



YMCA

**Youth Parliament of South
Australia**

Bills and Acts

2010

Bill Book 2010

House of Assembly

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**The Office of His Excellency
Youth Governor Sam Davis**

Declaration of the Youth Governor

President,

Legislative Council

Parliament of South Australia

North Terrace

I desire the attendance of all honourable members of the House of Assembly and Legislative Council, on the date 12 July 2010 at 10:00am, at the building known as Parliament House, North Terrace, Adelaide, for the 16th Session of the South Australian Youth Parliament.

Signed

A handwritten signature in blue ink that reads "S. J. Davis".

His Excellency Sam Davis

Bill Schedule

MONDAY 12 JULY 2010

HOUSE of ASSEMBLY				LEGISLATIVE COUNCIL		
TIME	BILL	SPONSOR	REFUTER	BILL	SPONSOR	REFUTER
11:00am Motion of Public Importance in Legislative Council						
1:00pm	Bullying Prevention Bill	MARION	MRC 1	Driver Education Bill	PT LINCOLN	MRC 2
2:15pm	Fathers Rights Bill	RYLA 2	SOUTH	Indigenous Support Bill	BAPTIST CARE	MOUNT GAMBIER
3:30pm	Payroll Tax Rebate Bill	FLINDERS	CAMPBELL	International Students Support Bill	RYLA 1	UNI SA

TUESDAY 13 JULY 2010

HOUSE of ASSEMBLY				LEGISLATIVE COUNCIL		
TIME	BILL	SPONSOR	REFUTER	BILL	SPONSOR	REFUTER
09:30am	Youth Mental Health Bill	UNI SA	RYLA 1	Indigenous Education Bill	KAURNA	NORTH
10:45am	Youth Counsellors Bill	MT GAMBIER	BAPTIST CARE	Religious Discrimination Bill	MRC 1	MARION
1:00pm	Student Support Officers Bill	MRC 2	PORT LINCOLN	Regional Development Bill	SOUTH	RYLA 2
2:15pm	Local Government Reform Bill	NORTH	KAURNA	Sexuality Discrimination Bill	CAMPBELL	FLINDERS

THURSDAY 15 JULY 2010

HOUSE of ASSEMBLY				LEGISLATIVE COUNCIL		
TIME	BILL	SPONSOR	REFUTER	BILL	SPONSOR	REFUTER
9:00am	Indigenous Support Bill	BAPTIST CARE	MT GAMBIER	Student Support Officers Bill	MRC 2	PORT LINCOLN
10:00am	Sexuality Discrimination Bill	CAMPBELL	FLINDERS	Youth Mental Health Bill	UNI SA	RYLA 1
11:00am	Indigenous Education Bill	KAURNA	NORTH	Fathers Rights Bill	RYLA 2	SOUTH
1:00pm	Religious Discrimination Bill	MRC 1	MARION	Youth Counsellors Bill	MT GAMBIER	BAPTIST CARE
2:00pm	Regional Development Bill	SOUTH	RYLA 2	Bullying Prevention Bill	MARION	MRC 1
3:00pm	Driver Education Bill	PORT LINCOLN	MRC 2	Local Government Reform Bill	NORTH	KAURNA
4:00pm	International Students Support Bill	RYLA 1	UNI SA	Payroll Tax Rebate Bill	FLINDERS	CAMPBELL

FRIDAY 16 JULY 2010

HOUSE of ASSEMBLY				LEGISLATIVE COUNCIL	
BILL	SPONSOR	REFUTER	BILL	SPONSOR	REFUTER
9:00am 2020 Debate in House of Assembly – Please contact Project Manager for subject matter					
10:00am Adjournment Debate in House of Assembly					

Motion of Public Importance

A Motion has been put to the Youth Parliament

“That members endorse the adoption of proportional representation in regard to the election of members to the House of Assembly”

EXPLANATION

What is proportional representation?

Proportional representation is a system of voting where voters elect representatives in multi-member constituencies. So under proportional representation voters have more than one representative in Parliament.

How is this different from the current system?

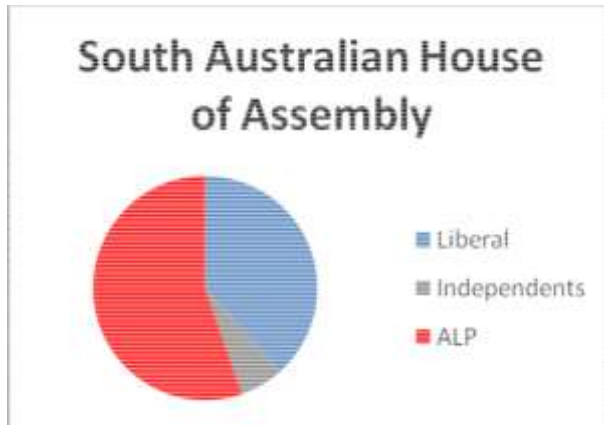
The current system of voting is called the Single Transferable Vote (STV). This system is based on single-member constituencies. A voter numbers its preference of candidates from 1 being the favourite, to their least favourite. If no candidate receives over half of the first-preference votes, then the candidate with the least first preference votes is eliminated, and their votes is distributed amongst the other candidates, based on their second preference, until one candidate has over half of the votes. That candidate then becomes the member for that constituency, representing all the voters in that area. This system is also used in most states and the Northern Territory as well as federal elections. Internationally this system is used in the US, the UK, Canada as well as a number of other countries

Where is proportional representation used?

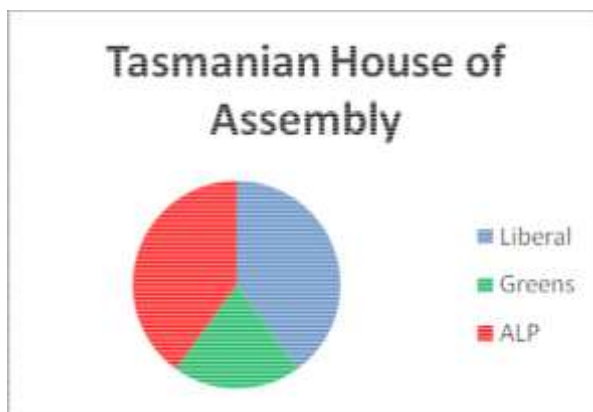
Proportional representation is used in the Lower House of Tasmania and the Legislative Assembly for the territory of Canberra. It is also used in the Upper Houses of Western Australia and Victoria. South Australia does not use any form of proportional representation in either of its houses of Parliament, however proportional representation is used in local government elections in South Australia. It is also used in a number of international parliamentary elections.

How does proportional representation look compared to single member systems?

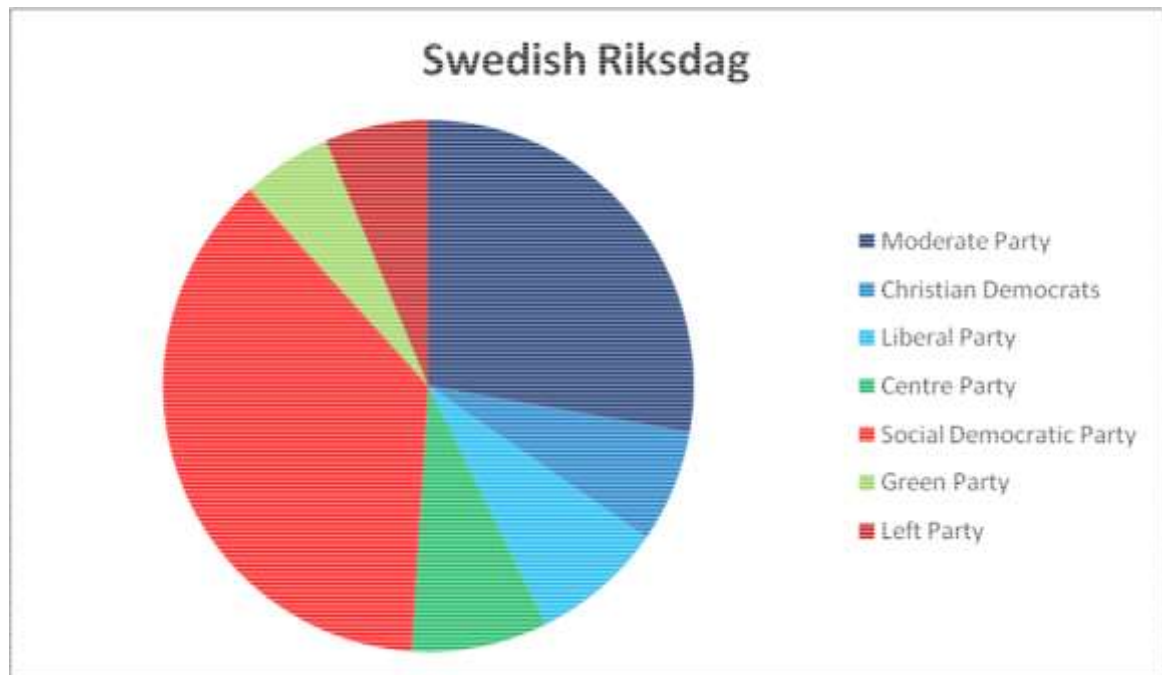
The current South Australian House of Assembly is controlled completely by the Australian Labor Party. There are 26 ALP members, 18 Liberal members and 3 independents. This means that the ALP can form a government without any assistance from other parties



The Tasmanian House of Assembly looks somewhat different however. Currently Tasmania has a hung parliament, with the ALP and Liberal parties both have 10 members each, and the Greens control the remaining 5, meaning that neither party can form a government in their own right. Currently the ALP and the Greens are negotiating a coalition arrangement.



