

YOUTH BILLS AND ACTS

#YP
2015



 youth parliament



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Government
of South Australia
Office for Youth



Welcome to the Book of Youth Bills & Acts of Youth Parliament 2015.

The 20th YMCA SA Youth Parliament presented twelve Bills and two Motions of Public Importance. Both Motions of Public Importance passed plus nine Bills, making nine Youth Acts. One Bill passed in one house only and two Bills failed in both houses.

The most strongly supported Bill was the Youth Governor's Motion of Public Importance topic of Youth Homelessness, which had a collective 68 Aye votes and 7 Nay votes. Two other significant results were the *Youth Mental Health Act 2015* with 64 Ayes, 6 Nays and 2 abstentions, and the *Rural Education Equality Act 2015* which had a collective 57 Ayes and 17 Nays.

Youth Parliamentarians have put in a commendable effort to bring these Bills to Parliament and wish for the voice of young people to be heard!

For further information or to provide feedback on any of the following Bills and Acts, please contact the YMCA Youth Parliament Program Manager, on the details below.

On behalf of the Youth Parliament 2015 Taskforce and the YMCA of South Australia,

Kind regards



Michelle Brown

Youth Programs Coordinator 2015

YMCA of South Australia

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Results of the 2015 Youth Parliament

Bills & Acts	House	Ayes	Nays	Abstentions	Result
Youth Governor's Motion of Public Importance – Youth Homelessness	Legislative Council	68	7	0	Pass
Bicycle Licensing Bill 2015	House of Assembly	8	30	1	Fail
	Legislative Council	9	22	1	Fail
Compulsory Vaccination Act 2015	House of Assembly	29	10	0	Pass
	Legislative Council	26	7	0	Pass
Non-Lethal Force Act 2015	House of Assembly	30	9	0	Pass
	Legislative Council	18	14	0	Pass
PLP Functional Skills Act 2015	House of Assembly	27	12	0	Pass
	Legislative Council	21	12	0	Pass
Public Order (Decent Exposure) Act 2015	House of Assembly	25	13	2	Pass
	Legislative Council	17	11	6	Pass
Rural Education Equality Act 2015	House of Assembly	30	9	0	Pass
	Legislative Council	27	8	0	Pass
Specialised Teaching in Primary Education Act 2015	House of Assembly	27	12	0	Pass
	Legislative Council	21	14	0	Pass
Supermarket Waste Repurpose Act 2015	House of Assembly	25	13	1	Pass
	Legislative Council	29	5	0	Pass

Bills & Acts	House	Ayes	Nays	Abstentions	Result
Switch Driver Program Bill 2015	House of Assembly	9	22	1	Fail
	Legislative Council	8	25	0	Fail
Voluntary Euthanasia Bill 2015	House of Assembly	20	9	8	Pass
	Legislative Council	15	16	4	Fail
Youth Employment Opportunities Implementation Act 2015	House of Assembly	20	19	0	Pass
	Legislative Council	18	16	0	Pass
Youth Mental Health Act 2015	House of Assembly	33	4	2	Pass
	Legislative Council	29	2	2	Pass
National Motion of Public Importance – Mental Health	House of Assembly	63	3	0	Pass



*The Office of Her Excellency
Youth Governor Maria Hull*

Declaration of the Youth Governor

President
Legislative Council
Parliament of South Australia
North Terrace, Adelaide

I desire the attendance of all honourable members of the House of Assembly and Legislative Council, on the date Monday 6 July 2015 at 10:00am, at the building known as Parliament House, North Terrace, Adelaide, for the 20th Session of the South Australian Youth Parliament.

Signed

A handwritten signature in black ink, appearing to read 'M Hull'.

Her Excellency Maria Hull

Youth Governor's Motion of Public Importance

Her Excellency, the Youth Governor Maria Hull directs and invites the Government of the Youth Parliament of South Australia to move and discuss that:

'South Australia invests in developing purpose built facilities which allow young people who are homeless or at risk of homelessness to occupy a low cost apartment'

This motion calls upon the Government to develop and allow young people to tenant these properties provided they engage with study and/or job seeking. The rental cost would equate to one third of the tenant's income, and this rental cost must not exceed 80% of the market value rent. The tenancy period is as long as the young person needs to possess sufficient living skills to live independently, not exceeding two years, with leases being reconsidered every 12 months.

Arguments FOR and AGAINST the development of these facilities:

For:

- This internationally renowned 'Foyer' model originated in the UK is the only model of its kind that combines on-site accommodation with the various services vulnerable young people need as they transition into independence.
- Throughout 2013-2014, HYPA Housing in Adelaide has supported 49 young tenants and 19 accompanying children throughout their 39 apartments over three sites. 27 of these young people moved onto independent living.
- Stable accommodation will enable young people to achieve their education and employment goals, as well as stabilise their health and wellbeing. If appropriate, they may achieve reconciliation with their families.
- Services available to these young people will also include mental and physical health support, drug and alcohol support, and mentoring. Towards the end of the program, participants will be assisted into alternative accommodation including private rental.
- There are many services that cannot be accessed without a permanent address, such as a Tax File Number (TFN), Centrelink payments, and a driver's licence.
- With case management support and a rental history, young people may have a greater likelihood of acquired private rental accommodation at the end of each lease.
- This model allows for sustainable long-term growth, and reduces the number of young people cycling through homelessness at various stages of their lives.

