

South Australia

Legislation Revision and Publication Regulations 2017

under the *Legislation Revision and Publication Act 2002*

Contents

- 1 Short title
- 3 Interpretation
- 4 Definition of legislation
- 5 Alterations that may be made in revising legislation
- 6 Publication of legislation
- 7 Evidence

Legislative history

1—Short title

These regulations may be cited as the *Legislation Revision and Publication Regulations 2017*.

3—Interpretation

In these regulations—

Act means the *Legislation Revision and Publication Act 2002*.

4—Definition of legislation

For the purposes of paragraph (c) of the definition of **legislation** in section 3 of the Act, the following are legislative instruments of a prescribed kind:

- (a) an environment protection policy made under Part 5 of the *Environment Protection Act 1993* (other than a national environment protection measure that became an environment protection policy under section 28A(1) of the Act before that section was repealed);
- (b) an aquaculture policy made under Part 4 of the *Aquaculture Act 2001* on or after 1 January 2005;
- (c) a rule made by the Governor under the *Road Traffic Act 1961*;
- (d) a proclamation made by the Governor under an Act on or after 1 January 2003;
- (e) a notice made by the Governor under an Act and published in the Gazette on or after 1 January 2003 (other than a notice made by the Governor under the *Justices of the Peace Act 2005*);
- (f) a direction or requirement of the State Co-ordinator under section 25 of the *Emergency Management Act 2004* in respect of the outbreak of the human disease named COVID-19 within South Australia that—

- (i) applies to persons generally throughout the State; and
 - (ii) is issued in the form of a written instrument (whether before or after the commencement of this paragraph);
- (g) a direction or requirement of the Chief Executive (within the meaning of the *South Australian Public Health Act 2011*) under section 25 of the *Emergency Management Act 2004* (as applied pursuant to section 90(1) of the *South Australian Public Health Act 2011*) in respect of the outbreak of the human disease named COVID-19 within South Australia that—
- (i) applies to persons generally throughout the State; and
 - (ii) is issued in the form of a written instrument (whether before or after the commencement of this paragraph).

5—Alterations that may be made in revising legislation

Pursuant to section 7(1)(i) of the Act, in revising legislation under the Act, language indicating gender, or that could be taken to indicate gender, may be expressed in a different way so as to avoid referring to gender.

6—Publication of legislation

- (1) For the purposes of section 8 of the Act, legislation may be published under the Act by publishing an electronic copy of the legislation from the SA legislation website.
- (2) For the purposes of section 8(3) of the Act, an electronic copy of legislation downloaded from the SA legislation website or a print of that electronic copy will, for the purposes of the Act and any other Act, be taken to be published under the Act if the following conditions are satisfied:
 - (a) electronic publication of the legislation must have been authorised by the Commissioner;
 - (b) the following statement must appear at the foot of each page of the electronic copy of the legislation:

Published under the *Legislation Revision and Publication Act 2002*.

- (2a) However, the condition set out in subregulation (2)(b) does not apply in relation to legislation of a kind referred to in regulation 4(f) or (g).
- (3) In this regulation—

SA legislation website means the website with the URL of www.legislation.sa.gov.au or any other website established and maintained by the Office of Parliamentary Counsel for the purpose of providing public access to the legislation of South Australia.

7—Evidence

- (1) For the purposes of section 9(3) of the Act, the SA legislation website is prescribed.
- (2) In this regulation—

SA legislation website means the website with the URL of www.legislation.sa.gov.au or any other website established and maintained by the Office of Parliamentary Counsel for the purpose of providing public access to the legislation of South Australia.

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 these regulations (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.

Legislation revoked by principal regulations

The *Legislation Revision and Publication Regulations 2017* revoked the following:

Legislation Revision and Publication Regulations 2002

Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2017	254	<i>Gazette 15.8.2017 p3607</i>	15.8.2017: r 2
2020	206	<i>Gazette 11.6.2020 p3346</i>	11.6.2020: r 2
2021	193	<i>Gazette 23.12.2021 p4629</i>	1.1.2022: r 2

Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>r 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>11.6.2020</i>
r 4	varied by 206/2020 r 4 amended by 193/2021 r 3	11.6.2020 1.1.2022
r 6		
r 6(2a)	inserted by 206/2020 r 5	11.6.2020
r 7	inserted by 193/2021 r 4	1.1.2022
<i>Sch 1</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>11.6.2020</i>

Historical versions

11.6.2020