

South Australia

Green Industries SA Act 2004

An Act to continue the statutory corporation Zero Waste SA as Green Industries SA, to build on the waste management reforms effected by Zero Waste SA, to promote innovation and business activity in the waste management, resource recovery and green industry sectors in the State; and for other purposes.

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Legislative history

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Green Industries SA Act 2004*.

3—Interpretation

(1) In this Act—

appointed member of the Board means a member of the Board appointed by the Governor;

Board means the Board of Green Industries SA—see section 9;

business includes a business not carried on for profit or gain;

Green Industries SA—see Part 2;

green industry—see section 3B;

Green Industry Fund—see Part 3;

resource recovery, in relation to waste, means—

- (a) reusing the waste; or
- (b) recycling the waste; or
- (c) recovering energy or other resources from the waste;

waste has the same meaning as in the *Environment Protection Act 1993*;

waste strategy—see Part 4.

3A—Guiding principles

(1) The following are the *guiding principles* for the purposes of this Act:

- (a) the principles of the circular economy;
- (b) the waste management hierarchy;
- (c) the principles of ecologically sustainable development;
- (d) that best practice methods and standards should be pursued in—
 - (i) waste management; and
 - (ii) the efficient use of resources.

(2) In this section—

- (a) a reference to the *principles of the circular economy* is a reference to an economic model that contemplates the production of goods and services—
 - (i) by a reduced reliance on virgin materials; and

- (ii) on the basis of continuously functioning utility and an extended lifecycle; and
 - (iii) in a manner that eliminates, as far as is reasonably practicable, waste or pollution, or harm to the environment;
- (b) a reference to the *waste management hierarchy* is a reference to an order of priority for the management of waste in which—
 - (i) avoidance of the production of waste; and
 - (ii) minimisation of the production of waste; and
 - (iii) reuse of waste; and
 - (iv) recycling of waste; and
 - (v) recovery of energy and other resources from waste; and
 - (vi) treatment of waste to reduce potentially degrading impacts; and
 - (vii) disposal of waste in an environmentally sound manner,are pursued in order with, first, avoidance of the production of waste, and second, to the extent that avoidance is not reasonably practicable, minimisation of the production of waste, and third, to the extent that minimisation is not reasonably practicable, reuse of waste, and so on;
- (c) a reference to the *principles of ecologically sustainable development* is a reference to principles that maintain—
 - (i) that the use, development and protection of the environment should be managed in a way, and at a rate, that will enable people and communities to provide for their economic, social and physical wellbeing and for their health and safety while—
 - (A) sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and
 - (B) safeguarding the life-supporting capacity of air, water, land and ecosystems; and
 - (C) avoiding, remedying or mitigating any adverse effects of activities on the environment; and
 - (ii) that proper weight should be given to both long and short term economic, environmental, social and equity considerations in deciding all matters relating to environmental protection, restoration and enhancement.

3B—Green industry

In this Act, a reference to *green industry* is a reference to—

- (a) any business activity for the production of goods or services that demonstrates, as far as is reasonably practicable, the application of the guiding principles set out in section 3A in the manner of production and the goods or services themselves; or

- (b) any business activity carried on in support of, or in connection with, an activity referred to in paragraph (a), including research and development, education and marketing.

Part 2—Green Industries SA

4—Green Industries SA

- (1) *Zero Waste SA* continues as *Green Industries SA*.
- (2) Green Industries SA—
 - (a) is a body corporate with perpetual succession and a common seal; and
 - (b) is capable of suing and being sued in its corporate name; and
 - (c) is capable of acquiring, holding, dealing with or disposing of real or personal property in its corporate name; and
 - (d) has the functions and powers assigned or conferred by or under this Act.
- (3) Green Industries SA is an instrumentality of the Crown and holds its property on behalf of the Crown.
- (4) In the exercise of its powers, functions or duties, Green Industries SA is subject to the direction of the Minister except in relation to the making of a recommendation or report to the Minister.
- (5) Any direction given to Green Industries SA by the Minister must be in writing.
- (6) In this section—

personal property includes intellectual property.