Against:

- On any given night in Australia, close to 50,000 people under the age of 25 are homeless. This model does not support those requiring emergency housing, yet one apartment has the potential to accommodate 730 young people over two years.
- Lack of accommodation may not be the inhibiting factor for some young people.
- The young people who need this service the most may be turned down or delayed by those already in the apartments with a lesser need.
- People under the age of 18 fall under the jurisdiction of Families SA.
- Those without the skills to live independently may disrupt or present a danger to other tenants in the apartment complex or to themselves.
- Some argue that young people may take advantage of this 'handholding' system.

National Motion of Public Importance

‘Poor youth mental health poses the greatest threat to community wellbeing for our generation’

Brief:

Generally speaking, our mental health refers to our state of mind and our ability to cope with the everyday things that are going on around us. Someone with ‘good’ mental health usually feels capable of dealing with the different everyday situations that they find themselves in, yet those with ‘poor’ mental health may experience difficulty.

Mental health is often confused with mental illness. It is completely normal for everyone to have mental health issues – to go through ups and down – but it is only when these difficulties start to consistently interfere with an individual’s life that it may be considered a mental illness. Our mental health affects everything that we do, and thus, has a significant impact upon those around us. This motion aims to highlight poor mental health as the greatest threat to the wellbeing of our communities for our generation which will not only lower the stigma of mental health, but allow us to respond to this matter in a serious way.

Arguments FOR and AGAINST this motion:

For:

- In our fast-paced world, there is a higher amount of stress and responsibility, as well as levels of achievement, placed upon young people than ever before.
- The Black Dog Institute stated that a recent survey found about 80 per cent of senior leaders said their organisations had mental health policies in place. However, mental illness is still the leading cause of long-term work incapacity in the developed world, with the cost to Australian employers more than \$10.9 billion a year.
- Poor mental health is estimated to cost the Australian economy \$20 billion annually in lost productivity and labour participation.
- Ensuring people with mental health conditions are able to retain their employment and continue in education and training will boost productivity and support social inclusion.
- Limited access to mental health services coupled with lengthy waiting periods makes accessing assistance difficult for young people, particularly those in regional and rural areas.
- The negative stigma which is associated with mental health issues can isolate individuals and disconnect them from those around them.

Against:

- Is poor mental health the *greatest* threat to the wellbeing of our communities?
- Why is mental health an issue for just our generation?
- What factors are considered when measuring the wellbeing of a community?
- High levels of stress are associated with poor mental health, yet stress can assist with tough situations by increasing focus, strength, stamina, and heightening alertness.
- A balanced diet and physical activity are crucial to maintaining good mental health. Are there overwhelming issues in these areas that we need to address?
- Figures from the Australian Bureau of Statistics show that youth unemployment has reached its highest peak since 1998, with 14.2% of 15 to 24 year olds looking for work and a fifth of 15 to 19 year olds unemployed. How does this issue impact our generation and the wellbeing of our community?

South Australia

Compulsory Vaccination Act 2015

Brief

The number of Australian children who are not fully immunised has now reached one in twelve. The number of parents registering as conscientious objectors has risen from 4,271 in 1999 to 30,000 in 2013.¹ With an increasing number of unvaccinated children, the effectiveness of vaccines begins to drop due to the concept of herd immunity.²

For vaccinations to work properly, a significant proportion of the population must be covered. For example, measles is extremely infectious and for herd immunity to work effectively over 95% of the population must be protected to prevent transmission.² If vaccination levels continue to drop, diseases such as measles, rubella and diphtheria will become more prevalent.

This Act addresses the issue by making vaccinations and booster shots that are under the national immunisation program compulsory for all people under the age of 18.

¹ Sue Dunlevy, 2012, 'Deadly Outbreaks Feared As Immunisation Rates Plunge.'
<http://www.news.com.au/lifestyle/parenting/deadly-outbreaks-feared-as-immunisation-rates-plunge/story-fnet08xa-1226523789892>, 15/5

² Australian Academy of Science, 2015, 'Who Benefits From Vaccines?'
<https://www.science.org.au/publications/scienceofimmunisation-q-and-a-2012/benefits>, 15/5

South Australia

Compulsory Vaccination Act 2015

An Act to make compulsory vaccination of persons under the age of 18 against diseases currently outlined in the National Immunisation Program (NIP) Schedule; and for related purposes.

The Youth Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Compulsory Vaccination Act 2015*.

2—Commencement

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

3—Object of this Act

The objects of this Act are—

- (a) to establish compulsory vaccinations for persons under 18 years of age in order to reduce the risk of health issues in South Australia;
- (b) to prevent communicable diseases of minors in South Australia; and
- (c) to implement penalties for those who do not adhere to this Act.

4—Interpretation

In this Act, unless the contrary appears—

guardian means a person(s) authorised under applicable state law to give consent to medical care on a minor's behalf;

vaccination means the administration of antigenic material to stimulate an individual's immune system to develop adaptive immunity to a pathogen;

immunodeficiency disorders means the impairment of immune response, predisposing a person to infection and certain malignancies;

terminal patient means a person in an advanced stage of disease with an unfavourable prognosis or no known cure;

judge means a public officer authorised to hear and decide cases in a court of law;

magistrate means an appointed judge who hears summary and minor indictable cases in the Magistrates Court of South Australia;

manipulation means to manage or influence a person or persons skillfully in an unfair or dubious manner;

deliberation means a formal discussion or debate, as of a committee, jury etc;

forsaken means willingly abandoned; and

time of leave means an allotted period of time granted to those with compassionate exemptions for grieving and/or concluding the relevant affairs.