However, in other nations using proportional representation systems, far more complex Parliament dynamics can be returned. In Sweden, 7 parties sit in the Swedish Riksdag. The Social Democratic Party has 130 members, the Moderate Party has 97 members, the Centre Party has 29, the Liberal People's Party has 28 members, the Christian Democratic Party has 24 members, the Left Party has 22 and the Green Party has 19. There is currently a centre-right "anti-socialist" government, led by the Moderate Party, partnered with the Centre Party, the Liberal People's Party and the Christian Democratic Party, who have a narrow majority over the three socialist parties.



Are there any other systems to single member constituencies and proportional representation?

There are a number of different ways of conducting democratic elections. In Germany for the “Bundestag” and in New Zealand’s Lower House a system called mixed-member system is used. Voters first vote for a single member in their local area, and then voters vote across the entire country for multiple members put forward by the political parties in lists. This system returns similar results to proportional representation. The other main system around the world is a full party list system. This system is used in the Israeli “Knesset”. Members of the Knesset are elected as though the entire of Israel is one electorate.

Why should we adopt proportional representation?

There are a number of different reasons as to why we should adopt parliamentary representation, including:

Proportional representation better represents the way people vote.

Smaller parties are elected to the system, meaning more views are represented.

Parties are made to negotiate with each other to form a government, making a more transparent system.

Under the current system a party can get less than fifty percent of the vote, but still might become the government (the last Rann Labor government was returned to power with less votes than the Liberal alternative)

If a person feels unrepresented by one of their members, than they have other alternatives.

If a government loses confidence of the people mid-term than they are easier to remove and go to another election.

Why should we not adopt proportional representation?

There are a number of reasons why we should not adopt proportional representation, including:

Having one member per constituency creates a stronger link between the community and their MP.

The major parties have a stronger position, as the major parties represent a majority of people.

A single party can form a government, making a more stable system.

There are other systems that better represent the way people vote.

Governments cannot be forced to an election, allowing a government to undertake a fully raft of reforms in a term and it saves public money on elections.

How does the MPI works?

The MPI works like any other debate for a bill, but you only debate the statement given to you. There is no opportunity to amend the MPI, so you only debate once then vote. You still need to refer to yourself by your appropriate title and refer to the Presiding Officer by their title as well as following all the other protocols of debate.

Finally, have a blast and do not freak out! This will be the first thing debated and is designed to help train you in parliamentary procedure! It is designed to be fun and to ease you into debate.

Bullying Prevention Bill 2010

A bill for an Act to create a strategy to prevent and eliminate all forms of bullying in all primary and secondary educational institutions in South Australia, and other related purposes.

BE ENACTED by the Youth Governor of the State of South Australia, with the advice and consent of the Youth Parliament thereof, as follows:

PART I PRELIMINARY

Short Title

1. This Act may be cited as the *Bullying Prevention Act 2010*

Commencement

2. This Act will come into operation on a date to be fixed by proclamation

Objects of Act

3. The objects of this Act are:

- (a) To integrate a foundation 'Bullying Prevention' topic into all Bachelor of Education degrees in the State's universities;
- (b) To integrate a compulsory 'Bullying Prevention' curriculum into the Department of Education and Children's Services framework to be taught in all primary and secondary schools in South Australia from grades 4-9; and
- (c) To establish a comprehensive process for intervening in incidents of bullying in schools.

Interpretation

4. In this Act, unless the contrary appears:

"The Committee" means the 'Bullying Prevention Education Program Committee'.

- (a) The membership of the Committee shall include:
 - (i) Members of the Schools of Education of each University in South Australia.

- (ii) Members of any educational representative body deemed fit by the Committee.

"Teacher" means a person whose occupation is teaching

"The Coalition" means Premier's 'Coalition to decrease bullying, harassment and violence in all South Australian schools' established in 2005.

"The reporting teacher" means the teacher to whom an incident of bullying has been reported.

"DECS" means the Department of Education and Children's Services

"External Bullying Intervention Program" means a program outside of the school whose main goal is to prevent bullying in the future.

"Student" means a learner who is enrolled in an educational

institution **"School Counsellor"** means either of the following:

-
- (a) a counsellor and an educator who works in elementary, middle, and high schools to provide academic, career, college access, and personal/social competencies to every K-12 student
 - (b) a counsellor, Youth Worker or equivalent is to be provided by DECS to mediate the bullying intervention if the school does not have a counsellor in residence'

PART II TEACHER EDUCATION

Bullying Prevention Foundation Topic for Bachelor of Education Students

- 5. (1). In order to obtain their Bachelor of Education degree, students must complete a foundation topic in 'Bullying Prevention'.
(2) The content of this foundation course is to be devised by the Committee.

Bullying Prevention Education for qualified teachers

- 6. (1) Teachers currently registered with DECS and working in the education system must complete the Bullying Prevention topic externally from any one of the South Australia's universities.
(2) Teachers shall have 2 years, from the commencement of the Act, to complete such program.

PART III SCHOOL CURRICULUM

Bullying Prevention in Primary and Secondary School Curriculum

- 7. (1) A curriculum on 'Bullying Prevention' shall be integrated into the DECS framework and be taught in every primary and secondary school in South Australia.
(2) 'Bullying Prevention' shall be taught once per week to students from grades 4-9.
(3) The content of the Bullying Prevention curriculum is to be devised by the Committee.

PART IV SCHOOL-BASED BULLYING INTERVENTION STRATEGIES

Dealing with incidents of bullying in schools

- 8. (1) When an incident of bullying is reported to the reporting teacher, they are required to:
 - (a) At the first instance, hold a discussion between the students involved. The reporting teacher is to act as mediator.
 - (b) At the second instance, or if the problem has not been resolved by sub-section (a), the reporting teacher must organise a consultation, at which they are present, with:
 - (i) the students involved in the incident;
 - (ii) the parents/caregivers; and

(iii) the school principal if the situation is determined to need them.

(c) At third instance, or if problems have not been resolved by the above sub-sections, the reporting teacher must organise a mediation session, at which they are present, with:

- (i) all students involved;
- (ii) their parents/caregivers;
- (iii) the school principal if it is deemed necessary; and
- (iv) a school counsellor.

(d) At third instance, or if problems have not been resolved by the above sub-sections, the student allegedly perpetrating the bullying and their parents must be given the option of the student attending an External Bullying Intervention Program.

(e) At fourth instance, or if problems have not been resolved by the above sub-sections, the student shall be suspended for 1 week and must attend an External Bullying Intervention Program.

(2) In each incident of bullying reported, if problems have not been resolved by section 1 (a) and, in the opinion of the reporting teacher, further action must be taken to protect students from bullying behaviour, the following steps must be taken:

- (a) The school counsellor must meet with the students involved individually; and
- (b) A meeting between the reporting teacher, the school principal and the school counsellor must be conducted to determine how the intervention process outlined from section 1 (b) onwards should be followed.
- (c) At such meeting, the reporting teacher, school principal and school counsellor must consider the individual circumstances of the case including:
 - (i) the severity of the bullying;
 - (ii) the effects and predicted effects of the bullying on the wellbeing of the students involved;
 - (iii) the likelihood that the bullying will continue and/or increase in severity;
 - (iv) the response of the students to the actions taken by the reporting teacher; and
 - (v) the capacity of the student to change their bullying behaviour, a. For example, if the student involved in perpetrating bullying has a disability which makes them prone to aggression, this must be taken into account. Accordingly, the penalties are to be less severe.

Sunset Clause

9. (1) This Act is to be reviewed 24 months after the initial launch of the program by The Committee.

Amendments

Proposer: Marion

Omit and replace

Omit:

“External Bullying Intervention Program” means a program outside of the school whose main goal is to prevent bullying in the future.

And replace with:

“External Bullying Intervention Program” means a program outside of the school whose main goal is to prevent bullying occurring at that present time and also in the future’

Location of Amendment: Part I, Clause 4

Division Required: Yes/No

Proposer: MRC1

Insert

Insert:

Bully and Bullying” means a person or a group of people distressing another person or people in a repeated form through physical, sexual or emotional abuse’

Location of Amendment: Part I, Clause 4

Division Required: Yes/No

Proposer: Marion

Omit and replace

Omit:

(a) At the first instance, hold a discussion between the students involved. The reporting teacher is to act as mediator.

And replace with:

- (a) at the first instance perform one of the following actions:
- (i) Hold a discussion between the students involved. The reporting teacher is to act as mediator.
 - (ii) Employ student mediation or its many derivatives; or
 - (iii) If in primary school, give out a punishment to the offending student as the teacher sees fit.

Location of Amendment: Part IV, 8

Division Required: Yes/No

Proposer: MRC1

Omit and replace

Insert:

When an incident of bullying is reported to the reporting teacher, they are required to:

And replace with:

When an incident of bullying is reported to the reporting teacher, it is recommended that they:

Location of Amendment: Part III, 8(1)

Proposer: MRC1

Insert

Insert

If a teacher chooses not to follow the steps outlined, than they can be called before the commission to explain their choice, and the commission can intervene in the incident as they see fit.

Location of Amendment: Part III, 8(3)

Division Required: Yes/No

Proposer: Marion

Omit and replace

Omit:

‘shall be suspended for 1 week and’

And replace with:

‘during or after school’

Location of Amendment: Part IV, 8 (1e)

Division Required: Yes/No

Father's Rights Bill 2010

A bill for an Act to mandate communication between a mother and father prior to an abortion and increase the awareness of counselling services both prior to and after an abortion and for related purposes.

