

South Australia

History Trust of South Australia Regulations 1995

under the *History Trust of South Australia Act 1981*

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Legislative history

1—Short title

These regulations may be cited as the *History Trust of South Australia Regulations 1995*.

2—Commencement

These regulations will come into operation on 1 September 1995.

3—Revocation

All regulations previously made under the *History Trust of South Australia Act 1981* are revoked.

4—Interpretation

In these regulations, unless the contrary intention appears—
the Act means the *History Trust of South Australia Act 1981*;
premises includes—

- (a) land;
- (b) a part of premises.

5—Application

An officer or employee of the Trust or a person engaged to perform services on behalf of the Trust is not subject to these regulations in relation to the performance of his or her duties as an officer or employee or the performance of those services.

6—Authorised officers

- (1) The Trust may appoint suitable persons to be authorised officers for the purposes of these regulations.
- (2) The Trust must provide an identity card to each authorised officer appointed by it.
- (3) An authorised officer must produce his or her identity card at the request of a person in relation to whom the officer has exercised, or intends to exercise, powers under these regulations.
- (4) A person must not hinder or obstruct an authorised officer in the carrying out of his or her duties.
Penalty: \$500.
- (5) No liability attaches to an authorised officer for an act or omission done or made in the exercise or purported exercise of official powers or functions.
- (6) Any action that would, but for subregulation (5), lie against an authorised officer lies instead against the Crown.

7—Authorisation of Trust

- (1) The Trust may authorise a person to carry out an activity that would otherwise constitute an offence against these regulations.
- (2) An authorisation given by the Trust for the purposes of these regulations—
 - (a) must be in writing or, if given orally, must be confirmed in writing as soon as practicable; and
 - (b) may be subject to such conditions (including a condition requiring the payment of a fee) as are specified by the Trust; and
 - (c) may be varied or revoked by the Trust at any time.

8—Children under 10 must be accompanied

- (1) A person having the custody or care of a child under the age of 10 years must not permit the child to enter, or remain on, premises of the Trust unless accompanied by, and under the care of, a person who has attained the age of 15 years.
Penalty: \$500.
- (2) A child under the age of 10 years must not enter, on remain on, premises of the Trust unless accompanied by, and under the care of, a person who has attained the age of 15 years.
- (3) This regulation does not apply in relation to an area set aside for the purpose of the consumption of food and beverages.

9—Behavioural controls

A person must not, except as authorised by the Trust—

- (a) touch or in any way interfere with an exhibit on premises of the Trust, a case containing such an exhibit or a sign associated with such an exhibit; or
- (b) smoke while on premises of the Trust; or

- (c) consume food or a beverage while on premises of the Trust except in an area set aside for that purpose; or
- (d) bring an animal (other than a guide dog) onto premises of the Trust; or
- (e) deposit litter on premises of the Trust except in a receptacle set aside for litter; or
- (f) sell or offer for sale anything while on premises of the Trust; or
- (g) distribute material or display a banner, placard or sign while on premises of the Trust; or
- (h) photograph, copy or reproduce an exhibit, or a sign associated with an exhibit, on premises of the Trust.

Penalty: \$500.

10—Powers of authorised officers

- (1) If an authorised officer knows or reasonably suspects that a person has committed, is committing or is about to commit an offence against the Act or these regulations, the authorised officer may—
 - (a) require the person to state his or her full name and usual place of residence; and
 - (b) if the person has been given an authorisation by the Trust—require the person to produce the authorisation for inspection.
- (2) If an authorised officer suspects on reasonable grounds that the name or place of residence stated pursuant to this regulation is false, the authorised officer may require the person to produce evidence of his or her full name or usual place of residence.
- (3) A person must not—
 - (a) refuse or fail to comply with a requirement under this regulation; or
 - (b) make a statement in response to such a requirement that is false or misleading in a material particular; or
 - (c) produce false evidence in response to a requirement under subregulation (1)(b) or (2).

Penalty: \$500.

11—Exclusion of certain persons from Trust premises

- (1) If an authorised officer has reasonable cause to suspect—
 - (a) that a person who is not permitted to enter, or remain on, premises of the Trust has done so or is about to do so; or
 - (b) that a person on premises of the Trust has committed, is committing or is about to commit an offence against the Act or these regulations; or
 - (c) that a person on premises of the Trust is so much under the influence of alcohol or a drug as to be visibly affected by it,

the authorised officer may require the person to leave or not to enter the premises (as the case requires).

- (2) A person must not—
- (a) refuse or fail to comply with a requirement under subregulation (1); or
 - (b) in the case of a requirement under subregulation (1)(b) return to the premises within 24 hours of being requested to leave.

Penalty: \$500.

Legislative history

Notes

- 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.

Revocation of regulations

The *History Trust of South Australia Regulations 1995* were revoked by Sch 1 of the *History Trust of South Australia Regulations 2010* on 1.9.2010.

Principal regulations

Year	No	Reference	Commencement
1995	116	<i>Gazette 1.6.1995 p2578</i>	1.9.1995: r 2