

South Australia

Recreational Services (Limitation of Liability) (Miscellaneous) Amendment Act 2005

An Act to amend the *Recreational Services (Limitation of Liability) Act 2002*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Recreational Services (Limitation of Liability) (Miscellaneous) Amendment Act 2005*.

2—Commencement

This Act will come into operation on 1 August 2005.

3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Recreational Services (Limitation of Liability) Act 2002*

4—Amendment of section 3—Interpretation

Section 3—after subsection (2) insert:

- (3) However, *recreational services* is not to be interpreted as being limited to services provided in trade or commerce or as being limited in any other way as a result of a provision of the *Trade Practices Act 1974* (Cwth) other than the corresponding definition in that Act.

5—Amendment of section 4—Registration of code of practice

Section 4—after subsection (4) insert:

- (4a) Subsection (4) does not apply to an amendment submitted for registration if the Minister determines, after consultation with persons or bodies prescribed by the regulations, that the amendment only corrects an error in the relevant code or makes a change of form (not involving a change of substance) in the relevant code.

6—Amendment of section 9—Other modification or exclusion of duty of care not permitted if registered code applies

Section 9—after its present contents (now to be designated as subsection (1)) insert:

- (2) This section applies only if the duty of care is in respect of the provision of recreational services governed by a registered code.
- (3) Subsection (2) will expire on the expiration of 2 years from its commencement.