Part 2—Exemptions

5—Exemptions from Penalties

- (1) Under this Act, exemptions from scheduled vaccinations are limited to;
 - (a) medical based exemptions for those who have/are;
 - (i) immunodeficiency disorders;
 - (ii) pregnant; and
 - (iii) hospital patients with severe illnesses.
 - (b) compassionate exemptions for the following situations;
 - (i) death of a family member; and
 - (ii) terminal patient with less than three months to live.
 - (c) both medical and compassionate exemptions will be granted by a magistrate or judge after deliberation. Those granted compassionate exemptions must reschedule vaccinations after their allowed time of leave.

Part 3—Penalties

6—Penalties for non-compliance

- (1) If a child is not immunised and can be proven to have forsaken immunisation, the guardian of that child can be fined a maximum penalty of \$3,000.
- (2) If an individual misses a scheduled vaccination and can prove beyond reasonable doubt it was accidental, they can apply to receive a new appointment. If they do not organise a new appointment date within five working days they will be fined a maximum of \$550.
- (3) If an individual or group of individuals is found to have manipulated a subject into forsaking from vaccinations they can be fined with a maximum of \$5,000 and a maximum jail sentence of 18 months. If deaths occur as a result of their manipulation;
 - (a) the person or group of people responsible will be charged accordingly.

- (4) If an unimmunised individual infects another and then the infected person(s) die as a result of the disease the original infected individual will be charged with murder or manslaughter and sentenced as such.
- (5) If any infected person dies as a result of sickness from a disease they should have been immunised against but were not, the legal guardian(s) of said person may be charged with murder or manslaughter depending on the circumstances.
- (6) If a person or group of people are found to have modified, damaged, or in any way tampered with vaccinations, they will be charged a maximum of \$150,000 with a maximum jail sentence of 10 years;
 - (a) if deaths result from the modification or damage of aforementioned vaccinations the perpetrator(s) will be fined a maximum of \$500,000 and incarcerated for a maximum jail sentence of 25 years.
- (7) Monetary penalties associated with this Act will be donated to the families of victims to help defray medical expenses and as compensation.
- (8) Fines and jail sentences where applicable will be decided by a judge or magistrate.

Part 4—Sunset Clause

7—Sunset Clause

- (1) Five years after proclamation this Act shall be reviewed by the Legislative Review Committee.

South Australia

Non-Lethal Force Act 2015

Brief

This Act provides that every that every police officer in South Australia be issued a Taser as well as a firearm in order to protect both the public and police officers. All South Australian Police (SAPOL) officers will have six months of training and need to pass a compulsory course in order to carry a Taser whilst on duty.

Police will be provided with Tasers as a safety tool, as conventional weapons such as handguns can be lethal to bystanders. When using a firearm, there can be many problematic incidents. Providing police officers with Tasers will protect public safety, and offenders will be subdued in a non-lethal way. If circumstances demand it, firearms can still be used. This would help to allow the perpetrator to recover after they have been subdued with a Taser, and stand a fair trial in a court of law.

This Act will address the issue of making sure that society and the police force are as safe as possible by issuing SAPOL officers with Tasers. It is also the aim of this Act to incorporate the use of personal body cameras on the vests of on-duty police officers whilst they are on patrol, this is in order to also protect civil liability and protect the autonomy of both the police officer and the general public. This footage can be used in a court of law to defend the police officer and/or the perpetrator. This is to protect criminal sanctions for the inappropriate use of force. The Act aims to reduce the use of firearms and to increase safety to law enforcement officials and must not be seen as a threat to the stability of society as a whole.

South Australia

Non-Lethal Force Act 2015

An Act to introduce Tasers as an alternative to lethal force and to include a body camera in all on-duty police officers' vests for their protection and that of the public, and for related purposes.

The Youth Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as *Non-Lethal Force Act 2015*.

2—Commencement

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

3—Object of this Act

The objects of this Act are—

- (a) for South Australian police officers to use Tasers in order to disable the suspect as opposed to using a firearm and causing grievous bodily harm or in some cases death;
- (b) to include body cameras for all on-duty police officers in order to record all patrol duties, including, but not limited to arrests and pursuits; and
- (c) to protect the lives and innocence of the public, to protect the autonomy and the credibility of the South Australian police force and to prevent wrongful arrests.

4—Interpretation

In this Act, unless the contrary appears—

SAPOL means the South Australia Police;

police officer means an officer that is employed by SAPOL to prevent crimes and uphold the law and prosecute criminals, and to aid the South Australian public by protecting them from harm;

lethal force refers to an action that causes grievous bodily harm or an act that may result in death;

non-lethal force refers to an action that causes no serious injuries or harm as would be inflicted by a firearm;

Taser means a conducted electrical weapon (CEW), it is an electroshock weapon issued to SAPOL officers once required training has been completed; and

Body camera means a small camera similar to that of a GoPro or webcam, inserted onto the on-duty officer's vest that shall record all proceedings during patrol.

Part 2— Modifications

5— Body Cameras

- (1) For the safety of the police officers and the general public, body cameras will be installed onto SAPOL uniforms. The body camera will be located within the police officer's safety vest, and the camera cannot be removed; in addition;
- (2) These cameras will not be activated until police officers are on duty, then there will be a live stream to the headquarters where the police officer is stationed. The footage will be kept in a secure location within a SAPOL institute. The footage will only be seen by a judge, jury, legal representatives and those who are accused if or when it is used for evidence in a court case.

