

**House of Assembly—No 48**

As laid on the table and read a first time, 20 November 2014

South Australia

**Emergency Services Funding (SACAT)  
Amendment Bill 2014**

A BILL FOR

An Act to amend the *Emergency Services Funding Act 1998*.

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## The Parliament of South Australia enacts as follows:

### Part 1—Preliminary

#### 1—Short title

This Act may be cited as the *Emergency Services Funding (SACAT) Amendment Act 2014*.

#### 5 2—Commencement

This Act will come into operation on 29 March 2015.

#### 3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

### 10 Part 2—Amendment of *Emergency Services Funding Act 1998*

#### 4—Amendment of section 3—Interpretation

Section 3(1)—after the definition of *owner* insert:

*Tribunal* means the South Australian Civil and Administrative Tribunal established under the *South Australian Civil and Administrative Tribunal Act 2013*;

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**5—Amendment of section 5A—Application for aggregation of non contiguous land**

Section 5A(5) and (6)—delete subsections (5) and (6) and substitute:

- 5 (5) The applicant may apply to the Tribunal under section 34 of the *South Australian Civil and Administrative Tribunal Act 2013* for review of a decision of the Commissioner to refuse an application under this section.
- (6) An application for review must be made within 28 days after the notice is served on the applicant under subsection (4).

10 **6—Amendment of section 9—Objection to attribution of use to land**

Section 9(4)—delete subsection (4) and substitute:

- 15 (4) An objector who is dissatisfied with the Minister's decision may apply to the Tribunal under section 34 of the *South Australian Civil and Administrative Tribunal Act 2013* for review of the Minister's decision.
- (4a) An application for review must be made within 21 days after notification of the Minister's decision to the objector.

**7—Amendment of section 13—Alterations to assessment book**

Section 13(3)—delete subsection (3) and substitute:

- 20 (3) The Commissioner must notify the applicant in writing of his or her decision, and if the application is refused, the notice must include the Commissioner's reasons for refusing the application.
- (4) An applicant who is dissatisfied with the decision of the Commissioner on the application may apply to the Tribunal under section 34 of the *South Australian Civil and Administrative Tribunal Act 2013* for review of the Commissioner's decision.
- 25 (5) An application for review must be made within 21 days after notification of the Commissioner's decision under subsection (3).

30 **8—Amendment of section 21—Recovery of levy not affected by objection or review**

- (1) Section 21(1)(a)—delete ", review or appeal" and substitute:  
or review
- (2) Section 21(1)(b)—delete "appeal" and substitute:  
review
- 35 (3) Section 21(2)—delete ", review or appeal" and substitute:  
or review
- (4) Section 21(2)(b)—delete ", review or appeal" and substitute:  
or review

(5) Section 21(2)(c)—delete ", review or appeal" and substitute:

or review

(6) Section 21(2)(d)—delete ", review or appeal" and substitute:

or review

5 **9—Amendment of section 26—Objection to classification of vehicle**

Section 26(4)—delete subsection (4) and substitute:

(4) An objector who is dissatisfied with the Minister's decision may apply to the Tribunal under section 34 of the *South Australian Civil and Administrative Tribunal Act 2013* for review of the Minister's decision.

(4a) An application for review must be made within 21 days after notification of the Minister's decision to the objector.

**10—Transitional provisions**

(1) A right of appeal or to make an application under section 5A, 9, 13 or 26 of the principal Act in existence before the relevant day (but not exercised before that day) will be exercised as if this Part had been in operation before that right arose, so that the relevant proceedings may be commenced before the Tribunal rather than the Supreme Court, Land and Valuation Court or District Court (as the case may be).

(2) Nothing in this section affects any proceedings before the Supreme Court, Land and Valuation Court or District Court commenced before the relevant day.

(3) In this section—

*principal Act* means the *Emergency Services Funding Act 1998*;

*relevant day* means the day on which this Part comes into operation;

*Tribunal* means the South Australian Civil and Administrative Tribunal established under the *South Australian Civil and Administrative Tribunal Act 2013*.