5—Primary objectives and principles of Green Industries SA

- (1) The primary objectives of Green Industries SA are—
 - (a) to promote waste management practices that, as far as possible, eliminate waste or its consignment to landfill; and
 - (b) to promote innovation and business activity in the waste management, resource recovery and green industry sectors, recognising that these areas present a valuable opportunity to contribute to the State's economic growth.
- (2) Green Industries SA should, in furthering its objectives and in the exercise of its functions, have regard to—
 - (a) the guiding principles set out in section 3A; and
 - (b) the principle that government policies relating to waste management, resource recovery and green industry should be developed through a process of open dialogue with local government, industry and the community in which local government, industry and the community are encouraged to contribute to decision making.

6—Functions of Green Industries SA

- (1) The functions of Green Industries SA are—
 - (a) to develop, co-ordinate and contribute to the implementation of government policy objectives in respect of—
 - (i) waste management for regions, industry sectors and material types; and
 - (ii) programs for the prevention of litter and illegal dumping; and
 - (iii) market development (both local and overseas) for waste management, resource recovery and green industry; and
 - (iv) public and industry awareness and education in relation to waste management, resource recovery and green industry practices and systems; and
 - (v) innovation in waste management, resource recovery and green industry; and
 - (b) to develop, adopt and administer the waste strategy for the State; and
 - (c) to monitor and assess the adequacy and implementation of the waste strategy; and
 - (d) to commission, collaborate with, and provide assistance to, business in—
 - (i) improving efficiencies in the use of resources (eg waste, energy and water) and reducing the adverse effects of waste on the environment; and
 - (ii) identifying business opportunities (including export opportunities) in waste management, resource recovery and green industry; and
 - (iii) research and development in relation to infrastructure, technologies, systems and practices for waste management, resource recovery and green industry; and
 - (iv) raising public and industry awareness of innovations or best practice in waste management, resource recovery and green industry; and
 - (e) to develop and promote collaborative partnerships between industry, non-government organisations, the research sector, government agencies and all levels of government in connection with its other functions; and
 - (f) to advise the Minister about any matter referred to it by the Minister or any matter it sees fit to advise the Minister on in connection with its responsibilities under this Act; and
 - (g) such other functions as may be conferred on it by this Act or any other Act, or as may be assigned to it by the Minister.
- (2) Green Industries SA may carry out the functions referred to in subsection (1)(d) either—
 - (a) directly with particular businesses that carry out the activities referred to in that provision; or

- (b) indirectly via an agent that funds, administers, represents or otherwise supports other businesses in carrying out those activities.

7—Powers of Green Industries SA

Green Industries SA may, in addition to any other powers conferred on it by or under this Act, exercise any powers that are necessary or expedient for, or incidental to, the performance of its functions and in particular—

- (a) may obtain expert or technical advice from a person on such terms and conditions as it thinks fit; and
- (b) may, under an arrangement established by the Minister administering an administrative unit of the Public Service, make use of the services or staff of that administrative unit; and
- (c) may make use of information obtained by the Environment Protection Authority in the administration or enforcement of the *Environment Protection Act 1993* (or the regulations or environment protection policies made under that Act), provided that the information is not, without the consent of a particular person or body, used in such a way as to divulge trade processes or financial information in a way that identifies, or would or might tend to identify or in any way be relatable to, that person or body.

7A—Application of *Public Finance and Audit Act 1987*

Nothing in this Act will be taken to exclude the application of the *Public Finance and Audit Act 1987* with respect to the performance or exercise of the functions or powers of Green Industries SA (including in connection with the management, investment and application of the Green Industry Fund).

8—Chief Executive

- (1) The office of Chief Executive of Zero Waste SA continues as the office of the Chief Executive of Green Industries SA.
- (2) The Chief Executive is, subject to the control and direction of the Board, responsible for giving effect to the policies and decisions of the Board.
- (3) The Chief Executive will be appointed by the Governor, on conditions determined by the Governor, for a term, not exceeding 7 years, specified in the instrument of appointment and, at the expiration of a term of appointment, is eligible for re-appointment.
- (4) The Governor may appoint a person (on terms and conditions determined by the Governor) to act in the office of Chief Executive of Green Industries SA.
- (5) A person appointed to act in the office of the Chief Executive under subsection (4)—
 - (a) may act in that office during a temporary absence of the Chief Executive or while the office of the Chief Executive is temporarily vacant; and
 - (b) has, while so acting, all the powers, duties and functions of the Chief Executive.

