport%20Act%201994).

**Editorial note—**

As required by section 10AA(2) of the [*Legislative Instruments Act 1978*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Legislative%20Instruments%20Act%201978), the Minister has certified that, in the Minister’s opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council

on 3 April 2025

No 10 of 2025

# Rules of Court

Supreme Court Act 1935

District Court Act 1991

Environment, Resources and Development Court Act 1993

Magistrates Court Act 1991

Youth Court Act 1993

South Australia

## *Joint Criminal (No 6) Amending Rules 2025*

By virtue and in pursuance of the *Supreme Court Act 1935*, the *District Court Act 1991*, the *Environment, Resources and Development Court Act 1993*, the *Magistrates Court Act 1991* and the *Youth Court Act 1993*, and all other enabling powers, we, the Chief Justice of the Supreme Court, the Chief Judge of the District Court, the Senior Judge of the Environment, Resources and Development Court, the Acting Chief Magistrate of the Magistrates Court, and the Judge of the Youth Court make the following *Joint Criminal (No 6) Amending Rules 2025*.

1. These Rules may be cited as the *Joint Criminal (No 6) Amending Rules 2025.*

2. The amendments made by these rules come into effect on the later of—

(a) April 2025; or

(b) the date of their publication in the Gazette.

3. In these Rules, the***commencement date***means the date on which these rules come into effect under rule 2.

4. The *Joint Criminal Rules 2022* (“the Rules”) are amended as set out below.

5. In Schedule 2, Form 182 – Notice of Withdrawal of Application for Bail Review is deleted and substituted as follows:

Form 182e

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Signed:  FDN: |  |

**NOTICE OF INTENTION NOT TO PROCEED WITH BAIL REVIEW**

SUPREME COURT OF SOUTH AUSTRALIA

CRIMINAL JURISDICTION

**[*FULL NAME*]**

**Applicant**

**v**

**[*FULL NAME*]**

**Respondent**

|  |  |  |
| --- | --- | --- |
| Lodging party | Applicant |  |
|  | Party title | Full Name of party |
| Name of law firm/office |  |  |
| If applicable | Law firm/office | Responsible Solicitor |
| Name of authorised officer |  | |
| If body corporate and no law firm/office | Full Name | |

|  |
| --- |
| Notice of Withdrawal or Notice of Intention Not to Proceed  (please tick one)  🞏 The Applicant withdraws the application to review the decision made on [date] by [enter name of bail authority].  OR  🞏 The Applicant gives notice of the applicant’s intention not to proceed with application to review the decision made on [date] by [enter name of bail authority]. |

|  |
| --- |
| …………………………………………  Signature of person filing  …………………………………………  Name printed  ………………………….  Date and time |

|  |
| --- |
| Service  The party filing this document is required to serve it on all other parties in line with the Rules of Court. |

Form 182h

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Filed:  FDN: |  |

**NOTICE OF INTENTION NOT TO PROCEED WITH BAIL REVIEW**

SUPREME COURT OF SOUTH AUSTRALIA

CRIMINAL JURISDICTION

CASE NO:…………………

………………………………………………………………………………**Full Name**

**Applicant**

**v**

………………………………………………………………………………**Full Name**

**Respondent**

|  |  |  |
| --- | --- | --- |
| Lodging party | Applicant |  |
|  | Party title | Full Name of party |
| Name of law firm/office |  |  |
| If applicable | Law firm/office | Responsible Solicitor |
| Name of authorised officer |  | |
| If body corporate and no law firm/office | Full Name | |

|  |
| --- |
| Notice of Withdrawal or Notice of Intention Not to Proceed  (please tick one)  🞏 The Applicant withdraws the application to review the decision made on …………………………….date by………………………………………………….enter name of bail authority  OR  🞏 The Applicant gives notice of the applicant’s intention not to proceed with application to review the decision made on …………………………….date by………………………………………………….enter name of bail authority |

|  |
| --- |
| …………………………………………  Signature of person filing  …………………………………………  Name printed  ………………………….  Date and time |

|  |
| --- |
| Service  The party filing this document is required to serve it on all other parties in line with the Rules of Court. |

6. In Schedule 2, Form 142I – Intervention Order is deleted and substituted as follows:

Form 142I

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Signed:  FDN: |  |

**INTERVENTION ORDER**

**Sentencing Act 2017 s 28**

**[*NATIONALLY RECOGNISED DOMESTIC VIOLENCE ORDER*]**

[*SUPREME/DISTRICT/MAGISTRATES/YOUTH/ENVIRONMENT RESOURCES AND DEVELOPMENT*] **Select one** COURT OF SOUTH AUSTRALIA

CRIMINAL JURISDICTION

**Order Identifier:**

**[*FULL NAME*]**

**Informant/R**

**v**

**[*FULL NAME*]**

|  |  |  |
| --- | --- | --- |
| Person against whom intervention order made (‘the Respondent’) |  |  |
|  | Full name | Date of birth |

**Respondent/Youth**

|  |  |  |
| --- | --- | --- |
| Protected Person(s) |  |  |
|  | Full name | Date of birth |

|  |
| --- |
| Introduction  Hearing  Hearing Location: [suburb]  [Hearing date]  [Presiding Officer]  Appearances  [Informant/R Appearance Information]  [Respondent/Youth Appearance Information]  Remarks  (a) mandatory The Court having found the [Respondent/Youth] [name] guilty, considers that it should exercise the power under section 28 of the Sentencing Act 2017 to issue against the [Respondent/Youth] an Intervention Order under the Intervention Orders (Prevention of Abuse) Act 2009.  (b) mandatory The Court having considered whether, if the whereabouts of the person for whose benefit the order would be issued are not known to the [Respondent/Youth], the issuing of the order would be counterproductive.   (c) mandatory if conditions 5 and 6 deselected below The Court having been satisfied that the [Respondent/Youth] has never been found guilty of violent or intimidatory conduct and needs to have a firearm for purposes related to earning a livelihood. |

|  |
| --- |
| Order  Date of Order: [*date*]  Terms of Order  It is ordered that:  Orders in separately numbered paragraphs.  1. This order is declared to address a domestic violence concern.  2. A final intervention order be issued against the [*Respondent/Youth*] for the protection of [*protected person(s)*] (‘the protected person[*s*]’). |

|  |  |  |
| --- | --- | --- |
| Conditions of Intervention Order  [*This order is declared to address a domestic violence concern*] | | |
| General | | |
|  | 1. | The Respondent must not assault, threaten, harass or intimidate the protected person[*s*]. |
|  | 2. | The Respondent must not damage or interfere with property belonging to the protected person[*s*] or the premises where the protected person[*s*] stay[*s*], reside[*s*] or work[*s*]. |
|  | 3. | The Respondent must not take possession of personal property belonging to the protected person[*s*] or the following specified property reasonably needed by the protected person[*s*]: [*specified property*]. |
|  | 4. | The Respondent must not be in possession of the following weapon[*s*] or article[*s*]: [*weapon/article*]. |
| Firearms | | |
|  | 5. | default selected Any firearm (e.g. guns), ammunition or part of a firearm in the possession of the Respondent and any licence or permit held by the Respondent authorising possession of a firearm, ammunition or part of a firearm must be surrendered (handed in) immediately to the Registrar of Firearms. |
|  | 6. | default selected For so long as this Order remains in force, any licence or permit held by the Respondent authorising possession of a firearm (e.g. guns), ammunition or part of a firearm is suspended and the Respondent is disqualified from holding or obtaining a licence or permit authorising possession of a firearm, ammunition or part of a firearm. The Respondent is prohibited from possessing a firearm, ammunition or part of a firearm in the course of his or her employment. |
| Contact | | |
|  | 7. | The Respondent must not contact or communicate with the protected person[*s*] either directly or in any way (including telephone, SMS messages, in writing, email or any other social media etc)  BUT contact is permitted:  a. at any court or tribunal hearing where the Respondent is a party to the proceeding or a witness;  b. through a solicitor or police;  c. in accordance with an order of a court exercising jurisdiction under the *Family Law Act 1975*  d. at a family dispute resolution conference or family counselling under the *Family Law Act 1975,* a family conference under the *Young Offenders Act 1993,* a family group conference convened under section 22 of the *Children and Young People (Safety) Act 2017* or at a mediation;  e. in accordance with a Parenting Plan under section 63C of the *Family Law Act 1975* consented to by the protected person after this Order;  f. by SMS [*and email*] [*and other means of communication*] to facilitate access to child[ren] and to exchange information as to the welfare of the child[*ren*];  g. [*other*]. |
|  | 8. | The Respondent must vacate the premises at [*address*] forthwith upon service of this Order and not return to those premises unless this term is varied or removed by the Court. |
|  | 9. | The Respondent is permitted to attend at the protected person[*s*] residence once in the presence of and at a time organised by a police officer to collect personal property not affected by this Order. |
|  | 10. | The Respondent must not publish on the internet or by any electronic means any material about the protected person[*s*]. |
| Vicinity | | |
|  | 11. | The Respondent must not follow or keep the protected person[*s*] under surveillance including tracking by GPS or otherwise. |
|  | 12. | The Respondent must not go or stay within [*number*] metres of the protected person[*s*] unless permitted by other conditions of this Order. |
|  | 13. | The Respondent must not go or stay within [*number*] metres of any boundary of where the protected person[*s*] stay[*s*], reside[*s*] or work[*s*]. |
|  | 14. | The Respondent must not go or stay within [*number*] metres of the boundary of the following location[*s*]: [*address*] provision for multiple |
|  | 15. | The Respondent must not go or stay within [*number*] metres of the boundary of any education or care facility attended by the protected person[*s*] including specifically the following: [*address*] provision for multiple |
| Other conditions | | |
|  | 16. | The Respondent must not cause, allow or encourage another person to do anything forbidden by this Order. |
|  | 17. | only available if jurisdiction ‘Magistrates Court’ The Respondent must contact the Intervention Program Manager at 8204 8815 within 2 business days and make and attend an appointment for assessment, and if assessed as suitable undertake any intervention program as ordered by the Court. |

|  |  |  |
| --- | --- | --- |
|  | 18. | The Respondent must surrender [*description of weapons or articles*] to [*person or authority*] by [*date*]. |
|  | 19. | The Respondent must return [*description of personal property*] to [*name of protected person*] by [*date*]. |
|  | 20. | The Respondent must allow [*name of protected person*] to [*recover/have access to/make use of*] [*description of personal property*] and allow the person to be accompanied by [*a police officer/other specified person*] while doing so. |
|  | 21. | provision for multiple [*other conditions*]. |

|  |
| --- |
| Service of this Order  Service of this order on the [Respondent/Youth] is   not required because this order confirms an interim intervention order (section 23(4))   deemed to have been made because the respondent was present when this order was made (section 23(5a)(c)   required to be made. |

|  |
| --- |
| To the [Respondent/Youth]: WARNING   Non compliance with a served order renders you liable to a term of [imprisonment/detention].   If this is a Nationally Recognised Domestic Violence Order, it applies and is enforceable in all Australian States and Territories.   If this is not a Nationally Recognised Domestic Violence Order, upon registration, this order is also enforceable in other Australian States and Territories.   You cannot apply to the Court to vary or revoke this order for 12 months or such longer period as the Court may have ordered. |

|  |
| --- |
| Authentication  …………………………………………  Signature of Court Officer  [title and name] |

7. In Schedule 2, Form 174H – Order for Interim Variation of Intervention Order is deleted and substituted as follows:

Form 174H

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Filed:  FDN: |  |

|  |  |  |
| --- | --- | --- |
| Hearing Date and Time: |  |  |
| Hearing Location: |  |  |

**ORDER FOR INTERIM VARIATION OF INTERVENTION ORDER   
AND SUMMONS**

**[*NATIONALLY RECOGNISED DOMESTIC VIOLENCE ORDER*]**

[*MAGISTRATES/YOUTH*] **Select one** COURT OF SOUTH AUSTRALIA

CRIMINAL JURISDICTION

**Order Identifier:**

**[*FULL NAME*]**

**Applicant**

**v**

**[*FULL NAME*]**

**Respondent**

|  |  |  |
| --- | --- | --- |
| Respondent |  |  |
|  | Full name | Date of birth |

|  |  |  |
| --- | --- | --- |
| Protected Person(s) |  |  |
|  | Full name | Date of birth |

|  |  |  |
| --- | --- | --- |
| Introduction  Hearing  Hearing Location: [suburb]  [Hearing date]  [Presiding Officer]  Appearances  [Applicant Appearance Information]  Remarks  The Court is satisfied that: | | |
|  | (a) | it appears that there are grounds for issuing the variation; |
|  | (b) | [other matters] |

|  |  |  |
| --- | --- | --- |
| Order  Date of Order: [date]  Terms of Order  It is ordered that:  Orders in separately numbered paragraphs. | | |
|  | 1. | The Final Intervention Order made on [date] be varied on an interim basis pending final determination of the Application pursuant to section 26A of the Intervention Orders (Prevention of Abuse) Act 2009 so that the conditions are as set out below. |
|  | 2. | The Respondent be summoned to appear at [location] on [date] at [time] on the application for a final variation of the intervention order. |
|  | 3. | [other orders]. |

|  |  |  |
| --- | --- | --- |
| **Conditions of Interim Intervention Order**  **[*This order is declared to address a domestic violence concern*]** | | |
| **General** | | |
|  | 1. | The Respondent must notassault, threaten, harass or intimidate the protected person[*s*]. |
|  | 2. | The Respondent must notdamage or interfere with property belonging to the protected person[*s*] or the premises where the protected person[*s*] stay[*s*], reside[*s*] or work[*s*]. |
|  | 3. | The Respondent must nottake possession of personal property belonging to the protected person[*s*] or the following specified property reasonably needed by the protected person[*s*]: [*specified property*]. |
|  | 4. | The Respondent must notbe in possession of the following weapon[*s*] or article[*s*]: [*weapon/article*]. |
| **Firearms** | | |
|  | 5. | **default selected** Any firearm (e.g. guns), ammunition or part of a firearm in the possession of the Respondent and any licence or permit held by the Respondent authorising possession of a firearm, ammunition or part of a firearm must be surrendered (handed in) immediately to the Registrar of Firearms. |
|  | 6. | **default selected** For so long as this Order remains in force, any licence or permit held by the Respondent authorising possession of a firearm (e.g. guns), ammunition or part of a firearm is suspended and the Respondent is disqualified from holding or obtaining a licence or permit authorising possession of a firearm, ammunition or part of a firearm. The Respondent is prohibited from possessing a firearm, ammunition or part of a firearm in the course of his or her employment. |
| **Contact** | | |
|  | 7. | The Respondent must notcontact or communicate with the protected person[*s*] either directly or in any way (including telephone, SMS messages, in writing, email or any other social media etc)  **BUT contact is permitted:**  h. at any court or tribunal hearing where the Respondent is a party to the proceeding or a witness;  i. through a solicitor or police;  j. in accordance with an order of a court exercising jurisdiction under the *Family Law Act 1975*  k. at a family dispute resolution conference or family counselling under the *Family Law Act 1975,* a family conference under the *Young Offenders Act 1993,* a family group conference convened under section 22 of the *Children and Young People (Safety) Act 2017* or at a mediation;  l. in accordance with a Parenting Plan under section 63C of the *Family Law Act 1975* consented to by the protected person after this Order;  m. by SMS [*and email*] [*and other means of communication*] to facilitate access to child[ren] and to exchange information as to the welfare of the child[*ren*];  n. [*other*]. |
|  | 8. | The Respondent must vacate the premises at [*address*] forthwith upon service of this Order and not return to those premises unless this term is varied or removed by the Court. |
|  | 9. | The Respondent is permitted to attend at the protected person[*s*] residence once in the presence of and at a time organised by a police officer to collect personal property not affected by this Order. |
|  | 10. | The Respondent must notpublish on the internet or by any electronic means any material about the protected person[*s*]. |
| **Vicinity** | | |
|  | 11. | The Respondent must notfollow or keep the protected person[*s*] under surveillance including tracking by GPS or otherwise. |
|  | 12. | The Respondent must notgo or stay within [*number*] metres of the protected person[*s*] unless permitted by other conditions of this Order. |
|  | 13. | The Respondent must notgo or stay within [*number*] metres of any boundary of where the protected person[*s*] stay[*s*], reside[*s*] or work[*s*]. |
|  | 14. | The Respondent must notgo or stay within [*number*] metres of the boundary of the following location[*s*]: [*address*] **provision for multiple** |
|  | 15. | The Respondent must notgo or stay within [*number*] metres of the boundary of any education or care facility attended by the protected person[*s*] including specifically the following: [*address*] **provision for multiple** |
| **Other conditions** | | |
|  | 16. | The Respondent must notcause, allow or encourage another person to do anything forbidden by this Order. |
|  | 17. | **only available if jurisdiction ‘Magistrates Court’** The Respondent must contact the Intervention Program Manager at 8204 8815 within 2 business days and make and attend an appointment for assessment, and if assessed as suitable undertake any intervention program as ordered by the Court. |
|  | 18. | The Respondent must surrender [*description of weapons or articles*] to [*person or authority*] by [*date*]. |
|  | 19. | The Respondent must return [*description of personal property*] to [*name of protected person*] by [*date*]. |
|  | 20. | The Respondent must allow [*name of protected person*] to [*recover/have access to/make use of*] [*description of personal property*] and allow the person to be accompanied by [*a police officer/other specified person*] while doing so. |
|  | 21. | **provision for multiple** [*other conditions*] |

|  |
| --- |
| To the Respondent: WARNING  This interim order will operate until further order.  If you disobey this order:   you will be liable to [imprisonment/detention] not exceeding 2 years and/or a fine not exceeding $10,000.   you may be liable to imprisonment and/or a fine and any other person who knows of this order and does anything that helps or permits you to disobey this order may be similarly punished. |

|  |
| --- |
| To the Respondent: WARNING  You are summoned to attend before the Court at the date and time set out at the top of this document.  The Court will hear the Application for a final variation of the final intervention order, or make orders for the hearing of the Application, at the hearing.  If you wish to oppose the Application or make submissions about it, you must attend the hearing.  If you do not appear at the hearing or on any day to which this matter is adjourned, the Court may proceed in your absence and orders may be made against you finally determining this proceeding without further warning.  Contravention of an intervention order is a criminal offence which can be punished by a term of imprisonment or detention.  If this is a Nationally Recognised Domestic Violence Order it applies and is enforceable in all Australian States and Territories.  If this is not a Nationally Recognised Domestic Violence Order, upon registration, this order is enforceable in other Australian States and Territories.  A copy of any evidence that was relied on to make the order may be obtained from the Registry. |

|  |
| --- |
| Authentication  …………………………………………  Signature of Court Officer  [title and name] |

8. In Schedule 2, Form 174I – Order for Final Variation or Revocation of Intervention or Problem Gambling Order is deleted and substituted as follows:

Form 174I

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Filed:  FDN: |  |

**ORDER FOR FINAL VARIATION OR REVOCATION OF INTERVENTION OR PROBLEM GAMBLING ORDER**

**[*NATIONALLY RECOGNISED DOMESTIC VIOLENCE ORDER*]**

[*MAGISTRATES/YOUTH*] **Select one** COURT OF SOUTH AUSTRALIA

CRIMINAL JURISDICTION

**Order Identifier:**

**[*FULL NAME*]**

**Applicant**

**v**

**[*FULL NAME*]**

**Respondent**

|  |  |  |
| --- | --- | --- |
| Respondent |  |  |
|  | Full name | Date of birth |

|  |  |  |
| --- | --- | --- |
| Protected Person(s) |  |  |
|  | Full name | Date of birth |

|  |  |  |
| --- | --- | --- |
| Introduction  Hearing  Hearing Location: [suburb]  [Hearing date]  [Presiding Officer]  Appearances  [Applicant Appearance Information]  [Respondent Appearance Information]  Remarks  The Court is satisfied that: | | |
|  | (a) | The Police, the Respondent and each person protected by the order have had a reasonable opportunity to be heard on the matter. |
|  | (b) | It has had regard to the same matters as it is required to have regard to in considering whether or not to make an Intervention Order and considering the terms of an Intervention Order. |
|  | (c) | mandatory if removing firearms terms The Respondent has never been guilty of violent or intimidatory conduct and needs to have a firearm for purposes related to earning a livelihood. |
|  | (d) | mandatory if Order made under section 68R of the Family Law Act 1975 The Court has made an Intervention Order being a Family Violence Order within the meaning of section 4(1) of the Family Law Act 1975 (Cth). |
|  | (e) | mandatory if Order made under section 68R of the Family Law Act 1975 In making orders under section 68R of the Family Law Act 1975 (Cth), the Court has had regard to the purposes of Division 11 of the Family Law Act 1975 (Cth) as stated in section 68N of that Act and to whether spending time with both parents is in the best interests of the child[ren] described below. |
|  | (f) | mandatory if Order made under section 68R of the Family Law Act 1975 The Court is satisfied that it is appropriate to [vary/discharge/suspend] the [order/Injunction] described below because a person has been exposed, or is likely to be exposed, to family violence as a result of the operation of that order or Injunction. |
|  | (g) | mandatory if Order made under section 68R of the Family Law Act 1975 to revive, vary, discharge or suspend a Parenting Order or Recovery Order as mentioned in section 68R(1)(a) or section 68R(1)(b) The Court is satisfied it has before it material that was not before the Court that made the [order/Injunction] under the Family Law Act 1975 (Cth). |

|  |  |  |
| --- | --- | --- |
| Order  Date of Order: [date]  Terms of Order  It is ordered that:  Orders in separately numbered paragraphs. | | |
|  | 1. | Pursuant to section 26 of the Intervention Orders (Prevention of Abuse) Act 2009, the Final Intervention Order made on [date] be varied so that the conditions are as set out below. |
|  | 2. | Pursuant to section 27 of the Intervention Orders (Prevention of Abuse) Act 2009, the Problem Gambling Family Protection Order made on [date] be varied so that the conditions are as set out below. |
|  | 3. | Pursuant to section 29P of the Intervention Orders (Prevention of Abuse) Act 2009, the Recognised Domestic Violence Order made in [State/Territory] on [date] [reference number] for the protection of [protected persons] be varied so that the conditions are as set out below. |
|  | 4. | The entire:   [Final Intervention/Problem Gambling Family Protection] Order made on [date]   Recognised Domestic Violence Order made in [State/Territory] on [date] [reference number]  be revoked. |
|  | 5. | default selected if ‘section 68R Order’ selected above—only available if jurisdiction Magistrates Court or Youth Court Family Law Act 1975 section 69J  The: provision for multiple   Parenting Order made on [date] by [Judicial Officer]   Recovery Order made on [date] by [Judicial Officer]   Injunction granted on [date] by [Judicial Officer]   Undertaking given on [date] by [Judicial Officer]   Registered Parenting Plan registered on [date] by [Judicial Officer]   Recognisance entered into on [date] by [name]  in the [Family Court/Federal Circuit Court] in [proceeding number] is:   revived with effect [forthwith/from [date]]   varied with effect [forthwith/from [date]] as follows: [details]   discharged with effect [forthwith/from [date]]   suspended [forthwith/from [date]] until [further order/date] |
|  | 6. | [other orders]. |