BE ENACTED by the Youth Governor of the State of South Australia, with the advice and consent of the Youth Parliament thereof, as follows:

PART I PRELIMINARY

Short Title

1. This Act may be cited as the *Father's Rights Act 2010*

Commencement

2. This Act will come into operation on a date to be fixed by proclamation

Objects of Act

3. The objects of this Act are:

- (a) To mandate communication in the presence of a mediator between a mother and a father prior to an abortion
- (b) To ensure the father is informed of a prospective abortion and is offered the opportunity to communicate his view regarding this
- (c) To increase the awareness of counselling services available for the mother and father prior to and after an abortion

Interpretation

4. In this Act, unless the contrary appears:

"Abortion" as in the "Criminal Law Consolidation Act 1935"

"Embryo" means that which can be aborted prior to 28 weeks of term, as in the "Criminal Law Consolidation Act 1935"

"Mother" means a female who is carrying the embryo

"Father" means the biological male parent of the embryo

"Female" means a person who is biologically capable of carrying an embryo

"Male" means a person who is biologically capable of providing sperm to form an embryo

"Mediation" means a structured and formal discussion, facilitated by a mediator

"Mediator" means an employee of The Department who has the necessary training

"Facilitate" means to aid in the smooth progression of a balanced discussion

"Counselling" means a process of information sharing, decision-making, or therapy that takes place during structured conversations between a trained counsellor and his or her client(s)

"The Department" means the Department for Families and Communities

“Other counselling services” means counselling services that are not the mandated mediated communication services

“MCS” means a Mediated Communication Session, in which a communication session takes place in the presence of a mediator

“Genuine” means legitimate, as deemed by The Department

“Conflict of Interest” means a situation where the mediator’s position as an independent and non-biased third party has been compromised

“Minister” means the Minister for Families and Communities

“Pregnancy” means the state of human pregnancy

“Rape” as in the “Criminal Law Consolidation Act 1935”

“Statutory declaration” as in the “Statutory Declarations Act 1959”

“Pregnancy” means the state of human pregnancy

“Surrogate” as in the “Family Relationships Act 1975”

“Sperm donor” as in the “Family Relationships Act 1975”

“Mental incapacity” as in the “Guardianship and Administration Act 1993”

PART II THE BODY

Mandated Mediated Communication

5. (1) The mother and father of an embryo who are considering abortion must attend at least one session of mediated communication

(a) The communication session must be attended by a mediator for the purposes of:

- (i) Provision of proof that the communication took place, via a written statutory declaration addressed to the Minister
- (ii) Facilitating the communication
- (iii) Informing the mother and father of their rights in regards to abortion
- (iv) Ensure the viewpoint of both the mother and father is heard by the other party

(b) The MCS

- (i) Will only be attended by the mother, father and the mediator
- (ii) Will have a maximum time limit of one hour, unless:
 - (a) The mediator recommends that the session continue within the same day, and
 - (b) Both parents consent to continuing the session within that day at an agreed time
- (iii) Will conclude when the mediator deems that sufficient communication has taken place
- (iv) The mother, father, or mediator may participate in the MCS by-
 - (a) telephone;
 - (b) closed-circuit television; or
 - (c) other means of communication, as deemed appropriate by The Department

(c) Additional MCSs

- (i) The mediator may recommend further MCSs

-
- (ii) Attendance at additional MCSs remain at the discretion of the mother and the father, as individuals
 - (iii) If the mother or father requests an additional MCS(s) that the other party refuses to attend, he/she will be referred to other counselling services
 - (d) If the father does not attend the scheduled MCS, he will forfeit his right to communicate his opinion, unless:
 - (i) A genuine reason for absence can be provided, with supporting documentation, to the Department within 24 hours of the scheduled MCS

Implementation of the Counselling Service

6. (1) The Department under the direction of the Minister will be responsible for
- (a) The execution of and the administration relevant to the MCS
 - (b) Employing and supervising the mediators
 - (c) Informing the mother and father of the need for a MCS in a timely fashion to allow for the MCS and, if required an abortion to take place

Role of the Mediator

7. (1) The mediator
- (a) Must fulfil the employment criteria as laid down by The Department
 - (b) Must declare a Conflict of Interest prior to the commencement of a MCS
 - (i) Conflicts of interest may be determined by:
 - (i) The mediator
 - (ii) The mother
 - (iii) The father
 - (iv) The Department
 - (d) Must facilitate the MCS

Exceptions To Mandated Communication

8. (1) Extenuating circumstances in which the Act becomes invalid are;
- (a) The mother does not know who the father of the embryo is
 - (i) The mother must make a statutory declaration to The Department
 - (b) The pregnancy is the result of rape
 - (c) Either the mother or father is deemed incapable of participating in the MCS
 - (d) The embryo was formed with sperm from a sperm donor
- (2) In all the above situations the relevant certification must be provided to The Department

Other Counselling Services Prior To and After an Abortion

9. (1) Increase awareness of counselling opportunities for both the mother and father prior to and after an abortion
- (a) The Government is to implement targeted media campaigns that communicate the following ideas
 - (i) The availability of counselling services
 - (ii) The cost, if any, of counselling services

-
- (b) The mediator must make the availability of other counselling services known to the father and mother at the end of the MCS
 - (c) A publicly accessible database of the other counselling services available is to be established
- (2) The provision of other counselling services is to be funded by the Government

Amendments

Proposer: South

Omit:

“Female” means a person who is biologically capable of carrying an embryo.”

Location of Amendment: Part I, Section 4

Division Required: Yes/No

Proposer: South

Omit:

“Male” means a person who is biologically capable of providing sperm to form an embryo.

Location of Amendment: Part I, Section 4

Division Required: Yes/No

Proposer: RYLA 2

Omit:

(ii) Will have a maximum time limit of one hour, unless:

(a) The mediator recommends that the session continue within the same day, and

(b) Both parents consent to continuing the session within that day at an agreed time

Location of Amendment: Part II, 5 (1) bii

Division Required: Yes/No

Proposer: RYLA 2

Insert:

- (a) Additional MCSs may be scheduled, or
- (b) The scheduled MCS may continue within the same day

Location of Amendment: Part II, 5 (1) biii

Division Required: Yes/No

Proposer: RYLA 2

Omit:

(c) Additional MCSs

- (i) The mediator may recommend further MCSs
- (ii) Attendance at additional MCSs remain at the discretion of the mother and father, as individuals
- (iii) If the mother or father requests an additional MCS that the other party refuses to attend, he/she will be referred to other counselling services

Location of Amendment: Part II, 5 (1) c

Division Required: Yes/No

Proposer: RYLA 2

Omit and replace

Omit:

- (i) A genuine reason for absence can be provided, with supporting documentation, to The Department within 24 hours of the scheduled MCS

And replace with:

- (i) A genuine reason for absence can be provided, with supporting documentation, to The Department within 7 days of the scheduled MCS

Location of Amendment: Part II, 5(1)di

Division Required: Yes/No

Proposer: South

Omit

Omit

“The mother, father, or mediator may participate in the MCS by-

- (d) telephone;
- (e) closed-circuit television; or
- (f) other means of communication, as deemed appropriate by The Department.”

Location of Amendment: Part II, 7b(iv)

Division Required: Yes/No

Proposer: RYLA 2

Insert

Insert:

- (e) The embryo must be aborted for medical

reasons Location of Amendment: Part II, 8(1)

Division Required: Yes/No

Proposer: RYLA 2

Omit and replace

Omit:

- (c) Either the mother or father is deemed incapable of participating in the MCS

And replace with:

- (c) Either the mother or father is deemed to be of mental incapacity

Location of Amendment: Part II, 8(1)c

Division Required: Yes/No

Proposer: South

Omit and replace

Omit:

The embryo was formed from sperm from a sperm donor

And replace with:

The embryo was formed with the sperm or egg from a donor Location of Amendment: Part II, 8 (1) d

Division Required: Yes/No

Payroll Tax Rebate Bill 2010

A bill for an Act to increase employment opportunities, training opportunities, and the long term unemployed and for related purposes.

BE ENACTED by the Youth Governor of the State of South Australia, with the advice and consent of the Youth Parliament thereof, as follows:

PART I PRELIMINARY

Short Title

1. This Act may be cited as *Payroll Tax Act 2010*

Commencement

2. This Act will come into operation on a date to be fixed by proclamation

Objects of Act

3. The objects of this Act are to lower the long-term unemployment rate in South Australia.
 - (a) Help the long term unemployed in gaining employment.
 - (b) Provide training for the long-term unemployed.
 - (c) Provide payroll tax incentives to specific business entities that train and employ the long term unemployed.

Interpretation

4. In this Act:

“Long Term Unemployed” means a person who has been unemployed for more than six months according to the Department of Employment and Workplace Relations.

“Unemployed” means a person who is not employed according to the Department of Employment and Workplace Relations.

“NGO” means Non Government Organisation **“Non-Government Organisation”** means an organisation as defined by the Australian Taxation Office.

“NGO database” means a database kept by an NGO listing persons who are unemployed and currently looking for employment

“Potential employee” means a long-term unemployed person who has been chosen by an NGO to take part in the program.

“Training” means any TAFE accredited course of a length of up to six months or any nationally accredited course provided by the business.

“Employee representative” means someone chosen by the employee to witness the signing of the contract and provide any support the employee requires.