9—Board of Green Industries SA

- (1) The Board of Zero Waste SA continues as the Board of Green Industries SA.

- (1a) The Board is the governing body of Green Industries SA.
- (2) The Board is to consist of not less than 6 and not more than 10 members.
- (3) The Chief Executive of Green Industries SA is a member of the Board *ex officio* and the remaining members of the Board will be appointed by the Governor.
- (6) The Board's membership must include persons who together have, in the Governor's opinion, practical knowledge of, and experience in, the following areas (gained through involvement in business or government):
 - (a) waste management, resource recovery or green industry;
 - (b) ecological sustainability;
 - (c) commercialisation of goods or services, entrepreneurship or other business development;
 - (d) corporate governance;
 - (e) community engagement;
 - (f) marketing.
- (7) At least one member of the Board must be a woman and one a man.
- (8) The Governor may appoint a suitable person to be deputy of a member of the Board (other than the Chief Executive) and a person so appointed may act in the place of the member during any absence of the member.

10—Terms and conditions of office

- (1) An appointed member of the Board is to be appointed for a term, not exceeding 3 years, specified in the instrument of appointment and is, on the expiration of a term of office, eligible for re-appointment (subject to the qualification that a person cannot serve as a member for more than 9 consecutive years).
- (2) An appointed member of the Board is entitled to such remuneration, allowances and expenses as may be determined by the Governor.
- (3) The Governor may remove an appointed member of the Board from office for—
 - (a) misconduct; or
 - (b) neglect of duty; or
 - (c) incapacity to carry out satisfactorily the duties of his or her office; or
 - (d) failure to carry out satisfactorily the duties of his or her office.
- (4) An appointed member of the Board neglects his or her duty if the member fails to attend three consecutive meetings without the leave of the Board.
- (5) The office of an appointed member of the Board becomes vacant if the member—
 - (a) dies; or
 - (b) completes a term of office and is not reappointed; or
 - (c) resigns by written notice addressed to the Minister; or
 - (d) is removed from office by the Governor under subsection (3).

- (6) On the office of an appointed member of the Board becoming vacant, a person must be appointed in accordance with this Act to the vacant office.

11—Proceedings of Board

- (1) The Governor will appoint a member of the Board to preside at meetings of the Board.
- (2) In the absence of the person appointed under subsection (1) from a meeting of the Board, a member chosen by those present will preside.
- (3) A quorum of the Board consists of half of the total number of its members (ignoring any fraction resulting from the division) plus one and no business may be transacted at such a meeting unless a quorum is present.
- (4) Subject to subsection (3), the Board may act despite vacancies in its membership or a defect in appointment of a member.
- (5) A decision carried by a majority of the votes cast by the members present at a meeting is a decision of the Board.
- (6) Each member present at a meeting of the Board has one vote on a matter arising for decision and, if the votes are equal, the member presiding at the meeting may exercise a casting vote.
- (7) A telephone or video conference between members will, for the purposes of this section, be taken to be a meeting of the Board at which the participating members are present.
- (8) A proposed resolution of the Board becomes a valid decision of the Board despite the fact that it is not voted on at a meeting of the Board if—
 - (a) notice of the proposed resolution is given to all members in accordance with procedures determined by the Board; and
 - (b) a majority of the members express their concurrence in the proposed resolution by letter, facsimile transmission, e-mail or other written communication setting out the terms of the resolution.
- (9) The Board must have accurate minutes kept of its proceedings and make them available to all members of the Board.
- (10) A person who is not a member of the Board may be present during a meeting with the consent of the Board but not otherwise.
- (11) Subject to this Act, the Board may determine its own procedures.

