

Legislative Council—No 133

As received from the House of Assembly and read a first time, 22 June 2021

South Australia

**Rail Safety National Law (South Australia)
(Alcohol and Drug Offence) Amendment Bill 2021**

A BILL FOR

An Act to amend the *Rail Safety National Law (South Australia) Act 2012*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

5 This Act may be cited as the *Rail Safety National Law (South Australia) (Alcohol and Drug Offence) Amendment Act 2021*.

2—Commencement

This Act comes into operation on a day to be fixed by proclamation.

3—Amendment provisions

10 In this Act, a provision in Part 2 amends the *Rail Safety National Law* set out in the Schedule to the *Rail Safety National Law (South Australia) Act 2012*.

Part 2—Amendment of *Rail Safety National Law*

4—Amendment of section 128—Offence relating to prescribed concentration of alcohol or prescribed drug

Section 128—after subsection (1) insert:

- 15 (1a) For the purposes of subsection (1), and without limiting the circumstances in which a rail safety worker will be taken to be carrying out, or attempting to carry out, rail safety work, if a rail safety worker—
- 20 (a) has arrived at the rail safety worker's place of work; and
 - (b) —
 - 25 (i) has signed on for the purpose of carrying out rail safety work (in such manner as may be required by the practices and procedures at the worker's place of work and however described) and is available to carry out the rail safety work; or
 - (ii) is otherwise on duty for the purpose of carrying out rail safety work,

then the rail safety worker will be taken to be carrying out, or attempting to carry out, rail safety work.