6— Non-Lethal Force

- (1) The issuing of Tasers to the SAPOL discourages the use of fatal weapons such as firearms. Police officers, during their training, will be encouraged to use a Taser to subdue a suspect instead of using a firearm.
- (2) By using non-lethal force, SAPOL officers decrease the risk of injury to bystanders as well as protecting the overall autonomy of the suspect.

Part 3—Tasers

7— Tasers

- (1) Tasers will be issued by the SAPOL; they are classed as SAPOL Standard Issue Tasers from Taser International;
 - (a) The use of Tasers is to be preferred over the use of a firearm to subdue a suspect. Firearms are to be used as a last resort only; and
 - (b) Each Taser shall be surrendered to a team of technicians to service and check for functionality after each use.
- (2) Taser training—
 - (a) Each current officer in the SAPOL will attend an extensive training course in order to be issued with a Taser. All officers are required to pass a two (2) day mandatory course in order to be issued with the weapon;
 - (b) Taser training courses will be marked accordingly, with marks received in both practical and theoretical aspects. The grading system of pass or fail will be used to determine the police officers suitability in passing the course;

- (c) Eligibility to pass the training course means that a police officer must receive 80% or higher on the practical testing, and 60% or higher on the theoretical testing. A fail mark will be issued if a grade is below either of these percentages;
- (d) In the event of a fail mark obtained in the two (2) day course, the SAPOL police officer will need to reapply for Taser training after six (6) months. Mandatory retesting of Taser use will occur every two years, including twice-yearly testing conducted by supervisors. Police officers will also need to attend a half day refresher course twice a year; and
- (e) All on-duty SAPOL police officers must satisfactorily pass the refresher course in order to continue carrying and deploying their Taser. In the event of a fail mark being obtained in the refresher course, the SAPOL Police Officer will need to attend SAPOL counselling for mandatory sessions, and must repeat the two (2) day training course in order to requalify to use and deploy their Taser.

Part 4—Sunset Clause

8—Sunset Clause

- (1) Five years from proclamation this Act will be reviewed by the Legislative Review Committee.

South Australia

PLP Functional Skills Act 2015

Brief

This Act seeks to review and reconstruct the current state of the Personal Learning Plan (PLP) educational course for secondary students undertaking their South Australian Certificate of Education (SACE). This is done to ensure an improved, more uniform lesson plan across South Australia, with skills that young South Australians will find useful and beneficial in their adult lives. The Act hopes to teach students skills in areas such as finance, taxation and law, and the political and voting systems.

The existing PLP has a lack of content, covered in the list above. These are essential skills that a lot of young people will end up having to learn through different programs, whether it is through their own initiative or not. This Act aims to implement a system within the current lesson plan to better teach students about these essential skills without having to rely on other subjects in future.

Another pressing issue with the PLP, is that the PLP curriculum is not entirely implemented into the lesson plans of some schools. This creates an unequal learning standard of the PLP throughout different schools. This Act aims to ensure a more standardised approach to improve the PLP curriculum.

Under this revised system, students must also have a basic understanding of the Australian political system, in particular the voting system, as voting is compulsory for all Australian citizens over the age 18 years. It will also teach students what a Bill is.

Without an understanding of these concepts the current youth will be blindly leading Australia in the future. A better PLP curriculum is planned to teach students about such an important piece of Australian society.

South Australia

PLP Functional Skills Act 2015

An Act to review and restructure the curriculum and content of the Personal Learning Plan (PLP) program; and for related purposes.

The Youth Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *PLP Functional Skills Act 2015*.

2—Commencement

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

3—Object of this Act

The objects of this Act are—

- (a) to implement an updated lesson plan into the pre-existing SACE Stage 1 course ‘Personal Learning Plan’ (PLP) for students to learn practical life skills to be used outside of, or, after school life;
- (b) to implement an option of program length to suit students’ timetables; and
- (c) to ensure a standardisation of the updated lesson plan towards all schools.

4—Interpretation

In this Act, unless the contrary appears—

youth means any person between the ages of 12 to 25;

SAASSO means the South Australian Association of State School Organisations Inc.;

PLP means the Personal Learning Plan;

SACE means the South Australian Certificate of Education;

SACE Board means the governing body of the South Australian Certificate of Education;

DECD means the Department for Education and Child Development;

Secondary education means education completed at the grades of 7-8 to 12 (though differing between schools, the starting year should remain constant); and

Specialist need schools means schools that cater for the legally disabled or otherwise handicapped people.

Part 2—Delegation and Implementation

5—Implementation

- (1) This Act is to be assigned to the Department for Education and Child Development to implement the updated PLP curriculum in all South Australian secondary schools.
- (2) The implementation of the new PLP program will be overseen by the SACE Board along with the South Australian Minister for Education and Child Development.
- (3) Secondary education facilities will be required to implement the new standardised PLP curriculum—
 - (a) Exceptions to this requirement:
 - (i) Special needs schools will work in consultation with the SACE board to create a suitable curriculum for their students; and
 - (ii) Special needs programs within schools will also be assisted by SACE to design suitable curriculums if needed.

6—Delegation of Content

- (1) A board shall be established to review and implement the course and will consist of the following appointed members—
 - (a) the South Australian Minister for Education and Child Development, or appointed representative;
 - (b) two (2) members of the SACE Board; and
 - (c) two (2) members of the SAASSO.

