

South Australia

Ambulance Services Act 1992

An Act to provide for the licensing of persons who provide ambulance services; and for other purposes.

Contents

Part 1—Preliminary

- 1 Short title
- 4 Interpretation

Part 2—Provision of ambulance services

- 5 Offence
- 6 Licences
- 7 Conditions of licence
- 8 Revocation of licence
- 9 Delegation by Minister
- 10 Appeal to District Court

Part 3—SA Ambulance Service Inc

- 11 SA St John Ambulance Service Inc to continue as SA Ambulance Service Inc
- 11A Establishment of Ambulance Board
- 12 Legal status, management and control of SAAS
- 13 Establishment of Country Ambulance Advisory Committee
- 13A Staffing arrangements
- 14 Accounts and audit
- 15 Limitation on SAAS's powers to borrow or invest money
- 16 Annual report
- 16A Application of *Associations Incorporation Act 1985*

Part 4—Miscellaneous

- 17 Fees for ambulance services
- 18 Holding out etc
- 19 General defence
- 20 Regulations

Schedule—Transitional provisions

Legislative history

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Ambulance Services Act 1992*.

4—Interpretation

(1) In this Act, unless the contrary intention appears—

ambulance means a vehicle that has been modified and equipped and is staffed to provide medical treatment to patients being transported in the vehicle;

Ambulance Board means the committee appointed by the Minister to manage the affairs of SAAS (see Part 3 and the rules);

ambulance service means the transporting of a patient by ambulance to a hospital, surgery or other place to receive medical treatment or the transporting of a patient by ambulance from a hospital, surgery or other place at which the patient has received medical treatment;

employing authority means the person designated by proclamation as being the employing authority for the purposes of this definition;

medical treatment includes all medical or surgical advice, attendances, services, procedures and operations and also includes the observation of patients;

rules means the rules of SAAS made by regulation under Part 3;

SAAS means SA Ambulance Service Inc.

(2) A proclamation made for the purposes of the definition of *employing authority*—

- (a) may apply by reference to a specified person, or by reference to the person for the time being holding or acting in a specified office or position; and
- (b) may, from time to time as the Governor thinks fit, be varied or substituted by a new proclamation.

Part 2—Provision of ambulance services

5—Offence

A person who provides an ambulance service is guilty of an offence unless—

- (aa) the service is provided by SAAS; or
- (a) he or she is licensed under this Act to provide that service; or
- (b) the service is provided by a person or a person of a class, or in circumstances, prescribed by regulation.

Maximum penalty: \$20 000.

6—Licences

- (1) The Minister may grant a licence to a person to provide ambulance services if, in the Minister's opinion—
 - (a) the person has the capacity to provide ambulance services of a high standard and is a suitable person to hold a licence in all other respects; and
 - (b) the granting of the licence is not likely to have a detrimental effect on the ability (including the financial ability) of an existing licence holder to provide ambulance services of a high standard.
- (2) When considering an application for a licence under subsection (1) the Minister is not bound to take subsection (1)(b) into account in respect of an existing licence holder who does not, in the opinion of the Minister, provide ambulance services in an efficient manner.
- (3) An application for a licence must be in a form approved by the Minister and must be accompanied by the prescribed fee.
- (4) An applicant for a licence must provide the Minister with such information as the Minister reasonably requires to consider the application.
- (5) The Minister may, if he or she thinks fit, grant a licence to an applicant in perpetuity or for a limited term specified in the licence.
- (6) A licence is not transferable.

7—Conditions of licence

- (1) The Minister may attach such conditions to a licence as he or she thinks fit.
- (2) The Minister may, after giving the holder of a licence not less than 1 months notice in writing, vary the existing conditions of the licence or attach new conditions to the licence.
- (3) The Minister may, on giving notice in writing to the holder of a licence, revoke a condition of the licence.
- (4) A person who contravenes, or fails to comply with, a condition of a licence is guilty of an offence.
Maximum penalty: \$20 000.

8—Revocation of licence

Where, in the opinion of the Minister, a person has contravened, or failed to comply with, a provision of this Act or a condition of a licence, the Minister may, by notice in writing to the holder of the licence, revoke the licence.

9—Delegation by Minister

- (1) The Minister may delegate any of his or her powers under this Part, other than the power to revoke a licence—
 - (a) to a particular person or body; or
 - (b) to the person for the time being holding or acting in a particular office or position.