“Small-medium sized enterprise” means a business that do not pay payroll tax

“Large businesses” means a business who pay payroll tax. **“The Program”** means a program that runs for thirteen weeks, in which a person is a party to a legally constituted contract and is exempted from a portion of the payroll tax payable for employees within their business.

“The Committee” is the Payroll Tax Review Committee.

PART II
PAYROLL TAX REVIEW COMMITTEE

The Committee

5. (1) A group of people, including stakeholders of the programme and other relevant persons, assigned to oversee the implementations and operation of the program.
- (a) People will be appointed to the Committee by the Treasurer, with the Minister for Employment also sitting on the committee.
 - (i) There will be six people appointed to the Committee with an executive officer providing liaison support between the Committee and the NGOs.
 - (b) The Committee will responsible the following:
 - (i) The applications for the program will be overseen by the committee and applications will be passed from the ATO to the Committee for review.
 - (ii) Selecting the businesses who will receive the tax rebate.
 - (ii) Monitor businesses during the program
 - Continuing liaison progress throughout the duration of the program

PART III
THE PROCESS OF THE REBATE

How businesses apply for the rebate

6. (1) A business wishing to apply for the program will apply through the ATO (Or state tax).
- (a) When an potential employee is employed, the business has the opportunity to apply for a rebate towards their total payroll tax liability.
 - (b) The rebate is current only in the first 13 weeks of the new employee’s tenure.
 - (c) The rebate does not include contractors, small businesses or other employment arrangement which are not of an employee-like nature.

If the business is successful in their application for the program.

7. (1) If the business is approved for the program, the business will liaise with NGOs to obtain a potential employee based on suggestions by the NGOs.
- (a) NGOs will review their databases for people who have been unemployed for more than six months.
 - (i) Each person will be put into a category of work, ranging from most qualified to least qualified. This will also affect how much that person is paid and how much training that person will have to undertake
 - (b) Participation in the scheme shall be limited to NGOs.

Once the business has chosen an employee

-
8. (1) Once businesses have chosen an employee, a contract will be agreed upon between businesses, employees and an employee representative.
 - (a) This contract must include duration of employment (thirteen weeks), and the type of training to be undertaken by the employee.
 - (b) The business and then the NGO will have to sign the contract to agree on completion of the contract.
 - (c) The committee shall approve the contract for the business to be eligible for the tax rebate.

 9. (1) Upon completion of the contract the tax rebate will be:
 - (a) 1.0% of the wage of a qualifying employee as a grant for small to medium enterprises.
 - (b) 1.5% for large businesses.

PART IV PENALTIES

Penalties

- 10.(1) If a business breaks the contract, they will be liable for a fine of the sum of the rebate issued to them so far.

Amendments

Proposer: Team Campbell

Insert

Unemployed Persons may Submit Applications

1. Unemployed persons may apply to relevant NGOs to be added to their databases
 - a. Applications must include:
 - i. The length of time the person has been unemployed
 - ii. Any reasons for the person's unemployment
 - iii. Previous positions held
 - iv. The name and contact details of the person's most recent employer
2. The NGO shall contact the most recent employer to verify the date at which employment ceased before including the person in the database
3. Any unemployed person may apply to be included in a database but he or she will only be eligible for inclusion in this scheme after being unemployed for 6 months
4. Persons included in NGO databases are obliged to inform the relevant NGO upon gaining employment

Location of Amendment: Clause 6

Division Required: Yes/No

Proposer: Team Campbell

Omit

Omit Part III, Clause 7 (1) (a) (i)

Location of Amendment: Clause 7

Division Required: Yes/No

Proposer: Team Campbell

Omit

Omit Part III, Clause 9 and 10

And Replace with

9. Grants and Rebates

1. Upon completion of the contract, the business will be entitled to:

-
- a. for small to medium enterprises, a grant to the value of the costs incurred training the employee and 5% of the wage of the employee, calculated during the 13 week period of employment;
or
 - b. for large enterprises, a payroll tax rebate to the value of the costs incurred training the employee and 5% of the wage of the employee, calculated during the 13 week period of employment.

Location of Amendment: Part III, Clause 9 and 10

Division Required: Yes/No

Youth Mental Health Bill 2010

A bill for an Act to introduce mandatory mental health care plans for youth admitted into hospital for mental health issues prior to discharge and for related purposes.

BE ENACTED by the Youth Governor of the State of South Australia, with the advice and consent of the Youth Parliament thereof, as follows;

PART I PRELIMINARY

Short Title

1. This Act may be cited as the *Youth Mental Health 2010*.

Commencement

2. This Act will come into operation on a date to be fixed by proclamation

Objects of the Act

3. The objects of this Act are:
 - (1) to decrease the occurrence of relapse in mental health patients through:
 - (a) the introduction of mandatory mental health care plans and;
 - (b) encouragement to engage with the community

Interpretation

4. In this Act, unless the contrary intention appears:
 - "**Youth**" means any persons between the age of 12 and 30.
 - "**Care Plan**" means the mandatory care plan implemented before discharge.
 - "**Care Plan Coordinator**" means the person who implements and plans the care plan.
 - "**CPC**" means Care Plan Coordinator
 - "**GP**" Means General Practitioner, Doctor.
 - "**Client**" Means the person for who the Care Plan is made.
 - "**Attending Doctor**" means the doctor responsible for a patients care in hospital.

PART II CARE PLAN

Care Plan

5. (1) Mandatory care plans will be introduced into all hospitals. You may not be discharged from a hospital once admitted without a care plan if you;
 - (i) Are between 12 and 30 years of age, and;
 - (ii) Have been admitted to hospital for treatment of a mental illness.

Care plan Coordinators

6. (1) Care plans are to be administered by Care Plan Coordinators.
 - (2) Care Plan Coordinators are to have following qualifications
 - (a) Certificate III in social work

-
- (b) Minimum of 30hrs experience with Youth
 - (c) Mandatory Notification training
 - (d) National Police Check

Care Plan Requirements/Contents

7. (1) A Care Plan Coordinator must write a care plan for their patient before discharge;
 - (a) They must have input from the attending Doctor in the form of two separate meetings.
 - (b) Where possible an attempt to consult the clients GP must be made as well.
- (2) Care Plan Coordinators must meet with their Clients;
 - (a) a minimum of once a fortnight following discharge;
 - (b) Visits may vary in frequency as deemed necessary by the clients CPC, for up to two years.
 - (c) The two years is to reset if a client is readmitted into hospital for mental health related illness.
- (3) Care Plans contents shall vary between different clients depending on advice from their doctor and at the discretion of their CPC.
- (4) A Care Plan may include but will not be limited to the following;
 - (a) Liaising between different aspects of a clients life including but not limited to;
 - (i) Doctors,
 - (ii) Social Workers
 - (iii) Employers
 - (iv) Teachers
 - (v) Physiologists
 - (vi) Any other persons the client and CPC feel necessary.
 - (b) Referring the Client to other health care professions as necessary including physiologists.
 - (c) Becoming more involved in the community, where appropriate, by doing activities including but not limited to;
 - (i) Sporting activities, such as joining a sports team
 - (ii) Volunteering
 - (iii) Programs such as the Salvation Army's "Mates Program"
 - (iv) Youth Groups
 - (v) Vocational Education Programs
- (5) It is the responsibility of the clients CPC to implement the Care Plan.

Confidentiality

8. (1)The Confidentiality guidelines are to be in line with the Privacy Act of 1988

Regulating Body.

9. (1)All complaints and issues are to be reported to the Australian Psychological Society.

Youth Counsellors Bill 2010

A bill for an Act to increase the availability of qualified counsellors to South Australian educational facilities and for related purposes.

BE ENACTED by the Youth Governor of the State of South Australia, with the advice and consent of the Youth Parliament, as follows:

PART I PRELIMINARY

Short Title

1. This Act may be cited as the *Youth Counsellors Act 2010*

Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

Objects

3. (1) The objects of this Act are—

- (a) To provide the youth of South Australia with access to approachable counsellor counselling services, by—
 - (i) Ensuring that there is at least one male and one female counsellor available to all youth educational facilities.
 - (ii) Ensuring that said youth counsellors are assigned to each educational facility with a student cohort of more than 500 and that separate roaming youth counsellors are available to all other educational facilities in every district.
 - (iii) Ensuring that all counsellors involved with youth in educational facilities are between the ages of 21 and 45.
- (b) To regulate the purpose and ability of youth counsellors, by—
 - (i) Making it a requirement that youth counsellors have, at minimum, an accredited TAFE certificate in counselling or equivalent.
 - (c) To ensure that the counsel given by youth counsellors is free of external influences, by—
 - (i) Ensuring that the youth counsellor's counsel is unhindered, in any way, by any biases or personal beliefs.
 - (ii) Ensuring that youth counsellors cannot also serve as educators in any educational facility.
 - (iii) To ensure that the youth of South Australia have the right to absolute confidentiality with regards to the content of any consultation with youth counsellors, unless—
- (a) The wellbeing of the youth involved or of the community is at risk, to be decided at the discretion of the youth counsellor.

Interpretation

4. In this Act, unless the contrary intention appears—

“**Counselling services**” means a professional service provided through educational facilities which provides consultation to youth in regards to issues as deemed important by the youth undertaking counsel.

“Educational facilities” means any facility offering education to youth within South Australia.

“Youth” means any person between the ages of 12 to 25.

“TAFE” means an institute providing technical and further education. **“Personal belief”** means any inclination to a set of moral codes held by an individual.

“Bias” means a tendency to inhibit impartial judgement in response to or as a result of a personal belief, personal religion, personal gender, sexual orientation or political tendency.