Part 3— Curriculum

7—Compulsory Curriculum Modules

- (1) Each aspect of the curriculum will be delegated to a board member who has knowledge in that particular area, and they will advise the rest of the board on that topic, however they must include the following learning modules;
 - (a) Skills for the Workforce:
 - (i) Compulsory three (3) day minimum of work experience;
 - (ii) Assistance with deciding a career pathway;
 - (iii) Creating a resume and cover letter; and
 - (iv) Having a mock interview in preparation for jobs.
 - (b) Financial Skills:

- (i) budgeting;
- (ii) taxes;
 - (A) obtaining an Australian Tax File Number; and
 - (B) completing a tax return.
- (iii) bills and contracts;
 - (A) housing/renting;
 - (B) loans; and
 - (C) contracts.
- (c) Political Knowledge;
 - (i) electoral roll enrolment;
 - (ii) basic parliamentary understanding; and
 - (iii) voting.
- (d) Miscellaneous:
 - (i) required excursions;
 - (A) an RAA drivers safety awareness day; and
 - (B) tertiary studies and careers expo.
 - (ii) an exception will be made for students in rural areas;
 - (A) a roadshow combining the events above into a roadshow will take place in major rural centres to ensure accessibility.

Part 4—Sunset Clause

8—Sunset Clause

- (1) Four years after proclamation this Act will be reviewed by the legislative review committee.

South Australia

Youth Mental Health Act 2015

Brief

This Act primarily focuses on the development of mental and sexual health education within primary and secondary schools and specifies how this will be implemented in South Australian schools.

Currently, health classes do not adequately address the range and depth of mental health matters, particularly mental illness, sexuality, gender identification etc. These topics need to be incorporated into health education in order for students to become well-adjusted, healthy individuals.

Providing education from primary school age and higher, will increase awareness and understanding; benefiting the entire community. The students will develop an understanding of how to identify mental illnesses, how to seek help and where to find help. These preventative steps will also highlight and combat the social stigma within our society.

South Australia

Youth Mental Health Act 2015

An Act to remove societal stigma around mental health and to combat mental illness in schools and minority communities; and for related purposes.

The Youth Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Youth Mental Health Act 2015*.

2—Commencement

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

3—Object of this Act

The objects of this Act are—

- (a) to make a mental health education component compulsory in Years 5-10;
- (b) to make school counsellors easily accessible for students; and
- (c) to provide students with a student area.

4—Interpretation

In this Act, unless the contrary appears—

free period means a period with no formal class;

Intersex means a person whose sexual anatomy does not clearly fit within the labels of female or male;

LGBT+ means anyone whose sexual orientation is considered a minority, and/or whose gender identity or expression differs to their assigned gender at birth (anyone who is not both heterosexual and cisgender); and

Student Area An area supervised by a teacher in which students can calm down or relax or find someone to talk to. Must include comfortable chairs.

Part 2—Mental Health in the School Environment

5—School Curriculum

- (1) Schools will be required to provide a mental health component in health classes between, and including, Years 5-10. In each subsequent year level, topics will be expanded on from the previous year.
 - (a) Year 5 will introduce the concept of self-esteem, how to deal with grief and loss, cyber bullying and internet presence;
 - (b) Year 6 will focus on body image and puberty;
 - (c) Year 7 will expand on the aforementioned topics and mentally prepare students for the transition to high school. Topics will include peer pressure, and anxiety;
 - (d) Year 8 will focus on depression and anxiety, how to recognise symptoms in yourself and others, how to seek advice and help for yourself and others;
 - (e) Year 9 will focus on personality and eating disorders, substance abuse, gender identity and peer pressure; and
 - (f) Year 10 will focus on self-harm, suicide, how to cope with stress and the transition from Year 10 to Year 11.

6—School Counsellors

- (1) School counsellors will be easily accessible and available to all students as:
 - (a) schools will be required to provide students with information on contacting and locating counsellors and external services;
 - (b) schools will be required to provide two counsellors with separate offices;
 - (c) the counsellors must be of two (2) different genders and under the age of 40; and
 - (d) counsellors will be employed full time with no other teaching commitments.

7—Student Areas

- (1) Student areas must be provided in schools as an area where students can:
 - (a) have a quiet and calm space to relax in,
 - (b) talk to other students who may be dealing with similar issues; or
 - (c) escape the highly stressful nature of school.
- (2) Students will be permitted in the Student area if:
 - (a) they have a free period; or

- (b) they have written permission from one of the school counsellors and the teacher of their current class.

Part 3—Diversity in gender identity and sexuality

8—Sex education component

- (1) An updated sexual education course will be introduced alongside the mental health component, focusing on gender identity and sexuality. These topics will be integrated into Year 5 health classes and be expanded upon in further years:
 - (a) Year 5 will discuss puberty and its effects, bodily anatomy (including female, male and intersex), family dynamics/healthy relationships;
 - (b) Years 6 and 7 will focus on gender and sexuality, in particular, LGBT+ minorities being disadvantaged. It will also discuss how to develop healthy relationships/sexual awareness, and personal safety;
 - (c) Years 8 and 9 will have guest speakers to talk about their experiences as LGBT+ people and would allow for reflection; and
 - (d) Year 10 will go in depth about the disadvantages LGBT+ people face due to societal stigma.

