

SOUTH AUSTRALIA

CARRICK HILL TRUST REGULATIONS, 1986

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REGULATIONS UNDER THE CARRICK HILL TRUST ACT, 1985

Carrick Hill Trust Regulations, 1986

being

No. 163 of 1986: *Gaz.* 4 September 1986, p. 713

as varied by

No. 259 of 1996: *Gaz.* 23 December 1996, p. 2262¹

¹ Came into operation 3 February 1997: reg. 2.

Note: Asterisks indicate repeal or deletion of text. For further explanation see Appendix.

2.

Short title

1. These regulations may be cited as the *Carrick Hill Trust Regulations, 1986*.

Interpretation

2. In these regulations, unless the contrary intention appears—

"**the Act**" means the *Carrick Hill Trust Act, 1985*:

"**authorized person**" means a person appointed by the Trust to be an authorized person for the purposes of these regulations:

"**Carrick Hill**" means the land described in section 4 of the Act:

"**non-smoking area**" means an area at Carrick Hill designated by signs as a non-smoking area:

"**parking area**" means an area at Carrick Hill marked out by signs or lines (or a combination of both) as a parking area:

"**permitted hours**" means the hours fixed by the Trust for Carrick Hill to be open to the public:

"**prohibited area**" means an area marked by a sign or signs denoting that entry is prohibited.

Appointment of authorized persons

3. (1) The Trust may appoint authorized persons for the purposes of these regulations.

(2) The Trust shall issue to every authorized person a certificate of appointment.

Suspected person must state name and address

4. (1) If an authorized person has reasonable grounds to suspect the commission of an offence against these regulations, the authorized person may require the person suspected of the offence to state his or her full name and address and if the authorized person has reasonable cause to suspect that the name or address stated is false, the authorized person may require the suspect to produce evidence of the correctness of the name or address so stated.

(2) A person shall not—

(a) fail to comply with a requirement of an authorized person made pursuant to subregulation (1);

or

(b) state a false name or address.

Penalty: \$1 000.

Powers of authorized persons

5. (1) An authorized person may—

- (a) prevent any person from entering Carrick Hill or any part of Carrick Hill;
- (b) request any person to produce satisfactory evidence of that person's entitlement to be at Carrick Hill;

or

- (c) remove from Carrick Hill any person—
 - (i) found committing an offence against these regulations;or
 - (ii) whom the authorised person reasonably suspects of having committed or being about to commit an offence against these regulations.

(2) An authorized person may use reasonable force in exercising powers conferred by subregulation (1)(a) or (c).

Entry to Carrick Hill

6. (1) A person shall not, without the consent of the Trust, enter Carrick Hill or any part of Carrick Hill without paying the entrance fee fixed by the Trust.

(2) A person shall not, without the consent of the Trust, enter Carrick Hill or any part of Carrick Hill outside the permitted hours.

(3) A person who contravenes subregulation (1) or (2) is guilty of an offence.

Penalty: \$1 000.

Entry by children

7. (1) No child shall enter Carrick Hill unless the child is accompanied by an adult.

Penalty: \$20.

(2) In this regulation—

"**child**" means a person under the age of 16 years.

Non-Smoking areas

8. A person who smokes in a non-smoking area is guilty of an offence.

Penalty: \$300.

4.

Damage, etc., to property

9. (1) A person shall not damage, deface or destroy property at Carrick Hill, without the consent of the owner.

(2) A person who contravenes this regulation is guilty of an offence.

Penalty: \$1 000.

Damage, etc, to vegetation

10. (1) A person shall not, without the consent of the Trust, damage or destroy vegetation at Carrick Hill.

(2) A person who contravenes this regulation is guilty of an offence.

Penalty: \$1 000.

Placement of bills, etc., only by consent

11. (1) A person shall not, without the prior consent of the Trust, place any poster, placard, bill or banner on property of the Trust at Carrick Hill.

(2) An authorized person may remove and confiscate any poster, placard, bill, banner or advertisement placed on any property of the Trust in contravention of this regulation.

(3) A person who contravenes subregulation (1) is guilty of an offence.

Penalty: \$500.

Certain behaviour of persons prohibited

12. (1) A person shall not, at Carrick Hill—

(a) behave in a manner that may interfere with the comfort of any person;

(b) climb on any tree or other plant, or fence, roof, wall or other structure;

(c) use obscene language;

(d) deposit litter, except in a receptacle provided for that purpose;

(e) use threatening or insulting language;

or

(f) behave in an indecent manner.

(2) A person who contravenes this regulation is guilty of an offence.

Penalty: \$500.

5.