|  |  |  |
| --- | --- | --- |
| Conditions of Intervention Order  [*This order is declared to address a domestic violence concern*] | | |
| General | | |
|  | 1. | The Respondent must not assault, threaten, harass or intimidate the protected person[*s*]. |
|  | 2. | The Respondent must not damage or interfere with property belonging to the protected person[*s*] or the premises where the protected person[*s*] stay[*s*], reside[*s*] or work[*s*]. |
|  | 3. | The Respondent must not take possession of personal property belonging to the protected person[*s*] or the following specified property reasonably needed by the protected person[*s*]: [*specified property*]. |
|  | 4. | The Respondent must not be in possession of the following weapon[*s*] or article[*s*]: [*weapon/article*]. |
| Firearms | | |
|  | 5. | default selected Any firearm (e.g. guns), ammunition or part of a firearm in the possession of the Respondent and any licence or permit held by the Respondent authorising possession of a firearm, ammunition or part of a firearm must be surrendered (handed in) immediately to the Registrar of Firearms. |
|  | 6. | default selected For so long as this Order remains in force, any licence or permit held by the Respondent authorising possession of a firearm (e.g. guns), ammunition or part of a firearm is suspended and the Respondent is disqualified from holding or obtaining a licence or permit authorising possession of a firearm, ammunition or part of a firearm. The Respondent is prohibited from possessing a firearm, ammunition or part of a firearm in the course of his or her employment. |
| Contact | | |
|  | 7. | The Respondent must not contact or communicate with the protected person[*s*] either directly or in any way (including telephone, SMS messages, in writing, email or any other social media etc)  BUT contact is permitted:  o. at any court or tribunal hearing where the Respondent is a party to the proceeding or a witness;  p. through a solicitor or police;  q. in accordance with an order of a court exercising jurisdiction under the *Family Law Act 1975*  r. at a family dispute resolution conference or family counselling under the *Family Law Act 1975,* a family conference under the *Young Offenders Act 1993,* a family group conference convened under section 22 of the *Children and Young People (Safety) Act 2017* or at a mediation;  s. in accordance with a Parenting Plan under section 63C of the *Family Law Act 1975* consented to by the protected person after this Order;  t. by SMS [*and email*] [*and other means of communication*] to facilitate access to child[ren] and to exchange information as to the welfare of the child[*ren*];  u. [*other*]. |
|  | 8. | The Respondent must vacate the premises at [*address*] forthwith upon service of this Order and not return to those premises unless this term is varied or removed by the Court. |
|  | 9. | The Respondent is permitted to attend at the protected person[*s*] residence once in the presence of and at a time organised by a police officer to collect personal property not affected by this Order. |
|  | 10. | The Respondent must not publish on the internet or by any electronic means any material about the protected person[*s*]. |
| Vicinity | | |
|  | 11. | The Respondent must not follow or keep the protected person[*s*] under surveillance including tracking by GPS or otherwise. |
|  | 12. | The Respondent must not go or stay within [*number*] metres of the protected person[*s*] unless permitted by other conditions of this Order. |
|  | 13. | The Respondent must not go or stay within [*number*] metres of any boundary of where the protected person[*s*] stay[*s*], reside[*s*] or work[*s*]. |
|  | 14. | The Respondent must not go or stay within [*number*] metres of the boundary of the following location[*s*]: [*address*] provision for multiple |
|  | 15. | The Respondent must not go or stay within [*number*] metres of the boundary of any education or care facility attended by the protected person[*s*] including specifically the following: [*address*] provision for multiple |
| Other conditions | | |
|  | 16. | The Respondent must not cause, allow or encourage another person to do anything forbidden by this Order. |
|  | 17. | only available if jurisdiction ‘Magistrates Court’ The Respondent must contact the Intervention Program Manager at 8204 8815 within 2 business days and make and attend an appointment for assessment, and if assessed as suitable undertake any intervention program as ordered by the Court. |
|  | 18. | The Respondent must surrender [*description of weapons or articles*] to [*person or authority*] by [*date*]. |
|  | 19. | The Respondent must return [*description of personal property*] to [*name of protected person*] by [*date*]. |
|  | 20. | The Respondent must allow [*name of protected person*] to [*recover/have access to/make use of*] [*description of personal property*] and allow the person to be accompanied by [*a police officer/other specified person*] while doing so. |
|  | 21. | provision for multiple [*other conditions*] |

|  |  |  |
| --- | --- | --- |
| Conditions of Problem Gambling Family Protection Order | | |
|  | 1. | The Respondent must undertake and satisfactorily complete a program of [*counselling/rehabilitation/special education*], namely [*details*]. |
|  | 2. | The Respondent must not:  a. take part in gambling activities  b. attend at premises where gambling activities may be undertaken |
|  | 3. | The Respondent must not attend at [*description of premises/location, address*]. |
|  | 4. | The Respondent must not be on premises, namely [*description of premises, address*], except under the following conditions:   [*description of* conditions]. |
|  | 5. | The Respondent must not contact, harass, threaten or intimidate the following family member[*s*], namely [*full name*]. |
|  | 6. | The Respondent must not approach [*full name*] at their place of residence or work, or any other person at the place of work or residence, except under the following conditions:   [*description of* conditions]. |
|  | 7. | The Respondent must immediately close [*account number, details*]. |
|  | 8. | The Respondent must immediately return [*personal property/money*], namely [*description of personal property/dollar amount*] to [*full name*]. |
|  | 9. | The Respondent must immediately allow [*full name*] to have access or make use of personal property, namely [*description of personal property/dollar amount*]. |
|  | 10. | The Respondent must not take possession of personal property, including money namely [*details*] reasonably needed by [*full name*]. |
|  | 11. | The Respondent must immediately make arrangements for the family member[*s*], namely [*full name*(*s*)] to be [*paid/have access* *to*] money of the Respondent in the hands of, or owing to the Respondent from, a third party, namely [*description*]. |
|  | 12. | [other conditions]. |

|  |
| --- |
| To the Respondent: WARNING   Contravention of an intervention order is a criminal offence which can be punished by a term of imprisonment or detention.   If this is a Nationally Recognised Domestic Violence Order it applies and is enforceable in all Australian States and Territories.   If this is not a Nationally Recognised Domestic Violence Order, upon registration, this order is enforceable in other Australian States and Territories.   You cannot apply to the Court to vary or revoke this order for 12 months or such longer period as the Court may have ordered. |

|  |
| --- |
| Authentication  …………………………………………  Signature of Court Officer  [title and name] |

9. In Schedule 2, Form 150 – Certificate for Victim of Identity Theft is deleted and substituted as follows:

Form 150

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Signed:  FDN: |  |

**CERTIFICATE FOR VICTIMS OF IDENTITY THEFT**

**Sentencing Act 2017 s 125**

[*SUPREME/DISTRICT/MAGISTRATES/YOUTH/ENVIRONMENT RESOURCES AND DEVELOPMENT*] **Select one** COURTOF SOUTH AUSTRALIA

CRIMINAL JURISDICTION

**[*FULL NAME*]**

**Applicant**

|  |
| --- |
| **Certificate**  I, [*title and name of Judicial Officer*] certify that:  1. A person was found guilty of the following offence[*s*] by this Court on [*date*], being [an] offence[s] involving **select one** [*the assumption of another person’s identity/the use of another person’s personal identification information*] ***Note personal identification information* has the same meaning as section 144A of the *Criminal Law Consolidation Act 1935***:  **provision for multiple numbered paragraphs**  (a) Offence: [*Enter short name of offence*] [*Enter Act or Regulations and section or other provision/common law*]  Date: [*date(s)*]  Location: [*location*] **if any**  Particulars of Offence: [*Enter particulars*]  2. [*full name*] is a victim of [*that offence/those offences*] **select one** being the person whose [*identity has been assumed/personal identification information has been used*] **selection based on selection at 1 above** without the victim’s consent, in connection with the commission of the offence[*s*] **selection based on selection at 1 above** described above by *[insert how identity used to commit offence*].  3. [*Enter any other matters*].  **CERTIFIED**  at [*place*]  on [*date*]  …………………………………………  Signature of Court Officer  [*title and name*] |

In accordance with the *Supreme Court Act 1935*, the *District Court Act 1991* and the *Magistrates Court Act 1991*, and all other enabling powers, the *Joint Criminal (No 6) Amending Rules 2025* have been made—

• as rules of the Supreme Court by 3 or more Judges of the Supreme Court; and

• as rules of the District Court by the Acting Chief Judge and 2 or more other Judges of that Court; and

• as rules of the Magistrates Court by the Acting Chief Magistrate and 2 or more other Magistrates; and

• as rules of the Environment, Resources and Development Court by the Senior Judge and 1 other Judge; and

• as rules of the Youth Court by the Judge and the magistrates who are members of the principal judiciary of that Court,

and such rules will apply to and in relation to the Court in accordance with their terms.

Dated: 26 March 2025

Chief Justice Kourakis

Chief Judge Evans

Senior Judge Durrant

Chief Magistrate Hribal

Judge Eldridge

Supreme Court Act 1935

District Court Act 1991

Environment, Resources and Development Court Act 1993

Magistrates Court Act 1991

Youth Court Act 1993

South Australia

## *Uniform Special Statutory (No 5) Amending Rules 2025*

By virtue and in pursuance of the *Supreme Court Act 1935*, the *District Court Act 1991*, the *Environment, Resources and Development Court Act 1993*, the *Magistrates Court Act 1991* and the *Youth Court Act 1993*, and all other enabling powers, we, the Chief Justice of the Supreme Court, the Chief Judge of the District Court, the Chief Magistrate of the Magistrates Court, and the Judge of the Youth Court make the following *Uniform Special Statutory (No 5) Amending Rules 2025*.

1. These Rules may be cited as the *Uniform Special Statutory (No 5) Amending Rules 2025*.

2. The amendments made by these rules come into effect on the later of—

(a) 1 April 2025; or

(b) the date of their publication in the Gazette.

3. In these Rules, the commencement date means the date on which these rules come into effect under rule 3.

4. Part 7, Division 1 is deleted and substituted as follows:

**Part 7—Certificate for identity theft**

**Division 1—State: Magistrates and Youth Courts**

**329.1—Scope of Division**

This Division applies to any applications under section 84 of the *Criminal Procedure Act 1921* that are not made in the relevant criminal proceeding under the [Joint Criminal Rules](#_2.1—Definitions).

**329.2—Definitions**

In this Part—

***Act*** means the *Criminal Procedure Act 1921*.

**329.3—Application**

(1) An application for a certificate for identity theft under section 84 of the Act must be—

(a) in the prescribed form; and

(b) supported by an affidavit in the prescribed form.

**Prescribed forms—**

Form 1 Originating Application

Form 7 Affidavit

(2) The supporting affidavit must:

(a) identify the alleged offence or offences;

(b) if applicable, provide details of the conviction including the relevant case number;

(c) identify the relevant police report number (if applicable);

(d) if applicable, identify the manner in which the person’s identity was assumed;

(e) if applicable, identify the relevant personal identification information and the manner in which it was used;

(f) identify how the assumption of the applicant’s identity or use of the person’s personal identification information was assumed or used in connection with the commission of the alleged offence or offences; and

(g) address the assumption of the applicant’s identity or use of the applicant’s personal identification information being without the applicant’s consent.

(h) any other matters that may be relevant.

(3) The applicant must join as respondents—

(a) if applicable, the Commissioner of Police; and

(b) any other person if ordered by the Court after the institution of the proceeding.

**329.4—Hearing and determination**

(1) The Court may if it thinks fit determine the application without hearing the parties.

(2) A certificate for identity theft must be in the prescribed form.

**Prescribed form—**

Form 96C Certificate for Victim of Identity Theft—State

5. In Schedule 1, Form 96C – Certificate for Victim of Identity Theft – State is deleted and substituted as follows:

Form 96C

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Signed:  FDN: |  |

**CERTIFICATE FOR VICTIM OF IDENTITY THEFT**

[*MAGISTRATES/YOUTH*] COURTOF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

**[*FULL NAME*]**

**Applicant**

**[*FULL NAME*]**

**Respondent (if applicable)**

|  |
| --- |
| Certificate  I certify that:  1. [*full name*], date of birth [date] is an identity theft victim being the person whose [*identity has been assumed/personal identification information has been used*] without the victim’s consent, in connection with the commission of the offence[*s*] by *[insert how identity used to commit offence*].  2. [*Enter any other matters*].  CERTIFIED  at [*place*]  on [*date*]  …………………………………………  Signature of Court Officer  [*title and name*] |

6. In Schedule 1, Form 92B – Order – Animal Welfare Act Disposal of Animal is deleted and substituted as follows:

Form 92B

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Signed:  FDN: |  |

**ORDER – ANIMAL WELFARE ACT DISPOSAL OF ANIMAL**

**Animal Welfare Act 1985**

[*MAGISTRATES/YOUTH*] **Select one** COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

**[*FULL NAME*]**

**Applicant**

**[*FULL NAME*]**

**Respondent**

|  |  |  |
| --- | --- | --- |
| Introduction  Hearing  Hearing Location: [*suburb*]  [*Hearing date*]  [*Presiding Officer*]  Appearances  [*Applicant Appearance Information*]  [*Respondent Appearance Information*]  Remarks  An Application has been made on [*date*] by an inspector, [*name*] under section 31C(2) of the *Animal Welfare Act 1985* for an order that the animal[s] described below be sold, destroyed or otherwise disposed of as the Minister thinks fit.  The Magistrate is satisfied that | | |
|  | (a) | mandatory the animal[s] described below have been seized and retained under the *Animal Welfare Act 1985*. |
|  | (b) | mandatory legal proceedings under the *Animal Welfare Act 1985* relating to the animal[s] described below are pending, namely [*description of legal proceedings*]*.* |
|  | (c) | the Applicant seeks an order authorising that the animal[s]described below be sold, destroyed or otherwise disposed of as the Minister thinks fit. |
|  | (d) | mandatory in the circumstances, it is [*impractical/unreasonable*] for the animal[s] described below to continue to be retained until the proceedings have been concluded or otherwise terminated. |
|  | (e) | an order should be made under section 31C(2) of the *Animal Welfare Act 1985*. |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Order  Date of Order: [*date*]  Terms of Order  It is ordered that:  Orders in separately numbered paragraphs.  1. The animal[*s*] described below be sold, destroyed or otherwise disposed of as the Minister thinks fit.  2. [*other orders*]  Mandatory – provision for multiple  Animal [*1*] subject of Application   |  |  |  |  | | --- | --- | --- | --- | | Type of animal: | [*type and where applicable breed of animal*] | | | | Name of animal if known: | [*full name*] | | | | Identifying features of  Animal if required to ensure correct animal is subject of the authorised action  Owner if known | [*identifying features*]  [*full name*] provision for multiple | | | | Address where animal kept: | [*street*] include unit or level number and/or name of property if necessary | | | | [*city/town/suburb*] | [*state*] provision for South Australia to be default selected | [*postcode*] | |

|  |
| --- |
| To the [*Party Title*] [*name of person against whom order is made*]: WARNING  If you disobey this order, you will be in contempt of court and liable to imprisonment and/or a fine or other punishment and any other person who knows of this order and does anything that helps or permits you to disobey this order may be similarly punished. |

|  |
| --- |
| Authentication  …………………………………………  Signature of Court Officer  [*title and name*] |

7. In Schedule 1, Form 1C – Originating Application – Animal Welfare Act Warrant – State is deleted and substituted as follows:

Form 1C

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Signed:  FDN: |  |

**ORIGINATING APPLICATION – ANIMAL WELFARE ACT WARRANT/ORDER**

**Animal Welfare Act 1985**

*MAGISTRATES* **select one** COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

**[*FULL NAME*]**

**Applicant**

**[*FULL NAME*]**

**Respondent**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Applicant |  | | | | |
| Full Name | | | | |
| Name of law firm/solicitor  If any |  | | |  | |
| Law Firm | | | Responsible Solicitor | |
| Address for service |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. home; work; mobile) – Number | | | Another number (optional) | |

**Duplicate panel if multiple Respondents**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Respondent |  | | | | |
| Full Name (including Also Known as) | | | | |
| Address |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. home; work; mobile) – Number | | | Another number (optional) | |

**Next box to only appear if applicable**

**Duplicate panel if multiple Interested Parties**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Interested Party |  | | | | |
| **Full Name** | | | | |
| Address |  | | | | |
| **Street Address (including unit or level number and name of property if required)** | | | | |
|  |  |  | |  |
| **City/town/suburb** | **State** | **Postcode** | | **Country** |
|  | | | | |
| **Email address** | | | | |
| Phone Details |  | | |  | |
| **Type (eg. home; work; mobile) – Number** | | | **Another number (optional)** | |

|  |
| --- |
| **Application Details**  Matter type:  This Application is for a [*warrant/order*] authorising the [*sale/destruction/disposal*] of the animal(s) specified in this Application.  This Application is made under section [*31A(5)(b)/31C(2)*] of the *Animal Welfare Act 1985.*  The Applicant seeks the following orders:  **orders sought in separately numbered paragraphs**  1.  This Application is made on the grounds   set out in the accompanying Affidavit sworn by [*name*] on [*date*].   that  **grounds in separately numbered paragraphs**  1.  **If applicable**  The Application is urgent because  **grounds in separately numbered paragraphs where more than one**  1. |

|  |  |  |  |
| --- | --- | --- | --- |
| **Mandatory – provision for multiple** | | | |
| **Animal [*1*] subject of Application** | | | |
| Type of animal: |  | | |
| **type and where applicable breed of animal** | | |
| Name of animal **if known**: |  | | |
| **full name** | | |
| Identifying features of animal **if required to ensure correct animal is subject of the authorised action** |  | | |
| **identifying features** | | |
| Owner **if known** |  | | |
| **full name provision for multiple** | | |
| Address where animal is kept: |  | | |
| **street include unit or level number and/or name of property if necessary** | | |
|  |  |  |
| **city/town/suburb** | **State: South Australia to be default selected** | **postcode** |

|  |
| --- |
| **To the Other Parties: WARNING**  This Application will be considered at the hearing at the date and time set out at the top of this document.  If you wish to oppose the Application or make submissions about it:   you must attend the hearing; and   if you wish to rely on any facts in addition to or contrary to those relied on by the party seeking the orders, you must file and serve on all parties an Affidavit within14 days after service of the Application.  If you do not do so, the Court may proceed in your absence and orders may be made **finally determining** this proceeding without further warning.  For instructions on how to obtain access to the file, visit <https://courtsa.courts.sa.gov.au/?g=node/482>. |

|  |
| --- |
| **Service**  The party filing this document is required to serve it on all other parties in accordance with the Rules of Court. |

|  |
| --- |
| **Accompanying Documents**  Accompanying this Application is a:   Multilingual Notice **mandatory**   Supporting Affidavit **mandatory**   Notice to Respondent Served Interstate **mandatory when address of party to be served is interstate**   Notice to Respondent Served in New Zealand **mandatory when address of party to be served is in NZ**   Notice to Respondent Served outside Australia **mandatory when address of party to be served is overseas & not in NZ**   If other additional document(s) please list below: |

8. Rule 2.1(1)(c) is deleted and substituted as follows:

**Chapter 1—General**

**Part 2—Interpretation**

**2.1—Definitions**

(1) In these Rules—

***Previous Rules*** means—

…

(c) in the context of the Youth Court—the *Youth Court (Young Offenders) Rules 2016*; the *Youth Court (General) Rules 2016*; the *Youth Court (Care and Protection) Rules 2018*;the *Youth Court (Adoption) Rules 2018* and the *Youth Court (Youth Treatment Orders) Rules 2021*;

…

9. In Schedule 1, Form A10 – Order – Adoption is deleted and substituted as follows:

Form A10

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Filed:  FDN: |  |

**ORDER – ADOPTION**

YOUTHCOURT OF SOUTH AUSTRALIA

ADOPTION JURISDICTION

IN THE MATTER OF [*NAME OF ADOPTIVE/ADOPTED PERSON*]

**Please specify the Full Name for each party. Each party should include a party number if more than one party of the same type.**

First Adoptive Parent

**Only displayed if applicable**

Second Adoptive Parent

Birth Mother

Birth Father

Adoptive/Adopted Person

**Only displayed if applicable**

Chief Executive

**Only displayed if applicable**

First Interested Party

|  |
| --- |
| **Introduction**  The Applicant/s seek an order pursuant to the *Adoption Act 1988* (SA) “the Act”.  **Hearing**  [*Hearing date*]  [*Presiding Officer*]  **Appearances**  [*First Adoptive Parent Appearance Information*]  **Only displayed if applicable**  [*Second Adoptive Parent Appearance Information*]  [*Birth Mother Appearance Information*]  [*Birth Father Appearance Information*]  [*Adoptive/Adopted Person Appearance Information*]  **Only displayed if applicable**  [*Chief Executive Appearance Information*]  **Only displayed if applicable**  [*Other party title’s Appearance Information*]  **Date of Order**: |

**Next box only displayed if originating process is application for adoption order**

**Next box only displayed if one or more recitals are entered**

|  |
| --- |
| **Recitals**  The Court is satisfied that:  **Adoption order granted**  [ ] there has been due and proper compliance with the requirements of the Act and that it is in the best interests of the adoptive person that an order be made.  **Adoption order not granted**  [ ] there has been due and proper compliance with the requirements of the Act but that it is not in the best interests of the adoptive person that an order be made.  **Adoption order not granted**  [ ] there has not been due and proper compliance with the requirements of the Act.  [ ] [*any other recitals to appear in order*]. |

**Next box only displayed if originating process is application to discharge an adoption order**

**Next box only displayed if one or more recitals are entered**

|  |
| --- |
| **Recitals**  The Court is satisfied that:  **Discharge order granted**  [ ] the adoption order or consent for the purposes of the adoption order was obtained by fraud, duress or other improper means.  **Discharge order granted**  [ ] it is in the best interests of the adoptive person, taking into account the rights and welfare of the adoptive person, for the discharge order to be made.  **Discharge order not granted**  [ ] the grounds of the Application to Discharge an Adoption Order have not been made out.  [ ] [*any other recitals to appear in order*]. |

**Next box only displayed if originating process is application for recognition of an adoption order made outside Australia**

**Next box only displayed if one or more recitals are entered**

|  |
| --- |
| **Recitals**  The Court is satisfied that:  **Recognition order granted**  [ ] a) the Adoption Order was made in accordance with the law of that country; and  b) when the Adoption Order was made, each applicant was domiciled in that country or had been resident in that country for at least 12 months; and  c) The circumstances in which the order was made would, if they had existed in this State, have constituted a sufficient basis for making an adoption order under this Act; and  d) The proceedings in which the order was made involved no denial of natural justice or failure to observe the requirements of substantial justice.  **Recognition order not granted**  [ ] the grounds of the Application to Recognise an Adoption Order made outside Australia have not been made out.  [ ] [*any other recitals to appear in order*]. |

**Next box only displayed if originating process is application to dispense with, or recognise the validity of consent**

**Next box only displayed if one or more recitals are entered**

|  |
| --- |
| **Recitals**  The Court is satisfied that:  **Order granted to dispense with consent**  [ ] the person cannot, after reasonable inquiry, be found or identified.  **Order granted to dispense with consent**  [ ] the person is in such a physical or mental condition as not to be capable of properly considering the question of consent.  **Order granted to dispense with consent**  [ ] the person has abandoned, deserted or persistently neglected or ill-treated the child.  **Order granted to dispense with consent**  [ ] there are circumstances by reason of which the consent may properly be dispensed with.  **Order granted recognising consent**  [ ] the person has given valid consent to the adoption.  **Dispensation/recognition order not granted**  [ ] the grounds of the Application to Dispense with, or Recognise the Validity of Consent have not been made out.  [ ] [*any other recitals to appear in order*]. |

**Next box only displayed if originating process is application to revoke an order dispensing with or recognising the validity of consent, application for interlocutory orders, application for costs or other**