- (1a) A power delegated under this section may, if the instrument of delegation so provides, be further delegated.
- (2) A delegation under this section—
 - (a) must be by instrument in writing; and
 - (b) may be absolute or conditional; and
 - (c) does not derogate from the power of the Minister to act in any matter; and
 - (d) is revocable at will by the Minister.

10—Appeal to District Court

- (1) A person who objects to a decision of the Minister or of a person to whom the Minister has delegated powers under this Part—
 - (a) refusing to grant a licence to the person; or
 - (b) attaching conditions to, or varying conditions of, a licence granted to the person; or
 - (c) revoking a licence granted to the person,may appeal against the decision to the Administrative and Disciplinary Division of the District Court.

Part 3—SA Ambulance Service Inc

11—SA St John Ambulance Service Inc to continue as SA Ambulance Service Inc

- (1) The *SA St John Ambulance Service Inc* continues in existence under the name *SA Ambulance Service Inc (SAAS)*.

Note—

The *SA St John Ambulance Service Inc* was incorporated on 1 July 1993 under the *Associations Incorporation Act 1985* for the purpose of carrying on the business of providing ambulance services.

- (2) The object of SAAS is to provide ambulance services of high quality, wherever they may be required in the State, making use of the services of both volunteer and employed personnel.

11A—Establishment of Ambulance Board

- (1) Management of the affairs of SAAS is vested in a committee to be known as the *Ambulance Board*.
- (2) The Ambulance Board consists of 10 members appointed by the Minister as follows:
 - (a) 6 persons nominated by the Minister of whom—
 - (i) at least 1 must be a legal practitioner; and
 - (ii) at least 1 must have knowledge of and experience in voluntary work in the community; and
 - (iii) at least 1 must have experience in financial management;

- (b) 1 must be a serving volunteer ambulance officer nominated by the Advisory Committee;
 - (c) 1 must be a person serving as a volunteer in the administration of the provision of ambulance services nominated by the Advisory Committee;
 - (d) 1 must be a member of the Ambulance Employees Association of SA (AEA) nominated by AEA;
 - (e) 1 must be chosen at an election held in accordance with the regulations.
- (3) Each employee of SAAS is entitled to vote at an election under subsection (2)(e).
 - (4) If an election of a person for the purposes of subsection (2)(e) fails for any reason, the Minister may appoint an employee of SAAS and the person so appointed will be taken to have been appointed after due election under this section.
 - (5) The Ambulance Board is subject to direction (which must be given in writing) by the Minister.

12—Legal status, management and control of SAAS

- (1) SAAS continues as an association incorporated under the *Associations Incorporation Act 1985*.
- (2) Any profits made by SAAS are to be applied towards improving ambulance services for the South Australian community.
- (3) The Ambulance Board must manage SAAS's affairs in accordance with this Act, the rules and the *Associations Incorporation Act 1985*.
- (4) The Minister is the sole member of SAAS and may exercise control over SAAS by giving written directions to the Ambulance Board.
- (5) The rules of SAAS are to be made, varied or revoked by regulation.
- (6) The rules are made for the purposes of the *Associations Incorporation Act 1985* and will be taken to conform with the requirements of that Act.
- (7) The Ambulance Board must, within 1 month after a rule comes into operation, provide the Corporate Affairs Commission with a copy of the rule.
- (8) If SAAS is wound up, any assets that are not required to meet SAAS's liabilities are to be used, as directed by the Minister, for improving ambulance services for the South Australian community.

13—Establishment of Country Ambulance Advisory Committee

- (1) SAAS will establish the *Country Ambulance Advisory Committee* to advise it about the provision of ambulance services in country regions.
- (2) At least one third of the members of the Advisory Committee must be volunteer ambulance officers and at least another third must be persons serving as volunteers in the administration of the provision of ambulance services.

13A—Staffing arrangements

- (1) The employing authority may employ persons to perform functions in connection with the operations or activities of SAAS.