“Roaming counsellors” means counsellors who are not associated with any one particular educational facility as determined by the Department of Education and Children Services.

“Youth interactions” means any relations or connections to youth.

PART II

ACCESSIBILITY AND APPROACHABILITY

Gender Equality

5. (1) Every educational institution will have access to at least one male and one female youth counsellor.

Assignment of Counsellors

6. (1) If an educational facility has a student cohort of greater than 500 in attendance, then—
- (a) Centralized youth counsellors must be stationed at the facility at all times during school hours and be readily available to students.
 - (b) For all educational facilities with a student cohort of less than 500 in attendance—
 - (a) A set of roaming youth counsellors must be on call and be readily available to all said educational facilities in every council district.
 - (b) These roaming counsellors will be rostered on daily rotation to each educational facility in the district by the Education Department.
7. (1) Counsellors that are employed by the Education Department for the purpose of counselling youth in youth educational facilities will be of minimum 21 years of age and maximum 45 years of age.
- (a) Counsellors who reach 45 years of age are no longer eligible for further renewal of their contracts and will be given a 3-month warning period prior to the expiration of their contracts.

PART III

QUALIFICATIONS

Required Accreditation

8. (1) Any counsellor intending to counsel or advise youth in a professional context in an educational facility shall be required to have obtained at least a TAFE level certificate in counselling.
- (2) All youth counsellors will undertake a mandatory short course in youth interactions.

PART IV
EXTERNAL INFLUENCES

Potential Bias

9. (1) Youth counsellors shall not allow their personal belief or biases to affect the counsel they provide. Such potential biases include but are not limited to political inclinations, religious beliefs, sexual orientation and cultural background.

Separation of Teaching and Counselling Roles

10. (1) To prevent conflict of interest, youth counsellors must not undertake a teaching role in any educational facility whilst employed as a youth counsellor.

PART V
CONFIDENTIALITY

Privacy Concerns

11. (1) Confidentiality must not be breached unless–
- (a) Extenuating circumstances occur, such that the wellbeing of the youth is put at serious risk, to be determined at the discretion of the youth counsellor.
 - (b) Extenuating circumstances occur, such that the wellbeing of others within the community is put at serious risk, to be determined at the discretion of the youth counsellor.

Student Support Officers Bill 2010

A bill for an Act to address the requirement of Student Support Officers in South Australian Schools to have compulsory training to enable them to assist ESL or requiring students, and for related purposes.

BE ENACTED by the Youth Governor of the State of South Australia, with the advice and consent of the Youth Parliament thereof, as follows:

PART I PRELIMINARY

Short Title

1. This Act may be cited as the *Student Support Officers Reform Act 2010*.

Commencement

2. This Act will come into operation on a day to be fixed by proclamation

Objects of the Act

3. The Objects of the Act are:

- (a) To aid and guide the Student Support Officers of South Australian Education Institutes in their education so as to improve the standard of education for students studying English as a Second Language and students with learning disability and/or other impediments
- (b) To make available literary, financial and professional resources for Student Support Officers to improve the depth and range of their support,
- (c) To solidify the formation of the Students Support Board that is to examine and consider the requirement, availability and funding for essential training to SSO's that are particularly involved with targeted students,
- (d) To raise awareness to the difficulties and enforced impairments or language impediments associated with migrating to an English speaking country.
- (e) To state the requirements for Student Support Officers to undertake extensive "English as a Second Language" teaching training to ensure the students requirements are met to the best of their ability, through a range of differing methodologies and pedagogies.
- (f) To establish and develop a range of pathways so that Student Support Officers are able to guide English as a Second Language students in entering a multicultural based community,
- (g) To support mainstream students who have recognised learning disability and/or other impediments.

Interpretation

4. In this Act, unless the contrary appears:

"Education Institution" means any Secondary School and Senior Collage in South Australia;

"TAFE" means Technical And Further Education institute;

"Learning Disability" means any medically or psychologically recognised disability that prevents a student from learning at an optimal level;

“Learning Impediment” means any impediment whether social, financial, spiritual or psychological that may prevent a student from learning at an optimal level;

“Qualified Member of SACE” means a member nominated by the SACE board upon their recommendation;

“Relevant TAFE Certificate” means a certificate received upon a satisfactory completion of an SSO TAFE course that would be established by TAFE in consultation with the SSO Board and the South Australian Department of Education;

“SACE” means the South Australian Certificate of Education.

PART II STUDENT SUPPORT OFFICERS

Student support

5. (1) All Student Support Officers shall be registered with the Department of Education upon satisfying the registration criteria:
 - (a) A Satisfactorily completed relevant TAFE certificate.
 - (b) A Mandatory Notification certificate
 - (c) A First Aid certificate
 - (d) Fluency in at least one language other than English
- (2) The Student Support officers shall spend a minimum of 3 hours on the grounds of education institution every school day, providing support with homework and related extracurricular studies. The Student Support Officer’s priority should be the targeted students but not limited to them.
- (3) The student support officers shall not undermine or intervene with other teachers work and study plan. The contact time with students shall not be during lessons unless the lessons are designed for homework and student support.
- (4) The support provided shall be in accordance with SACE and the Education Institution’s curriculum for the relevant year levels. Support for students studying external subjects shall also be in accordance with the external Institution’s study plan.

Target Students

5. (1) This program shall be available for those students that are currently learning or developing their English as a second language and/or those with recognised learning difficulties or associated impediments that may prevent them from learning at an optimal level.
- (2) This program shall be available to increase and nurture the development of English to all that are deemed suited for the increased assistance, over and above that which is provided by English Teachers present in their education institute.

PART III ADMINISTRATION

Selection criterion for Education Institutes

6. (1) Upon an application by the education institute, the Student Support Officers Board shall determine the number of Student Support Officers

available to an education institute upon consideration of the following criteria:

- (a) The size of the school
 - (b) The amount of students present in the school that require assistance with their educational development
 - (c) The geographical location of the school in regards to the availability of learning support resources.
 - (d) The number of external subjects run by the school.
 - (e) The most crucial factor that shall determine the Number of Student Support Officers available shall be the amount of Staff Members that are academically equipped to teach English
- (2) If the education institute is undertaking an involvement with already existing programs of a similar status that shall also be taken into consideration. This includes; First Generation Mentoring and similar programs.
- (3) A standard minimum of two Student Support Officers shall be available for every Education Institute.

The Board

7. (1) The board shall consist of seven member of the public that are to include the following:
- (a) A qualified member of SACE
 - (b) Lieutenant Governor General
 - (c) President of MRC youth group
 - (d) A Legal Practitioner
 - (e) A Psychologist
 - (f) Minister for Education of South Australia
 - (g) Minister for Families and Communities of South Australia.
- (2) The board is to work in consideration and recognition of the Department of Education in selecting and deciding upon the registration of the Student Support Officers.
- (3) The board shall in cooperation with the Department of Education upon the receivership of any complaints that do not require legal action carry out its own disciplinary actions as it sees fit, in accordance with relevant Federal and State legislation.
- (4) The board will determine by vote the allocation of Student Support Officers to education institutes and monitor their increase.
- (5) The Board shall determine the term of employment of the Student Support Officers.

Operation

8. This Act shall stand in support with the published works of the Commonwealth Parliament and recognised learning institutions including Universities, TAFE and accredited learning institutions.

Review

9. The Student Support Officers Scheme shall be reviewed every 7 years by an independent SSO Review Commission, elected by the board for financial, professional, development review and audit and the findings shall be reported to the Board.

Local Government Reform Bill 2010

A bill for an Act to reform voter and candidate requirements in Council elections, and to provide for the making of larger councils and for related purposes.

BE ENACTED by the Youth Governor of the State of South Australia, with the advice and consent of the Youth Parliament thereof, as follows:

PART I PRELIMINARY

Short Title

1. This Act may be cited as Local Government Reform Act 2010

Commencement

2. This Act will come into operation on a date to be fixed by proclamation

Objects of Act

3. The object of this Act is to reform councils by:

- a) Reforming the requirements to be a voter in local government area elections, including the implementation of compulsory voting,
- b) Reforming the requirements for candidates to stand for office in a local government area election, and
- c) Amalgamating councils in South Australia to make larger, more efficient councils.

Interpretation

4. In this Act:

“council” means any local government area in South Australia excluding, for the purpose of this bill, aboriginal councils,

“Person” means any person over the age of eighteen years,

“ratepayer” means any individual person that pays rates to a council on land owned,

“AEC” means the Australian Electoral Commission,

“Election” means both mayoral and ward councillor elections in a council,

“City Council” means any council within the area of Greater Adelaide, and

“District Council” means any council outside the area of Greater Adelaide.

PART II VOTER AND CANDIDATE REQUIREMENTS

Voter and candidate provisions for council elections

5. (1) If a person is enrolled at an address with the AEC, than that person shall be required to vote and be entitled to stand for election in the council where they are enrolled.

6. (1) If a person is a ratepayer in a council than that person is entitled to vote in that council election, so long as they are on the AEC’s electoral roll and they are not registered with the AEC in the same council where they own property that requires them to pay council rates, however they shall not be entitled to stand for election in that council.

(2) Voters are to receive only one vote in any particular council, but may vote in more than one council so long as they meet the voter requirements for all councils involved.

Special voter provisions for the “City of Adelaide”

7. (1) Persons who are enrolled with the AEC and are employed or study at an educational institution within the “City of Adelaide” shall be entitled to vote in elections for the “City of Adelaide”.