**Next box only displayed if one or more recitals are entered**

|  |
| --- |
| **Recitals**  The Court is satisfied that:  [ ] [*any other recitals to appear in order*]. |

**Next box only displayed if originating process is application for adoption order**

|  |
| --- |
| **Order**  It is ordered  **Mandatory if outcome is adjournment or interim order**  [ ] 1. That the hearing of the application is adjourned until [*date*].  **Mandatory if application is dismissed**  [ ] 1. That the Application for an Adoption Order is dismissed.  **Mandatory if application is withdrawn**  [ ] 1. That leave is granted for the Application for an Adoption Order to be withdrawn.  **If application is granted**  [ ] That the adoptive person be adopted by the applicant[*s*].  **If application is granted**  [ ] That the name by which the adoptive person is to be known is [*name*].  **If outcome is interim order**  [ ] The period between service upon the [*party title*] [*name*] and the hearing of the application is reduced to [*number of days*] days.  **If outcome is interim order**  [ ] Service upon the [*party title*] [*name*] is dispensed with.  [ ] other [*orders in separately numbered paragraphs*]. |

**Next box only displayed if originating process is application to discharge an adoption order**

|  |
| --- |
| **Order**  It is ordered  **Mandatory if outcome is adjournment or interim order**  [ ] 1. That the hearing of the application is adjourned until [*date*].  **Mandatory if application is dismissed**  [ ] 1. That the Application to Discharge an Adoption Order is dismissed.  **Mandatory if application is withdrawn**  [ ] 1. That leave is granted for the Application to Discharge an Adoption Order to be withdrawn.  **If application is granted**  [ ] That the adoption order dated [*date*] be discharged.  **If application is granted**  [ ] That the name by which the adoptive person is to be known is [*name*].  **If outcome is interim order**  [ ] The period between service upon the [*party title*] [*name*] and the hearing of the application is reduced to [*number of days*] days.  **If outcome is interim order**  [ ] Service upon the [*party title*] [*name*] is dispensed with.  [ ] other [*orders in separately numbered paragraphs*]. |

**Next box only displayed if originating process is application for recognition of an adoption order made outside Australia**

|  |
| --- |
| **Order**  It is ordered  **Mandatory if outcome is adjournment or interim order**  [ ] 1. That the hearing of the application is adjourned until [*date*].  **Mandatory if application is dismissed**  [ ] 1. That the Application for Recognition of an Adoption Order Made Outside Australia is dismissed.  **Mandatory if application is withdrawn**  [ ] 1. That leave is granted for the Application for Recognition of an Adoption Order Made Outside Australia to be withdrawn.  **If application is granted**  [ ] That the adoption order dated [*date*] and made outside Australia is to be recognised under the law of the State of South Australia.  **If outcome is interim order**  [ ] The period between service upon the [*party title*] [*name*] and the hearing of the application is reduced to [*number of days*] days.  **If outcome is interim order**  [ ] Service upon the [*party title*] [*name*] is dispensed with.  [ ] Other [*orders in separately numbered paragraphs*]. |

**Next box only displayed if originating process is application to dispense with or recognise the validity of consent**

|  |
| --- |
| **Order**  It is ordered  **Mandatory if outcome is adjournment or interim order**  [ ] 1. That the hearing of the application is adjourned until [*date*].  **Mandatory if application is dismissed**  [ ] 1. That the Application to Dispense with or Recognise the Validity of Consent is dismissed.  **Mandatory if application is withdrawn**  [ ] 1. That leave is granted for the Application to Dispense with or Recognise the Validity of Consent to be withdrawn.  **If application is granted**  [ ] That the consent of the [*party title*] is dispensed with.  **If application is granted**  [ ] That the consent given by the [*party title*] on [*date*] is recognised.  **If outcome is interim order**  [ ] The period between service upon the [*party title*] [*name*] and the hearing of the application is reduced to [*number of days*] days.  **If outcome is interim order**  [ ] Service upon the [*party title*] [*name*] is dispensed with.  [ ] Other [*orders in separately numbered paragraphs*]. |

**Next box only displayed if originating process is application to revoke an order dispensing with or recognising the validity of consent, application for interlocutory orders, application for costs or other**

|  |
| --- |
| **Order**  It is ordered  **Orders in separately numbered paragraphs.**  1. |

|  |
| --- |
| **Court use only**  …………………………………………  Registrar |

10. In Schedule 1, Form S6 – Order – Surrogacy is deleted and substituted as follows:

Form S6

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Filed:  FDN: |  |

**ORDER – SURROGACY**

YOUTHCOURT OF SOUTH AUSTRALIA

SURROGACY JURISDICTION

IN THE MATTER OF [*NAME OF CHILD*]

**Please specify the Full Name for each party. Each party should include a party number if more than one party of the same type.**

**Display the following items as applicable**

First Intended Parent

Second Intended Parent

Surrogate/Birth Mother

Partner of Surrogate/Birth Mother

Other Party

Child

**Only one of the next two items display as applicable**

ATTORNEY-GENERAL

CHIEF EXECUTIVE

|  |
| --- |
| **Introduction**  The Applicant/s seek an order pursuant to the *Surrogacy Act 2019* (SA) “the Act”.  **Hearing**  [*Hearing date*]  [*Presiding Officer*]  **Appearances**  **Displayed as applicable**  [*First Intended Parent Appearance Information*]  [*Second Intended Parent Appearance Information*]  [*Surrogate/Birth Mother Appearance Information*]  [*Other Party Appearance Information*]  [*Interested Party Appearance Information*]  [*Attorney-General Appearance Information*]  [*Chief Executive of the Department for Child Protection Appearance Information*]  [*Other party title’s Appearance Information*]  **Date of Order**: |

**Next box only displayed if originating process is application for an order as to parents of a child born under a recognised surrogacy agreement**

**Next box only displayed if one or more recitals are entered**

|  |
| --- |
| **Recitals**  The Court is satisfied that:  **Order granted**  [ ] there has been due and proper compliance with the requirements of the Act and that it is in the best interests of the child that an order be made.  **Order not granted**  [ ] there has been due and proper compliance with the requirements of the Act but that it is not in the best interests of the child that an order be made.  **Order not granted**  [ ] there has not been due and proper compliance with the requirements of the Act.  [ ] [*any other recitals to appear in order*]. |

**Next box only displayed if originating process is application to revoke an order as to parents of a child born under a recognised surrogacy agreement**

**Next box only displayed if one of more recitals are entered**

|  |
| --- |
| **Recitals**  The Court is satisfied that:  **Revoke order granted**  [ ] the original order was obtained by fraud, duress or other improper means.  **Revoke order granted**  [ ] a consent relied on for the making of the original order was not an effective consent because it was obtained by fraud, duress or material inducement.  **Revoke order granted**  [ ] there is an exceptional reason why the original order should be discharged.  **Revoke order not granted**  [ ] the grounds of the application have not been made out  [ ] [*any other recitals to appear in order*]. |

**Next box only displayed if originating process is marked as other**

**Next box only displayed if one or more recitals are entered**

|  |
| --- |
| **Recitals**  The Court is satisfied that:  [ ] [*any other recitals to appear in order*]. |

**Next box only displayed if originating process is application for an order as to parents of a child born under a recognised surrogacy agreement**

|  |
| --- |
| **Order**  It is ordered:  **Mandatory if outcome is adjournment or interim order**  [ ] That the hearing of the application is adjourned until [*date*].  **Mandatory if application is dismissed**  [ ] That the Application for an Order as to Parents of a Child Born Under a Recognised Surrogacy Agreement is dismissed.  **Mandatory if application is withdrawn**  [ ] That leave is granted for the Application for an Order as to Parents of a Child Born Under a Recognised Surrogacy Agreement to be withdrawn.  **Mandatory if order not granted**  [ ] That no order shall be made as to parents of a child born under a Recognised Surrogacy Agreement  [ ] [*other*]  **Mandatory if order granted**  1. That section 18 of the Surrogacy Act 2019 has been complied with and the Court accepts the Recognised Surrogacy Agreement as between the surrogate/birth mother [*name*] and the intended parents [*name*] and [*name*], such Agreement being entered into on [*date*].  2. That the surrogate/birth mother [*name*] freely and with full understanding of what is involved, agrees to the making of these orders.  3. That the intended parents [*name*] and [*name*] are fit and proper persons to assume the role of parents of the child[*ren*].  4. That the Court approves that the child [*name*] shall be named as [*name*].  5. That the Registrar of the Youth Court of South Australia will give the Registrar of Births, Deaths and Marriages written notice of the particulars described in section 21 of the Surrogacy Act 2019.  **If outcome is interim order**  [ ] The period between service upon the [*party title*] [*name*] and the hearing of the application is reduced to [*number of days*] days.  **If outcome is interim order**  [ ] Service upon the [*party title*] [*name*] is dispensed with.  [ ] [*other*]  **Orders in separately numbered paragraphs**  **Next item only displayed if order granted**  It is noted that the effect of this order for the purposes of the laws of the State will be as follows:  1. That the relationship between the child[*ren*] [*name*] and the intended parents [*name*] and [*name*] is to be treated as being that of child and parent.  2. That the relationship between the child[*ren*] [*name*] and the surrogate/birth mother [*name*] and the husband of the surrogate mother/birth father [*name*] is to be treated as not being that of child and parent. |

**Next box only displayed if originating process is application to revoke an order as to parents of a child born under a recognised surrogacy agreement**

|  |
| --- |
| **Order**  It is ordered:  **Mandatory if outcome is adjournment or interim order**  [ ]That the hearing of the application is adjourned until [*date*].  **Mandatory if application is dismissed**  [ ] That the Application to Revoke an Order as to Parents of a Child Born Under a Recognised Surrogacy Agreement is dismissed.  **Mandatory if application is withdrawn**  [ ] That leave is granted for the Application to Revoke an Order as to Parents of a Child Born Under a Recognised Surrogacy Agreement to be withdrawn.  **Mandatory if order not granted**  [ ] That the Application to Revoke an Order as to Parents of a Child Born Under a Recognised Surrogacy Agreement is dismissed.  [ ] [*other*]  **Mandatory if order granted**  1. That the original order dated [*date*] be revoked.  2. That the child shall hereby be named as [*name*].  3. That the Registrar of the Youth Court of South Australia will give the Registrar of Births, Deaths and Marriages written notice of the particulars described in section 21 of the Surrogacy Act 2019.  **If outcome is interim order**  [ ] The period between service upon the [*party title*] [*name*] and the hearing of the application is reduced to  [*number of days*] days.  **If outcome is interim order**  [ ] Service upon the [*party title*] [*name*] is dispensed with.  [ ] [*other*]  **Orders in separately numbered paragraphs**  **Next item only displayed if order granted**  It is noted that the effect of this order for the purposes of the laws of the State will be as follows:  1. That the relationship between the child [*name*] and the intended parents [*name*] and [*name*] is to be treated as not being that of child and parent.  2. That the relationship between the child[*ren*] [*name*] and the surrogate/birth mother [*name*] and the husband of the surrogate mother/birth father [*name*] is to be treated as being that of child and parent. |

|  |
| --- |
| **Court use only**  …………………………………………  Registrar |

11. In Schedule 1, Form 1O – Originating Application – Intervention Order is deleted and substituted as follows:

Form 1Oh

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Filed:  FDN: |  |

|  |  |  |
| --- | --- | --- |
| Hearing Date and Time: |  |  |
| Hearing Location: |  |  |

**ORIGINATING APPLICATION – INTERVENTION ORDER**

MAGISTRATES / YOUTH **Circle one** COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

**……………………………………………………………………………………………………………Full name**

**Applicant**

**……………………………………………………………………………………………………………Full name**

**Respondent**

**Only complete next box if filed by the solicitor for the Applicant**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Applicant |  | | | | |
| Full Name | | | | |
| Name of Law Firm and Solicitor if any |  | | |  | |
| Law Firm | | | Responsible Solicitor | |
| Address for Service |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. home; work; mobile) – Number | | | Another number (optional) | |

**Only complete next box if filed by the Police as Applicant**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Applicant | Commissioner of Police | | | | |
| Name of responsible officer |  | | | | |
| Full Name | | | | |
| Name of Law Firm and Solicitor if any |  | | |  | |
| Law firm/office | | | Responsible solicitor | |
| Address for service |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. home; work; mobile) – Number | | | Another number (optional) | |

**Only complete next box if the Applicant is a proposed protected person and is not willing to disclose their address and telephone details to the Respondent**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Applicant/Proposed Protected Person |  | | | |
| Full Name | | | |
| Address for service | [*260 Victoria Square/75 Wright Street*] | | | |
| Adelaide | South Australia | | 5000 |
|  | | | |
| Email address | | | |
|  |  | |  | |
|  | |  | |

**Only complete next box if the Applicant is a proposed third party applicant and willing to disclose their address and telephone details to the Respondent**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Applicant/Third Party |  | | | | |
| Full Name | | | | |
| Address |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. home; work; mobile) – Number | | | Another number (optional) | |

**Only complete next box if the Applicant is a proposed third party applicant and is not willing to disclose their address and telephone details to the Respondent**

|  |  |  |  |
| --- | --- | --- | --- |
| Applicant/Third party |  | | |
| Full Name | | |
| Address for service | [*260 Victoria Square/75 Wright Street*] | | |
| Adelaide | South Australia | 5000 |
|  | | |
| Email address | | |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Respondent (person against whom order sought) |  | | | | |
| Full Name | | | | |
| Address |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Other Address at which Respondent may be found optional |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | | | |
| Type (eg. home; work; mobile) – Number | | | | |
| Date of birth and driver’s licence number |  | | |  | |
| Date of birth | | | Driver’s Licence number | |
| Gender |  | | | | |
| gender | | | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Interested Party |  | | | |
| Full Name | | | |
| Address |  | | | |
| Street Address (including unit or level number and name of property if required) | | | |
|  |  |  |  |
| City/town/suburb | State | Postcode | Country |
|  | | | |
| Email address | | | |
| Phone Details |  | | | |
| Type (eg. home; work; mobile) – Number | | | |

**Only complete if applicable otherwise mark as N/A**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Interested Party |  | | | |
| Full Name | | | |
| Address |  | | | |
| Street Address (including unit or level number and name of property if required) | | | |
|  |  |  |  |
| City/town/suburb | State | Postcode | Country |
|  | | | |
| Email address | | | |
| Phone Details |  | | | |
| Type (eg. home; work; mobile) – Number | | | |

|  |  |
| --- | --- |
| Proposed Protected Person [*1*] Details | |
| Proposed Protected Person |  |
| Full Name (including Also Known as (if applicable)) |
| Gender |  |
| Gender |
| Relationship to the Respondent | Partner/spouse  Child  Step-child  Parent  Step-parent  Sibling  Relative  Neighbour  Other – Please specify: ……………………………………………………………….. |

**Only complete if applicable otherwise as mark as N/A**

|  |  |
| --- | --- |
| Proposed Protected Person [*2*] Details | |
| Proposed Protected Person |  |
| Full Name (including Also Known as (if applicable)) |
| Gender |  |
| Gender |
| Relationship to the Respondent | Partner/spouse  Child  Step-child  Parent  Step-parent  Sibling  Relative  Neighbour  Other – Please specify: ……………………………………………………………….. |

**Only complete if applicable otherwise as mark as N/A**

|  |  |
| --- | --- |
| Proposed Protected Person [*3*] Details | |
| Proposed Protected Person |  |
| Full Name (including Also Known as (if applicable)) |
| Gender |  |
| Gender |
| Relationship to the Respondent | Partner/spouse  Child  Step-child  Parent  Step-parent  Sibling  Relative  Neighbour  Other – Please specify: ……………………………………………………………….. |

|  |
| --- |
| Application Details  Mark appropriate sections below with an ‘x’  This Application is for an Intervention Order to be issued against the Respondent for the protection of ……………..…………………………………………………………………….protected person(s) in the terms listed in the box entitled ‘Interim Intervention Order Terms Requested’ below.  This Application is made under section 20 of the Intervention Orders (Prevention of Abuse) Act 2009.  The Applicant seeks the following orders:  Orders sought in separately numbered paragraphs.  1. An Intervention Order in the terms set out below.  [ ] 2. A Problem Gambling Order.  [ ] 3. A Problem Gambling Attachment Order.  [ ] 4. A Tenancy Order.  This Application is made on the grounds  [ ] set out in the accompanying Affidavit sworn by …………………..………….……name on ……………………….date  [ ] that that the Respondent may commit the following act of abuse  [ ] domestic abuse  [ ] non-domestic abuse  The definitions of Domestic Abuse, Domestic Partners, Registered Relationship and Close Personal Relationship, are included at the end of this form.  Only complete if applicable otherwise mark as N/A  The applicant requests that the preliminary hearing be conducted by audio visual /audio Circle one link because  Enter grounds in separately numbered paragraphs where more than one  1.……………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………….…………………………………………………………………………………………………………………………………………………………………………………………………………  Only complete if applicable otherwise mark as N/A  The Application is urgent because  Enter grounds in separately numbered paragraphs where more than one  1.……………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………….……………………………………………………………………………………………………………………………………………………………………………… |

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| 1. Is there currently a Domestic Violence Order in place anywhere in Australia between any of the protected person(s) and the Respondent?  [ ] Yes (if yes, a copy of the orders must accompany the application)  [ ] No  2. Are there any children that are not proposed to be protected persons that may be affected by the order?  [ ] Yes (if yes, complete the affected children box below)  [ ] No  3. Is the Applicant aware of any relevant orders under the Family Law Act 1975 (Cth) between a[ny] person[s] proposed to be protected by the order and the Respondent?  [ ] Yes (if yes, a copy of the orders must accompany the application)  [ ] No  4. Is the Applicant aware of any relevant orders, agreements or contact determinations under the Children and Young People (Safety) Act 2017 or the former the Children’s Protection Act 1993?  [ ] Yes (if yes, a copy of the orders, agreements or contact determinations must accompany the application)  [ ] No  5. Is the Applicant aware of any relevant orders or agreements for the division of property under the Family Law Act 1975 (Cth) the Domestic Partners Property Act 1996, or a corresponding law of another jurisdiction between a person proposed to be protected by the order and the Respondent, or any pending application for such an order?  [ ] Yes (if yes, a copy of the orders or agreements must accompany the application)  [ ] No  6. Is the Applicant aware of any other legal proceedings between a person[s] proposed to be protected by the order and the Respondent of which the Applicant is aware?  [ ] Yes (if yes, a copy of any judgments or substantive orders must accompany the application)  [ ] No |

**Only complete if party is seeking a tenancy order otherwise mark as N/A**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Tenancy details | | | | |
| Address |  | | | |
| Street Address (including unit or level number and name of property if required) | | | |
|  |  |  |  |
| City/town/suburb | State | Postcode | Country |
|  | | | |
|  | | | |
| Term of Lease |  | | | |
| Term | | | |
| The present tenant[s] |  | | | |
| Full Name (including Also Known as (if applicable)) | | | |
| The proposed tenant |  | | | |
| Full Name (including Also Known as (if applicable)) | | | |
| Present rent | $ | | | |
| Amount per fortnight | | | |
| Bond | $ | | | |
| Amount | | | |
| [Landlord/Agent] details |  | | | |
| Full Name (including Also Known as (if applicable)) | | | |
| Phone Details |  | | | |
| Type - Number | | | |
| Email |  | | | |
| Email address | | | |

**Next box only complete if applicable; otherwise mark as N/A**

|  |  |  |
| --- | --- | --- |
| Details of any child[ren] who will not be protected persons but who may be affected by the order | | |
| Affected child |  |  |
| Full name | Age in years |

**Leave blank if not required**

|  |  |  |
| --- | --- | --- |
| Details of any child[ren] who will not be protected persons but who may be affected by the order | | |
| Affected child |  |  |
| Full name | Age in years |

**Leave blank if not required**

|  |  |  |
| --- | --- | --- |
| Details of any child[ren] who will not be protected persons but who may be affected by the order | | |
| Affected child |  |  |
| Full name | Age in years |

**Leave blank if not required**

|  |  |  |
| --- | --- | --- |
| Details of any child[ren] who will not be protected persons but who may be affected by the order | | |
| Affected child |  |  |
| Full name | Age in years |

**Leave blank if not required**

|  |  |  |
| --- | --- | --- |
| Details of any child[ren] who will not be protected persons but who may be affected by the order | | |
| Affected child |  |  |
| Full name | Age in years |

|  |  |  |
| --- | --- | --- |
| **Interim Intervention Order Terms Requested**  **Mark appropriate sections below with an ‘x’** | | |
| **General** | | |
| [ ] | 1. | The Respondent must notassault, threaten, harass or intimidate the protected person[*s*]. |
| [ ] | 2. | The Respondent must notdamage or interfere with property belonging to the protected person[*s*] or the premises where the protected person[*s*] stay[*s*], reside[*s*] or work[*s*]. |
| [ ] | 3. | The Respondent must nottake possession of personal property belonging to the protected person[s] or the following specified property reasonably needed by the protected person[*s*]:      **specified property** |
| [ ] | 4. | The Respondent must notbe in possession of the following weapon[*s*] or article[*s*]:          **weapon/article** |
| **Firearms** | | |
| [ ] | 5. | **default selected** Any firearm (e.g. guns), ammunition or part of a firearm in the possession of the Respondent and any licence or permit held by the Respondent authorising possession of a firearm, ammunition or part of a firearm must be surrendered (handed in) immediately to the Registrar of Firearms. |
| [ ] | 6. | **default selected** For so long as this Order remains in force, any licence or permit held by the Respondent authorising possession of a firearm (e.g. guns), ammunition or part of a firearm is suspended and the Respondent is disqualified from holding or obtaining a licence or permit authorising possession of a firearm, ammunition or part of a firearm. The Respondent is prohibited from possessing a firearm, ammunition or part of a firearm in the course of his or her employment. |
| **Contact** | | |
| [ ] | 7. | The Respondent must notcontact or communicate with the protected person[*s*] either directly or in any way (including telephone, SMS messages, in writing, email or any other social media etc)  **BUT contact is permitted:**  a. at any court or tribunal hearing where the Respondent is a party to the proceeding or a witness;  b. through a solicitor or police;  c. in accordance with an order of a court exercising jurisdiction under the *Family Law Act 1975*  d. at a family dispute resolution conference or family counselling under the *Family Law Act 1975,* a family conference under the *Young Offenders Act 1993,* a family group conference convened under section 22 of the *Children and Young People (Safety) Act 2017* or at a mediation;  e. in accordance with a Parenting Plan under section 63C of the *Family Law Act 1975* consented to by the protected person after this Order;  f. by SMS [*and email*] [*and other means of communication*] to facilitate access to child[ren] and to exchange information as to the welfare of the child[*ren*];  g.  **other** |
| [ ] | 8. | The Respondent must vacate the premises at  **address**  forthwith upon service of this Order and not return to those premises unless this term is varied or removed by the Court. |
| [ ] | 9. | The Respondent is permitted to attend at the protected person[*s*] residence once in the presence of and at a time organised by a police officer to collect personal property not affected by this Order. |
| [ ] | 10. | The Respondent must notpublish on the internet or by any electronic means any material about the protected person[*s*]. |
| **Vicinity** | | |
| [ ] | 11. | The Respondent must notfollow or keep the protected person[*s*] under surveillance including tracking by GPS or otherwise. |
| [ ] | 12. | The Respondent must notgo or stay within  **number** metres of the protected person[*s*] unless permitted by other conditions of this Order. |
| [ ] | 13. | The Respondent must notgo or stay within  **number** metres of any boundary of where the protected person[*s*] stay[*s*], reside[*s*] or work[*s*]. |
| [ ] | 14. | The Respondent must notgo or stay within  **number** metres of the boundary of the following location[*s*]:    **address** |
| [ ] | 15. | The Respondent must notgo or stay within  **number** metres of the boundary of any education or care facility attended by the protected person[*s*] and / or **circle one**including specifically the following:    **address** |

