

South Australia

Aboriginal Lands Trust (Yalata Reserve) Regulations 2005

under the *Aboriginal Lands Trust Act 1966*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Interpretation

Part 2—Control of alcoholic liquor and regulated substances on Yalata Reserve

- 4 Prohibition of possession, consumption, sale or supply of alcoholic liquor on Yalata Reserve
- 5 Prohibition of inhalation, consumption, possession, sale or supply of regulated substances on Yalata Reserve
- 6 Confiscation of alcoholic liquor and regulated substances

Schedule 1—Revocation of *Aboriginal Lands Trust (Control of Alcoholic Liquor and Regulated Substances on Yalata Reserve) Regulations 1990* (*Gazette* 30.8.1990 p 737)

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Aboriginal Lands Trust (Yalata Reserve) Regulations 2005*.

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 *Aboriginal Lands Trust Act 1966*;

alcoholic liquor means any beverage that at 20° Celsius contains more than 1.15 per cent alcohol by volume and includes any substance that consists of, contains, or may be converted to, such a beverage;

medical practitioner means a person who is registered as a medical practitioner under the law of this State;

pharmacist means a person who is registered as a pharmacist under the law of this State;

police officer includes a special constable authorised by a police officer to seize a vehicle under section 21 of the Act;

regulated substance means petrol;

Yalata Reserve means the whole of the land contained in Certificate of Title Register Book Volume 5834 Folio 851.

Part 2—Control of alcoholic liquor and regulated substances on Yalata Reserve

4—Prohibition of possession, consumption, sale or supply of alcoholic liquor on Yalata Reserve

- (1) A person must not, while he or she is on any part of Yalata Reserve—
 - (a) possess or consume alcoholic liquor; or
 - (b) sell or supply alcoholic liquor to another person.
- (2) Subregulation (1) does not apply to—
 - (a) a person who—
 - (i) possesses alcoholic liquor for the purposes of; or
 - (ii) consumes alcoholic liquor in the course of,
a sacramental or other similar observance that takes place in the course of, or constitutes, part of a religious service; or
 - (b) a person who possesses or consumes, as a medicine or for specific medicinal purposes, alcoholic liquor that has been lawfully prescribed or administered by or pursuant to a direction of a medical practitioner or pharmacist.

5—Prohibition of inhalation, consumption, possession, sale or supply of regulated substances on Yalata Reserve

A person must not, while he or she is on any part of Yalata Reserve—

- (a) inhale or consume a regulated substance; or
- (b) possess a regulated substance for the purpose of inhalation or consumption; or
- (c) sell or supply a regulated substance to another person knowing or there being reasonable grounds for suspecting that the other person—
 - (i) intends to use the regulated substance for the purpose of inhalation or consumption; or
 - (ii) intends to sell or supply the regulated substance for the purpose of inhalation or consumption.

6—Confiscation of alcoholic liquor and regulated substances

Where a police officer reasonably suspects that a contravention of regulation 4(1) or 5 has occurred, he or she may confiscate any alcoholic liquor or regulated substance to which the suspected contravention relates.

Schedule 1—Revocation of *Aboriginal Lands Trust (Control of Alcoholic Liquor and Regulated Substances on Yalata Reserve) Regulations 1990 (Gazette 30.8.1990 p 737)*

The *Aboriginal Lands Trust (Control of Alcoholic Liquor and Regulated Substances on Yalata Reserve) Regulations 1990 (Gazette 30.8.1990 p737)* are revoked.

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.

Made by the Governor

on the recommendation of Yalata Community Incorporated and with the advice and consent of the Executive Council
on 18 August 2005

No 183 of 2005

CSA0003/05