- (2) The terms and conditions of employment of a person under subsection (1) will be determined by the employing authority.
- (3) A person employed under this section will be taken to be employed by or on behalf of the Crown (but will not be employed in the Public Service of the State unless brought into an administrative unit under the *Public Sector Management Act 1995*).
- (4) The employing authority may direct a person employed under this section to perform functions in connection with the operations or activities of a public sector agency specified by the employing authority (and the person must comply with that direction).
- (5) The employing authority is, in acting under this section, subject to direction by the Minister.
- (6) However, no Ministerial direction may be given by the Minister relating to the appointment, transfer, remuneration, discipline or termination of a particular person.
- (7) The employing authority may delegate a power or function under this section.
- (8) A delegation under subsection (7)—
 - (a) must be by instrument in writing; and
 - (b) may be made to a body or person (including a person for the time being holding or acting in a specified office or position); and
 - (c) may be unconditional or subject to conditions; and
 - (d) may, if the instrument of delegation so provides, allow for the further delegation of a power or function that has been delegated; and
 - (e) does not derogate from the power of the employing authority to act personally in any matter; and
 - (f) may be revoked at any time by the employing authority.
- (9) A change in the person who constitutes the employing authority under this Act will not affect the continuity of employment of a person under this section.
- (10) SAAS must, at the direction of the Minister, the Treasurer or the employing authority, make payments with respect to any matter arising in connection with the employment of a person under this section (including, but not limited to, payments with respect to salary or other aspects of remuneration, leave entitlements, superannuation contributions, taxation liabilities, workers compensation payments, termination payments, public liability insurance and vicarious liabilities).
- (11) SAAS does not have the power to employ any person.
- (12) SAAS may, under an arrangement established by a Minister administering an administrative unit, make use of the services or staff of that administrative unit.
- (13) In this section—

public sector agency has the same meaning as in the *Public Sector Management Act 1995*.

14—Accounts and audit

- (1) SAAS must keep proper accounting records of its financial affairs and must have annual statements of account prepared in respect of each financial year.

- (2) The Auditor-General may at any time, and must at least once in each year, audit SAAS's accounts.
- (3) Part 3 of the *Public Finance and Audit Act 1987* applies to, and in relation to, SAAS as if it were a public authority within the meaning of that Act.
- (4) The Auditor-General must, within 2 months after auditing SAAS's accounts, prepare a report relating to the audit and forward a copy of the report to SAAS and the Minister.

15—Limitation on SAAS's powers to borrow or invest money

- (1) SAAS must not, without the written approval of the Treasurer, borrow money or accept any other form of financial accommodation.
- (2) SAAS must not, without the written approval of the Treasurer, invest money.

16—Annual report

- (1) SAAS must, on or before 30 September in each year, deliver to the Minister a report on its operations during the 12 months ending on the preceding 30 June.
- (2) The report must—
 - (a) incorporate the Auditor-General's report for the relevant financial year; and
 - (b) include any direction given by the Minister under section 12(5) during the relevant financial year.
- (3) The Minister must, within 12 sitting days after receiving a report under this section, have copies of the report laid before both Houses of Parliament.

16A—Application of *Associations Incorporation Act 1985*

- (1) The *Associations Incorporation Act 1985* is modified, in its application to SAAS, so far as necessary to give effect to this Part.
- (2) In particular (but without limiting subsection (1))—
 - (a) sections 24 and 24A do not apply; and
 - (b) Divisions 2 and 3 of Part 4 do not apply; and
 - (c) sections 43 and 43A do not apply; and
 - (d) the Act is, in its application to SAAS, subject to such further modifications as may be prescribed by regulation.

Part 4—Miscellaneous

17—Fees for ambulance services

- (1) Fees for ambulance services will be fixed by the Minister by notice in the Gazette.
- (2) A notice under subsection (1) may fix different fees for different classes of ambulance service or for ambulance services provided in different parts of the State.
- (3) A person who charges, or accepts payment of, a fee for an ambulance service that exceeds the fee fixed by the Minister is guilty of an offence.
Maximum penalty: \$20 000.

- (4) The fee for an ambulance service is payable by the patient transported to, or from, a hospital, surgery or other place whether or not he or she consented to the provision of the service.
- (5) If the identity and address of a patient is disclosed to the holder of a licence under this Act to enable recovery of a fee for an ambulance service, the disclosure will not constitute the breach of any Act or other law and will not be in breach of any principle of professional ethics.

18—Holding out etc

- (1) A person must not hold himself or herself out as a person who carries on the business of providing ambulance services unless he or she carries on that business and is either licensed under this Act or is a person who is not required to be licensed under this Act in relation to services provided in the course of carrying on that business.

Maximum penalty: \$2 500.

- (2) A person must not hold himself or herself out as a person who is employed by a person who carries on the business of providing ambulance services unless he or she is employed by a person in the course of carrying on a business of that kind.