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| **Other conditions** | | |
| [ ] | 16. | The Respondent must notcause, allow or encourage another person to do anything forbidden by this Order. |
| [ ] | 17. | **only available if jurisdiction ‘Magistrates Court’** The Respondent must contact the Intervention Program Manager at 8204 8815 within 2 business days and make and attend an appointment for assessment, and if assessed as suitable undertake any intervention program as ordered by the Court. |
| [ ] | 18. | The Respondent must surrender  **description of weapons or articles**  to  **person or authority**  by  **date**.. |
| [ ] | 19. | The Respondent must return  **description of personal property**  to  **name of protected person**  by date. |
| [ ] | 20. | The Respondent must allow  **name of protected person**  to recover / have access to / make use of **circle one**  **description of personal property**  and allow the person to be accompanied by  **a police officer/other specified person** while doing so. |
| [ ] | 21. | **other** |

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| Accompanying Documents  Mark appropriate sections below with an ‘x’  Accompanying this Application is a: ………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………….  Next four options to appear if the answer to questions 4, 5, 6 or 7 above is ‘yes’.  Attach any orders, agreements, contact determinations or other documents that may be relevant between a person or persons proposed to be protected by the order and the Respondent.  [ ] provision for multiple Order under the Family Law Act 1975 (Cth) [description of attached document] if available  [ ] provision for multiple [Order/Agreement/Contact Determination] under the Children Young People (Safety) Act 2017 ……………………………………………………………………………………………description of attached document if available  [ ] provision for multiple [Order/Agreement] under the Domestic Partners Property Act 1996  [ ] provision for multiple …………………………...……………………………………………..………………………………….  ………………………………………………………………………………………….……….description of any other attached documents |

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| Definitions  Section 8(8) of the Intervention Orders Prevention of Abuse Act 2009 defines ‘domestic abuse’ to be:  (8) If the act of abuse is committed by a Respondent against a person with whom the Respondent is or was formerly in a relationship, it is referred to in this Act as an act of domestic abuse; and for that purpose, two persons are in a relationship if—  (a) they are married to each other; or  (b) they are domestic partners; or  (c) they are in some other form of intimate personal relationship in which their lives are interrelated and the actions of one affects the other; or  (d) one is the child, stepchild or grandchild, or is under the guardianship, of the other (regardless of age); or  (e) one is a child, stepchild or grandchild, or is under the guardianship, of a person who is or was formerly in a relationship with the other under paragraph (a), (b) or (c) (regardless of age); or  (f) one is a child and the other is a person who acts in loco parentis in relation to the child; or  (g) one is a child who normally or regularly resides or stays with the other; or  (h) they are brothers or sisters or brother and sister; or  (i) they are otherwise related to each other by or through blood, marriage, a domestic partnership or adoption; or  (j) they are related according to Aboriginal or Torres Strait Islander kinship rules or are both members of some other culturally recognised family group; or  (k) one is the carer (within the meaning of the Carers Recognition Act 2005) of the other.  ‘Domestic partners’ is defined in sections 11 and 11A of the Family Relationships Act 1975, which read as follows:  Part 3—Domestic partners  11—Interpretation  In this Part—  ‘Close personal relationship’ means the relationship between two adult persons (whether or not related by family and irrespective of their sex or gender identity) who live together as a couple on a genuine domestic basis, but does not include—  (a) the relationship between a legally married couple; or  (b) a relationship where one of the persons provides the other with domestic support or personal care (or both) for fee or reward, or on behalf of some other person or an organisation of whatever kind.  Note—  Two persons may live together as a couple on a genuine domestic basis whether or not a sexual relationship exists, or has ever existed, between them.  ‘Registered relationship’ means a relationship that is registered under the Relationships Register Act 2016, and includes a corresponding law registered relationship under that Act.  11A—Domestic partners  A person is, on a certain date, the domestic partner of another if—  (a) the person is, on that date, in a registered relationship with the other; or  (b) the person is, on that date, living with the other in a close personal relationship and—  (i) the person—  (A) has so lived with the other continuously for the period of 3 years immediately preceding that date; or  (B) has during the period of 4 years immediately preceding that date so lived with the other for periods aggregating not less than 3 years; or  (ii) a child, of whom the two persons are the parents, has been born (whether or not the child is still living at that date). |

12. In Schedule 1, Form 34E – Order and Summons – Intervention Order and Summons (Interim) is deleted and substituted as follows:

Form 34E

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Filed:  FDN: |  |

|  |  |  |
| --- | --- | --- |
| Hearing Date and Time: |  |  |
| Hearing Location: |  |  |

**INTERVENTION ORDER AND SUMMONS (INTERIM)**

**Intervention Orders (Prevention of Abuse Act 2009 s 21(7)**

**[*NATIONALLY RECOGNISED DOMESTIC VIOLENCE ORDER*]**

[*MAGISTRATES/YOUTH*] **Select one** COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

**Order Identifier:**

**[*FULL NAME*]**

**Applicant**

**[*FULL NAME*]**

**Respondent**

|  |  |  |
| --- | --- | --- |
| **Person against whom intervention order made (‘the Respondent’)** |  |  |
|  | **Full name** | **Date of birth** |

|  |  |  |
| --- | --- | --- |
| **Protected Person(s)** |  |  |
|  | **Full name** | **Date of birth** |

|  |
| --- |
| Introduction  Hearing  Hearing Location: [suburb]  [Hearing date]  [Presiding Officer]  Appearances  [Applicant Appearance Information]  Remarks  (a) The Court is satisfied that it is appropriate in all the circumstances to make an Interim Order under section 21(7) of the Intervention Orders (Prevention of Abuse) Act 2009. |

|  |  |  |
| --- | --- | --- |
| Order  Date of Order: [date]  Terms of Order  It is ordered that:  Orders in separately numbered paragraphs. | | |
|  | 1. | An Interim Intervention Order be issued against the Respondent pursuant to section 21(3)(a) of the Intervention Orders (Prevention of Abuse) Act 2009 for the protection of [name of protected person(s)], in the terms set out below. |
|  | 2. | This order is declared to address a domestic violence concern. |
|  | 3. | provision for multiple – the Court is not able to discharge an order, injunction or arrangements to make an interim intervention order Family Law Act 1975 s 68R(4) Pursuant to section 68R of the Family Law Act 1975 (Cth), the:   Parenting Order made on [date] by [title and name of Judicial Officer]   Recovery Order made on [date] by [title and name of Judicial Officer]   Injunction granted on [date] by [title and name of Judicial Officer]   Undertaking given on [date] by [name]   Registered Parenting Plan registered on [date] by [title and name of Judicial Officer]   Recognisance entered into on [date] by [name]  in the [Family Court/Federal Circuit Court] in [proceeding no] is:   revived with effect [forthwith/from [date]]   suspended with effect [forthwith/from [date]] until [further order/[date]]   varied with effect [forthwith/from [date]] as follows: [details] |
|  | 4. | [other orders] |

|  |  |  |
| --- | --- | --- |
| **Intervention Order**  **[*This order is declared to address a domestic violence concern*]** | | |
| **General** | | |
|  | 22. | The Respondent must notassault, threaten, harass or intimidate the protected person[*s*]. |
|  | 23. | The Respondent must notdamage or interfere with property belonging to the protected person[*s*] or the premises where the protected person[*s*] stay[*s*], reside[*s*] or work[*s*]. |
|  | 24. | The Respondent must nottake possession of personal property belonging to the protected person[*s*] or the following specified property reasonably needed by the protected person[*s*]: [specified *property*]. |
|  | 25. | The Respondent must notbe in possession of the following weapon[*s*] or article[*s*]: [*weapon/article*]. |
| **Firearms** | | |
|  | 26. | **default selected** Any firearm (e.g. guns), ammunition or part of a firearm in the possession of the Respondent and any licence or permit held by the Respondent authorising possession of a firearm, ammunition or part of a firearm must be surrendered (handed in) immediately to the Registrar of Firearms. |
|  | 27. | **default selected** For so long as this Order remains in force, any licence or permit held by the Respondent authorising possession of a firearm (e.g. guns), ammunition or part of a firearm is suspended and the Respondent is disqualified from holding or obtaining a licence or permit authorising possession of a firearm, ammunition or part of a firearm. The Respondent is prohibited from possessing a firearm, ammunition or part of a firearm in the course of his or her employment. |
| **Contact** | | |
|  | 28. | The Respondent must notcontact or communicate with the protected person[*s*] either directly or in any way (including telephone, SMS messages, in writing, email or any other social media etc)  **BUT contact is permitted:**  h. at any court or tribunal hearing where the Respondent is a party to the proceeding or a witness;  i. through a solicitor or police;  j. in accordance with an order of a court exercising jurisdiction under the *Family Law Act 1975*  k. at a family dispute resolution conference or family counselling under the *Family Law Act 1975,* a family conference under the *Young Offenders Act 1993,* a family group conference convened under section 22 of the *Children and Young People (Safety) Act 2017* or at a mediation;  l. in accordance with a Parenting Plan under section 63C of the *Family Law Act 1975* consented to by the protected person after this Order;  m. by SMS [*and email*] [*and other means of communication*] to facilitate access to child[ren] and to exchange information as to the welfare of the child[*ren*];  n. [*other*]. |
|  | 29. | The Respondent must vacate the premises at [*address*] forthwith upon service of this Order and not return to those premises unless this term is varied or removed by the Court. |
|  | 30. | The Respondent is permitted to attend at the protected person[*s*] residence once in the presence of and at a time organised by a police officer to collect personal property not affected by this Order. |
|  | 31. | The Respondent must notpublish on the internet or by any electronic means any material about the protected person[*s*]. |
| **Vicinity** | | |
|  | 32. | The Respondent must notfollow or keep the protected person[*s*] under surveillance including tracking by GPS or otherwise. |
|  | 33. | The Respondent must notgo or stay within [*number*] metres of the protected person[*s*] unless permitted by other conditions of this Order. |
|  | 34. | The Respondent must notgo or stay within [*number*] metres of any boundary of where the protected person[*s*] stay[*s*], reside[*s*] or work[*s*]. |
|  | 35. | The Respondent must notgo or stay within [*number*] metres of the boundary of the following location[*s*]: [*address*] **provision for multiple** |
|  | 36. | The Respondent must notgo or stay within [*number*] metres of the boundary of any education or care facility attended by the protected person[*s*] including specifically the following: [*address*] **provision for multiple** |

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| **Other conditions** | | |
|  | 37. | The Respondent must notcause, allow or encourage another person to do anything forbidden by this Order. |
|  | 38. | **only available if jurisdiction ‘Magistrates Court’** The Respondent must contact the Intervention Program Manager at 8204 8815 within 2 business days and make and attend an appointment for assessment, and if assessed as suitable undertake any intervention program as ordered by the Court. |
|  | 39. | The Respondent must surrender [*description of weapons or articles*] to [*person or authority*] by [*date*]. |
|  | 40. | The Respondent must return [*description of personal property*] to [*name of protected person*] by [*date*]. |
|  | 41. | The Respondent must allow [*name of protected person*] to [*recover/have access to/make use of*] [*description of personal property*] and allow the person to be accompanied by [*a police officer/other specified person*] while doing so. |
|  | 42. | **provision for multiple** [*other conditions*] |

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| Service of this Order  Service of this order on the Respondent is   deemed to have been made because the Respondent was present when this order was made (section 21(8a)(c).   required to be made. |

|  |
| --- |
| To the Respondent: WARNING  You are summoned to attend before the Court at the date and time set out at the top of this document.  The Court will hear the Application, or make orders for the hearing of the Application, at the hearing.  If you wish to oppose the Application or make submissions about it, you must attend the hearing.  If you do not appear at the hearing or on any day to which this matter is adjourned, the Court may proceed in your absence and orders may be made against you finally determining this proceeding without further warning.  Contravention of an intervention order is a criminal offence which can be punished by a term of imprisonment or detention.  If this is a Nationally Recognised Domestic Violence Order it applies and is enforceable in all Australian States and Territories.  If this is not a Nationally Recognised Domestic Violence Order, upon registration, this order is also enforceable in other Australian States and Territories. |

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| --- |
| Accompanying Documents  Accompanying this Interim Order and Summons is a:   Multilingual Notice mandatory   Supporting Affidavit mandatory   Recorded evidence mandatory if filed   Notice to Respondent Served Interstate mandatory when address of party to be served is interstate   Notice to Respondent Served in New Zealand mandatory when address of party to be served is in NZ   Notice to Respondent Served outside Australia mandatory when address of party to be served is overseas & not in NZ   if applicable [identify additional documents] |

|  |
| --- |
| Authentication  …………………………………………  Signature of Court Officer  [title and name] |

13. In Schedule 1, Form 92AA – Order – Intervention Order – Registration of Foreign Intervention Order is deleted and substituted as follows:

Form 92AA

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Filed:  FDN: |  |

**ORDER – INTERVENTION ORDER – REGISTRATION OF FOREIGN INTERVENTION ORDER**

**[*NATIONALLY RECOGNISED DOMESTIC VIOLENCE ORDER*]**

[*MAGISTRATES/YOUTH*] **Select one** COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

**Order Identifier:**

**[*FULL NAME*]**

**Applicant**

|  |  |  |
| --- | --- | --- |
| **Person against whom intervention order made (‘the Respondent’)** |  |  |
|  | **Full name** | **Date of birth** |

|  |  |  |
| --- | --- | --- |
| **Protected Person(s)** |  |  |
|  | **Full name** | **Date of birth** |

|  |
| --- |
| Introduction  Hearing  Hearing Location: [suburb]  [Hearing date]  [Presiding Officer]  Appearances  [Applicant Appearance Information]  Remarks  The Court is satisfied that:  (a) a Foreign Intervention Order was made by the [Court] on [date].  (b) each person protected by the order has had a reasonable opportunity to be heard on the matter. |
| Order  Date of Order: [date]  Terms of Order  It is ordered that:  Orders in separately numbered paragraphs.  1. The Foreign Intervention Order be adapted for application in the State of South Australia and now restrains the Respondent in the terms described below.  2. The Principal Registrar is directed to:   register the Foreign Intervention Order pursuant to section 30 of the Intervention Orders (Prevention of Abuse) Act 2009.   notify:   the Respondent   the Commissioner of Police and each relevant public sector agencies defined under section 3 of the Intervention Orders (Prevention of Abuse) Act 2009.   each person protected by the order   the Court that made the order   default selected if Applicant not a protected person the Applicant  of the registration of the Foreign Intervention Order   request that the Court that made the order notify this Court of any order which has the effect of revoking or varying the existing order. |

|  |  |  |
| --- | --- | --- |
| **Intervention Order**  **[This order is declared to address a domestic violence concern]** | | |
| **General** | | |
|  | 43. | The Respondent must notassault, threaten, harass or intimidate the protected person[s]. |
|  | 44. | The Respondent must notdamage or interfere with property belonging to the protected person[s] or the premises where the protected person[s] stay[s], reside[s] or work[s]. |
|  | 45. | The Respondent must nottake possession of personal property belonging to the protected person[s] or the following specified property reasonably needed by the protected person[s]: [specified property]. |
|  | 46. | The Respondent must notbe in possession of the following weapon[s] or article[s]: [weapon/article]. |

|  |  |  |
| --- | --- | --- |
| **Firearms** | | |
|  | 47. | **default selected** Any firearm (e.g. guns), ammunition or part of a firearm in the possession of the Respondent and any licence or permit held by the Respondent authorising possession of a firearm, ammunition or part of a firearm must be surrendered (handed in) immediately to the Registrar of Firearms. |
|  | 48. | **default selected** For so long as this Order remains in force, any licence or permit held by the Respondent authorising possession of a firearm (e.g. guns), ammunition or part of a firearm is suspended and the Respondent is disqualified from holding or obtaining a licence or permit authorising possession of a firearm, ammunition or part of a firearm. The Respondent is prohibited from possessing a firearm, ammunition or part of a firearm in the course of his or her employment. |
| **Contact** | | |
|  | 49. | The Respondent must notcontact or communicate with the protected person[s] either directly or in any way (including telephone, SMS messages, in writing, email or any other social media etc)  **BUT contact is permitted:**  o. at any court or tribunal hearing where the Respondent is a party to the proceeding or a witness;  p. through a solicitor or police;  q. in accordance with an order of a court exercising jurisdiction under the Family Law Act 1975  r. at a family dispute resolution conference or family counselling under the Family Law Act 1975, a family conference under the Young Offenders Act 1993, a family group conference convened under section 22 of the Children and Young People (Safety) Act 2017 or at a mediation;  s. in accordance with a Parenting Plan under section 63C of the Family Law Act 1975 consented to by the protected person after this Order;  t. by SMS [and email] [and other means of communication] to facilitate access to child[ren] and to exchange information as to the welfare of the child[ren];  u. [other]. |
|  | 50. | The Respondent must vacate the premises at [address] forthwith upon service of this Order and not return to those premises unless this term is varied or removed by the Court. |
|  | 51. | The Respondent is permitted to attend at the protected person[s] residence once in the presence of and at a time organised by a police officer to collect personal property not affected by this Order. |
|  | 52. | The Respondent must notpublish on the internet or by any electronic means any material about the protected person[s]. |

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| --- | --- | --- |
| **Vicinity** | | |
|  | 53. | The Respondent must notfollow or keep the protected person[s] under surveillance including tracking by GPS or otherwise. |
|  | 54. | The Respondent must notgo or stay within [number] metres of the protected person[s] unless permitted by other conditions of this Order. |
|  | 55. | The Respondent must notgo or stay within [number] metres of any boundary of where the protected person[s] stay[s], reside[s] or work[s]. |
|  | 56. | The Respondent must notgo or stay within [number] metres of the boundary of the following location[s]: [address] **provision for multiple** |
|  | 57. | The Respondent must notgo or stay within [number] metres of the boundary of any education or care facility attended by the protected person[s] including specifically the following: [address] **provision for multiple** |
| **Other conditions** | | |
|  | 58. | The Respondent must notcause, allow or encourage another person to do anything forbidden by this Order. |
|  | 59. | **only available if jurisdiction ‘Magistrates Court’** The Respondent must contact the Intervention Program Manager at 8204 8815 within 2 business days and make and attend an appointment for assessment, and if assessed as suitable undertake any intervention program as ordered by the Court. |
|  | 60. | The Respondent must surrender [description of weapons or articles] to [person or authority] by [date]. |
|  | 61. | The Respondent must return [description of personal property] to [name of protected person] by [date]. |
|  | 62. | The Respondent must allow [name of protected person] to [recover/have access to/make use of] [description of personal property] and allow the person to be accompanied by [a police officer/other specified person] while doing so. |
|  | 63. | **provision for multiple** [other conditions] |

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| To the Respondent: NOTICE  (a) Attached to this Notice is a copy of the registered Foreign Order.  (b) The order has been adapted for application in South Australia and now restrains you in the terms as attached.   (c) The order is a [registered Foreign Intervention Order/recognised Domestic Violence Order] for the purposes of Part 3A of the Intervention Orders (Prevention of Abuse) Act 2009.   Contravention of an intervention order is a criminal offence which can be punished by a term of imprisonment or detention.   If this is a Nationally Recognised Domestic Violence Order it applies and is enforceable in all Australian States and Territories.   If this is not a Nationally Recognised Domestic Violence Order, this Order is enforceable in South Australia upon registration (and service is required). |

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| Service  This order is:   required by the Court to be served on the Respondent personally, as the order comes into force against the Respondent upon service.   is not required by the Court to be served on the Respondent personally, as the order comes into force against the Respondent as of the date the order is registered. |

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| Authentication  …………………………………………  Signature of Court Officer  [title and name] |

14. In Schedule 1, Form 92AB – Order – Intervention Order Problem Gambling Order Tenancy Order or Attachment Order is deleted and substituted as follows:

Form 92AB

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Filed:  FDN: |  |

**ORDER – INTERVENTION ORDER/PROBLEM GAMBLING ORDER/ TENANCY ORDER OR ATTACHMENT ORDER**

**[*NATIONALLY RECOGNISED DOMESTIC VIOLENCE ORDER*]**

[*MAGISTRATES/YOUTH*] **Select one** COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

**Order Identifier:**

**[*FULL NAME*]**

**Applicant**

**[*FULL NAME*]**

**Respondent**

|  |  |  |
| --- | --- | --- |
| **Person against whom intervention order made (‘the Respondent’)** |  |  |
|  | **Full name** | **Date of birth** |

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| --- | --- | --- |
| **Protected Person(s)** |  |  |
|  | **Full name** | **Date of birth** |

