

South Australia

Art Gallery Variation Regulations 2011

under the *Art Gallery Act 1939*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Art Gallery Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on the day on which Part 4 of the *Statutes Amendment (Arts Agencies Governance and Other Matters) Act 2010* comes into operation.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Art Gallery Regulations 2002*

4—Variation of regulation 4—Interpretation

Regulation 4, definitions of *authorised officer* and *Director*—delete the definitions

5—Insertion of regulation 4A

After regulation 4 insert:

4A—Acting with approval of board or authorised officer

- (1) These regulations do not prevent a person from doing anything with the approval of the board or an authorised officer or otherwise with lawful authority.
- (2) An approval given by the board or an authorised officer for the purposes of these regulations—
 - (a) must be in writing or, if given orally, must be confirmed in writing as soon as practicable; and
 - (b) may relate to a particular person or matter or persons or matters of a class specified by the board or authorised officer; and
 - (c) may be subject to conditions (including a condition requiring payment of a fee) specified by the board or authorised officer; and
 - (d) may be varied or revoked by the board or authorised officer at any time.
- (3) If the board or an authorised officer gives approval subject to a condition, the person to whom the approval is given must not contravene or fail to comply with the condition.

Maximum penalty: \$200.

6—Variation of regulation 5—Entry to art gallery

Regulation 5(1)—delete ", without lawful authority"

7—Variation of regulation 6—Behaviour in art gallery premises and grounds

- (1) Regulation 6(2)—delete ", without lawful authority"
- (2) Regulation 6(3)—delete "except as authorised by the Director,"

8—Insertion of regulation 6A

After regulation 6 insert:

6A—Removal of animals

An authorised officer may remove any animal from the art gallery or a part of the art gallery if the owner or person in charge of the animal cannot be located in the vicinity after reasonable attempts to do so.

9—Variation of regulation 8—Copying exhibits prohibited

Regulation 8—delete ", except as authorised by the Director,"

10—Substitution of regulation 9

Regulation 9—delete the regulation and substitute:

9—Motor vehicles, how driven etc

A person who drives or rides a motor vehicle in the art gallery grounds must not—

- (a) fail to comply with any speed, parking or other traffic restriction or direction indicated (with the authority of the board) by signs or lines or a combination of signs and lines; or
- (b) drive or ride in areas that are not intended for public vehicular access; or
- (c) drive or ride in such a manner as to cause undue noise to be emitted from the vehicle; or
- (d) drive or ride in a dangerous or careless manner or without reasonable consideration for others.

Maximum penalty: \$500.

Expiation fee: \$50.

11—Revocation of Part 3

Part 3—delete the Part

Schedule 1—Variation of penalty provisions in *Art Gallery Regulations 2002*

Provision varied	How varied
Regulation 5(1), penalty provision	Delete the penalty provision and substitute: Maximum penalty: \$500. Expiation fee: \$100.
Regulation 6(1), penalty provision	Delete the penalty provision and substitute: Maximum penalty: \$500. Expiation fee: \$100.
Regulation 6(2), penalty provision	Delete the penalty provision and substitute: Maximum penalty: \$500. Expiation fee: \$100.
Regulation 6(3), penalty provision	Delete the penalty provision and substitute: Maximum penalty: \$500. Expiation fee: \$100.

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Provision varied	How varied
Regulation 7, penalty provision	Delete the penalty provision and substitute: Maximum penalty: \$200. Expiation fee: \$75.
Regulation 8, penalty provision	Delete the penalty provision and substitute: Maximum penalty: \$200. Expiation fee: \$75.
Regulation 10, penalty provision	Delete the penalty provision and substitute: Maximum penalty: \$500. Expiation fee: \$50.
Regulation 11, penalty provision	Delete the penalty provision and substitute: Maximum penalty: \$500. Expiation fee: \$50.

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

with the advice and consent of the Executive Council
on 12 May 2011

No 36 of 2011

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