Maximum penalty: \$2 500.

19—General defence

It is a defence to a charge of an offence against this Act if the defendant proves that the alleged offence was not committed intentionally and did not result from any failure on the part of the defendant to take reasonable care to avoid the commission of the offence.

20—Regulations

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

Schedule—Transitional provisions

- 1 (1) A licence in force under the *Ambulance Services Act 1985* immediately before its repeal by this Act will, subject to this Act, remain in force for 12 months after the repeal of that Act.
- (2) A licence referred to in subclause (1)—
 - (a) will be taken to be a licence granted under this Act; and
 - (b) may be surrendered by the holder of the licence at any time.

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.

Repeal of Act

The *Ambulance Services Act 1992* was repealed by Sch 4 cl 33(a) of the *Health Care Act 2008* on 1.7.2008.

Legislation repealed by principal Act

The *Ambulance Services Act 1992* repealed the following:

Ambulance Services Act 1985

Principal Act and amendments

Year	No	Title	Assent	Commencement
1992	92	<i>Ambulance Services Act 1992</i>	10.12.1992	1.3.1993 (<i>Gazette</i> 25.2.1993 p712)
2000	4	<i>District Court (Administrative and Disciplinary Division) Amendment Act 2000</i>	20.4.2000	Sch 1 (cl 1)—1.6.2000 (<i>Gazette</i> 18.5.2000 p2554)
2000	34	<i>South Australian Health Commission (Administrative Arrangements) Amendment Act 2000</i>	6.7.2000	Sch 1 (cl 1)—6.7.2000 (<i>Gazette</i> 6.7.2000 p5)
2005	33	<i>Ambulance Services (SA Ambulance Service Inc) Amendment Act 2005</i>	14.7.2005	17.2.2006 (<i>Gazette</i> 16.2.2006 p577)
2006	41	<i>Statutes Amendment (Public Sector Employment) Act 2006</i>	14.12.2006	Pt 6 (ss 15 & 16)—1.4.2007 (<i>Gazette</i> 29.3.2007 p930)

Provisions amended

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>	17.2.2006
Pt 1		
<i>ss 2 and 3</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	17.2.2006
s 4		

s 4(1)	s 4 redesignated as s 4(1) by 41/2006 s 15(2)	1.4.2007
Ambulance Board	inserted by 33/2005 s 4(1)	17.2.2006
employing authority	inserted by 41/2006 s 15(1)	1.4.2007
<i>the Priory</i>	<i>deleted by 33/2005 s 4(2)</i>	17.2.2006
rules	inserted by 33/2005 s 4(2)	17.2.2006
SAAS	inserted by 33/2005 s 4(2)	17.2.2006
s 4(2)	inserted by 41/2006 s 15(2)	1.4.2007
Pt 2		
s 5	amended by 33/2005 s 5(1), (2)	17.2.2006
s 7		
s 7(4)	amended by 33/2005 s 6	17.2.2006
s 9		
s 9(1)	substituted by 34/2000 Sch cl 1	6.7.2000
s 9(1a)	inserted by 34/2000 Sch cl 1	6.7.2000
s 10		
s 10(1)	amended by 4/2000 s 9(1) (Sch 1 cl 1(a))	1.6.2000
s 10(2)	<i>deleted by 4/2000 s 9(1) (Sch 1 cl 1(b))</i>	1.6.2000
s 10(3)	<i>deleted by 4/2000 s 9(1) (Sch 1 cl 1(c))</i>	1.6.2000
s 10(4)	<i>deleted by 4/2000 s 9(1) (Sch 1 cl 1(d))</i>	1.6.2000
Pt 3	substituted by 33/2005 s 7	17.2.2006
s 13A	inserted by 41/2006 s 16	1.4.2007
Pt 4		
s 17		
s 17(3)	amended by 33/2005 s 8	17.2.2006
s 18		
s 18(1)	amended by 33/2005 s 9(1)	17.2.2006
s 18(2)	amended by 33/2005 s 9(2)	17.2.2006

Transitional etc provisions associated with Act or amendments

Statutes Amendment (Public Sector Employment) Act 2006, Sch 1—Transitional provisions

Note—

Also see *Statutes Amendment (Public Sector Employment) (Transitional Provisions) Regulations 2007*.