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| Introduction  Hearing  Hearing Location: [suburb]  [Hearing date]  [Presiding Officer]  Appearances  [Applicant Appearance Information]  [Respondent Appearance Information]  Remarks | | |
|  | 1. | default selected if Intervention Order  The Court having been satisfied that it is reasonable to suspect that the Respondent will, without intervention commit an act of abuse against the protected person[s] and the issuing of the order is appropriate in the circumstances. |
|  | 2. | default selected if Problem Gambling Protection Order  The Court having been satisfied that a Final Intervention Order has been made against the Respondent and there is reasonable apprehension of harm to family members because of problem gambling and the issuing of this order is appropriate in the circumstances. |
|  | 3. | default selected if Tenancy Order  The Court having been satisfied that an Intervention Order has been made against the Respondent and the order prohibits the Respondent from being on premises at which a protected person resides, and the Respondent and protected person previously reside together on the premises and the premises are Respondent to a Tenancy Agreement to which the Respondent is a party. |
|  | 4. | mandatory if conditions 5 or 6 deselected below  The Court having been satisfied that the Respondent has never been found guilty of violent or intimidatory conduct and needs to have a firearm for purposes related to earning a livelihood. |
|  | 5. | mandatory if Order made under section 68R of the Family Law Act 1975 (Cth)  The Court has made an Intervention Order being a Family Violence Order within the meaning of section 4(1) of the Family Law Act 1975 (Cth). |
|  | 6. | mandatory if order made under section 68R of the Family Law Act 1975 (Cth)  In making the orders under section 68R of the Family Law Act 1975 (Cth), the Court has had regard to the purposes of Division 11 of that Act as stated in section 68N of that Act and to whether spending time with both parents is in the best interests of the child[ren] described below. |
|  | 7. | mandatory if Order made under section 68R of the Family Law Act 1975 (Cth)  The Court is satisfied that it is appropriate to [vary/discharge/suspend] the [order/injunction] made under the Family Law Act 1975 (Cth) described below because a person has been exposed, or is likely to be exposed, to family violence as a result of the operation of that order or injunction. |
|  | 8. | mandatory if Order made under section 68R of the Family Law Act 1975 (Cth)  In making an order to revive, vary, discharge or suspend a Parenting Order or Recovery Order as mentioned in section 68R(1)(a) or section 68R(1)(b), the Court is satisfied it has before it material that was not before the Court that made the [order/injunction] under the Family Law Act 1975 (Cth). |
| Order  Date of Order: [date]  Terms of Order  It is ordered that: | | |
|  | 1. | default selected if ‘addressing domestic violence concern’ selected  Pursuant to section 15A of the Intervention Orders (Prevention of Abuse) Act 2009, this order is declared to address a domestic violence concern. |
|  | 2. | Pursuant to section 23 of the Intervention Orders (Prevention of Abuse) Act 2009, the interim Intervention Order against the Respondent for the protection of [protected person[s]] is:   confirmed in its present terms.   confirmed by consent of the Respondent without admission of the facts.   substituted by the issue a [final](http://classic.austlii.edu.au/au/legis/sa/consol_act/iooaa2009437/s3.html#final_intervention_order) [Intervention Order](http://classic.austlii.edu.au/au/legis/sa/consol_act/iooaa2009437/s3.html#final_intervention_order) in the attached terms.   discharged and the application for and intervention order is dismissed. |
|  | 3. | default selected if ‘section 68R Order’ selected  only available if jurisdiction Magistrates Court or Youth Court Family Law Act 1975 s 69J  provision for multiple  Pursuant to section 68R of the Family Law Act 1975 (Cth), the:   Parenting Order made on [date] by [title and name of Judicial Officer]   Recovery Order made on [date] by [title and name of Judicial Officer]   Injunction granted on [date] by [title and name of Judicial Officer]   Undertaking given on [date] by [title and name of Judicial Officer]   Registered Parenting Plan registered on [date] by [title and name of Judicial Officer]   Recognisance entered into on [date] by [name]  in the [Court] in [proceeding number] is:   revived with effect [forthwith/from [date]]   discharged with effect [forthwith/from [date]]   suspended with effect [forthwith/from [date]] until [further Order/[date]]   varied with effect [forthwith/from [date]] as follows: [details] |
|  | 4. | default selected if ‘Problem Gambling Order’ selected  Pursuant to section 24 of the Intervention Orders (Prevention of Abuse) Act 2009, a Problem Gambling Protection Order be issued against the Respondent for the benefit of the Respondent’s [family members/specified family members, namely, [name[s]]]. |
|  | 5. | default selected if ‘Interim Attachment Order’ selected  Pursuant to section 24 of the Intervention Orders (Prevention of Abuse) Act 2009, that money owing or accruing by [third person] to the Respondent or of the Respondent in the hands of [third person] (including money in an ADI account) be retained until further Court Order. |
|  | 6. | default selected if ‘Final Attachment Order’ selected  Pursuant to section 24 of the Intervention Orders (Prevention of Abuse) Act 2009, that money owing or accruing to the Respondent from [third person] or of the Respondent in the hands of [third person] (including money in an ADI account) be paid   to satisfy a debt owed by the Respondent, namely [description]   for the benefit of the Respondent’s family members, namely [name[s]] |
|  | 7. | Pursuant to section 24 of the Intervention Orders (Prevention of Abuse) Act 2009, [name] may retain from the money Respondent to this order a reasonable sum, namely [$] as compensation for their expenses in complying with the order. |
|  | 8. | default selected if ‘Tenancy Order’ selected  Pursuant to section 25 of the Intervention Orders (Prevention of Abuse) Act 2009  (a) The interest of the assignor [name] in the tenancy at the premises at [address] is assigned to the assignee, namely [name] on [date] and from [date] [assignee] is substituted from the [assignor] as tenant under the Tenancy Agreement.  (b) The assignor remains responsible for the liabilities that accrued before the date of the assignee and the assignee is liable to indemnify the assignor for the liabilities incurred by the assignor for liabilities incurred by the assignor the landlord because of a breach of the Tenancy Agreement by the assignee.  (c) The security bond will continue to be held as security for the proper performance by the assignee of obligations under the Tenancy Agreement.  (d) [name] agrees to be bound by and comply with the obligations under the Tenancy Agreement.   (e) [name] will accept the responsibilities of membership of the Registered Housing Cooperative. |
|  | 9. | [other]. |

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| **Intervention Order**  **[*This order is declared to address a domestic violence concern*]** | | |
| **General** | | |
|  | 1. | The Respondent must notassault, threaten, harass or intimidate the protected person[*s*]. |
|  | 2. | The Respondent must notdamage or interfere with property belonging to the protected person[*s*] or the premises where the protected person[*s*] stay[*s*], reside[*s*] or work[*s*]. |
|  | 3. | The Respondent must nottake possession of personal property belonging to the protected person[*s*] or the following specified property reasonably needed by the protected person[*s*]: [*~~personal~~ specified property*]. |
|  | 4. | The Respondent must notbe in possession of the following weapon[*s*] or article[*s*]: [*weapon/article*]. |
| **Firearms** | | |
|  | 5. | **default selected** Any firearm (e.g. guns), ammunition or part of a firearm in the possession of the Respondent and any licence or permit held by the Respondent authorising possession of a firearm, ammunition or part of a firearm must be surrendered (handed in) immediately to the Registrar of Firearms. |
|  | 6. | **default selected** For so long as this Order remains in force, any licence or permit held by the Respondent authorising possession of a firearm (e.g. guns), ammunition or part of a firearm is suspended and the Respondent is disqualified from holding or obtaining a licence or permit authorising possession of a firearm, ammunition or part of a firearm. The Respondent is prohibited from possessing a firearm, ammunition or part of a firearm in the course of his or her employment. |

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| **Contact** | | |
|  | 7. | The Respondent must notcontact or communicate with the protected person[*s*] either directly or in any way (including telephone, SMS messages, in writing, email or any other social media etc)  **BUT contact is permitted:**  v. at any court or tribunal hearing where the Respondent is a party to the proceeding or a witness;  w. through a solicitor or police;  x. in accordance with an order of a court exercising jurisdiction under the *Family Law Act 1975*  y. at a family dispute resolution conference or family counselling under the *Family Law Act 1975,* a family conference under the *Young Offenders Act 1993,* a family group conference convened under section 22 of the *Children and Young People (Safety) Act 2017* or at a mediation;  z. in accordance with a Parenting Plan under section 63C of the *Family Law Act 1975* consented to by the protected person after this Order;  aa. by SMS [*and email*] [*and other means of communication*] to facilitate access to child[ren] and to exchange information as to the welfare of the child[*ren*];  bb. [*other*]. |
|  | 8. | The Respondent must vacate the premises at [*address*] forthwith upon service of this Order and not return to those premises unless this term is varied or removed by the Court. |
|  | 9. | The Respondent is permitted to attend at the protected person[*s*] residence once in the presence of and at a time organised by a police officer to collect personal property not affected by this Order. |
|  | 10. | The Respondent must notpublish on the internet or by any electronic means any material about the protected person[*s*]. |
| **Vicinity** | | |
|  | 11. | The Respondent must notfollow or keep the protected person[*s*] under surveillance including tracking by GPS or otherwise. |
|  | 12. | The Respondent must notgo or stay within [*number*] metres of the protected person[*s*] unless permitted by other conditions of this Order. |
|  | 13. | The Respondent must notgo or stay within [*number*] metres of any boundary of where the protected person[*s*] stay[*s*], reside[*s*] or work[*s*]. |
|  | 14. | The Respondent must notgo or stay within [*number*] metres of the boundary of the following location[*s*]: [*address*] **provision for multiple** |
|  | 15. | The Respondent must notgo or stay within [*number*] metres of the boundary of any education or care facility attended by the protected person[*s*] including specifically the following: [*address*] **provision for multiple** |

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| **Other conditions** | | |
|  | 16. | The Respondent must notcause, allow or encourage another person to do anything forbidden by this Order. |
|  | 17. | **only available if jurisdiction ‘Magistrates Court’** The Respondent must contact the Intervention Program Manager at 8204 8815 within 2 business days and make and attend an appointment for assessment, and if assessed as suitable undertake any intervention program as ordered by the Court. |
|  | 18. | The Respondent must surrender [*description of weapons or articles*] to [*person or authority*] by [*date*]. |
|  | 19. | The Respondent must return [*description of personal property*] to [*name of protected person*] by [*date*]. |
|  | 20. | The Respondent must allow [*name of protected person*] to [*recover/have access to/make use of*] [*description of personal property*] and allow the person to be accompanied by [*a police officer/other specified person*] while doing so. |
|  | 21. | **provision for multiple** [*other conditions*] |

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| Conditions of Problem Gambling Family Protection Order | | |
|  | 1. | The Respondent must undertake and satisfactorily complete a program of [*counselling/rehabilitation/special education*], namely [*details*]. |
|  | 2. | The Respondent must not:  a. take part in gambling activities  b. attend at premises where gambling activities may be undertaken |
|  | 3. | The Respondent must not attend at [*description of premises/location, address*]. |
|  | 4. | The Respondent must not be on premises, namely [*description of premises, address*], except under the following conditions:   [*description of* conditions]. |
|  | 5. | The Respondent must not contact, harass, threaten or intimidate the following family member[*s*], namely [*full name*]. |
|  | 6. | The Respondent must not approach [*full name*] at their place of residence or work, or any other person at the place of work or residence, except under the following conditions:   [*description of* conditions]. |
|  | 7. | The Respondent must immediately close [*account number, details*]. |
|  | 8. | The Respondent must immediately return [*personal property/money*], namely [*description of personal property/dollar amount*] to [*full name*]. |
|  | 9. | The Respondent must immediately allow [*full name*] to have access or make use of personal property, namely [*description of personal property/dollar amount*]. |
|  | 10. | The Respondent must not take possession of personal property, including money namely [*details*] reasonably needed by [*full name*]. |
|  | 11. | The Respondent must immediately make arrangements for the family member[*s*], namely [*full name*(*s*)] to be [*paid/have access* *to*] money of the Respondent in the hands of, or owing to the Respondent from, a third party, namely [*description*]. |
|  | 12. | [other conditions]. |

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| Service of this Order  Service of this order on the Respondent is   not required because this order confirms an interim intervention order (section 23(4))   deemed to have been made because the respondent was present when this order was made (section 23(5a)(c)   required to be made. |

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| To the Respondent: WARNING   Contravention of an intervention order is a criminal offence which can be punished by a term of imprisonment or detention.   If this is a Nationally Recognised Domestic Violence Order it applies and is enforceable in all Australian States and Territories.   If this is not a Nationally Recognised Domestic Violence Order, upon registration, this order is also enforceable in other Australian States and Territories.   You cannot apply to the Court to vary or revoke this order for 12 months or such longer period as the Court may have ordered. |

**Next box only displayed in problem gambling attachment order made**

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| To the Interested Party: WARNING   You have money owing or accruing to the Respondent or of the Respondent in your hands and it has been ordered that this money be paid:   to satisfy a debt owed by the Respondent, namely [description].   for the benefit of the Respondent’s family members, namely [name[s]].   If you do not comply with this order, you will become personally liable for payment to the beneficiaries of the amount unpaid in breach of the order.   If you are an employer of the Respondent, you will be guilty of an offence if you, because of the order:  - dismiss the employee,  - injure the employee in employment, or  - alter the employee’s position to the employee’s prejudice.  Maximum penalty is [$10,000/$2,500].   Compensation for expenses incurred by you in complying with this order may be ordered by the Court. |

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| Authentication  …………………………………………  Signature of Court Officer  [title and name] |

15. In Schedule 1, Form 115B – Order for Final Variation or Revocation of Intervention or Problem Gambling Order is deleted and substituted as follows:

Form 115B

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Filed:  FDN: |  |

**ORDER FOR FINAL VARIATION OR REVOCATION OF INTERVENTION OR PROBLEM GAMBLING ORDER**

**[*NATIONALLY RECOGNISED DOMESTIC VIOLENCE ORDER*]**

[*MAGISTRATES/YOUTH*] **Select one** COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

**Order Identifier:**

**[*FULL NAME*]**

**Applicant**

**[*FULL NAME*]**

**Respondent**

|  |  |  |
| --- | --- | --- |
| **Person against whom intervention order made (‘the Respondent’)** |  |  |
|  | **Full name** | **Date of birth** |

|  |  |  |
| --- | --- | --- |
| **Protected Person(s)** |  |  |
|  | **Full name** | **Date of birth** |

|  |  |  |
| --- | --- | --- |
| Introduction  Hearing  Hearing Location: [suburb]  [Hearing date]  [Presiding Officer]  Appearances  [Applicant Appearance Information]  [Respondent Appearance Information]  Remarks  The Court is satisfied that: | | |
|  | (a) | The Police, the Respondent and each person protected by the order have had a reasonable opportunity to be heard on the matter. |
|  | (b) | It has had regard to the same matters as it is required to have regard to in considering whether or not to make an Intervention Order and considering the terms of an Intervention Order. |
|  | (c) | mandatory if removing firearms terms The Respondent has never been guilty of violent or intimidatory conduct and needs to have a firearm for purposes related to earning a livelihood. |
|  | (d) | mandatory if Order made under section 68R of the Family Law Act 1975 The Court has made an Intervention Order being a Family Violence Order within the meaning of section 4(1) of the Family Law Act 1975 (Cth). |
|  | (e) | mandatory if Order made under section 68R of the Family Law Act 1975 In making orders under section 68R of the Family Law Act 1975 (Cth), the Court has had regard to the purposes of Division 11 of the Family Law Act 1975 (Cth) as stated in section 68N of that Act and to whether spending time with both parents is in the best interests of the child[ren] described below. |
|  | (f) | mandatory if Order made under section 68R of the Family Law Act 1975 The Court is satisfied that it is appropriate to [vary/discharge/suspend] the [order/Injunction] described below because a person has been exposed, or is likely to be exposed, to family violence as a result of the operation of that order or Injunction. |
|  | (g) | mandatory if Order made under section 68R of the Family Law Act 1975 to revive, vary, discharge or suspend a Parenting Order or Recovery Order as mentioned in section 68R(1)(a) or section 68R(1)(b) The Court is satisfied it has before it material that was not before the Court that made the [order/Injunction] under the Family Law Act 1975 (Cth). |

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| --- | --- | --- |
| Order  Date of Order: [date]  Terms of Order  It is ordered that:  Orders in separately numbered paragraphs. | | |
|  | 1. | Pursuant to section 26 of the Intervention Orders (Prevention of Abuse) Act 2009, the Final Intervention Order made on [date] be varied so that the conditions are as set out below. |
|  | 2. | Pursuant to section 27 of the Intervention Orders (Prevention of Abuse) Act 2009, the Problem Gambling Family Protection Order made on [date] be varied so that the conditions are as set out below. |
|  | 3. | Pursuant to section 29P of the Intervention Orders (Prevention of Abuse) Act 2009, the Recognised Domestic Violence Order made in [State/Territory] on [date] [reference number] for the protection of [protected persons] be varied so that the conditions are as set out below. |
|  | 4. | The entire:   [Final Intervention/Problem Gambling Family Protection] Order made on [date]   Recognised Domestic Violence Order made in [State/Territory] on [date] [reference number]  be revoked. |
|  | 5. | default selected if ‘section 68R Order’ selected above – only available if jurisdiction Magistrates Court or Youth Court Family Law Act 1975 section 69J  The: provision for multiple   Parenting Order made on [date] by [Judicial Officer]   Recovery Order made on [date] by [Judicial Officer]   Injunction granted on [date] by [Judicial Officer]   Undertaking given on [date] by [Judicial Officer]   Registered Parenting Plan registered on [date] by [Judicial Officer]   Recognisance entered into on [date] by [name]  in the [Family Court/Federal Circuit Court] in [proceeding number] is:   revived with effect [forthwith/from [date]]   varied with effect [forthwith/from [date]] as follows: [details]   discharged with effect [forthwith/from [date]]   suspended [forthwith/from [date]] until [further order/date] |
|  | 6. | [other orders]. |

|  |  |  |
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| **Intervention Order**  **[*This order is declared to address a domestic violence concern*]** | | |
| **General** | | |
|  | 1. | The Respondent must notassault, threaten, harass or intimidate the protected person[*s*]. |
|  | 2. | The Respondent must notdamage or interfere with property belonging to the protected person[*s*] or the premises where the protected person[*s*] stay[*s*], reside[*s*] or work[*s*]. |
|  | 3. | The Respondent must nottake possession of personal property belonging to the protected person[*s*] and or the following specified property reasonably needed by the protected person[*s*]: [*specified property*]. |
|  | 4. | The Respondent must notbe in possession of the following weapon[*s*] or article[*s*]: [*weapon/article*]. |
| **Firearms** | | |
|  | 5. | **default selected** Any firearm (e.g. guns), ammunition or part of a firearm in the possession of the Respondent and any licence or permit held by the Respondent authorising possession of a firearm, ammunition or part of a firearm must be surrendered (handed in) immediately to the Registrar of Firearms. |
|  | 6. | **default selected** For so long as this Order remains in force, any licence or permit held by the Respondent authorising possession of a firearm (e.g. guns), ammunition or part of a firearm is suspended and the Respondent is disqualified from holding or obtaining a licence or permit authorising possession of a firearm, ammunition or part of a firearm. The Respondent is prohibited from possessing a firearm, ammunition or part of a firearm in the course of his or her employment. |
| **Contact** | | |
|  | 7. | The Respondent must notcontact or communicate with the protected person[*s*] either directly or in any way (including telephone, SMS messages, in writing, email or any other social media etc)  **BUT contact is permitted:**  cc. at any court or tribunal hearing where the Respondent is a party to the proceeding or a witness;  dd. through a solicitor or police;  ee. in accordance with an order of a court exercising jurisdiction under the *Family Law Act 1975*  ff. at a family dispute resolution conference or family counselling under the *Family Law Act 1975,* a family conference under the *Young Offenders Act 1993,* a family group conference convened under section 22 of the *Children and Young People (Safety) Act 2017* or at a mediation;  gg. in accordance with a Parenting Plan under section 63C of the *Family Law Act 1975* consented to by the protected person after this Order;  hh. by SMS [*and email*] [*and other means of communication*] to facilitate access to child[ren] and to exchange information as to the welfare of the child[*ren*];  ii. [*other*]. |
|  | 8. | The Respondent must vacate the premises at [*address*] forthwith upon service of this Order and not return to those premises unless this term is varied or removed by the Court. |
|  | 9. | The Respondent is permitted to attend at the protected person[*s*] residence once in the presence of and at a time organised by a police officer to collect personal property not affected by this Order. |
|  | 10. | The Respondent must notpublish on the internet or by any electronic means any material about the protected person[*s*]. |
| **Vicinity** | | |
|  | 11. | The Respondent must notfollow or keep the protected person[*s*] under surveillance including tracking by GPS or otherwise. |
|  | 12. | The Respondent must notgo or stay within [*number*] metres of the protected person[*s*] unless permitted by other conditions of this Order. |
|  | 13. | The Respondent must notgo or stay within [*number*] metres of any boundary of where the protected person[*s*] stay[*s*], reside[*s*] or work[*s*]. |
|  | 14. | The Respondent must notgo or stay within [*number*] metres of the boundary of the following location[*s*]: [*address*] **provision for multiple** |
|  | 15. | The Respondent must notgo or stay within [*number*] metres of the boundary of any education or care facility attended by the protected person[*s*] including specifically the following: [*address*] **provision for multiple** |
| **Other conditions** | | |
|  | 16. | The Respondent must notcause, allow or encourage another person to do anything forbidden by this Order. |
|  | 17. | **only available if jurisdiction ‘Magistrates Court’** The Respondent must contact the Intervention Program Manager at 8204 8815 within 2 business days and make and attend an appointment for assessment, and if assessed as suitable undertake any intervention program as ordered by the Court. |
|  | 18. | The Respondent must surrender [*description of weapons or articles*] to [*person or authority*] by [*date*]. |
|  | 19. | The Respondent must return [*description of personal property*] to [*name of protected person*] by [*date*]. |
|  | 20. | The Respondent must allow [*name of protected person*] to [*recover/have access to/make use of*] [*description of personal property*] and allow the person to be accompanied by [*a police officer/other specified person*] while doing so. |
|  | 21. | **provision for multiple** [*other conditions*] |

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| Service of this Order  Service of this order on the respondent is   deemed to have been made because the respondent was present when this order was made (section 26(7a)(c)   required to be made. |

|  |
| --- |
| To the Respondent: WARNING   Contravention of an intervention order is a criminal offence which can be punished by a term of imprisonment or detention.   If this is a Nationally Recognised Domestic Violence Order it applies and is enforceable in all Australian States and Territories.   If this is not a Nationally Recognised Domestic Violence Order, upon registration, this order is enforceable in other Australian States and Territories.   You cannot apply to the Court to vary or revoke this order for 12 months or such longer period as the Court may have ordered. |

|  |
| --- |
| Authentication  …………………………………………  Signature of Court Officer  [title and name] |

16. In Schedule 1, Form 1Y – Originating Application – Spent Convictions Act – Exemption Order is deleted and substituted as follows:

Form 1Ye

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Filed:  FDN: |  |

|  |  |  |
| --- | --- | --- |
| Hearing Date and Time: |  |  |
| Hearing Location: |  |  |

**ORIGINATING APPLICATION – SPENT CONVICTIONS ACT – EXEMPTION ORDER**

[*MAGISTRATES/YOUTH*] **select one** COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

**[*FULL NAME*]**

**Applicant**

**Attorney-General for the State of South Australia**

**First Respondent**

**Commissioner of Police**

**Second Respondent**

**Minister for Human Services**

**Third Respondent only displayed if Exemption Order Application working with or caring for vulnerable people**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Applicant |  | | | | |
| Full Name | | | | |
| Name of law firm/solicitor  If any |  | | |  | |
| Law Firm | | | Responsible Solicitor | |
| Address for service |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. Home; work; mobile) – Number | | | Another number (optional) | |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| First Respondent | Attorney-General for the State of South Australia | | | | |
| Address |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. Home; work; mobile) – Number | | | Another number (optional) | |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Second Respondent | Commissioner for Police | | | | |
| Address |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. Home; work; mobile) – Number | | | Another number (optional) | |

**Next box only displayed if applicable**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Third Respondent | Minister for Human Services | | | | |
| Address |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. Home; work; mobile) – Number | | | Another number (optional) | |

**Provision for multiple as applicable**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Interested Party |  | | | | |
| Full Name | | | | |
| Address |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. Home; work; mobile) – Number | | | Another number (optional) | |

|  |
| --- |
| Note  Pursuant to sections 3(1), 3(5) and 3(6) of the Spent Convictions Act 2009 (SA), a conviction includes:   a conviction, whether summary or on indictment, for an offence;   a formal finding of guilt by a court;   a finding by a court that an offence has been proved;   a finding by a court that the objective elements of an offence are established in proceedings under Part 8A of the Criminal Law Consolidation Act 1935 or a law of any other jurisdiction in which the defendant was found to be mentally incompetent to commit the offence or unfit to stand trial for the offence.  Application Details  Matter type:  This Application is for   1. provision for multiple the following conviction[s] to be exempted for the purposes of the screening[s] indicated below:   [name of the offence] under section [number] of the [Act/Regulation/Other] as recorded by [Court where the conviction recorded] on [date], that became spent on [date]; this date is the date the finding of guilt was made if the conviction was immediately spent pursuant to section 4(1a) of the Spent Convictions Act 2009   for which the Court imposed [details of penalty];   for the purposes of:   working with, or caring for, vulnerable people.   activities associated with a character test.  [details of any further information the Applicant would like to submit in support of the application (circumstances and seriousness of offence, the circumstances of the Applicant, etc] The decision to make an order under section 13A of the Spent Convictions Act 2009 is at the discretion of the qualified Magistrate. The matters that a qualified Magistrate must have regard to when deciding whether to make an order are set out in section 13A(6) of the Spent Convictions Act 2009. Please include in your Application any matters under section 13A(6) that may be relevant to your Application.  Has an Application been made to exempt [any of] the above conviction[s] in the past two years?   Yes   No  following item displayed if ‘yes’  The Application was to exempt : provision for multiple   [name of the offence] under section [number] of the [Act/Regulation/other] as recorded by [Court where the conviction recorded was made] on [date].   The Application was made on [date].   The Application was refused on [date].   [any further information the Applicant considers relevant]  This Application is made under section 13A of the Spent Convictions Act 2009.  The Applicant seeks orders that:  Orders sought in separately numbered paragraphs.   1. The conviction[s] set out in paragraph 1 be exempted from the screening for the purposes of [working with, or caring for, vulnerable people/[and]/activities associated with a character test].  This Application is made on the grounds set out in the accompanying Affidavit sworn by [name] on [date]. |

|  |
| --- |
| Accompanying Documents  Accompanying this Application is a:   Supporting Form 7 Affidavit mandatory   National Police Certificate processed within 6 months before the date of filing this application mandatory   Copy of any transcript or sentencing remarks in connection with the conviction mandatory if available |

|  |
| --- |
| To the Applicant   Regulation 5A of the Spent Convictions Regulations 2011 provides the details and accompanying documents that an application under section 13A of the Spent Convictions Act 2009 must set out or include. Please ensure that you have all the required details and accompanying documents in your application.   You do not need to attend the hearing unless you are notified to do so by the Registrar. |

|  |
| --- |
| To the Other Parties: WARNING  A qualified Magistrate is empowered to exercise a discretion pursuant to sub-clause 5(2) of Schedule 2 of the Spent Convictions Act 2009 to conduct all or part of this proceeding on the basis of the documents in chambers unless a Respondent intervenes. If you wish to intervene and request a hearing in these proceedings you must file a Form 55 Response within 14 days after being served with this Application. |

|  |
| --- |
| Service  The party filing this document is required to serve it on all other parties in accordance with the Rules of Court. |