(2) One in three seats on the council of the “City of Adelaide” shall be allocated to these voters

PART III POPULATION REQUIREMENTS FOR COUNCILS

Population requirements for City Councils

8. (1) Excluding the “City of Adelaide” a City Council shall contain no less than 200,000 residents.

Population requirements for District Councils

9. (1) Excluding the “Outback Areas Community Development Trust”, “Municipal council of Roxby Downs” and “District Council of Coober Pedy” a district council shall contain no less than 50,000 residents.

At-Risk Youth Support Bill 2010

A bill for an Act to provide temporary housing and referral services for homeless and the disengaged youth in South Australia, and for related purposes.

TO BE ENACTED by the Youth Governor of the State of South Australia, with the advice and consent of the Youth Parliament thereof, as follows:

PART I PRELIMINARY

Short Title

This bill may be cited as the Indigenous Support Bill 2010

Commencement

This act will come into operation on a date to be fixed by proclamation.

Objects of the Act.

The objects of the Act:

- (1) To re-engage homeless and disengages indigenous into society by:
- a) Providing appropriate temporary housing in a Central location and;
 - b) Providing referral services, in cases of mental health, employment, social activities, etc.

Interpretation

In this Bill, unless the contrary intention appears;

“Indigenous” means any person of Torres straight islander and Aboriginal.

“Referral services” means services that contain help from many NGO’s.

“Housing” means living in acceptable standards.

“Short term” means of a period from three to six months.

“Disengaged” means those who have suffered a cultural or social dislocation

“Pastoral Care” means the provision of spiritual needs and/or counseling by an ordained officer of a particular religion

“Referral Services” means those government or charitable servicers which are of benefit to the individual as outlined in the act

PART II HOUSING COMPLEX

The Housing Complex

5. (1) A housing complex will be established in the form of units and/or apartments, whether existing or newly developed. The intention of these complexes will be to provide short term emergency housing for youth who are disengaged and or homeless.
- (a) These housing complexes will be restricted to Metropolitan Adelaide
 - (b) Each housing complex will be staffed by a team of full-time support workers who will provide:

-
- (i) Assistance with job seeking, including potential opportunities for temporary onsite employment
 - (ii) Life skills training
 - (iii) Counselling
 - (iv) Cultural Sensitivity Training
 - (v) In-house recreational services
- (c) In matters of admittance to the housing scheme, priority will be given to indigenous youth

Referral Services

6. In addition to the accommodation and onsite services provided, the Housing Complexes will provide access to more specialised referral services. These services will include, but are not limited to:

- (a) Education:
 - (i) Assistance in acquiring SACE/entering University or TAFE
 - (ii) The provision of a classroom area and itinerant teacher/tutor
 - (iii) Encouragement to complete education
- (b) Family Support:
 - (i) Child and Youth Health
 - (ii) Families SA
- (c) Medical:
 - (i) Organise visits to General Practitioners and Specialists
- (d) Mental Health:
 - (i) on-call psychiatric nurse
 - (ii) Appointments with psychologists and/or psychiatrists
- (e) Drug and Alcohol management
- (f) Legal Aid
- (g) Cultural Services:
 - (i) Migrant Resource Centre
 - (ii) Indigenous services- re-establish links with their tribe and heritage
 - (iii) Liaising with local communities
- (h) Pastoral Care:
 - (i) Chaplains/imams/Aboriginal elders

Board of Administration

7. The Housing Complexes and the services provided therein will be overseen and adjudicated by a Board of Administration. The membership of this Board must include (but is not limited to) at least one of each of the following:

- (a) A psychiatrist
- (b) A General Practitioner
- (c) A lawyer
- (d) A social worker
- (e) A representative of Disability SA
- (f) An Aboriginal Elder
- (g) A representative of the Migrant Resource Centre of South Australia

Sexuality Discrimination (Parenting) Bill 2010

A bill for an Act to eliminate discrimination on the basis of sexual orientation in parenting laws and procedures, and for related purposes.

BE ENACTED by the Youth Governor of the State of South Australia, with the advice and consent of the Youth Parliament thereof, as follows:

PART I PRELIMINARY

Short title

1. This Act may be cited as the *Sexuality Discrimination (Parenting) Act 2010*.

Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

Objects

3. The objects of this Act are:
 - (a) to provide for the equal treatment of all couples and individuals applying for adoptions under South Australian law;
 - (b) to recognise the parental relationships in families headed by same-sex couples;
 - (c) to provide all individuals and couples equal access to surrogacy and ART.

Interpretation

4. In this Act, unless the contrary intention appears:
 - “**adult**” means a person who has attained the age of 18;
 - “**assisted reproductive technology(ART)**” means conception other than through intercourse, including in-vitro fertilisation, clinically-assisted donor insemination and self-insemination;
 - “**birth register**” means a register of births or parentage information kept under a law of the Commonwealth or of a State or Territory;
 - “**Commissioner**” means the Commissioner for Equal Opportunity established under the Equal Opportunity 1984;
 - “**couple**” means two adults in a de facto relationship, whether that relationship be heterosexual or same-sex;
 - “**discriminate**” means to treat an individual with less favour than another, hypothetical person, because of some distinction between them and includes situations where the treatment is not explicitly discriminatory but has a clearly discriminatory result;
 - “**individual**” means an adult;
 - “**implicit discrimination**” means any distinction which has the practical effect of discriminating against a particular individual or group though it may not be intended for this purpose; (Insert if definition of ‘discriminate’ is changed as above)
 - “**sexual orientation**” means the direction of one’s sexual interest towards members of the same, opposite, or both sexes;
 - “**Tribunal**” means the Equal Opportunity Tribunal established under the

- (1) A person is in a **de facto relationship** with another person if:
 - (a) the persons are not legally married to each other; and

-
- (b) the persons are not related by family; and
 - (c) having regard to all the circumstances of their relationship, they have a relationship as a couple living together on a genuine domestic basis.

Working out if persons have a relationship as a couple

- (2) Those circumstances may include, but are not limited to:
 - (a) the duration of the relationship;
 - (b) the nature and extent of their common residence;
 - (c) whether a sexual relationship exists;
 - (d) the degree of financial dependence or interdependence, and any arrangements for financial support, between them.

PART II ADOPTION

Individual applications for adoption

- 5. (1) Any adult, otherwise satisfying the criteria of a potential adoptive parent under South Australian law, may apply for an adoption regardless of his or her sexual orientation.
 - (2) In evaluating an application made under subsection (1) it is unlawful for an organisation to discriminate against an applicant on the grounds of his or her sexual orientation.

- 6. (1) Any two adults in a marriage or de facto relationship and otherwise satisfying the criteria of potential adoptive parents under South Australian law, may apply for an adoption regardless of their sexual orientations.
 - (2) In evaluating an application made under subsection (1) it is unlawful for an organisation to discriminate against a couple on the grounds of their sexual orientations.

Stepparent adoption

- 7. (1) Gay, lesbian and bisexual adults are to have access to the same laws and procedures governing the adoption of a person by a stepparent as are available to heterosexual adults.

PART III SURROGACY AND ART

Surrogacy

- 8. (1) Laws, regulations and practises pertaining to surrogacy are not to discriminate against couples or individuals on the basis of their sexual orientations.

- 9. (1) Laws, regulations and practises pertaining to ART are not to discriminate against couples or individuals on the basis of their sexual orientations.
 - (2) ART procedures are to be made available to surrogates on an equal basis with other individuals.

PART IV PRESUMPTIONS OF PARENTHOOD

De facto relationships

-
10. (1) A child born to a woman in a de facto relationship, shall, in the absence of proof to the contrary, be presumed to be the child of its mother and her partner.

Registration

11. (1) If a person's name is entered as a parent of a child in a birth register, the person, in the absence of proof to the contrary, is presumed to be a parent of the child.
- 12.

PART V
ENFORCEMENT

Complaints

13. (1) If an individual or couple believes they may have been discriminated against in contravention of this Act, they may lodge a complaint with the Commissioner.
- (a) A complaint—
 - (i) must be in writing; and
 - (ii) must be lodged within 12 months of the alleged contravention.
 - (2) The Commissioner may, at his or her discretion, extend the time period within which a complaint must be lodged if satisfied the circumstances are such that there is a cogent reason for doing so.
 - (3) Where a complaint has been made under this Act, the Commissioner and the Tribunal shall have all of the powers and responsibilities they would have if the complaint were made under the Equal Opportunities Act 1984.

Joint Select Committee

14. (1) Parliament shall appoint a joint select committee (***the Committee***) to review South Australian laws, including the common law, in order to discover any contraventions of this Act.
- (a) The Committee must report in writing to the Attorney General on the results of the review.
 - (b) The Attorney-General must present a copy of the report to the Legislative Assembly within 6 sitting days after the day the Attorney-General receives the report.

Amendments

Sponsor of Amendment: Flinders

Omit and replace

Omit "couple means two adults in a de facto relationship, whether that relationship be heterosexual or same-sex;"

And Replace with 'couple means a close personal relationship means the relationship between two adult persons, irrespective of their gender, who live together on a genuine domestic basis

Location of Amendment: *Clause 4*

CLAUSE SHALL NOW READ

"couple means a close personal relationship means the relationship between two adult persons, irrespective of their gender, who live together on a genuine domestic basis

Division Required: Yes/No

Sponsor of Amendment: Flinders

Omit and replace

Omit 'A person is in a de facto relationship with another person if:

- (a) the persons are not legally married to each other; and
- (b) the persons are not related by family; and
- (c) having regard to all the circumstances of their relationship, they have a relationship as a couple living together on a genuine domestic basis.'