12—Committees and subcommittees of Board

- (1) The Board may establish committees or subcommittees as the Board thinks fit to advise Green Industries SA on any aspect of its functions, or to assist Green Industries SA in the performance of its functions.
- (2) A committee or subcommittee established under subsection (1) may, but need not, consist of, or include, members of the Board.
- (3) The procedures to be observed in relation to the conduct of business of a committee or a subcommittee of the Board will be—
 - (a) as prescribed by regulation; or

- (b) insofar as the procedure is not prescribed by regulation—as determined by the Board; or
- (c) insofar as the procedure is not prescribed by regulation or determined by the Board—as determined by the relevant committee or subcommittee.

13—Application of Public Sector (Honesty and Accountability) Act 1995

The *Public Sector (Honesty and Accountability) Act 1995* applies to a member of a committee or subcommittee of the Board as if the committee or subcommittee were an advisory body and the Minister responsible for the administration of this Act were the relevant Minister.

13A—Delegations by Green Industries SA

- (1) Green Industries SA may delegate to a person (including a person for the time being performing particular duties or holding or acting in a particular position) or committee a function or power under this Act (except a prescribed function or power).
- (2) A delegation—
 - (a) must be by instrument in writing; and
 - (b) may be absolute or conditional; and
 - (c) does not derogate from the power of the delegator to act in a matter; and
 - (d) is revocable at will.
- (3) A delegated function or power may, if the instrument of delegation so provides, be further delegated in accordance with that instrument.
- (4) In legal proceedings, an apparently genuine certificate, purportedly signed by the presiding member of the Board containing particulars of a delegation under this section, will, in the absence of proof to the contrary, be accepted as proof that the delegation was made in accordance with the particulars.

14—Business plan

- (1) Green Industries SA must, at least one month before the beginning of each financial year, submit a business plan to the Minister for approval.
- (2) A business plan must—
 - (a) set out Green Industries SA's major projects, and its goals and priorities with respect to the full range of Green Industries SA's functions, for the next 3 financial years; and
 - (b) set out Green Industries SA's budget for the next financial year (including estimates of its income and expenditure for that period); and
 - (c) conform with any requirements of the Minister as to the form of the plan and any other matters to be addressed by the plan.
- (3) The Minister may approve a business plan submitted under this section with or without modification.

- (4) If a business plan is not approved by the Minister (with or without modification) before the commencement of the period to which it relates, Green Industries SA may proceed as if it were approved (but is bound by any modifications subsequently required by the Minister).
- (5) Green Industries SA may, at any time, submit a variation of its business plan to the Minister for the Minister's approval (which may be with or without modification).
- (6) Green Industries SA must ensure that its business plan, as last approved under this section, is available for public inspection on a website and at its principal place of business during normal office hours.

15—Annual report

- (1) Green Industries SA must, on or before 30 September in each year, present a report to the Minister on the operations carried out under the Act during the previous financial year.
- (2) A report under this section must include—
 - (a) an audited statement of the income and expenditure of the Green Industry Fund, together with details of the items of income and expenditure of the Fund (including the amounts applied by Green Industries SA and by the Minister respectively), for the period to which the report relates; and
 - (b) any direction given to Green Industries SA by the Minister during the period to which the report relates; and
 - (c) details of the co-ordination of activities by Green Industries SA and the Environment Protection Authority during the period to which the report relates; and
 - (d) an assessment of the adequacy of the waste strategy and its implementation during the period to which the report relates according to the criteria and methods established in the strategy.
- (3) The Minister must, within 12 sitting days after receipt of a report under this section, cause copies of the report to be laid before each House of Parliament.

16—Use and protection of name

- (1) Green Industries SA has a proprietary interest in the following names:
 - (a) Green Industries SA;
 - (b) Zero Waste SA;
 - (c) Zero Waste;
 - (d) any other name prescribed by regulation for the purposes of this subsection.
- (2) A person must not, without the consent of Green Industries SA in the course of a trade or business, use a name in which Green Industries SA has a proprietary interest under this section for the purpose of promoting the sale of services or the provision of any benefits.

Maximum penalty: \$20 000.