Part 4—Sunset Clause

9 – Sunset Clause

- (1) Four years from the proclamation date, this Act will be reviewed by the Legislative Review Committee.

South Australia

Supermarket Waste Repurpose Act 2015

Brief

In Australia, we waste a total of three million tonnes of food every year. That equates to 145 kilos per person. In South Australia, that means we waste approximately 243,165 million kilos of food every year.³ There are also approximately 6,000 homeless people in South Australia at this point in time.⁴ Those people are in desperate need of the food that we waste.

By stopping the wastage of food in South Australian supermarkets and giving it to the homeless and charities that help by giving food to those in need, we can help many people who are struggling to get food for themselves, let alone their families. By punishing those who waste the much needed food, we are helping the ones who need it most.

³ Food South Australia Inc, Food waste, undated, foodsouthaustralia.com.au
<http://foodsouthaustralia.com.au/guide-to/production/food-waste/>

⁴ Homelessness Australia, Homelessness Statistics, 2012, <http://www.homelessnessaustralia.org.au/>,
<http://www.homelessnessaustralia.org.au/index.php/about-homelessness/homeless-statistics>

South Australia

Supermarket Waste Repurpose Act 2015

An Act to establish preferable alternative options for unsold supermarket food produce, enabling the donation of unsold food produce to organisations and charities; and for related purposes.

The Youth Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Supermarket Waste Repurpose Act 2015*.

2—Commencement

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

3—Object of this Act

The objects of this Act are—

- (a) to forbid supermarkets or any related stores from disposing of edible goods and foods;
- (b) ensuring all edible foods are to be repurposed or donated to charity organisations or those in direct need;
- (c) to prevent salvageable items from contributing to waste dumps; and
- (d) to sponsor and support charities by granting them free produce and funding, derived from imposed fines (fining supermarkets who dispose of edible food).

4—Interpretation

In this Act, unless the contrary appears—

charities are non-profitable organisations set up to provide help and raise money and food for those in need;

organisations are an organised group of people with a particular purpose, such as a business or government department;

unsold means an item that has not been sold.

Part 2—Ensuring Excess Food is Donated to Charities or as Animal Feed—

5—Donating food to charities

- (1) Food that is not able to be sold in time by supermarkets will be donated to charities to be given to families who need the food, so that the food will not be wasted and the total waste of food over South Australia will be reduced.

6—Making food which cannot be donated to charities made into animal feed

- (1) The food which cannot be made donated to charities such as some meats will be donated to be turned into animal feed which again will reduce the amount of food being wasted in South Australia.

Part 3—Fining For Improper Disposal of Supermarket Goods

7— Imposition of fines for improper disposal

- (1) The State Government will be imposing fines on the supermarkets which improperly dispose of their goods or purposely make their products go off. A committee will be established to watch over supermarkets and be in charge of fines. The committee will work with the charities ensuring that the proceeds go to charity organisations—
 - (a) The supermarket will be fined the monetary value for the goods discarded
 - (b) These fines will be divided so 80% of the total fine will be given to the charities/organisations, and the remaining 20% will be retained by the Government to maintain funding of this program.

Part 4—Sunset Clause

8—Sunset Clause

- (1) Four years after proclamation this Act shall be reviewed by the Legislative Review Committee.

South Australia

Bicycle Licensing Bill 2015

Brief

We are endeavoring to improve and prevent the significantly growing number of fatalities and serious injuries associated with cyclists on the roads. This Bill reflects the need for cyclists to comply with road regulations, creating a safer society. There were 34 fatalities between 2003 and 2013. In the last five years, there have been on average four cyclist deaths per year and over the last five years an average of 69 serious injuries were reported per year.⁵ ‘There was a total of 1,193 deaths on the roads[in 2012], a decrease of more than 8 per cent when compared to the previous year. However, Tasmania and South Australia recorded slight increases (2013)’. With cyclists obtaining a bicycle licence, the rate of deaths a year could be nearly abolished once cyclists have a clear understanding of how to use a bike on the road.⁶

We aim to do this by introducing a scheme in which bicycle users will obtain a bike licence, increasing knowledge about bike safety and bike laws, and by deterring bike riders from breaking the law by implementing harsher penalties.

⁵ http://dpti.sa.gov.au/_data/assets/pdf_file/0003/85395/Cyclists.pdf

⁶ <http://www.abc.net.au/news/2014-01-01/national-road-tolls-2013/5181358>

South Australia

Bicycle Licensing Bill 2015

A BILL FOR

An Act to establish a licence for bicycle users to promote safety in the community; and for related purposes.

The Youth Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Bicycle Licensing Act 2015*.

2—Commencement

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

3—Object of this Act

The objects of this Act are—

- (a) to establish a Graduated Licensing Scheme for bicycle users over the age of five (5);
- (b) to establish a compulsory course for the licence; and
- (c) to establish penalties for disobeying the law.

4—Interpretation

In this Act, unless the contrary appears—

Graduated Licensing Scheme means a staged process for new cyclists in obtaining a full bicycle licence. This begins with the learner's permit; the cyclist then gradually acquires a provisional licence; both licences are obtained after successfully completing the required courses. Upon the compulsory age and successful completion of courses, the cyclist will be qualified to obtain a full bicycle licence;

bicycle means any two wheeled push vehicle; a non-motorised vehicle with two wheels;

bicycle course refers to a bicycle safety test; a two (2) hour duration physical safety test located at a bike school where there will be mock traffic lights and roads for people to test their skills.