And Replace with "An adult is in a de facto relationship with another adult if:

- (a) each adult is not legally married; and
- (b) each adult is not related by family; and
- (c) having regard to all the circumstances of their relationship, they have a close personal relationship."

Location of Amendment: *Clause 4 (1)*

CLAUSE SHALL NOW READ

"An adult is in a de facto relationship with another adult if:

- (a) each adult is not legally married; and

(b) each adult is not related by family; and

(c) having regard to all the circumstances of their relationship, they have a close personal relationship.”

Division Required: Yes/No

Sponsor of Amendment: Flinders

Omit ‘Working out if persons have a relationship as a couple

(1) Those circumstances may include, but are not limited to:

(a) the duration of the relationship;

(b) the nature and extent of their common residence;

(c) whether a sexual relationship exists;

(d) the degree of financial dependence or interdependence, and any arrangements for financial support, between them. ’

Location of Amendment: *Clause 4 (1)*

Division Required: Yes/No

Aboriginal Education Bill 2010

A bill for an Act to teach Aboriginal Education as a mandatory stage 1 SACE subject at South Australian secondary education facilities and for related purposes

BE ENACTED by the Youth Governor of the State of South Australia, with the advice and consent of the Youth Parliament thereof, as follows:

PART I PRELIMINARY

Short Title

1. This Act may be cited as *Aboriginal Education Act 2010*

Commencement

2. This Act will come into operation on a date to be fixed by proclamation

Objects of Act

3. The objects of the Act are:

- a) To educate all Australia youth on Australian History and aboriginal culture.
- b) To promote acceptance of all cultures within Australian society.

Interpretation

4. In this Act, unless the contrary appears:

“**Multiculturalism**” means inclusion of multiple cultural within a society.

“**Stolen generation**” means the years between 1869 and 1915

– define as policy of forcibly

removing children of aboriginal decent from home and placing into western society homes.

“**White settlers**” means settlers from western society

PART II SACE

New SACE Subjects

5. (1) Two new SACE subjects will be established.

(a) A compulsory Stage 1 subject to be called Australian culture and history. This subject will include, but is not limited to, units on:

- (i) Aboriginal tribal structure of government and legal systems
- (ii) Aboriginal myths and gods (dream time stories)
- (iii) A history as to the first white settlers in Australia
- (iv) the stolen generation
- (v) Australia's multicultural status today

(b) An optional stage 2 subject to be called Australian culture and history.

This subject will include but is not limited to, units on:

- (i) Aboriginal family structure

(ii) A more focused approach into the structure of aboriginal government and legal systems and how they differ from western societies.

(iii) A more focused approach into the aboriginal dream time stories and what they mean

(iv) Aboriginal language and the reconstruction of the Kurna language

Multicultural Workshops

6. (1) To pass year 10 each year 10 student must attend a one day workshop on multiculturalism. After which they will receive a certificate stating they have attended a multiculturalism workshop.

(a) This workshop must have (but are not limited too) representatives from:

(i) Asia

(ii) The Pacific Islands

(iii) Africa

(iv) Europe

(v) The Mediterranean

(b) Each representative from the various cultures must include (but is not limited too) information on:

(i) Government and legal systems

(ii) Religion, myths and legends

Religious Discrimination Bill 2010

A bill for an Act to prevent discrimination on the basis of religion and for related purposes.

BE ENACTED by the Youth Governor of the State of South Australia, with the advice and consent of the Youth Parliament thereof, as follows:

PART I PRELIMINARY

Short Title

1. This Act may be cited as the *Religious Discrimination Act 2010*.

Commencement

2. This Act will come into operation on a date to be fixed by proclamation.

Objects of the Act

3. The objects of this Act are

- a) To safeguard freedom of worship,
- b) To allow the display of religious symbols,
- c) To prevent religious discrimination,
- d) To prevent landlords from being religiously discriminatory

in awarding leases, and

- e) To prevent property owners from refusing the sale of their property to a purchaser solely on the basis of the purchaser's religion.

Interpretation

4. In this act, unless the contrary appears:

“religious traditions” means traditions which are an integral part of the religion which the individual practices.

“religious symbols” means a symbol, clothing or accessory which identifies an individual with a particular religion.

“ordinarily guaranteed religious holidays” means Christmas Day, Good Friday, Easter Sunday and Easter Monday.

PART II PREVENTION OF DISCRIMINATION

Freedom of Worship

5. (1) Individuals cannot be prevented from practising their religious traditions, unless such religious traditions are contrary to the laws of South Australia or the Commonwealth of Australia.

Religious Discrimination in Employment

6. (1) An employer cannot refuse employment of an applicant or dismiss a current employee, unless it interferes with core employment operations, on the basis of:

- (a) A person's religion,
- (b) The display of religious symbols, and
- (c) The practice of religious traditions.

(2) An employer cannot compel a potential employee to disclose their religion.

(3) An employer must allow an employee to practise their religion insofar as their religious practices do not conflict with their core employment obligations.

(4) A person may choose to substitute ordinarily guaranteed religious holidays with religious holidays of their own choice, thereby forfeiting their rights guaranteed to working provisions for the ordinarily guaranteed religious holidays and applying these rights to the religious holidays of their choice.

7. (1) All forms of religious symbols may be displayed in all public places, including public, catholic or independent schools.

(2) A person wearing a religious symbol that covers their face may be asked to remove it to confirm their identity by:

- (a) A police officer,
- (b) An officer of a bank or post office,
- (c) A licensed security guard, or
- (d) The person managing a premises, so long as religious sensitivities relating to gender are taken into account,

8. (1) A landlord or property seller cannot refuse to lease or sell their house to a leasee or buyer on the basis of their religion.

Provisions for Religious Vilification

9. (1) It is an offence to harass a person based on their religion.

(2) It is an offence for individuals, MPs or members of the media to make defamatory remarks about a religious group or a person based on their religion.

10. (1) The Government is to undertake a review of South Australia's Strategic Plan to ensure that people of religiously diverse backgrounds are represented in public spheres under objective 6 of the plan.

Amendments

Sponsor of Amendment: Marion

Add

Add 'their employers and also their employee working under the manager'

Location of Amendment: *Clause 7 (2d)*

Division Required: Yes/No

Sponsor of Amendment: Marion

Omit

'(2) It is an offence for individuals, MPs or members of the media to make defamatory remarks about a religious group or a person based on their religion.

Location of Amendment: *Clause 9 (2)*

Division Required: Yes/No

Rural Development Bill 2010

A bill for an Act to implement a rural housing development scheme surrounding long-term and large-scale mines to keep miners and their families together and for related purposes.

BE ENACTED by the Youth Governor of the State of South Australia, with advice and consent of the Youth Parliament thereof as follows:

PART I PRELIMINARY

Short Title

1. This Act may be cited as the *Rural Development Act 2010*

Commencement

2. This act will come into operation on a day fixed by proclamation

Objects

3. The objects of this act are –

- (a) Promote the importance of mining to the state and tangibly contribute to boosting SA's economy and position in the world economy by supporting the mining industry and its workers by the implementation of this Act.
- (b) Construct affordable housing for miners employed at major mining sites within SA with the intention of providing miners and their families with stable long-term living arrangements reducing the need for frequent travel for mine workers.
 - i. Keeping the families of miners together, to increase worker productivity and happiness.
 - ii. Reduce the turnover of employees in mining communities, increasing productivity and sustainability of mining operations
- (c) Create a government department that will administer, construct and develop affordable housing under this Act.

Interpretation

4. In this Act, unless the contrary intention appears

"Affordable Housing" means housing, which costs less than 50% of an individual's weekly wage

"Applicant" means an individual seeking assistance under this Act

"Application" means an application made for support under this Act

"Close proximity" means as close to mining sites as possible within safe parameters as defined by mining practices of the given mine

"Department" means The Department of Rural Housing

"Family means" any family unit consisting of 2 or more adults with or without children or 1 adult with children

"Healthcare Worker" means doctors, nurses, GP's, physios etc

"Long-term mine" means a mine with an expected life of at least 20 years

"Large scale mine" means a mine employing a minimum of 1000 mine workers

“Major Mining Site/Community” means a long term and large-scale mine

“Miner” means a person employed by a mining company who works on-site at the mine.

“Outback Communities Authority” means the replacement for the Outback Areas Community Development Trust

“Stable long term living arrangements” means affordable, safe and appropriate accommodation for the duration of an individual or families employment contract

PART II RURAL HOUSING DEPARTMENT

Housing SA

5. (1) A new Department will be created as a subsidiary of Housing SA, to be known as the Department of Rural Housing.
- (2) Housing SA will provide staff and funds to the Department for the purposes of administering provisions of this Act.
- (3) The Department will be responsible for the development, construction and management of new housing developments in close proximity to major mining communities.
- (4) Locations and designs for the houses will be under the control of the Department of Rural Housing, with consultations to be made with the relevant local council, general public, if necessary the Outback Communities Authority and other identified stakeholders as determined by the Department.
- (5) All assessments of applications will be at the discretion of the Department of Rural Housing.

PART III HOUSING DEVELOPMENT REQUIREMENTS

Public Housing

6. (1) The housing development will be made up of houses owned by the Department of Rural Housing or sold to successful applications.
- (2) The Department of Rural Housing will have the ability to rent, sell or rent-to-buy properties to successful applications.
- (3) For rental properties, the requirements will follow current policies undertaken by Housing SA.
- (4) All housing developments must meet current standards set forth by Housing SA policy.
- (5) Housing properties will be sold to successful applicants at reduced current market value, or will be rented to successful applicants following Housing SA policy.
- (6) The applicant leaves the home, within 6 months it is sold back to Housing SA, at current market value
- (7) Housing SA has the right to remove tenants from rental houses.