Form 1Yh

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Filed:  FDN: |  |

|  |  |  |
| --- | --- | --- |
| Hearing Date and Time: |  |  |
| Hearing Location: |  |  |

**ORIGINATING APPLICATION – SPENT CONVICTIONS ACT – EXEMPTION ORDER**

[*MAGISTRATES/YOUTH*] **select one** COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

**……………………………………………………………………………………………………………Full name**

**Applicant**

**Attorney-General for the State of South Australia**

**First Respondent**

**Commissioner of Police**

**Second Respondent**

**Minister for Human Services**

**Third Respondent only displayed if Exemption Order Application working with or caring for vulnerable people**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Applicant |  | | | | |
| Full Name | | | | |
| Name of law firm/solicitor  If any |  | | |  | |
| Law Firm | | | Responsible Solicitor | |
| Address for service |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. Home; work; mobile) – Number | | | Another number (optional) | |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| First Respondent | Attorney-General for the State of South Australia | | | | |
| Address |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. Home; work; mobile) – Number | | | Another number (optional) | |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Second Respondent | Commissioner for Police | | | | |
| Address |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. Home; work; mobile) – Number | | | Another number (optional) | |

**Next box only complete if applicable otherwise mark as N/A**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Third Respondent | Minister for Human Services | | | | |
| Address |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. Home; work; mobile) – Number | | | Another number (optional) | |

**Provision for multiple**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Interested Party |  | | | | |
| Full Name | | | | |
| Address |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. Home; work; mobile) – Number | | | Another number (optional) | |

|  |
| --- |
| Note  Pursuant to sections 3(1), 3(5) and 3(6) of the Spent Convictions Act 2009 (SA), a conviction includes:   a conviction, whether summary or on indictment, for an offence;   a formal finding of guilt by a court;   a finding by a court that an offence has been proved;   a finding by a court that the objective elements of an offence are established in proceedings under Part 8A of the Criminal Law Consolidation Act 1935 or a law of any other jurisdiction in which the defendant was found to be mentally incompetent to commit the offence or unfit to stand trial for the offence.  Application Details  Mark appropriate sections below with an ‘x’  Matter type: ……………………………………………………………………………………………….  This Application is for    [ ] 1. provision for multiple the following conviction[s] to be exempted for the purposes of the screening[s] indicated below:   ………………………………………………………..name of the offence under section ………………… of the Act / Regulation / Other Circle one  as recorded by ………………………………………………………  ……………………………………….Court where the conviction recorded on …………………………..date that became spent on …………………………..date;this date is the date the finding of guilt was made if the conviction was immediately spent pursuant to section 4(1a) of the Spent Convictions Act 2009   for which the Court imposed ………………………………………………………………………………  ………………………………………………………………………………………………....details of penalty   for the purposes of:  [ ] working with, or caring for, vulnerable people.  [ ] activities associated with a character test.  ……………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………. details of any further information the Applicant would like to submit in support of the application (circumstances and seriousness of offence, the circumstances of the Applicant, etc.  The decision to make an order under section 13A of the Spent Convictions Act 2009 is at the discretion of the qualified Magistrate. The matters that a qualified Magistrate must have regard to when deciding whether to make an order are set out in section 13A(6) of the Spent Convictions Act 2009. Please include in your Application any matters under section 13A(6) that may be relevant to your Application.  Has an Application been made to exempt [any of] the above conviction[s] in the past two years?  [ ] Yes  [ ] No  following item displayed if ‘yes’  The Application was to exempt : provision for multiple  [ ] ………………………………………………………………….name of the offence under section ………number of the ………………………………………………………………………..Act/Regulation/other as recorded by ……………………………………………………………..Court where the conviction recorded was made on ……………………………………date  [ ] The Application was made on ………………………date  [ ] The Application was refused on ………………………date  [ ] ………………………………………………………………………………………………………………..  ………………………………………………………………………………………………………………..  ……………………………………………………………………..any further information the Applicant considers relevant  This Application is made under section 13A of the Spent Convictions Act 2009.  The Applicant seeks orders that:  Orders sought in separately numbered paragraphs.  [ ] 1. The conviction[s] set out in paragraph 1 be exempted from the screening for the purposes of working with, or caring for, vulnerable people / and / activities associated with a character test Circle one  [ ] 2. ………………………………………………………………………………………………………………………..  ……………………………………………………………………………………………………………………………………………………………………………………………………………………………..…………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………  This Application is made on the grounds set out in the accompanying Affidavit sworn by ………………………………………………………name on …………………………..date |

|  |
| --- |
| Accompanying Documents  Mark appropriate sections below with an ‘x’  Accompanying this Application is a:  [ ] Supporting Form 7 Affidavit mandatory  [ ] National Police Certificate processed within 6 months before the date of filing this application mandatory  [ ] Copy of any transcript or sentencing remarks in connection with the conviction mandatory if available |

|  |
| --- |
| To the Applicant   Regulation 5A of the Spent Convictions Regulations 2011 provides the details and accompanying documents that an application under section 13A of the Spent Convictions Act 2009 must set out or include. Please ensure that you have all the required details and accompanying documents in your application.   You do not need to attend the hearing unless you are notified to do so by the Registrar. |

|  |
| --- |
| To the Other Parties: WARNING  A qualified Magistrate is empowered to exercise a discretion pursuant to sub-clause 5(2) of Schedule 2 of the Spent Convictions Act 2009 to conduct all or part of this proceeding on the basis of the documents in chambers unless a Respondent intervenes. If you wish to intervene and request a hearing in these proceedings you must file a Form 55 Response within 14 days after being served with this Application. |

|  |
| --- |
| Service  The party filing this document is required to serve it on all other parties in accordance with the Rules of Court. |

17. In Schedule 1, Form 1Z – Originating Application – Spent Convictions Act Order is deleted and substituted as follows:

Form 1Ze

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Filed:  FDN: |  |

|  |  |  |
| --- | --- | --- |
| Hearing Date and Time: |  |  |
| Hearing Location: |  |  |

**ORIGINATING APPLICATION – SPENT CONVICTIONS ACT ORDER**

[*MAGISTRATES/YOUTH*] **select one** COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

**[*FULL NAME*]**

**Applicant**

**Attorney-General for the State of South Australia**

**First Respondent**

**Commissioner of Police**

**Second Respondent**

**[*Minister for Disabilities Services/Minister for Child Protection*] only complete if applicable otherwise delete**

**Third Respondent**

**Complete next box if the Applicant is the convicted person otherwise delete**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Applicant |  | | | | |
| Full Name | | | | |
| Name of law firm/solicitor  If any |  | | |  | |
| Law Firm | | | Responsible Solicitor | |
| Address for service |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. Home; work; mobile) – Number | | | Another number (optional) | |
| Date of Birth |  | | | | |
| Date of birth | | | | |

|  |
| --- |
| Note  Pursuant to sections 3(1), 3(5) and 3(6) of the Spent Convictions Act 2009 (SA), a conviction includes:   a conviction, whether summary or on indictment, for an offence;   a formal finding of guilt by a court;   a finding by a court that an offence has been proved;   a finding by a court that the objective elements of an offence are established in proceedings under Part 8A of the Criminal Law Consolidation Act 1935 or a law of any other jurisdiction in which the defendant was found to be mentally incompetent to commit the offence or unfit to stand trial for the offence. |

**Complete next box if the Applicant is not the convicted person (If it is a section 8B and 8C applications otherwise delete**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Applicant |  | | | | | | | |
| Full Name | | | | | | | |
| Name of law firm/solicitor  If any |  | | | | |  | | |
| Law Firm | | | | | Responsible Solicitor | | |
| Address for Service |  | | | | | | | |
| Street Address (including unit or level number and name of property if required) | | | | | | | |
|  | |  |  | | | |  |
| City/town/suburb | | State | Postcode | | | | Country |
|  | | | | | | | |
| Email address | | | | | | | |
| Phone Details |  | | | | |  | | |
| Type (eg. Home; work; mobile) – Number | | | | | Another number (optional) | | |
| Convicted Person |  | | | |  | |  | |
| Full name | | | | Date of Birth | | Date of Death (if applicable) | |
| Convicted Person’s Address  If applicable |  | | | | | | | |
| Street Address (including unit or level number and name of property if required) | | | | | | | |
|  |  | | | |  |  | |
| City/town/suburb | State | | | | Postcode | Country | |
| Basis on which the Application is made | The convicted person is:   deceased   a person with a mental incapacity, namely [*Enter nature of mental incapacity*] | | | | | | | |
| Relationship with the Convicted Person |  the convicted person’s spouse or domestic partner   adult sibling or child of the convicted person   the convicted person’s appointed guardian   the executor or administrator of the convicted person’s estate   other [*Enter details of relationship with the convicted person*] | | | | | | | |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| First Respondent | Attorney-General for the State of South Australia | | | | |
| Address |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. Home; work; mobile) – Number | | | Another number (optional) | |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Second Respondent | Commissioner for Police | | | | |
| Address |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. Home; work; mobile) – Number | | | Another number (optional) | |

**Complete next box if application under section 13A relating to clause 7 of Schedule 1; otherwise delete**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Third Respondent | [Minister for Disabilities Services/Minister for Child Protection] | | | | |
| Full name | | | | |
| Address |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. Home; work; mobile) – Number | | | Another number (optional) | |

|  |
| --- |
| Application Details  Matter type: [Enter matter type]  This Application is for   1. provision for multiple an order to have the following eligible sex offence[s] conviction[s] select one spent:   [Enter name of the offence] under section [Enter number] of the [Enter Act/Regulation/Other] as recorded by [Enter Court where the conviction recorded] on [Enter date].   for which the Court imposed [Enter details of penalty].  [Enter details of any further information the Applicant would like to submit in support of the application (Enter circumstances and seriousness of offence, the circumstances of the Applicant etc)]   2. provision for multiple an order to have the following designated sex-related offence[s] conviction[s] select one spent:   [Enter name of the offence or description of common law offence ] [Enter under section [Enter number] of the [Enter Act/Regulation/Other]] as recorded by [Enter Court where the conviction recorded] on [Enter date].   for which the Court imposed [Enter details of penalty].  [Enter details of any further information the Applicant would like to submit in support of the application (Enter circumstances and seriousness of offence, the circumstances of the Applicant etc)]   3. provision for multiple an order to have the following prescribed public decency offence[s] conviction[s] Select one spent:   [Enter name of the offence or description of common law offence] [Enter under section [Enter number] of the [Enter Act/Regulation/Other]] as recorded by [Enter Court where the conviction recorded] on [Enter date].   for which the Court imposed [Enter details of penalty].  [Enter details of any further information the Applicant would like to submit in support of the application (circumstances and seriousness of offence, the circumstances of the Applicant etc)]  Has an Application been made to treat as spent [Enter any of] the above conviction[s] in the past two years?   Yes   No  Only complete if you selected ‘yes’ above otherwise delete  The Application was to spend: provision for multiple   [name of the offence or description of the common law offence] [under section [Enter number] of the [Enter Act/Regulation/other]] as recorded by [Court where the conviction recorded was made] on [date].   The Application was made on [date].   The Application was refused on [date].   [Enter any further information the Applicant considers relevant]  This Application is made under section[s] [8A/[and]8B[and]/8C] of the Spent Convictions Act 2009.  The Applicant seeks orders that:  Enter orders sought in separately numbered paragraphs.  1. The conviction[s] set out in paragraph [enter number(s)] of this Application be spent. |

|  |
| --- |
| Accompanying Documents  Accompanying this Application is a:   Supporting Form 7 Affidavit mandatory   National Police Certificate processed within 6 months before the date of filing this application mandatory   A copy of any transcript or sentencing remarks in connection with the conviction mandatory if available |
| To the Applicant   Regulation 5A of the Spent Convictions Regulations 2011 provides the details and accompanying documents that an application under section 8A, section 8B or section 8C of the Spent Convictions Act 2009 must set out or include. Please ensure that you have all the required details and accompanying documents in your application.   You do not need to attend the hearing unless you are notified to do so by the Registrar. |

|  |
| --- |
| To the Other Parties: WARNING  A qualified Magistrate is empowered to exercise a discretion pursuant to sub-clause 5(2) of Schedule 2 of the Spent Convictions Act 2009 to conduct all or part of this proceeding on the basis of the documents in chambers unless a Respondent intervenes. If you wish to intervene and request a hearing in these proceedings you must file a Form 55 Response within 14 days after being served with this Application. |

Form 1Zh

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Filed:  FDN: |  |

|  |  |  |
| --- | --- | --- |
| Hearing Date and Time: |  |  |
| Hearing Location: |  |  |

**ORIGINATING APPLICATION – SPENT CONVICTIONS ACT ORDER**

*MAGISTRATES / YOUTH* **circle one** COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

**……………………………………………………………………………………………………………Full name**

**Applicant**

**Attorney-General for the State of South Australia**

**First Respondent**

**Commissioner of Police**

**Second Respondent**

***Minister for Disabilities Services/Minister for Child Protection* only complete if applicable otherwise mark nil**

**Third Respondent**

**Complete next box if the Applicant is the convicted person otherwise mark as N/A**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Applicant |  | | | | |
| Full Name | | | | |
| Name of law firm/solicitor  If any |  | | |  | |
| Law Firm | | | Responsible Solicitor | |
| Address for service |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. Home; work; mobile) – Number | | | Another number (optional) | |
| Date of Birth |  | | | | |
| Date of birth | | | | |

|  |
| --- |
| Note  Pursuant to sections 3(1), 3(5) and 3(6) of the Spent Convictions Act 2009 (SA), a conviction includes:   a conviction, whether summary or on indictment, for an offence;   a formal finding of guilt by a court;   a finding by a court that an offence has been proved;   a finding by a court that the objective elements of an offence are established in proceedings under Part 8A of the Criminal Law Consolidation Act 1935 or a law of any other jurisdiction in which the defendant was found to be mentally incompetent to commit the offence or unfit to stand trial for the offence. |

**Complete next box if the Applicant is not the convicted person (If it is a section 8B and 8C applications otherwise mark as N/A**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Applicant |  | | | | |
| Full Name | | | | |
| Name of law firm/solicitor  If any |  | | |  | |
| Law Firm | | | Responsible Solicitor | |
| Address for Service |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. Home; work; mobile) – Number | | | Another number (optional) | |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Convicted Person |  | |  | |  |
| Full name | | Date of Birth | | Date of Death (if applicable) |
| Convicted Person’s Address  If applicable |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  | |  |  |
| City/town/suburb | State | | Postcode | Country |
| Basis on which the Application is made | Mark appropriate section below with an ‘x’  The convicted person is:  [ ] deceased  [ ] a person with a mental incapacity, namely …………………………………………..  ……………………………………………………………..……………Enter nature of mental incapacity | | | | |
| Relationship with the Convicted Person | Mark appropriate section below with an ‘x’  [ ] the convicted person’s spouse or domestic partner  [ ] adult sibling or child of the convicted person  [ ] the convicted person’s appointed guardian  [ ] the executor or administrator of the convicted person’s estate  [ ] other ………………………………………………………………………………………  ………………………………………………………………………………………………………………………………………………………….…….Enter details of relationship with the convicted person | | | | |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| First Respondent | Attorney-General for the State of South Australia | | | | |
| Address |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. Home; work; mobile) – Number | | | Another number (optional) | |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Second Respondent | Commissioner for Police | | | | |
| Address |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. Home; work; mobile) – Number | | | Another number (optional) | |

**Only complete if application under section 13A relating to clause 7 of Schedule 1; otherwise mark as N/A**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Third Respondent | [Minister for Disabilities Services/Minister for Child Protection] | | | | |
| Full name | | | | |
| Address |  | | | | |
| Street Address (including unit or level number and name of property if required) | | | | |
|  |  |  | |  |
| City/town/suburb | State | Postcode | | Country |
|  | | | | |
| Email address | | | | |
| Phone Details |  | | |  | |
| Type (eg. Home; work; mobile) – Number | | | Another number (optional) | |

|  |
| --- |
| Application Details  Mark appropriate sections below with an ‘x’  Matter type: …………………………………………………………………………….  This Application is for  [ ] 1 provision for multiple an order to have the following eligible sex offence[s] conviction[s] select one spent:   …………………………………………………………………….Enter name of the offence under section …………Enter number of the ……………………………………………………………………………..Enter Act/Regulation/Other as recorded by ……………………………………………………………………. Enter Court where the conviction recorded on ……………………………….. Enter date   for which the Court imposed ………………………………………………………………………………….…………………………………………………………………………………………..……Enter details of penalty  Enter details of any further information the Applicant would like to submit in support of the application (Enter circumstances and seriousness of offence, the circumstances of the Applicant etc)  ………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………  [ ] 2. provision for multiple an order to have the following designated sex-related offence[s] conviction[s] select one spent:   …………………………………………………………………….Enter name of the offence or description of the common law offence under section …………Enter number of the …………………………………………………………….. …………………Enter Act/Regulation/Other as recorded by ……………………………………………………… …………. Enter Court where the conviction recorded on ……………………………….. Enter date   for which the Court imposed ………………………………………………………………………………….  …………………………………………………………………………………………..……Enter details of penalty  Enter details of any further information the Applicant would like to submit in support of the application (Enter circumstances and seriousness of offence, the circumstances of the Applicant etc)  ……………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………  [ ] 3. provision for multiple an order to have the following prescribed public decency offence[s] conviction[s] Select one spent:   …………………………………………………………………….Enter name of the offence or description of the common law offence under section …………Enter number of the …………………………………………………………….. …………………Enter Act/Regulation/Other as recorded by ……………………………………………………… …………. Enter Court where the conviction recorded on ……………………………….. Enter date   for which the Court imposed ………………………………………………………………………………….  …………………………………………………………………………………………..……Enter details of penalty  Enter details of any further information the Applicant would like to submit in support of the application (Enter circumstances and seriousness of offence, the circumstances of the Applicant etc)  ……………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………  Has an Application been made to treat as spent …………………………………………………………………..Enter any of the above conviction[s] in the past two years?  [ ] Yes  [ ] No  Only complete if you selected ‘yes’ above otherwise mark as N/A  The Application was to spend: provision for multiple  [ ] …………………………………………………………………………………………………………  name of the offence or description of the common law offence under section ……….. Enter number of the ……………………  ………………………………………Enter Act/Regulation/other as recorded by …………………………………..  ……………………………..Court where the conviction recorded was made on ………………………..date  [ ] The Application was made on ………………………..date  [ ] The Application was refused on ………………………..date  [ ] ……………………………………………………………………………………………………………………  ……………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………….Enter any further information the Applicant considers relevant  This Application is made under section[s] 8A / [and] 8B [and] / 8C circle one of the Spent Convictions Act 2009.  The Applicant seeks orders that:  Enter orders sought in separately numbered paragraphs.  1. The conviction[s] set out in paragraph ……………………enter number(s) of this Application be spent. |

|  |
| --- |
| Accompanying Documents  Mark appropriate sections below with an ‘x’  Accompanying this Application is a:  [ ] Supporting Form 7 Affidavit mandatory  [ ] National Police Certificate processed within 6 months before the date of filing this application mandatory  [ ] A copy of any transcript or sentencing remarks in connection with the conviction mandatory if available |

|  |
| --- |
| To the Applicant   Regulation 5A of the Spent Convictions Regulations 2011 provides the details and accompanying documents that an application under section 8A, section 8B or section 8C of the Spent Convictions Act 2009 must set out or include. Please ensure that you have all the required details and accompanying documents in your application.   You do not need to attend the hearing unless you are notified to do so by the Registrar. |

|  |
| --- |
| To the Other Parties: WARNING  A qualified Magistrate is empowered to exercise a discretion pursuant to sub-clause 5(2) of Schedule 2 of the Spent Convictions Act 2009 to conduct all or part of this proceeding on the basis of the documents in chambers unless a Respondent intervenes. If you wish to intervene and request a hearing in these proceedings you must file a Form 55 Response within 14 days after being served with this Application. |

18. In Schedule 1, Form 92AH – Order – Spent Conviction or Exemption Order is deleted and substituted as follows:

Form 92AH

|  |  |
| --- | --- |
| To be inserted by Court |  |
| Case Number:  Date Filed:  FDN: |  |

**ORDER – SPENT CONVICTION OR EXEMPTION ORDER**

**Spent Convictions Act 2009**

[*MAGISTRATES/YOUTH*] **Select one** COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

**[*FULL NAME*]**

**Applicant**

**[*FULL NAME*]**

**Respondent**

|  |
| --- |
| Preliminary  Hearing  Hearing Location: [suburb]  [Hearing date] [  [Presiding Officer]  Appearances  [Applicant Appearance Information]  [Respondent Appearance Information]  Introduction  The Magistrate:   (a) mandatory for an Application for an eligible sex offence to be spent has considered all of the factors as outlined in section 8A(5) of the Spent Convictions Act 2009.   (b) mandatory for an Application for a designated sex-related offence to be spent has considered all of the factors as outlined in section 8B(6) of the Spent Convictions Act 2009.   (c) mandatory for an Application for a prescribed public decency offence to be spent has considered all of the factors as outlined in section 8C(8) of the Spent Convictions Act 2009.   (d) mandatory for an Application for a conviction to be exempt has considered all of the factors as outlined in section 13A(5) of the Spent Convictions Act 2009.   (e) is satisfied that the Application is not vexatious, misconceived or lacking in substance. |
| Note  Pursuant to sections 3(1), 3(5) and 3(6) of the Spent Convictions Act 2009 (SA), a conviction includes:   a conviction, whether summary or on indictment, for an offence;   a formal finding of guilt by a court;   a finding by a court that an offence has been proved;   a finding by a court that the objective elements of an offence are established in proceedings under Part 8A of the Criminal Law Consolidation Act 1935 or a law of any other jurisdiction in which the defendant was found to be mentally incompetent to commit the offence or unfit to stand trial for the offence. |

|  |
| --- |
| Order  Date of Order: [date]  Terms of Order  It is ordered that:  Orders in separately numbered paragraphs.   1. Pursuant to section 8A of the Spent Convictions Act 2009, the Magistrate declares that the following conviction[s] of the Applicant are spent:  provision for multiple  (a) [name of the offence] under section [number] of the [Act/Regulation/Other] as recorded by [Court] on [date].   2. Pursuant to section 8B of the Spent Convictions Act 2009, the Magistrate declares that the following conviction[s] are spent:  (a) [name of the offence or description of the common law offence] [under section [number] of the Act/Regulation/Other] as recorded by [Court] on [date].   3. Pursuant to section 8C of the Spent Convictions Act 2009, the Magistrate declares that the following conviction[s] are spent:  (a) [name of the offence or description of the common law offence] [under section [number] of the Act/Regulation/Other] as recorded by [Court] on [date].   4. Pursuant to section 13A of the Spent Convictions Act 2009, the following conviction[s] of the Applicant are subject to the exemptions set out in relation to each offence:  provision for multiple  (a) [name of the offence] under section [number] of the [Act/Regulation/Other] as recorded by [Court] on [date] for the purposes of the following screening[s]:   working with, or caring for, vulnerable people   activities associated with a character test   5. The Magistrate dismisses the application in respect of the following conviction[s] of the Applicant:  provision for multiple  (a) [name of the offence] under section [number] of the [Act/Regulation/Other] as recorded by [Court] on [date].   6. Pursuant to Schedule 2 clause 5(4), the Application pursuant to section[s] [13A/8A] of the Spent Convictions Act 2009 is [dismissed without holding a hearing/refused]. |

|  |
| --- |
| Authentication  …………………………………………  Signature of Court Officer  [title and name] |

In accordance with the *Supreme Court Act 1935*, the *District Court Act 1991* and the *Magistrates Court Act 1991*, and all other enabling powers, the *Uniform Special Statutory (No 5) Amending Rules 2025* have been made—

• as rules of the Supreme Court by 3 or more Judges of the Supreme Court; and

• as rules of the District Court by the Acting Chief Judge and 2 or more other Judges of that Court; and

• as rules of the Magistrates Court by the Chief Magistrate and 2 or more other Magistrates; and

• as rules of the Youth Court by the Judge and the magistrates who are members of the principal judiciary of that Court,

and such rules will apply to and in relation to the Court in accordance with their terms.