Part 2—Graduated Licensing Scheme

5—Licence classes

- (1) A licence is required only if the bicycle is being operated on public property;
- (2) Between the ages of five (5) and nine (9), bicycle owners will be classified as learner cyclists, and will have to complete the compulsory course to be eligible to acquire their bicycle learner's permit;
- (3) Between the ages of ten (10) and fifteen (15), bicycle owners will be classified as provisional cyclists, and will have to complete the compulsory course and physical test with a minimum percentage of 80 to be eligible to receive their Provisional license;
- (4) From the age of sixteen (16) and above, bicycle owners will be classified as Fully Licensed cyclists, and will have to complete the compulsory day course and pass a written test with 90 per cent on the ten multiple choice questions and 75 per cent on the short questions to obtain their full bicycle licence; and
- (5) If the cyclist is old enough to obtain their full bicycle licence, persons will need to complete a compulsory day course, and will have to pass both the physical and written test to obtain a full licence.

6—Licence course

- (1) Establishing compulsory bicycle course:
 - (a) Children starting reception or from the age of five must attend compulsory bike safety lessons for five days. The days will include two hours of practical learning and three hours of physical training. All children must attend to gain their learner's permit. These lessons will occur once every year until the child is nine years of age;
 - (b) Children from ten years of age will be able to apply for a permit licence, which includes a two hour physical test. The children will be expected to complete ten (10) safety drills and also complete a half hour riding session. If the child is able to complete the riding session with an average of 60 per cent and complete all ten (10) safety drills to 100 per cent then they are eligible for their permit;
 - (c) Children remain on their permits until they are sixteen (16) years of age. During this time all permit users must attend a compulsory yearly one day course until the age of sixteen (16). This course acts as a refresher, to ensure children remember the road rules and safety procedures; and
 - (d) At the age of seventeen (17), a young person is then able to apply for their full licence by sitting a one hour written test which includes answering ten multiple choice questions and thirty seven short answer questions. The young persons are expected to achieve 100 per cent on the ten multiple choice and 75 per cent on

their short answer questions. If successful, the young person will revive a full licence that will then be reviewed every ten years.

Part 3—Penalties

7—Penalties for non-compliance

- (1) Riders in the age group of five (5) - ten (10) years caught without their learner's licence, will be issued with a warning and will be deprived of their right to use their bicycle for one (1) week.
- (2) Riders under the age of sixteen (16), if caught without their probation licence, the penalties will be issued to the legal guardians of the child. If the child is under the Guardianship of the Minister, this would be at the department's discretion.
- (3) Bicycle riders caught without their full licence will be subject to a maximum fine of \$100 for a first offence. For a second offence, a maximum fine of \$225 will be issued to the bicycle rider and they will be deprived of bicycle usage for a maximum of three (3) – four (4) weeks, at the police officer's discretion. For a third offence, the bicycle will be removed from the ownership of the rider, a maximum fine of \$330 will be charged and a two (2) month deprivation of bicycle usage will be imposed.

Part 4—Sunset Clause

8—Sunset Clause

- (1) Two years from proclamation this Act will be reviewed by the Legislative Review Committee.

South Australia

Rural Education Equality Act 2015

Brief

The Rural Education Equality Act aims to address issues that result from the inequalities of metropolitan education and rural education. Inequality creates a division between the learning experiences of rural and metropolitan students, which impacts students in many ways. Some of which include: limited facilities available to rural students, reduced subject choices, an inferior education and lower teacher quality, all which reduce the opportunities of rural students.

Numerous studies support this notion that rural schools and education is under resourced, and underfunded and is of growing concern for the Government. Therefore this bill acknowledges that the gap between rural and metropolitan education is widening. This results in inequality between education systems, poorer outcomes for rural students, and an evident brain drain from rural regions to metropolitan areas in search of opportunities and therefore systematic discrimination.⁷

“Children who live outside the major population centres in Australia should not have to settle for a second rate education” - Human Rights Commissioner, Chris Sidoti.⁸

The Act aims to create a system where a student’s success at school would be determined by their ability, application and willingness to work hard rather than where they lived in South Australia. It is time that South Australia brought about the equality of rural students so that they may realise their physical, social, emotional and intellectual potential currently limited by the education system.⁹

The Rural Education Equality Act therefore aims to address these issues and create an equal educational system that provides opportunities and tangibly aims to close the gap between rural and metropolitan educational environments for the ultimate benefit of our state, South Australia.

⁷ Ncver.edu.au, Peer-Mentoring Of Students In Rural And Low Socioeconomic Status Schools
<<http://www.ncver.edu.au>>.

⁸ Human Rights and Equal Opportunity Commission, 'Rural and Remote School Education' (Youth Research Centre, 1999)
<https://www.humanrights.gov.au/sites/default/files/content/pdf/human_rights/rural_remote/scoping_survey>.

⁹ Jane Kenway, 'Challenging Inequality in Australian Schools: Gonski and Beyond' (2013) 34 Discourse: Studies in the Cultural Politics of Education.

South Australia

Rural Education Equality Act 2015

An Act to create educational equality for rural students; and for related purposes.

The Youth Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Rural Education Equality Act 2015*.

2—Commencement

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

3—Object of this Act

The objects of this Act are—

- (a) to reduce the inequalities of undertaking rural education;
- (b) to provide equality between rural and metropolitan students; and
- (c) to provide supplements and opportunities to provide equality.

