

South Australia

## Volunteers Protection Regulations 2004

under the *Volunteers Protection Act 2001*

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#### 1—Short title

These regulations may be cited as the *Volunteers Protection Regulations 2004*.

#### 2—Commencement

These regulations come into operation on the day on which they are made.

#### 3—Interpretation

In these regulations, unless the contrary intention appears—

*Act* means the *Volunteers Protection Act 2001*.

#### 4—Definition of *voluntary basis*

- (1) A person works on a voluntary basis for the purposes of the definition of *voluntary basis* in section 3 of the Act if the person is remunerated within the following limits:
  - (a) the person is reimbursed for any expenses incurred during the course of carrying out the work;
  - (b) the person is given a true honorarium in respect of the work.
- (2) In this regulation—

*true honorarium* means a monetary gift made to a person in recognition of the person's work as a volunteer.

**Note—**

It follows that a true honorarium is not—

- (a) subject to pay-as-you-go withholding or instalment tax; or
- (b) paid as a consequence of the person's employment; or
- (c) legally required to be paid to the person; or
- (d) an amount that is relied on or expected by the person as a source of income.

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

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**Made by the Governor**

with the advice and consent of the Executive Council  
on 9 September 2004

No 195 of 2004

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