Dated: 26 March 2025

Chief Justice Kourakis

Chief Judge Evans

Senior Judge Durrant

Chief Magistrate Hribal

Judge Eldridge

# State Government Instruments

## Building Work Contractors Act 1995

*Exemption*

Take notice that, pursuant to Section 45 of the *Building Work Contractors Act 1995*, I, Emily Sims as a delegate for the Minister for Consumer and Business Affairs, do hereby exempt the licensee named in Schedule 1 from the application of Division 3 of Part 5 of the above Act in relation to domestic building work described in Schedule 2 and subject to the conditions specified in Schedule 3.

Schedule 1

GOOLWA JETTY BUILDERS PTY LTD (BLD 262904)

Schedule 2

Construction of a jetty at Allotment 8053 Deposited Plan 125474 being a portion of the land described in Certificate of Title Volume 6248 Folio 537, more commonly known as 97 Victoria Parade, Hindmarsh Island SA 5214.

Schedule 3

1. This exemption is limited to domestic building work personally performed by the licensee in relation to the building work described in Schedule 2.

2. This exemption does not apply to any domestic building work the licensee contracts to another building work contractor, for which that contractor is required by law to hold building indemnity insurance.

3. That the owner does not transfer their interest in the land prior to five years from the date of completion of the building work the subject of this exemption, without the prior authorisation of Consumer and Business Services (CBS). Before giving such authorisation, CBS may require the owner to take any reasonable steps to protect the future purchaser(s) of the property, including but not limited to:

• Providing evidence that an adequate policy of building indemnity insurance is in force to cover the balance of the five-year period from the date of completion of the building work the subject of this exemption;

• Providing evidence of an independent expert inspection of the building work the subject of this exemption;

• Making an independent expert report available to prospective purchasers of the property;

• Giving prospective purchasers of the property notice of the absence of a policy of building indemnity insurance.

Dated: 31 March 2025

Emily Sims

Delegate for the Minister for Consumer and Business Affairs

Building Work Contractors Act 1995

*Exemption*

Take notice that, pursuant to Section 45 of the *Building Work Contractors Act 1995*, I, Emily Sims as a delegate for the Minister for Consumer and Business Affairs, do hereby exempt the licensee named in Schedule 1 from the application of Division 3 of Part 5 of the above Act in relation to domestic building work described in Schedule 2 and subject to the conditions specified in Schedule 3.

Schedule 1

PETER WALSH (BLD 341098)

Schedule 2

Construction of a double storey detached dwelling at Allotment 54, Deposited Plan 37719, being a portion of the land described in Certificate of Title Volume 6071, Folio 374, more commonly known as 39 Minke Whale Drive, Encounter Bay SA 5211.

Schedule 3

1. This exemption is limited to domestic building work personally performed by the licensee in relation to the building work described in Schedule 2.

2. This exemption does not apply to any domestic building work the licensee contracts to another building work contractor, for which that contractor is required by law to hold building indemnity insurance.

3. That the licensee does not transfer his interest in the land prior to five years from the date of completion of the building work the subject of this exemption, without the prior authorisation of Consumer and Business Services (CBS). Before giving such authorisation, CBS may require the licensee to take any reasonable steps to protect the future purchaser(s) of the property, including but not limited to:

• Providing evidence that an adequate policy of building indemnity insurance is in force to cover the balance of the five-year period from the date of completion of the building work the subject of this exemption;

• Providing evidence of an independent expert inspection of the building work the subject of this exemption;

• Making an independent expert report available to prospective purchasers of the property;

• Giving prospective purchasers of the property notice of the absence of a policy of building indemnity insurance.

Dated: 30 March 2025

Emily Sims

Delegate for the Minister for Consumer and Business Affairs

## Energy Resources Act 2000

Section 7(1a)

Delegation

The Treasurer has revoked previous delegations and further delegated powers and functions under the *Energy Resources Act 2000* (“the Act”) pursuant to Section 7(1a) of the Act to:

• Chief Executive, the Department for Energy and Mining

• Deputy Chief Executive, the Department for Energy and Mining

• Executive Director Regulation and Compliance Division, the Department for Energy and Mining

• Executive Director Corporate and Commercial, the Department for Energy and Mining

The delegated powers and functions are specified in the Schedule to the Instrument of Delegation approved by the Treasurer on 31 October 2024.

Dated: 31 October 2024

Hon. Stephen Mullighan MP

Treasurer

## First Nations Voice Act 2023

South Australian First Nations Voice to Parliament

*Supplementary Election—Results*

Supplementary Election of one member for Region 1—Kumangka Warrarna Wangkanthi (Central)

Polling day was Saturday, 15 March 2025

Count conducted on Monday, 24 March 2025

Formal Ballot Papers—138

Informal Ballot Papers—2

Quota—70

|  |  |  |  |
| --- | --- | --- | --- |
| **Candidates** | **First Preference Votes** | **Votes after distribution of preferences** | **Elected/Excluded** |
| COULTHARD, Dwayne | 58 | 62 |  |
| O’MEARA, Marnie | 57 | 74 | Elected |
| O’BRIEN, Trevor | 23 |  | Excluded |
| Exhaust | n/a | 2 |  |

Dated: 3 April 2025

Mick Sherry

Returning Officer

## Fisheries Management (Prawn Fisheries) Regulations 2017

*Variation on Prohibition of Fishing Activities in the Spencer Gulf Prawn Fishery*

Take note that pursuant to Regulation 10 of the *Fisheries Management (Prawn Fisheries) Regulations 2017*, the notice dated 19 September 2024 published on page 3811 of the *South Australian Government Gazette* on 26 September 2024 prohibiting fishing activities in the Spencer Gulf Prawn Fishery, is hereby varied such that it will not be unlawful for a person fishing pursuant to a Spencer Gulf Prawn Fishery licence to use prawn trawl nets in the areas specified in Schedule 1, during the period specified in Schedule 2, and under the conditions specified in Schedule 3.

Schedule 1

The waters of the Spencer Gulf Prawn Fishery:

(a) Except the Northern closure area, which is defined as the waters contained north of the following closure index points:

1. 33°46.00S 137°44.00E East Shore

2. 33°37.00S 137°33.00E

3. 33°43.60S 137°30.00E

4. 33°46.10S 137°29.10E

5. 33°47.90S 137°32.20E

6. 33°52.72S 137°30.74E

7. 33°54.40S 137°29.30E

8. 33°51.30S 137°23.10E

9. 33°49.20S 137°24.90E

10. 33°39.70S 137°12.20E West Shore

Points 1-2, 4-5, 7-8 and 9-10 are designated east-west lines.

(b) Except the Southern closure area, which is defined as the waters contained within the following closure index points:

1. 33°42.00S 137°08.80E

2. 33°52.30S 137°14.60E

3. 33°53.00S 137°12.60E

4. 33°57.80S 137°14.60E

5. 34°15.00S 136°56.60E

6. 34°23.90S 136°50.80E

7. 34°36.00S 136°50.80E

8. 34°36.00S 136°36.50E

9. 34°07.50S 136°45.00E

10. 34°04.00S 136°48.00E

11. 34°01.00S 136°45.20E

12. 33°59.60S 136°48.00E

13. 33°57.80S 136°46.50E

14. 34°00.70S 136°40.60E

15. 34°00.10S 136°40.10E

16. 33°55.76S 136°48.80E

17. 33°50.00S 136°43.00E

Points 1-2, 3-4, 7-8, 10-11, 12-13, 14-15, 16-17 are designated east-west lines.

(c) Except the Wardang closure area, which is defined as the waters contained within the following closure index points:

1. 34°10.00S 137°28.00E

2. 34°21.00S 137°12.00E

3. 34°45.00S 137°15.00E

4. 34°48.53S 137°09.45E

5. 34°48.53S 137°06.00E

6. 34°50.75S 137°06.00E

7. 34°54.00S 137°01.00E

(d) Except the Corny closure area, which is defined as the waters contained within the following closure index points:

1. 34°27.00S 136°53.00E

2. 34°27.00S 137°02.00E

3. 34°35.00S 136°56.00E

4. 34°48.60S 136°52.00E

5. 34°54.00S 136°52.00E

6. 34°54.00S 136°48.50E

7. 34°49.50S 136°48.50E

8. 34°49.50S 136°40.50E

9. 34°39.50S 136°40.50E

Then back to point 1

(e) Except the Illusions Park closure area, which is defined as the waters contained within the following closure index points:

1. 33°28.80S 137°32.20E

2. 33°28.30S 137°33.20E

3. 33°28.85S 137°33.50E

4. 33°29.40S 137°32.50E

Then back to point 1

(f) Except the Jurassic Park closure area, which is defined as the waters contained within the following closure index points:

1. 33°54.90S 137°17.60E

2. 33°54.40S 137°19.40E

3. 33°54.70S 137°19.60E

4. 33°55.20S 137°17.80E

Then back to point 1

(g) Except the Estelle Star closure area, which is defined as the waters contained within the following closure index points:

1. 33°58.80S 136°49.80E

2. 33°58.20S 136°51.00E

3. 33°59.10S 136°51.70E

4. 33°59.80S 136°50.40E

Then back to point 1

Schedule 2

Commencing at sunset on 29 March 2025 and ending at sunrise on 8 April 2025

Schedule 3

1. The coordinates in Schedule 1 are defined as degrees decimal minutes and are based on the World Geodetic System 1984 (WGS 84).

2. No fishing activity may be undertaken between the prescribed times of sunrise and sunset for Adelaide (as published in the *South Australian Government Gazette* pursuant to the requirements of the *Proof of Sunrise and Sunset Act 1923*) during the period specified in Schedule 2.

3. Fishing must cease:

(a) in the fishing area known as Southern Wallaroo and North End (the ‘Mid/North Gulf’ area as described on page 40 of the Management Plan for the South Australian Commercial Spencer Gulf Prawn Fishery October 2020) if the average catch per vessel, per night (based on the best information available to the committee at sea) drops below 500kg; and

(b) in the fishing area known as the ‘Southern Gulf’ area (as described on page 40 of the Management Plan for the South Australian Commercial Spencer Gulf Prawn Fishery October 2020) if the average catch per vessel over two consecutive nights (based on the best information available to the committee at sea) falls below 350kg.

4. Based on the best information available from the fleet, fishing must cease in an area in the Mid/North Gulf if the average prawn bucket count exceeds 240 prawns per 7kg; or in an area in the Southern Gulf if the average prawn bucket count exceeds 260 prawns per 7kg.

5. No fishing activity may occur without the authorisation of Coordinator at Sea, Ashley Lukin, or other nominated Coordinator at Sea appointed by the Spencer Gulf and West Coast Prawn Association.

6. The authorisation of the Coordinator at Sea must be in writing, signed and record the day, date, and permitted fishing area within the waters of Schedule 1 in the form of a notice sent to the fishing fleet or vary an earlier authorisation issued by the Coordinator at Sea.

7. The Coordinator at Sea must cause a copy of any authorisation for fishing activity or variation of same, made under this notice to be emailed to the Prawn Fisheries Manager immediately after it is made.

8. The Spencer Gulf and West Coast Prawn Association must keep records of all authorisations issued pursuant to this notice.

Dated: 29 March 2025

Ashley Lukin

Coordinator at Sea, Spencer Gulf & West Coast Prawn Association Inc.

Delegate of the Minister for Primary Industries and Regional Development

## Fisheries Management Act 2007

Section 115

Ministerial Exemption ME9903364—  
Exemption to Take and Possess Blacklip Abalone for Research Purposes

Take notice that pursuant to Section 115 of the *Fisheries Management Act 2007*, Dr Gretchen Grammer, A/Research Director Aquatic and Livestock Sciences within the South Australian Research and Development Institute (SARDI) (the exemption holder), scientists, technical staff employed by the Department of Primary Industries and Regions (PIRSA), and affiliates (nominated agents) of SARDI, are exempt from Sections 52, 62, 70, 72(2)(c), 73 and 74(1)(b) of the *Fisheries Management Act 2007*, but only insofar they may take, possess and process aquatic resources for the purposes of conducting research activities under the project described in Schedule 1, in the waters listed in Schedule 2 subject to the conditions specified in Schedule 3, from 2 April 2025 until 1 April 2026, unless varied or revoked earlier.

Schedule 1

Fisheries Research and Development Corporation Project 1.3.3—“Development and Validation of Reduced Thermal Processing Requirements for Canned Abalone”

Schedule 2

The commercial Abalone Western Zone as defined in the *Fisheries Management (Abalone Fisheries) Regulations 2017* excluding:

• Aquatic reserves (unless otherwise authorised under the *Fisheries Management Act 2007*); and

• Sanctuary and restricted access zones of marine parks (unless otherwise authorised under the *Marine Parks Act 2007*).

Schedule 3

1. A maximum total of 200 Blacklip Abalone (*Haliotis rubra*) of legal-size is permitted to be taken pursuant to this exemption.

2. The total quantity of Blacklip Abalone (*Haliotis rubra*) must not be taken from the same localised area.

3. Activities pursuant to this exemption may be undertaken on behalf of the exemption holder by SARDI scientists, technical staff directly employed by PIRSA and nominated agents. These employees may be assisted by other persons while under the direct supervision of a SARDI staff member directly employed by PIRSA.

4. At least 1 hour before conducting the exempted activity, the exemption holder or nominated agent nominated must contact PIRSA Fishwatch on **1800 065 522** and answer a series of questions about the exempted activity. A copy of this notice must be in the caller’s possession at the time of making the call and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, and other related issues.

5. The name of any nominated agent used to the undertake the exempted activity on behalf of the exemption holder must be reported to PIRSA Fishwatch in the call made under Schedule 3, Clause 4.

6. While engaging in the exempted activity, the exemption holder and nominated agents must not conduct any other activities for a commercial purpose.

7. The exemption holder, on completion of each day undertaking the exempted activity, must complete a daily entry in the “Collection Logsheet”, and submit it within ten (10) business days of the last collection, to the Executive Director, PIRSA Fisheries and Aquaculture (GPO Box 1671, Adelaide SA 5001).

8. The exemption holder will be deemed responsible for the conduct of all persons conducting research activities under this notice. While engaging in the exempted activity, the exemption holder and agents must be in possession of a copy of this exemption. Such exemption must be produced to a PIRSA Fisheries Officer, if requested.

9. The biosecurity control measures for Abalone Viral Ganglioneuritis must be adhered to when undertaking the exempted activity.

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

11. Abalone taken pursuant to this notice must not: be returned to any waters of the state; be sold or traded; be used for any other purpose other than the exempted activity; be disposed of in either a quarantine or biohazard bin after sampling has been completed.

This notice does not purport to override the provisions or operation of any other Act including but not limited to the *Marine Parks Act 2007.*

Dated: 1 April 2025

Professor Gavin Begg

Executive Director

Fisheries and Aquaculture

Delegate of the Minister for Primary Industries and Regional Development

## Heritage Places Act 1993

*Notice to Extend the Period for Written Submissions on Whether to Confirm  
an Entry in the South Australian Heritage Register*

Notice is hereby given, pursuant to Section 18(1a) of the *Heritage Places Act 1993*, that I, Susan Close, Minister for Climate, Environment and Water, extend the period for written submissions on whether or not to confirm the entry of Malcolm Reid’s Emporium provisionally entered in the South Australian Heritage Register on 15 January 2025, by four weeks and one day in the public interest. Any person can make a written representation to the South Australian Heritage Council on whether or not to confirm the entry by 15 May 2025.

Dated: 3 April 2025

Susan Close

Minister for Climate, Environment and Water

## Highways Act 1926

Section 26(3)

Care, Control and Management of Local Road

I, Jon William Whelan, Commissioner of Highways, with the approval of the Minister for Infrastructure and Transport do hereby give notice that I will undertake the care, control and management of the full length of Dunn Road, contained within the City of Salisbury until further notice.

Dated: 27 March 2025

Jon William Whelan

Commissioner of Highways

## Housing Improvement Act 2016

*Rent Control Revocations*

In the exercise of the powers conferred by the *Housing Improvement Act 2016*, the Delegate of the Minister for Housing and Urban Development hereby revokes the maximum rental amount per week that shall be payable subject to Section 55 of the *Residential Tenancies Act 1995*, in respect of each premises described in the following table.

|  |  |  |
| --- | --- | --- |
| **Address of Premises** | **Allotment Section** | **Certificate of Title Volume/Folio** |
| 34 Wilkins Road, Elizabeth Downs SA 5113 | Allotment 34 Deposited Plan 53536 Hundred of Munno Para | CT5729/347 |
| 3 Saratoga Road, Elizabeth East SA 5112 | Allotment 622 Deposited Plan 6528 Hundred Munno Para | CT5633/187 |
| 54 Bruce Street, Eudunda SA 5374 | Allotment 160 Deposited Plan 624 Hundred of Neales | CT5737/840 |

Dated: 3 April 2025

Craig Thompson

Housing Regulator and Registrar

Housing Safety Authority

Delegate of the Minister for Housing and Urban Development

Housing Improvement Act 2016

*Rent Control Variations*

In the exercise of the powers conferred by the *Housing Improvement Act 2016*, the Delegate of the Minister for Housing and Urban Development hereby varies the maximum rental amount per week that shall be payable subject to Section 55 of the *Residential Tenancies Act 1995*, in respect of each premises described in the following table. The amount shown in the said table shall come into force on the date of this publication in the Gazette.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Address of Premises** | **Allotment Section** | **Certificate of Title Volume/Folio** | **Reason for Variation** | **Maximum Rental per week payable** |
| 8 Kingsbury Street, Davoren Park SA 5113 | Allotment 6 Deposited Plan 32850 Hundred of Munno Para | CT5059/894 |  | $125.00 |
| 27 Saint Barbe Street, Quorn SA 5433 | Allotment 57 Deposited Plan 1272 Hundred of Pichi Richi | CT5197/53 |  | $63.00 |

Dated: 3 April 2025

Craig Thompson

Housing Regulator and Registrar

Housing Safety Authority

Delegate of the Minister for Housing and Urban Development

## Hydrogen and Renewable Energy Act 2023

Application for Grant of Associated Infrastructure Licence—AIL 5

Pursuant to Section 32(3) of the *Hydrogen and Renewable Energy Act 2023*, notice is hereby given that an application for an associated infrastructure licence over area described below has been received from:

**Green Gold Energy Pty Ltd**

*Description of Application Area*

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

All coordinates GDA2020, Zone 53

764530.057mE 6396943.704mN

764570.318mE 6396696.558mN

765835.782mE 6396659.795mN

765843.573mE 6396885.415mN

765818.195mE 6396896.658mN

765819.591mE 6396910.299mN

764530.057mE 6396943.704mN

AREA: **0.32** square kilometres approximately

The application may be inspected at the offices of the Department for Energy and Mining located at Level 4, 11 Waymouth Street, Adelaide SA 5000. To arrange an inspection, please contact the Department via email at [DEM.ERDLicensing@sa.gov.au](mailto:DEM.ERDLicensing@sa.gov.au).

Dated: 26 March 2025

Michael Smith

Director, Regulatory Risk and Resource Tenure

Regulation and Compliance Division

Department for Energy and Mining

Delegate of the Minister for Energy and Mining

Hydrogen And Renewable Energy Act 2023

*Application for Grant of Associated Infrastructure Licence—AIL 3*

Pursuant to Section 32(3) of the *Hydrogen and Renewable Energy Act 2023*, notice is hereby given that an application for an associated infrastructure licence over the area described below has been received from:

**Augusta BESS Pty Ltd**

*Description of Application Area*

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

All coordinates GDA2020, Zone 53

764878.191mE 6397537.809mN

765027.069mE 6397500.146mN

765009.546mE 6396951.426mN

764859.594mE 6396955.311mN

AREA: **0.085** square kilometres approximately

The application may be inspected at the offices of the Department for Energy and Mining located at Level 4, 11 Waymouth Street, Adelaide SA 5000. To arrange an inspection, please contact the Department via email at [DEM.ERDLicensing@sa.gov.au](mailto:DEM.ERDLicensing@sa.gov.au).

Dated: 26 March 2025

Michael Smith

Director, Regulatory Risk and Resource Tenure

Regulation and Compliance Division

Department for Energy and Mining

Delegate of the Minister for Energy and Mining

## Justices of the Peace Act 2005

Section 4

*Notice of Appointment of Justices of The Peace for South Australia  
by the Commissioner for Consumer Affairs*

I, Brett Humphrey, Commissioner for Consumer Affairs, delegate of the Attorney-General, pursuant to section 4 of the *Justices of the Peace Act 2005*, do hereby appoint the people listed as Justices of the Peace for South Australia as set out below.