1—Interpretation

In this Part, unless the contrary intention appears—

Commonwealth Act means the *Workplace Relations Act 1996* of the Commonwealth;

employing authority means—

- (a) subject to paragraph (b)—the person who is the employing authority under a relevant Act;

- (b) in a case that relates to employment under the *Fire and Emergency Services Act 2005*—the Chief Executive of the South Australian Fire and Emergency Services Commission, or the Chief Officer of an emergency services organisation under that Act, as the case requires;

Industrial Commission means the Industrial Relations Commission of South Australia;

prescribed body means—

- (a) the Aboriginal Lands Trust;
- (b) the Adelaide Cemeteries Authority;
- (c) the Adelaide Festival Centre Trust;
- (d) the Adelaide Festival Corporation;
- (e) SA Ambulance Service Inc;
- (f) the Minister to whom the administration of the *Children's Services Act 1985* is committed;
- (g) the Minister to whom the administration of the *Education Act 1972* is committed;
- (h) the Electricity Supply Industry Planning Council;
- (i) a body constituted under the *Fire and Emergency Services Act 2005*;
- (j) the History Trust of South Australia;
- (k) the Institute of Medical and Veterinary Science;
- (l) a regional NRM board constituted under the *Natural Resources Management Act 2004*;
- (m) the Senior Secondary Assessment Board of South Australia;
- (n) the South Australian Country Arts Trust;
- (o) the South Australian Film Corporation;
- (p) the South Australian Health Commission;
- (q) an incorporated hospital under the *South Australian Health Commission Act 1976*;
- (r) an incorporated health centre under the *South Australian Health Commission Act 1976*;
- (s) the South Australian Motor Sport Board;
- (t) the South Australian Tourism Commission;
- (u) The State Opera of South Australia;
- (v) the State Theatre Company of South Australia;
- (w) the Minister to whom the administration of the *Technical and Further Education Act 1975* is committed;

relevant Act means—

- (a) in a case that relates to employment with a prescribed body established under an Act being amended by this Act—that Act;
- (b) in a case that relates to employment with a prescribed body who is a Minister to whom the administration of an Act being amended by this Act is committed—that Act;
- (c) in a case that relates to employment with a body constituted under the *Fire and Emergency Services Act 2005*—that Act.

2—Transfer of employment

- (1) Subject to this clause, a person who, immediately before the commencement of this clause, was employed by a prescribed body under a relevant Act will, on that commencement, be taken to be employed by the employing authority under that Act (as amended by this Act).
- (2) The following persons will, on the commencement of this clause, be taken to be employed as follows:
 - (a) a person who, immediately before the commencement of this clause, was employed under section 6L(1) of the *Electricity Act 1996* will, on that commencement, be taken to be employed by the employing authority under that Act (as amended by this Act);
 - (b) a person who, immediately before the commencement of this clause, was employed by the South Australian Fire and Emergency Services Commission will, on that commencement, be taken to be employed by the Chief Executive of that body;
 - (c) a person who, immediately before the commencement of this clause, was employed by an emergency services organisation under the *Fire and Emergency Services Act 2005* will, on that commencement, be taken to be employed by the Chief Officer of that body;
 - (d) a person who, immediately before the commencement of this clause, was employed by an incorporated hospital or an incorporated health centre under the *South Australian Health Commission Act 1976* will, on that commencement, be taken to be employed by an employing authority under that Act (as amended by this Act) designated by the Governor by proclamation made for the purposes of this paragraph.
- (3) Subject to this clause, the Governor may, by proclamation, provide that a person employed by a subsidiary of a public corporation under the *Public Corporations Act 1993* will be taken to be employed by a person or body designated by the Governor (and the arrangement so envisaged by the proclamation will then have effect in accordance with its terms).
- (4) Subject to subclause (5), an employment arrangement effected by subclause (1), (2) or (3)—
 - (a) will be taken to provide for continuity of employment without termination of the relevant employee's service; and
 - (b) will not affect—