- (3) A consent under this section—
 - (a) may be given with or without conditions (including conditions requiring payment to Green Industries SA); and
 - (b) must be given in writing addressed to the applicant for the consent; and
 - (c) may be revoked by Green Industries SA for a breach of a condition by notice in writing given personally or by post to a person who has the benefit of the consent.
- (4) The Supreme Court may, on the application of Green Industries SA, grant an injunction to restrain a breach of this section.
- (5) The court by which a person is convicted of an offence against this section may, on the application of Green Industries SA, order the convicted person to pay compensation of an amount fixed by the court to Green Industries SA.
- (6) Subsections (4) and (5) do not derogate from any civil remedy that may be available to Green Industries SA apart from those subsections.

Part 3—Green Industry Fund

17—Green Industry Fund

- (1) The *Waste to Resources Fund* continues as the *Green Industry Fund*.
- (2) The Fund must be kept as directed by the Treasurer.
- (3) The Fund is to consist of the following money:
 - (a) 50 per cent, or such greater percentage as may be prescribed, of the amount paid by waste depot licence holders by way of levy under section 113 of the *Environment Protection Act 1993* in respect of solid waste received at the depots;
 - (b) any money appropriated by Parliament for the purposes of the Fund;
 - (c) any money paid into the Fund at the direction or with the approval of the Minister and the Treasurer;
 - (d) any money received by way of grant, gift or bequest for the purposes of the Fund;
 - (e) any income from investment of money belonging to the Fund;
 - (f) any money paid into the Fund under any other Act.
- (4) The Minister must, at least annually, review the adequacy of the amount paid into the Fund under subsection (3)(a).
- (5) Subject to this section, the Fund may be applied (without further appropriation than this subsection)—
 - (a) by Green Industries SA—
 - (i) in accordance with the business plan; or
 - (ii) in any other manner authorised by the Minister for the purposes of this Act; or
 - (b) by the Minister—

- (i) towards the payment of costs of climate change initiatives, including research and development, education, innovation or business activity, in relation to initiatives for mitigating the effects of climate change, minimising carbon emissions and adapting to climate change; or
 - (ii) towards the payment of costs of managing waste or debris, or harm to the environment, following an identified major incident, a major emergency or a disaster, declared under Part 4 Division 3 of the *Emergency Management Act 2004*.
- (5a) Without limiting the form that payment of amounts from the Fund may take for the purposes of subsection (5), such payments may take the form of—
 - (a) a grant of an amount to a person or body; or
 - (b) with the approval of the Treasurer—
 - (i) forming, or acquiring, holding, dealing with or disposing of, shares, units in a unit trust, interests in such shares or units or other interests in or securities issued by, bodies corporate; or
 - (ii) entering into a partnership, joint venture or other profit sharing agreement.
- (6) Green Industries SA may, with the approval of the Treasurer, invest in a manner approved by the Treasurer any of the money belonging to the Fund that is not immediately required for the purposes of the Fund.
- (7) An approval given by the Treasurer under this section may be—
 - (a) specific or general; and
 - (b) conditional or unconditional.
- (8) An approval given by the Treasurer may be varied or revoked by the Treasurer at any time.

17A—Delegation by Minister of power under section 17

- (1) The Minister may delegate his or her power under section 17(5)(b) to any other Minister or to any person for the time being performing particular duties or holding or acting in a particular position in an administrative unit of the Public Service.
- (2) A delegation—
 - (a) must be by instrument in writing; and
 - (b) may be absolute or conditional; and
 - (c) does not derogate from the power of the delegator to act in a matter; and
 - (d) is revocable at will.
- (3) A delegated function or power may, if the instrument of delegation so provides, be further delegated in accordance with that instrument.

Part 4—Waste strategy

18—Development of waste strategy

- (1) Green Industries SA is to develop a waste strategy for the State.