For a period of ten years for a term commencing on 7 May 2025 and expiring on 6 May 2035:

Francis Charles WILCOX

Angela Margaret TREVOR

Sudhir THAKUR

Susan Elizabeth ROSS

Matthew Peter ROBINSON

Hannah Louise POTTS

Cheryl Margaret POMEROY

Roxanne Michelle NATHAN

Amita MALHOTRA

Raylene Jean LANDER

Stephen Charles IMPETT

Timothy David HOBBS

Barry Keith HILL

Paul Kieran HACKETT

Paul Stanley GIBBS

Paul James DALY

Ann Louise CATFORD

Teresa BRUNO

Carolyne Lindsay BIRD

Dated: 31 March 2025

Brett Humphrey

Commissioner for Consumer Affairs

Delegate of the Attorney-General

## Landscape South Australia Act 2019

Notice of Volume of Water Available for Allocation from the River Murray Consumptive Pool

Pursuant to Section 121(4) of the *Landscape South Australia Act 2019* (‘the Act’), I, Sue Hutchings, delegate of the Minister for Climate, Environment and Water and Minister to whom the Act is committed, hereby determine the volume of water available for allocation from each of the Consumptive Pools within the River Murray Prescribed Watercourse to water access entitlement holders for the period 1 July 2024 to 30 June 2025, as set out in Schedule 1 below:

Schedule 1

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Consumptive Pool** | **Classes** | **Volume of Water Available for Allocation** | **Water Access Entitlement** | **Water Allocation Rate as % of Nominal Maximum Water Allocation Rate of  1 kL/unit share** |
|  |  | **kL** | **unit share** | **(%)** |
| Metropolitan Adelaide | Class 6 | 130,000,000 | 166,400,000 | 128 |

This Notice will remain in effect until 30 June 2025, unless varied earlier.

Dated: 31 March 2025

Sue Hutchings

Executive Director, Water and River Murray

Department for Environment and Water

Delegate of the Minister for Climate, Environment and Water

Landscape South Australia Act 2019

Southern Basins and Musgrave Prescribed Wells Areas Water Allocation Plan

I, Susan Close, Minister for Climate, Environment and Water, to whom administration of the *Landscape South Australia Act 2019* is committed, hereby give notice for the purposes of the Water Allocation Plan for the Southern Basins and Musgrave Prescribed Wells Areas adopted under Section 56 of the *Landscape South Australia Act 2019,* of the level of storage, the proportion of water available and the calculated value of an individual unit share of a water access entitlement for the Uley South Consumptive Pool for the 2024-25 water use year, in addition to the total volume of the consumptive pool as set out below:

Table 1: Consumptive Pool Data for Uley South Consumptive Pool

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Consumptive Pool** | **Level of Storage (%)** | **Proportion of Water Available (%)** | **Value of Share** | **Volume of  Consumptive Pool (kL)** |
| Uley South Public Water Supply | 90.4 | 89.5 | 0.894562341 | 6,508,140 |

Dated: 31 March 2025

Susan Close MP

Minister for Climate, Environment and Water

## Major Events Act 2013

Section 6B

Declaration of a Major Event

Pursuant to Section 6B of the *Major Events Act 2013*, I, Hon. Zoe Bettison MP, Minister for Tourism declare the 2025 AFL Gather Round to be held from 10 to 13 April 2025 to be declared a major event.

By virtue of the provisions of the *Major Events Act 2013*, I do hereby:

1. Declare the 2025 AFL Gather Round to be a major event.

2. Specify the period of the event, for which the declaration of the major event is in force is inclusive from 7:00am on Thursday, 10 April 2025 to 11:59pm on Sunday, 13 April 2025.

3. Declare the major event venues to be:

(a) Adelaide Oval, Elder Park and Pinky Flat—10 to 13 April 2025—as shown as the “Major Event Venue” in the map and specify an area bounded by the northern boundary of North Terrace, King William Road, Kermode Street, Palmer Place (south of Kermode Street), Montefiore Hill and Montefiore Road as a controlled area in relation to the event and shown as “Declared Controlled Area” in the map.

(b) Norwood Oval—12 to 13 April 2025—as shown as the “Major Event Venue” in the map and specify any public place or part of a public place that is within 250 metres from the boundary of the major event venue as a controlled area in relation to the event and shown as “Declared Controlled Area” in the map.

(c) Barossa Park—12 to 13 April 2025—as shown as the “Major Event Venue” in the map and specify any public place or part of a public place that is within 250 metres from the boundary of the major event venue as a controlled area in relation to the event and shown as “Declared Controlled Area” in the map.

(d) The Parade—13 April 2025—as shown as the “Major Event Venue” in the map and specify any public place or part of a public place that is within 250 metres from The Parade, between Portrush Road and Woods Street as a controlled area in relation to the event and shown as “Declared Controlled Area” in the map.

4. Designate the *Australian Football League (ABN 97 489 912 318)* to be the event organiser for the event as detailed under 3a, 3b and 3c above.

5. Designate the *South Australian Tourism Commission (ABN 80 485 623 691)* to the be event organiser as detailed under 3d above.

6. Declare the following provisions of Part 3 of the Act apply to the event, the major event venues and the declared controlled areas for the event:

(a) Section 8

(b) Section 10

(c) Section 11

(d) Section 12

(e) Section 13

(f) Section 14

A black background with white text

AI-generated content may be incorrect.7. Being satisfied that the title “*2025 AFL Gather Round*” and the logo as it appears below are sufficiently connected with the identity and conduct of the major event, and that the event has commercial arrangements that are likely to be adversely affected by unauthorised use of the title and logo, I hereby declare, pursuant to Section 14(1) of the Act, that “*2025 AFL Gather Round*” is an official title and the logo as it appears below is an official logo in respect of the event.

Dated: 27 March 2025

Hon Zoe Bettison MP

Minister for Tourism

Maps of Controlled Areas

A map of a football field

AI-generated content may be incorrect.2025 AFL Gather Round

A map of a large area

AI-generated content may be incorrect.

A map of a key

AI-generated content may be incorrect.

A diagram of a neighborhood

AI-generated content may be incorrect.

Major Events Act 2013

Section 6B

*Declaration of a Major Event*

Pursuant to Section 6B of the *Major Events Act 2013*, I, Hon. Zoe Bettison MP, Minister for Tourism declare the 2025 Tasting Australia presented by Journey Beyond to be held from 2-11 May 2025 to be declared a major event.

By virtue of the provisions of the *Major Events Act 2013*, I do hereby:

1. Declare the 2025 Tasting Australia presented by Journey Beyond to be a major event.

2. Specify the period of the event, for which the declaration of the major event is in force is from 12:00am on Friday, 2 May to 11:59pm on Sunday, 11 May 2025.

3. Declare the major event venues to be the areas as shown as ‘Major Event Venue’ in descriptions and maps specifically covering the northern end of Victoria Square/Tarntanyangga.

4. Declare the controlled areas to be any public place or a part of a public place that is within 250 metres of the boundary of the major event venues, as shown as the ‘Declared Controlled Area’ on the map.

5. Designate the *South Australian Tourism Commission (ABN 80 485 623 691)* to be the event organiser for the event.

6. Declare that the following provisions of Part 3 of the Act apply to the event, the event venue and the declared controlled area for the event:

(a) Section 8

(b) Section 10

(c) Section 11

(d) Section 12

(e) Section 13

(f) Section 14

A logo with a fish and a letter

Description automatically generated7. Being satisfied that the title “*Tasting Australia presented by Journey Beyond*” and the logo as it appears below are sufficiently connected with the identity and conduct of the major event, and that the event has commercial arrangements that are likely to be adversely affected by unauthorised use of the title and logo, I hereby declare, pursuant to Section 14(1) of the Act, that “*Tasting Australia presented by Journey Beyond*” is an official title and the logo as it appears below is an official logo in respect of the event.

Dated: 31 March 2025

Hon Zoe Bettison MP

Minister for Tourism

Maps of Controlled Areas

A grey and black map

AI-generated content may be incorrect.2025 Tasting Australia Presented by Journey Beyond

## Mental Health Act 2009

*Authorised Medical Practitioner*

Notice is hereby given in accordance with Section 93(1) of the *Mental Health Act 2009* that the Chief Psychiatrist has determined the following persons as an Authorised Medical Practitioner:

Nadezda Asceric

Benjamin Daniel Green

Luke Nuske

Max Shelton Stirk

Nicola Rowe

Felicity Watson-Hill

A determination will be automatically revoked upon the person being registered as a specialist psychiatrist with the Australian Health Practitioner Regulation Agency and as a fellow of the Royal Australian and New Zealand College of Psychiatrists.

The Chief Psychiatrist may vary or revoke this determination at any time.

Dated: 3 April 2025

Doctor John Brayley

Chief Psychiatrist

Mental Health Act 2009

*Authorised Mental Health Professional*

Notice is hereby given in accordance with Section 94(1) of the *Mental Health Act 2009*, that the Chief Psychiatrist has determined the following persons as an Authorised Mental Health Professional:

Mandeep Chahal

Jocelyn Douglass

Louise Hann

Pasqualino (Pat) Vartuli

A person’s determination as an Authorised Mental Health Professional expires three years after the commencement date. The Chief Psychiatrist make vary or revoke this determination at any time.

Dated: 3 April 2025

Doctor John Brayley

Chief Psychiatrist

## Retail and Commercial Leases Act 1995

Exemption

Pursuant to Section 77(2) of the *Retail and Commercial Leases Act 1995* (SA) I, Nerissa Kilvert, Small Business Commissioner for the State of South Australia, exempt the lease agreement between 185-187 Port Road Aldinga Pty Ltd (ACN 655 874 249) as trustee for 185-187 Port Road Aldinga Unit Trust and Eden Academy Operations Pty Ltd (ACN 637 604 794), in relation to the whole of the land in Certificate of Title Volume 6278 Folio 639, located at 185-187 Port Road, Aldinga, South Australia.

Dated: 31 March 2025

Nerissa Kilvert

Small Business Commissioner

## Roads (Opening and Closing) Act 1991

Section 24

**NOTICE OF CONFIRMATION OF  
ROAD PROCESS ORDER**

*Road Opening and Closing—Pomona Road, Stirling*

By Road Process Order made on 28 February 2022, the Adelaide Hills Council ordered that:

1. Portion of Allotment 1314 in Deposited Plan 123979, Stirling, Hundred of Noarlunga, more particularly delineated and numbered ‘1’ in Preliminary Plan 21/0011 be opened as road.

2. Portion of Pomona Road, Stirling, situated adjoining the southern boundary of Allotment 1314 in Deposited Plan 123979, Hundred of Noarlunga, more particularly delineated and lettered ‘A’ in Preliminary Plan 21/0011 be closed.

3. Transfer the whole of the land subject to closure to Aldi Foods Pty Ltd (ACN: 086 210 139) in accordance with the Agreement for Exchange dated 28 February 2022 entered into between the Adelaide Hills Council and Aldi Foods Pty Ltd (ACN: 086 210 139).

4. The following easement is to be granted over portion of the land subject to closure:

Grant to Distribution Lessor Corporation (subject to Lease 8890000) an easement for the transmission of electricity by underground cable over the land marked ‘J’ in Deposited Plan 123980.

On 20 March 2025 that order was confirmed by the Minister for Planning, conditionally upon the deposit by the Registrar-General of Deposited Plan 123980 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: 3 April 2025

B. J. Slape

Surveyor-General

2021/06085/01

# Local Government Instruments

## The Rural City of Murray Bridge

*Adoption of the Property Identification Policy*

Pursuant to Section 219 of the *Local Government Act 1999*, notice is hereby given that the Rural City of Murray Bridge (the Council) has adopted the Property Identification Policy (the policy) at its meeting held on 9 September 2024.

The Policy is available on Council’s website <https://www.murraybridge.sa.gov.au/council>. Requests for further information can be directed to Council on 8539 1100.

Dated: 27 March 2025

Heather Barclay

Chief Executive Officer

## City of Salisbury

Local Government Act 1999

*Revocation of Community Land Classification*

Pursuant to Section 194(2)(b) of the *Local Government Act 1999*, The City of Salisbury proposes to revoke the Community Land classification from a portion of Community Land.

The City of Salisbury is the registered owner of land described as McLean Reserve, Desmond Avenue, Pooraka also known as Allotment 109 in Deposited Plan 6465 as described in Certificate of Title Volume 5519 Folio 651. An area measuring approximately 3,300sqm is required to be revoked of its Community Land Classification and be declared surplus to Council’s requirements.

A copy of the plans detailing the proposals and location are available for public inspection at Council’s Community Hub at 34 Church Street, Salisbury.

Any objection to the proposal must set out the full name and address of the person making the objection and must be fully supported by reasons.

Any submissions must be made in writing by Thursday, 1 May 2025 to the Council at PO Box 8, Salisbury SA 5108.

Where submissions are made Council will give notification of a meeting to deal with the matter.

Enquiries to be directed to Emma Robinson on (08) 8406 8216 or by email to [erobinson@salisbury.sa.gov.au](mailto:erobinson@salisbury.sa.gov.au).

Dated: 3 April 2025

John Harry

Chief Executive Officer

City of Salisbury

Local Government Act 1999

*Revocation of Community Land Classification*

Pursuant to Section 194(2)(b) of the *Local Government Act 1999*, The City of Salisbury proposes to revoke the Community Land classification from a portion of Community Land.

The City of Salisbury is the registered owner of land described as Pelham Reserve, Bridge Road, Ingle Farm also known as Allotment 102 in Deposited Plan 7631 as described in Certificate of Title Volume 3915 Folio 70. An area measuring approximately 4,500sqm is required to be revoked of its Community Land Classification and be declared surplus to Council’s requirements.

A copy of the plans detailing the proposals and location are available for public inspection at Council’s Community Hub at 34 Church Street, Salisbury.

Any objection to the proposal must set out the full name and address of the person making the objection and must be fully supported by reasons.

Any submissions must be made in writing by Thursday, 1 May 2025 to the Council at PO Box 8, Salisbury SA 5108.

Where submissions are made Council will give notification of a meeting to deal with the matter.

Enquiries to be directed to Emma Robinson on (08) 8406 8216 or by email to [erobinson@salisbury.sa.gov.au](mailto:erobinson@salisbury.sa.gov.au).

Dated: 3 April 2025

John Harry

Chief Executive Officer

## Alexandrina Council

*Conversion of a Private Road to Public Road*

At the meeting of Alexandrina Council held on 17 March 2025, it was resolved that Council intends to convert that land marked as ‘Forster Street’ on Deposited Plan 323 from private road to public road, pursuant to Section 210 of the *Local Government Act 1999*. The land in Deposited Plan 323 is bounded by Kerr Street, Goode Street and Sumner Street in Goolwa.

Dated: 26 March 2025

Andrew Macdonald

Chief Executive Officer

## Copper Coast Council

Assignment of Names for Public Roads

Notice is hereby given pursuant to Section 219(1) of the *Local Government Act 1999*, that the Copper Coast Council resolved that new roads located in North Moonta and Wallaroo be assigned the street names as detailed below:

• McLean Court, Wallaroo

• Kalahome Way, Wallaroo

• Backman Road, North Moonta

• Shaw Court, North Moonta

Dated: 3 April 2025

D. Strong

Chief Executive Officer

## Mid Murray Council

Local Government (Elections) Act 1999

*Supplementary Election of Councillor for Shearer Ward—Election Results*

Conducted on Wednesday, 19 March 2025

Formal Ballot Papers—1,215

Informal Ballot Papers—5

Quota—608

|  |  |  |  |
| --- | --- | --- | --- |
| **Candidates** | **First Preference Votes** | **Elected or Excluded** | **Votes at Election or Exclusion** |
| BYRNE, Neville Joseph | 89 |  | 89 |
| WARHURST, Georga | 664 | Elected | 664 |
| PANNELL, Vincent | 462 |  | 462 |

Dated: 3 April 2025

Mick Sherry

Returning Officer

## Mount Barker District Council

Local Government (Elections) Act 1999

Supplementary Election of Councillor for Central Ward—Election Results

Conducted on Wednesday, 19 March 2025

Formal Ballot Papers—3,230

Informal Ballot Papers—25

Quota—1,616

|  |  |  |  |
| --- | --- | --- | --- |
| **Candidates** | **First Preference Votes** | **Elected or Excluded** | **Votes at Election or Exclusion** |
| SIZE, Janette | 828 | Elected | 1,562 |
| PATHAN, Jimiur | 417 | Excluded | 523 |
| MALPAS, David | 476 | Excluded | 622 |
| DOREY, Clare | 318 | Excluded | 361 |
| BARLOW, Rachelle | 233 | Excluded | 243 |
| BOURNE, Mark | 355 | Excluded | 404 |
| HUGHES, Michael Shaun | 485 |  | 831 |
| KUSUMA, Putu | 118 | Excluded | 118 |

Dated: 3 April 2025

Mick Sherry

Returning Officer

# Public Notices

## National Electricity Law

*Notice of Expedited Initiation  
Notice of Draft Determination and Draft Rule*

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

Under s 95, the AEMC has requested the *Minor changes 1 2025* (Ref. ERC0412) proposal. The proposal seeks to correct minor errors. The AEMC intends to expedite the proposal under s 96 as it considers the proposed Rule is a non-controversial Rule, subject to requests not to do so. Written requests not to expedite the proposal must be received by **17 April 2025**. Submissions must be received by **1 May 2025**.

Under s 99, the making of a draft determination and related draft rule on the *Allowing AEMO to accept cash as credit support proposal* (Ref. ERC0403). Written requests for a pre-final determination hearing must be received by **10 April 2025**. Submissions must be received by **15 May 2025**.

Submissions can be made via the [AEMC’s website](https://www.aemc.gov.au/contact-us/lodge-submission). Before making a submission, please review the AEMC’s [privacy statement](https://www.aemc.gov.au/terms-use/privacy) on its website, and consider the AEMC’s [Tips for making a submission](https://www.aemc.gov.au/our-work/changing-energy-rules-unique-process/making-rule-change-request/submission-tips). The AEMC publishes all submissions on its website, subject to confidentiality.

Written requests should be sent to [submissions@aemc.gov.au](mailto: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 15, 60 Castlereagh St

Sydney NSW 2000

Telephone: (02) 8296 7800

[www.aemc.gov.au](http://www.aemc.gov.au)

Dated: 3 April 2025

## National Energy Retail Law

Notice of Expedited Initiation

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

Under s 251, AEMC has requested the *Minor changes 1 2025* (Ref. RRC0066) proposal. The proposal seeks to correct minor errors. The AEMC intends to expedite the proposal under s 252 as it considers the proposed Rule is a non-controversial Rule, subject to requests not to do so. Written requests not to expedite the proposal must be received by **17 April 2025**. Submissions must be received by **1 May 2025**.

Submissions can be made via the [AEMC’s website](https://www.aemc.gov.au/contact-us/lodge-submission). Before making a submission, please review the AEMC’s [privacy statement](https://www.aemc.gov.au/terms-use/privacy) on its website, and consider the AEMC’s [Tips for making a submission](https://www.aemc.gov.au/our-work/changing-energy-rules-unique-process/making-rule-change-request/submission-tips). The AEMC publishes all submissions on its website, subject to confidentiality.

Written requests should be sent to [submissions@aemc.gov.au](mailto: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 15, 60 Castlereagh St  
Sydney NSW 2000  
Telephone: (02) 8296 7800  
[www.aemc.gov.au](http://www.aemc.gov.au)

Dated: 3 April 2025

## National Gas Law

*Notice of Expedited Initiation*

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

Under s 303, the AEMC has requested the *Minor changes 1 2025* (Ref. GRC0081) proposal. The proposal seeks to correct minor errors. The AEMC intends to expedite the proposal under s 304 as it considers the proposed Rule is a non-controversial Rule, subject to requests not to do so. Written requests not to expedite the proposal must be received by **17 April 2025**. Submissions must be received by **1 May 2025.**

Submissions can be made via the [AEMC’s website](https://www.aemc.gov.au/contact-us/lodge-submission). Before making a submission, please review the AEMC’s [privacy statement](https://www.aemc.gov.au/terms-use/privacy) on its website, and consider the AEMC’s [Tips for making a submission](https://www.aemc.gov.au/our-work/changing-energy-rules-unique-process/making-rule-change-request/submission-tips). The AEMC publishes all submissions on its website, subject to confidentiality.

Written requests should be sent to [submissions@aemc.gov.au](mailto: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 15, 60 Castlereagh St

Sydney NSW 2000

Telephone: (02) 8296 7800

[www.aemc.gov.au](http://www.aemc.gov.au)

Dated: 3 April 2025

## Sale of Property

*Warrant of Sale*

Auction Date: Wednesday, 16 April 2025 at 4:00pm

Location: 557 Milne Road, Tea Tree Gully, South Australia

Notice is hereby given that on the above date at the time and place stated, by virtue of the Warrant of Sale issued out of the Magistrates Court of South Australia, Action No. 007227 of 2023 directed to the Sheriff of South Australia in an action wherein Sharon Jamieson, Michelle Lodge and Jason Worden are the Plaintiffs and Hayley Maree Rusinski is the Defendant, I, Leslie Turner, Sheriff of the State of South Australia, will by my auctioneers, Harris Real Estate, make sale of the estate, right, title or interest whatsoever it may be of the defendant, Hayley Maree Rusinski the registered proprietor of an estate in fee simple in the following:

That piece of land situated in the area named Tea Tree Gully, being 557 Milne Road, Tea Tree Gully, Hundred of Adelaide, being the property comprised in Certificate of Title Register Book Volume 6141 Folio 999.

Further particulars from the auctioneers:

Craig Costello

Harris Real Estate

5-9 Rundle Street,

Kent Town SA 5067

Telephone: 08 8202 3500

Dated: 3 April 2025

Leslie Turner

Sheriff

## Trustee Act 1936

Public Trustee

*Estates of Deceased Persons*

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

ALLEN Joan Rita late of 60 States Road Morphett Vale of no occupation who died 15 November 2023

GILES Robert James late of 8 Martindale Street Para Hills Retired Union Official/Plumber who died 28 December 2024

GROVES Roma late of 16 Penong Avenue Camden Park Retired Saleswoman who died 12 December 2024

INGLETON Patricia Judith late of 52 Dunrobin Road Hove Retired Artist who died 9 August 2024

JORDAN John Dawson late of 17 Rice Avenue Gawler South Retired Fitter and Turner who died 8 September 2024

LYNCH Bernice Rebecca otherwise LONG Bernice Rebecca late of 11 Virgo Street Elizabeth South Retired Cleaner who died 22 October 2024

NEALL Wayne Bruce late of 57 Winzor Street Salisbury Cook who died 16 October 2024

PAGE Bentleigh Edward late of 78-96 Dumfries Avenue Northgate of no occupation who died 27 May 2024

PALMER Warren Keith late of 39 Milne Street Bordertown of no occupation who died 1 July 2024

PAYNE Rosemary June late of 36C Halsey Road Elizabeth East Retired Retail Worker who died 29 October 2024

REID Margaret Castle late of 14 Carinya Street Craigmore of no occupation who died 4 October 2024

YOUNG Edward George late of 101 Jenkins Terrace Naracoorte Retired Shearer who died 16 May 2024

Notice is hereby given pursuant to the *Trustee Act 1936* (SA), the *Succession Act 2023* (SA) and the *Family Relationships Act 1975* (SA) 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 2 May 2025 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: 3 April 2025

T. Brumfield

Public Trustee

**Notice Submission**

The South Australian Government Gazette is published each Thursday afternoon.

Notices must be emailed by 4 p.m. Tuesday, the week of publication.

Submissions are formatted per the gazette style and a proof will be supplied prior to publication, along with a quote if applicable. Please allow one day for processing notices.

Alterations to the proof must be returned by 4 p.m. Wednesday.

**Gazette notices must be submitted as Word files, in the following format:**

• Title—the governing legislation

• Subtitle—a summary of the notice content

• Body—structured text, which can include numbered lists, tables, and images

• Date—day, month, and year of authorisation

• Signature block—name, role, and department/organisation authorising the notice

**Please provide the following information in your email:**

• Date of intended publication

• Contact details of the person responsible for the notice content

• Name and organisation to be charged for the publication—Local Council and Public notices only

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**All instruments appearing in this gazette are to be considered official, and obeyed as such**

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