

South Australia

Aboriginal Lands Trust (Umoona Community) Regulations 2007

under the *Aboriginal Lands Trust Act 1966*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Aboriginal Lands Trust (Umoona Community) Regulations 2007*.

2—Commencement

These regulations will come into operation on 1 May 2007.

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 registered on the general register under the *Medical Practice Act 2004*;

pharmacist means a person 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;

Umoona Community means the whole of the land contained in Certificate of Title Register Book Volume 5581 Folio 257 and Certificate of Title Register Book Volume 5370 Folio 179.

Part 2—Control of alcoholic liquor and regulated substances on Umoona Community

4—Prohibition of possession or consumption of alcoholic liquor on Umoona Community

- (1) A person must not, while he or she is on any part of Umoona Community, possess or consume alcoholic liquor.
Maximum penalty: \$2 000.
Expiation fee: \$160.
- (2) Subregulation (1) does not apply to—
 - (a) the possession of alcoholic liquor by a person for the purposes of, or the consumption of alcoholic liquor by a person 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) the possession of alcoholic liquor by a medical practitioner or pharmacist for the purpose of sale or supply as a medicine or for specific medical reasons; or
 - (c) the possession or consumption by a person, as a medicine or for specific medical reasons, of alcoholic liquor that has been lawfully prescribed or administered by or pursuant to a direction of a medical practitioner or pharmacist.

5—Prohibition of sale or supply of alcoholic liquor on Umoona Community

- (1) A person must not, while he or she is on any part of Umoona Community, sell or supply alcoholic liquor to another person.
- (2) Subregulation (1) does not apply to—
 - (a) the supply of alcoholic liquor by a person 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) the sale or supply of alcoholic liquor as a medicine or for specific medical reasons by a medical practitioner or pharmacist.

6—Prohibition of inhalation, consumption, possession, sale or supply of regulated substances on Umoona Community

A person must not, while he or she is on any part of Umoona Community—

- (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.

7—Confiscation of alcoholic liquor and regulated substances

Where a police officer reasonably suspects that a contravention of regulation 4(1), 5(1) or 6 has occurred, he or she may confiscate any alcoholic liquor or regulated substance to which the suspected contravention relates.

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's Deputy

on the recommendation of Umoona Community Council Incorporated and with the advice and consent of the Executive Council
on 26 April 2007

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