- (2) A waste strategy—
- (a) is to include objectives, principles and priorities of Green Industries SA for—
 - (i) the management of waste generated or disposed of in the State; and
 - (ii) public and industry awareness of, and participation in, resource recovery and green industry; and
 - (b) is to include an analysis of levels of waste generation and waste management practices; and
 - (c) is, as a result of the analysis, to identify targets or goals for—
 - (i) waste reduction; and
 - (ii) the diversion of waste from landfill; and
 - (iii) waste collection, transport and disposal; and
 - (iv) resource recovery development; and
 - (v) green industry development,(including targets or goals relating to research and development and public and industry awareness and education); and
 - (d) is to identify—
 - (i) the means of implementation of the targets or goals; and
 - (ii) any obstacles or potential obstacles to the implementation of the targets or goals; and
 - (iii) any significant risks associated with the implementation of the targets or goals; and
 - (e) is to establish criteria and methods for assessing the adequacy of the strategy and its implementation.
- (3) A waste strategy does not take effect until it is adopted by Green Industries SA.
- (4) Before adopting a waste strategy, Green Industries SA must—
- (a) cause copies of the proposed waste strategy to be sent to the Minister and, as prescribed, State and local government bodies; and
 - (b) cause notice of the proposed strategy to be published in a newspaper circulating throughout the State; and
 - (c) cause copies of the proposed strategy to be made available for public inspection on a website and at its principal place of business during normal office hours; and
 - (d) allow a period of at least 8 weeks for consultation with State and local government bodies and written submissions from the public on the proposed strategy; and
 - (e) take into consideration the views and submissions gathered through that process.
- (6) Each waste strategy must be replaced by a new waste strategy at least once every 5 years, or at a time directed by the Minister.

- (7) Green Industries SA must ensure that the current waste strategy is available for public inspection on a website and at its principal place of business during normal office hours.

19—Green Industries SA and EPA to co-ordinate activities

Green Industries SA and the Environment Protection Authority are required to co-ordinate their activities for the development and implementation of waste strategies under this Part.

Part 5—Miscellaneous

21—Regulations

The Governor may make such regulations as are contemplated by, or as are necessary or expedient for the purposes of, this Act.

Legislative history

Notes

- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of this Act (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Formerly

Zero Waste SA Act 2004

Legislation amended by principal Act

The *Green Industries SA Act 2004* amended the following:

Environment Protection Act 1993

Principal Act and amendments

New entries appear in bold.

Year	No	Title	Assent	Commencement
2004	1	<i>Zero Waste SA Act 2004</i>	4.3.2004	7.5.2004 (<i>Gazette</i> 6.5.2004 p1225)
2009	84	<i>Statutes Amendment (Public Sector Consequential Amendments) Act 2009</i>	10.12.2009	Pt 170 (ss 385—387)—1.2.2010 (<i>Gazette</i> 28.1.2010 p320)
2012	7	<i>Zero Waste SA (Miscellaneous) Amendment Act 2012</i>	12.4.2012	12.4.2012
2016	57	<i>Statutes Amendment (Budget 2016) Act 2016</i>	8.12.2016	Pt 13 (ss 111—133)—1.2.2017 (<i>Gazette</i> 27.1.2017 p201)

Provisions amended

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
Long title	amended under <i>Legislation Revision and Publication Act 2002</i> substituted by 57/2016 s 111	1.2.2010 1.2.2017
Pt 1		
s 1	amended by 57/2016 s 112	1.2.2017
<i>s 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>1.2.2010</i>
Pt 2		

heading	substituted by 57/2016 s 115	1.2.2017
s 3		
s 3(1)		
Board	substituted by 57/2016 s 113(1)	1.2.2017
business	inserted by 57/2016 s 113(1)	1.2.2017
Green Industries SA	inserted by 57/2016 s 113(1)	1.2.2017
green industry	inserted by 57/2016 s 113(1)	1.2.2017
Green Industry Fund	inserted by 57/2016 s 113(1)	1.2.2017
resource recovery	inserted by 57/2016 s 113(1)	1.2.2017
waste management hierarchy	deleted by 57/2016 s 113(2)	1.2.2017
Waste to Resources Fund	deleted by 57/2016 s 113(3)	1.2.2017
Zero Waste SA	deleted by 57/2016 s 113(3)	1.2.2017
s 3		
s 3(2)	deleted by 57/2016 s 113(4)	1.2.2017
ss 3A and 3B	inserted by 57/2016 s 114	1.2.2017
s 4		
s 4(1)	substituted by 57/2016 s 116(1)	1.2.2017
s 4(2)	amended by 57/2016 s 116(2), (3)	1.2.2017
s 4(3)—(5)	amended by 57/2016 s 116(2)	1.2.2017
s 4(6)	inserted by 57/2016 s 116(4)	1.2.2017
ss 5 and 6	substituted by 57/2016 s 117	1.2.2017
s 7	amended by 84/2009 s 385	1.2.2010
	amended by 57/2016 s 118(1), (2)	1.2.2017
s 7A	inserted by 7/2012 s 3	12.4.2012
	amended by 57/2016 s 119(1), (2)	1.2.2017
s 8		
s 8(1)	substituted by 57/2016 s 120(1)	1.2.2017
s 8(4)	amended by 57/2016 s 120(2)	1.2.2017
s 9		
s 9(1)	substituted by 57/2016 s 121(1)	1.2.2017
s 9(1a)	inserted by 57/2016 s 121(1)	1.2.2017
s 9(3)	amended by 57/2016 s 121(2)	1.2.2017
s 9(4) and (5)	deleted by 57/2016 s 121(3)	1.2.2017
s 9(6)	substituted by 57/2016 s 121(4)	1.2.2017
s 10		
s 10(1)	amended by 57/2016 s 122	1.2.2017
s 12		
s 12(1)	amended by 57/2016 s 123	1.2.2017
s 13	substituted by 84/2009 s 386	1.2.2010
s 13A	inserted by 7/2012 s 4	12.4.2012