- (i) existing conditions of employment or existing or accrued rights to leave; or
 - (ii) a process commenced for variation of those conditions or rights.
- (5) If, immediately before the commencement of this clause, a person's employment within the ambit of subclause (1), (2) or (3) was subject to the operation of an award or certified agreement (but not an Australian Workplace Agreement) under the Commonwealth Act, then, on that commencement, an award or enterprise agreement (as the case requires) will be taken to be created under the *Fair Work Act 1994*—
 - (a) with the same terms and provisions as the relevant industrial instrument under the Commonwealth Act; and
 - (b) with any terms or provisions that existed under an award or enterprise agreement under the *Fair Work Act 1994*, that applied in relation to employment of the kind engaged in by the person, immediately before 27 March 2006, and that ceased to apply by virtue of the operation of provisions of the Commonwealth Act that came into force on that day, subject to any modification or exclusion prescribed by regulations made for the purposes of this subclause and subject to the operation of subclause (6).
- (6) Where an award or enterprise agreement is created by virtue of the operation of subclause (5)—
 - (a) the award or enterprise agreement will be taken to be made or approved (as the case requires) under the *Fair Work Act 1994* on the day on which this clause commences; and
 - (b) the *Fair Work Act 1994* will apply in relation to the award or enterprise agreement subject to such modifications or exclusions as may be prescribed by regulations made for the purposes of this subclause; and
 - (c) the Industrial Commission may, on application by the Minister to whom the administration of the *Fair Work Act 1994* is committed, or an application by a person or body recognised by regulations made for the purposes of this subclause, vary or revoke any term or provision of the award or enterprise agreement if the Industrial Commission is satisfied that it is fair and reasonable to do so in the circumstances.

3—Superannuation

- (1) If a prescribed body under a relevant Act is, immediately before the commencement of this clause, a party to an arrangement relating to the superannuation of one or more persons employed by the prescribed body, then the relevant employing authority under that Act will, on that commencement, become a party to that arrangement in substitution for the prescribed body.
- (2) Nothing that takes effect under subclause (1)—
 - (a) constitutes a breach of, or default under, an Act or other law, or constitutes a breach of, or default under, a contract, agreement, understanding or undertaking; or
 - (b) terminates an agreement or obligation or fulfils any condition that allows a person to terminate an agreement or obligation, or gives rise to any other right or remedy,

and subclause (1) may have effect despite any other Act or law.

- (3) An amendment effected to another Act by this Act does not affect a person's status as a contributor under the *Superannuation Act 1988* (as it may exist immediately before the commencement of this Act).

4—Interpretative provision

- (1) The Governor may, by proclamation, direct that a reference in any instrument (including a statutory instrument) or a contract, agreement or other document to a prescribed body, or other specified agency, instrumentality or body, will have effect as if it were a reference to an employing authority under a relevant Act, the Minister to whom the administration of a relevant Act is committed, or some other person or body designated by the Governor.
- (2) A proclamation under subclause (1) may effect a transfer of functions or powers.

5—Related matters

- (1) A notice in force under section 51 of the *Children's Services Act 1985* immediately before the commencement of this clause will continue to have effect for the purposes of that section, as amended by this Act.
- (2) A notice in force under section 28 of the *Institute of Medical and Veterinary Science Act 1982* immediately before the commencement of this clause will continue to have effect for the purposes of that section, as amended by this Act.
- (3) A notice in force under section 61 of the *South Australian Health Commission Act 1976* immediately before the commencement of this clause will continue to have effect for the purposes of that section, as amended by this Act.
- (4) A notice in force under section 13(6) of the *South Australian Motor Sport Act 1984* immediately before the commencement of this clause will continue to have effect after that commencement but may, pursuant to this subclause, be varied from time to time, or revoked, by the Minister to whom the administration of that Act is committed.
- (5) The fact that a person becomes an employer in his or her capacity as an employing authority under an Act amended by this Act does not affect the status of any body or person as an employer of public employees for the purposes of the *Fair Work Act 1994* (unless or until relevant regulations are made under the provisions of that Act).

6—Other provisions

- (1) The Governor may, by regulation, make additional provisions of a saving or transitional nature consequent on the enactment of this Act.
- (2) A provision of a regulation made under subclause (1) may, if the regulation so provides, take effect from the commencement of this Act or from a later day.
- (3) To the extent to which a provision takes effect under subclause (2) from a day earlier than the day of the regulation's publication in the Gazette, the provision does not operate to the disadvantage of a person by—
 - (a) decreasing the person's rights; or
 - (b) imposing liabilities on the person.

- (4) The *Acts Interpretation Act 1915* will, except to the extent of any inconsistency with the provisions of this Schedule (or regulations made under this Schedule), apply to any amendment or repeal effected by this Act.

Historical versions

Reprint No 1—1.6.2000

Reprint No 2—6.7.2000

17.2.2006