Applications

7. (1) All applications will be made to the Department of Rural Housing.
- (2) Within 28 days of receiving an application for rental or purchase of a

property, the Department of Rural Housing must reply in writing stating the application was:

- (a) Approved, and stating the terms for rental/purchase
- (b) Declined, and stating the reasons for why the application has failed.

(3) Misleading the Department with any information will result in a failed application and may result in the criminal charges.

Eligibility

8. (1) An eligible applicant must satisfy all of the following criteria:
- (a) Be in a family as defined by the interpretation and,
 - (b) A minimum of one member of this family must be employed in full-time or part-time work by:
 - (i) A mining company approved by the Department.
 - (ii) A local hospital, as a healthcare worker approved by the Department.
 - (iii) A local public school, primary or secondary approved by the Department.
 - (iv) Any other relevant companies approved by the Department.

Occupancy

9. (1) Successful applicants may chose to rent or buy from the Department of Rural Housing
- (2) All purchases of properties must be occupied by the successful applications as their principle place of residences for at least 6 months, with such occupancy occurring within the first 12 months of ownership.

Liaison

10. (1) The Department will be required to build housing in consultation with the relevant:
- (a) Local council.
 - (b) General public.
 - (c) Mining Company.
- (2) The Department will act as liaison to stakeholders involved in the housing development including, but not exclusively:
- (a) Designing companies.
 - (b) Building companies.
 - (c) Landscaping companies.

Locations

11. (1) All locations for development will be determined by the Department in consultation with local councils and mining companies.
12. (1) All designs for housing must be approved by the Department.
- (2) The Department will produce a number of standardised designs for the houses.
- (3) These designs will:
- (a) be for the standard family.
 - (b) have the ability to be modified for larger family requirements.

-
- (c) meet current Housing SA policies in terms of quality.
 - (4) Successful applicants will be able to choose from the standardised designs.

Amendments

Sponsor of Amendment: RYLA 2

Omit '(ii) A local hospital, as a healthcare worker approved by the Department of Rural Housing

(iii) A local public school, primary or secondary approved by the Department of Rural Housing'

Location of Amendment: Part 3: 8 (1) (b) (ii) and (iii)

Division Required: Yes/No

Sponsor of Amendment: RYLA 2

Omit

All purchases of properties must be occupied by the successful applications (applicants) as their principle place of residences for at least 6 months, with such occupancy occurring within the first 12 months of ownership.

And replace with

All properties must be occupied by the successful applicant and their family as their principal place of residence for at least 6 months, with such occupancy occurring within the first 12 months of ownership.

Location of Amendment: Part 3 9 (2)

Division Required: Yes/No

Sponsor of Amendment: RYLA 2

Omit 'Successful applicants will be able to choose from the standardised designs.

And replace with

Successful applicants will be able to choose from the standardised designs within a range of houses with specific sizes.

Location of Amendment: Part 3.12 (4)

Division Required: Yes/No

Driver Education Bill 2010

A bill for an Act to implement a driver's education program within secondary schools, and for related purposes.

BE ENACTED by the Youth Governor of the State of South Australia, with the advice and consent of the Youth Parliament thereof, as follows:

PART I PRELIMINARY

Short Title

1. This Act may be cited as the *Driver Education Act 2010*.

Commencement

2. This Act will come into operation on a date to be fixed by proclamation.

Objects of Act

3. The objects of this Act are:
- (a) To educate students about dangers and their effects on the road including reckless driving and substance abuse on roads,
 - (b) To provide basic driving, car maintenance and navigation skills through school based programs
 - (c) To educate students about the alternatives to private transport, and
 - (d) To educate students about basic road science.
4. In this Act, unless the contrary appears:
- "school"** means any public, independent or catholic secondary school or pertaining to years eight to twelve in a reception to year 12 college.
- "relevant authority"** means either:
- (a) The Police Service
 - (b) The Metropolitan Fire Service
 - (c) The Country Fire Services
 - (d) The Ambulance Service

PART II EDUCATION PRIOR TO YEAR ELEVEN

Road Science Education

5. In year nine students are to complete twelve (12) hours of scientific education that is designed to teach students about components of physics associated with driving, which is to be integrated into the middle school science curriculum.

Compulsory visitation requirements

6. Schools shall be required to organise visits by a relevant authority bi-annually to speak to all year levels on road safety including, but not limited to, specific issues pertaining to young drivers, substance abuse whilst driving and reckless driving.

Independent transport education

7. From years eight through ten students are to be instructed for two hours per year on the use of independent travel arrangements including

- (a) Local and metropolitan public transport services, and
- (b) Regional transport services.

PART III
EDUCATION DURING YEAR 11

SACE provisions for driver education programs

8. The SACE Board shall provide for a semester subject that includes components of driver education that shall award a student ten (10) SACE points upon satisfactory completion of the program.
9. The SACE Board shall design a curriculum based on fifty percent (50%) practical learning in a car with an instructor and thirty percent (30%) based on basic mechanics and twenty percent (20%) based on road navigation and other theoretical skills.

Integration of International Students Bill 2010

A bill for an Act to heighten the social and professional participation and integration of international students in South Australia and for related purposes

BE ENACTED by the Youth Governor of the State of South Australia, with the advice and consent of the Youth Parliament thereof as follows:

PART I PRELIMINARY

Short Title

1. This Act may be cited as the *Integration of International Students Act 2010*.

Commencement

2. This Act will come into operation on the date to be fixed by proclamation

Objects of the Act

3. The Objects of the Act are:
 - (a) Provide social engagement experiences for the successful integration of International Students in South Australia
 - (b) Engage Domestic Students with facilitated leadership skills to support and advocate on behalf of International Students
 - (c) Provide professional engagement experiences for the successful integration of International Students in South Australia
 - (d) Provide adequate support services to assist International Students in the transition from study to the workforce. Including:
 - a. Assistance assembling a resume
 - b. Assistance finding appropriate jobs
 - c. Assistance applying for selected jobs
 - d. Assistance gaining work experience
 - e. Assistance preparing for job interviews

4. In this Act unless the contrary appears:

“Domestic Students” means Local students who are of Australian background, who were born in Australia or have spent 75% of their life in Australia so they are accustomed to the Australian lifestyle

“International Students” : means Students from countries outside of Australia who are here studying on a student visa

“Education provider” means Institutions providing education, training and qualifications to Domestic and International Students

“Placement provider” means the business, organisation or company providing the placement experience to International Students participating in the Work Experience Placement Program

PART II SOCIAL INCLUSION

Peer Mentoring Program

5. (1) The Department of Education and Children’s Services (DECS) International Student Unit is responsible for establishing a Peer Mentoring program between first year International Students and second year

domestic students (or equivalent levels of education determined by the individual's education provider)

- (2) Students will be paired based on common interests and subject selection and will participate in:
- (a) Regular meetings between the mentor and mentee with the purpose of providing support to the mentee
 - (b) Regular social activities that display the diverse Australian culture
 - (c) Regular activities for all mentors and mentees participating in the program through their education provider

Engagement & Training of Domestic Students

6. (1) Domestic Students will be recruited by the Department of Education and Children's Services (DECS) International Student Unit in partnership with each education provider and students will be provided with training and certification of skills such as:
- (a) Leadership
 - (b) Advocacy
 - (c) Public Speaking
 - (d) Event Management
 - (e) Public Relations

Support for International Students

7. (1) The Peer Mentoring Program will provide the following outcomes for International Students:
- (a) Improved English speaking skills
 - (b) Awareness of Australian cultural and trends
 - (c) Smooth adjustment into the Australian community
 - (d) Guidance and support with studies

PART III WORK PLACEMENT

Employment Services

8. (1) A dedicated International Student Employment Service scheme will be established and administered by the Department of Education and Children's Services (DECS) International Student Unit with the purpose of assisting International Students to gain employment during and after completing their studies.
- (a) The International Student Employment Service Scheme will assist International Students with:
 - (b) Assembling a resume
 - (c) Seeking appropriate jobs
 - (d) Application process
 - (e) Interview process
 - (f) Education on workers' rights
 - (g) Appropriate work experience placement
 - (2) Progress of individual students will be monitored and case managed by the Department of Education and Children's Services (DECS) International Student Unit

Work Experience Placement Program

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9. (1) A work experience placement program will be established by the Department of Education and Children's Services (DECS) International Student Unit and run in partnership with higher education providers and businesses across South Australia
- (2) The Work Experience Placement Program will be available for International Students completing their final year of study
- (3) Students will carry out their work experience placement with a business or company relevant to their area of education and future employment aspirations
- (4) The length of the work experience placement will be determined by the individual students education provider and based on the subject selection and future aspirations of the student
- (5) The Work Experience Placement Program will deliver the following outcomes:
- a) On the job experience to assist international students with gaining employment after completing their studies
 - b) Experience of working as part of a team
 - c) Firsthand experience being part of the Australian workforce
 - d) Experience completing delegated tasks to the appropriate standards
- (6) Upon completion of the Work Experience Placement students will be provided with certification of competence issued by the Department of Education and Children's Services (DECS) and the Placement provider, outlining the students achievements throughout the placement including:
- a) Hours completed through the work experience placement
 - b) Completion of delegated tasks according to workplace standards
 - c) Successful integration and participation of the student in the workforce
 - a. A letter of reference will also accompany the certificate of competence and be provided by the work experience placement provider