s 13A(1)	amended by 57/2016 s 124	1.2.2017
s 14		
s 14(1) and (2)	amended by 57/2016 s 125(1)	1.2.2017
s 14(4)—(6)	amended by 57/2016 s 125(1)	1.2.2017
s 14(7)	deleted by 57/2016 s 125(2)	1.2.2017
s 15		
s 15(1)	substituted by 57/2016 s 126(1)	1.2.2017
s 15(2)	amended by 57/2016 s 126(2), (3)	1.2.2017
s 16		
s 16(1)	substituted by 57/2016 s 127(1)	1.2.2017
s 16(2)—(6)	amended by 57/2016 s 127(2)	1.2.2017
Pt 3		
heading	substituted by 57/2016 s 128	1.2.2017
s 17		
s 17(1)	substituted by 57/2016 s 129(1)	1.2.2017
s 17(5)	substituted by 57/2016 s 129(2)	1.2.2017
s 17(5a)	inserted by 57/2016 s 129(2)	1.2.2017
s 17(7) and (8)	inserted by 57/2016 s 129(3)	1.2.2017
s 17A	inserted by 57/2016 s 130	1.2.2017
Pt 4		
s 18		
s 18(1)	amended by 57/2016 s 131(1)	1.2.2017
s 18(2)	substituted by 57/2016 s 131(2)	1.2.2017
s 18(3) and (4)	amended by 57/2016 s 131(3)	1.2.2017
s 18(5)	deleted by 57/2016 s 131(4)	1.2.2017
s 18(6)	substituted by 57/2016 s 131(4)	1.2.2017
s 19	amended by 57/2016 s 132	1.2.2017
Pt 5		
s 20	deleted by 84/2009 s 387	1.2.2010
Sch 1	omitted under Legislation Revision and Publication Act 2002	1.2.2010

Transitional etc provisions associated with Act or amendments

Statutes Amendment (Budget 2016) Act 2016

133—Transitional provision

(1) In this section—

principal Act means the *Zero Waste SA Act 2004* as in force immediately before the commencement of this Part.

(2) A member of the Board of Zero Waste SA holding office immediately before the commencement of this section ceases to hold office on that commencement.

- (3) The person holding office as Chief Executive of Zero Waste SA immediately before the commencement of this section continues to hold office as Chief Executive of Green Industries SA on and from that commencement.
- (4) The business plan approved and in effect immediately before the commencement of this section continues, on that commencement, as the current business plan under section 14 of the principal Act as amended by this Act.
- (5) The waste strategy adopted and in effect immediately before the commencement of this section continues, on that commencement, as the current waste strategy under section 18 of the principal Act as amended by this Act, despite the fact that, until the next waste strategy is adopted after that commencement, it may not comply with the requirements under that section.
- (6) A reference in any instrument or contract, agreement or other document to *Zero Waste SA* will, on the commencement of this section, have effect as if it were a reference to *Green Industries SA*.

Historical versions

1.2.2010

12.4.2012