13. (1) A person shall not at Carrick Hill—

- (a) engage in commercial dealings;
- (b) have in his or her possession firearms or explosives;
- (c) light or maintain a fire;
- (d) touch or handle any object of art or any furniture that has historic or artistic value;
- (e) hold, arrange or participate in any rally, demonstration or other meeting;

or

(f) take a photograph from inside a building, without the prior permission of the Trust or an authorized person.

(2) A person shall not bring into Carrick Hill—

(a) any animal or bird;

or

(b) any item that could be used for the erection of a structure or the amplification of sound,

without the prior permission of the Trust or an authorized person.

(3) A person who contravenes this regulation is guilty of an offence.

Penalty: \$1 000.

Prohibition of alcoholic beverages

14. (1) Subject to subregulation (2), a person shall not bring any alcoholic beverage into Carrick Hill.

(2) This regulation does not apply to

(a) any person who—

(i) holds a licence under the *Liquor Licensing Act, 1985*, authorizing the sale or consumption of alcoholic beverages at Carrick Hill;

or

(ii) is acting pursuant to an authorization granted by the Trust;

6.

or

(b) any servant or agent of a person referred to in subparagraph (i) or (ii) acting in the ordinary course of the person's employment.

(3) A person who contravenes this regulation is guilty of an offence.

Penalty: \$1 000.

Confiscation of alcoholic beverages

15. (1) An authorized person may confiscate any alcoholic beverage that has been unlawfully brought into Carrick Hill.

(2) A person who has possession of any such alcoholic beverage shall, at the request of an authorized person, surrender the beverage to the authorized person.

(3) A person who fails to comply with a request under subregulation (2) is guilty of an offence.

Penalty: \$1 000.

Parking within parking areas

16. (1) A person shall not park a motor vehicle at Carrick Hill except within a parking area.

(2) A person who contravenes this regulation is guilty of an offence.

Penalty: \$500.

No parking to obstruct passage of vehicles, etc.

17. (1) A person shall not park a motor vehicle at Carrick Hill so as to obstruct the passage of any other motor vehicle or any person.

(2) A person who contravenes this regulation is guilty of an offence.

Penalty: \$500.

Expiation fee: \$15.

Driving prohibited in certain areas

18. (1) A person shall not drive a motor vehicle at Carrick Hill except—

(a) on a parking area;

(b) to a parking area on an entrance road to that parking area;

or

7.

(c) from a parking area through an exit road from a parking area,
unless that person has permission to do so from the Trust or an authorized person.

(2) A person who contravenes this regulation is guilty of an offence.

Penalty: \$500.
Expiation fee: \$15.

Maximum speed of motor vehicles

19. (1) A person shall not drive at Carrick Hill at a speed in excess of 40 k.p.h.

(2) A person who contravenes this regulation is guilty of an offence.

Penalty: \$500.
Expiation fee: \$15.

Dangerous or careless driving prohibited

20. (1) A person shall not drive a motor vehicle at Carrick Hill in a dangerous or careless manner or without reasonable consideration for other persons.

(2) A person who contravenes this regulation is guilty of an offence.

Penalty: \$1 000.
Expiation fee: \$15.

Undue noise of vehicle prohibited

21. (1) A person shall not drive a motor vehicle at Carrick Hill so as to cause undue noise to be emitted from the vehicle.

(2) A person who contravenes this regulation is guilty of an offence.

Penalty: \$500.
Expiation fee: \$30.

Use of name "Carrick Hill"

22. the Trust has a proprietary interest in the name "Carrick Hill".

23. (1) No person shall without the consent of the Trust—

(a) sell goods marked with the name Carrick Hill;

or

(b) use the name Carrick Hill for the purpose of promoting the sale of goods or services.

8.

(2) A person who contravenes this regulation is guilty of an offence.

Penalty: \$1 000.
Expiation fee: \$15.

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APPENDIX

LEGISLATIVE HISTORY

Transitional Provisions

(Transitional provision from Regulation No. 259 of 1996, reg. 4)

4. A regulation varied or revoked by these regulations will continue to apply (as in force immediately prior to the variation or revocation coming into operation) to an expiation notice issued under the varied or revoked regulations.

Legislative History

Regulation 17(2):	varied by 259, 1996, reg. 3 (Sched. cl. 6)
Regulation 18(2):	varied by 259, 1996, reg. 3 (Sched. cl. 6)
Regulation 19(2):	varied by 259, 1996, reg. 3 (Sched. cl. 6)
Regulation 20(2):	varied by 259, 1996, reg. 3 (Sched. cl. 6)
Regulation 21(2):	varied by 259, 1996, reg. 3 (Sched. cl. 6)
Regulation 23(2):	varied by 259, 1996, reg. 3 (Sched. cl. 6)
Heading and regulation 24:	revoked by 259, 1996, reg. 3 (Sched. cl. 6)