

South Australia

Criminal Assets Confiscation (Miscellaneous) Variation Regulations 2018

under the *Criminal Assets Confiscation Act 2005*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Criminal Assets Confiscation (Miscellaneous) Variation Regulations 2018*.

2—Commencement

These regulations will come into operation on the day on which the *Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment Act 2016* 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 *Criminal Assets Confiscation Regulations 2006*

4—Insertion of regulation 5A

After regulation 5 insert:

5A—Protected property

- (1) For the purposes of the definition of *protected property* in section 3 of the Act, the following is declared to be protected property:
 - (a) moveable contents of premises;

- (b) personal effects;
 - (c) animals and plants.
- (2) In this regulation—
- motor vehicle*** has the same meaning as in the *Road Traffic Act 1961*;
- moveable contents*** of premises means contents of premises (not being a fixture), other than the following:
- (a) artwork;
 - (b) furniture that is 100 years old or older;
 - (c) hydroponic equipment within the meaning of the *Hydroponics Industry Control Act 2009*;
 - (d) jewellery (not including wedding rings);
 - (e) cash (including foreign currency);
 - (f) gold, silver, platinum and copper;
 - (g) motor vehicles (not including wheelchairs);
 - (h) boats;
 - (i) trailers;
 - (j) caravans;
 - (k) firearms;
 - (l) stock-in-trade or items used for business purposes;
 - (m) packaged liquor that has not been opened;
- packaged liquor*** has the same meaning as in the *Liquor Licensing Act 1997*;
- personal effect*** means an item normally worn or carried on the person but does not include jewellery (other than wedding rings);
- premises*** includes any structure, building, vessel or place (whether built on or not), and any part of any such structure, building, vessel or place.

5—Variation of regulation 8—Declaration of recognised Australian restraining orders

Regulation 8—after paragraph (c) insert:

- (ca) a civil forfeiture restraining order under the *Confiscation Act 1997* of Victoria;

Made by the Governor

with the advice and consent of the Executive Council
on 13 February 2018

No 44 of 2018

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