4—Interpretation

In this Act, unless the contrary appears—

ATAR means Australian Tertiary Admission Rank, the score required to enter University study given to each student upon completion of SACE;

CSIRO means the Commonwealth Scientific and Industrial Research Organisation;

DECD means the Department for Education and Child Development;

excursion means an educational based trip or outing to assist with learning;

free transport refers to the provision of travel vouchers, travel subsidies and fuel allowances for regional students;

metropolitan means a city area of more than 100,000 people;

Open Access College means an internet based online classroom;

regional schools means schools in a rural area of South Australia;

rural means a non-metropolitan area of less than 100,000 people;

SACE means the South Australian Certificate of Education;

SATAC means The South Australian Tertiary Admissions Centre;

specialist subjects means additional subjects over and above standard SACE subjects of a specialist nature, subjects of a certain type or pursuit; and

supplements means to supply additional educational tools, facilities and infrastructure.

Part 2—Disposal of limitations affecting regional students

5— Better teaching

- (1) Under this Act, teachers at rural schools will be required to be qualified in a minimum of three subjects.
- (2) A wider variety of musical subjects and specialist subjects, such as robotics and multiple languages will now be offered by regional schools to maximise opportunities irrespective of the class sizes.
- (3) Teachers at rural schools will attract a pay bonus of up to 50% more than a metropolitan school in order to attract talented teachers to rural schools.
- (4) If no teacher at the school is qualified to teach a SACE subject that a student wishes pursue, a qualified teacher at a nearby school may be sourced or the subject will be undertaken through Open Access or at other relevant educational institution.
- (5) The student, school and DECD will work together to ensure that at no point will the student be deprived of undertaking a subject that is a prerequisite to their tertiary ambitions or pathway.

6—Increased access to educational services

- (1) For regional students to attend excursions for educational purposes, transport services will be provided at no cost to students by DECD.

Part 3—Equality between rural and metropolitan students

7—Increased availability of digital technology

- (1) The availability of digital technology will be increased to provide a better educational standard.

(a) the following technologies will be provided in classrooms:

- (i) fast broadband internet access will be provided to all regional areas, students will be given an appropriate internet quota;

- (ii) the Federal Government will be petitioned by the DECD to encourage faster priority roll out of the National Broadband Network to rural and regional areas;
- (iii) the most up-to-date computers and software will be provided to ensure that rural students can compete with the quality of wealthier metropolitan schools; and
- (iv) interactive whiteboards and other digital technologies will be provided for the use of rural schools, this will be determined on a needs basis by the DECD.

Part 4—Supplements to provide equality

8—Bonus ATAR points for regional students

- (1) SATAC will retain the SA Universities Equity Scheme.
- (2) Bonus points will be allocated to the ATAR scores of students of all rural schools that qualify under remoteness criteria as defined under the Australian Standard Geographical Classification.
- (3) This scheme will include students studying through Open Access, who are disadvantaged through a lack of face-to-face teaching.
- (4) At such time as it is practically and statistically measurable that rural students have reached educational equality with metropolitan students, bonus points on the basis of students' geographical remoteness will be examined to determine if they are required in the future.

Part 5— Sunset Clause

9—Sunset Clause

- (1) Four years from proclamation this Act shall be reviewed by the Legislative Review Committee.

South Australia

Specialised Teaching in Primary Education Act 2015

Brief

Under current teaching arrangements in primary schools, students are taught a large majority of the curriculum by one teacher. It is often the case that these generalist teachers will be required to teach content in learning areas such as science or mathematics that they have little formal training in and are not comfortable or capable of effectively teaching.^{10,11} With so many learning areas and content to teach, (in addition to the social welfare expectations and complex bureaucratic and administrative burdens), the workload and pressures placed on the generalist teachers makes this role untenable.

With Australia's international ranking of educational performance in science and mathematics slipping to 19th and 16th place respectively, reform of the primary education system is necessary to ensure our State's students are being provided with the best opportunities to maximise their potential.¹² The most effective teachers are those who have a strong knowledge of the learning areas they teach and the pedagogical practices that underpin them.¹³ This Act will require that all primary schools use specialist teachers who have completed in-depth training of one or more learning areas in the delivery of the Australian National Curriculum from year levels 3-7. Provisions are included to manage the alterations in supply and demand for teachers this policy will elicit.

¹⁰ James J Watters and Ian S Ginns, 'Origins Of, And Changes In Preservice Teachers' Science Teaching Self Efficacy', Annual Meeting of National Association for Research in Science Teaching (Centre For Mathematics and Science Education| Queensland University of Technology, 1995)
<<http://eprints.qut.edu.au/1761/1/1761.pdf>>.

¹¹ Tamsin Meaney and Troels Lange, 'Pre-Service Students' Responses To Being Tested On Their Primary School Mathematical Knowledge', Shaping the Future of Education (Mathematics Education Research Group of Australasia, 2010) <http://www.merga.net.au/documents/MERGA33_Meaney&Lange.pdf>.

¹² OECD (2014), PISA 2012 Results: What Students Know and Can Do – Student Performance in Mathematics, Reading and Science (Volume I, Revised edition, February 2014), PISA, OECD Publishing.
<<http://dx.doi.org/10.1787/9789264201118-en>>.

¹³ Robert Coe et al, 'Review Of The Underpinning Research' (The Sutton Trust, 2014)
<<http://www.suttontrust.com/wp-content/uploads/2014/10/What-makes-great-teaching-FINAL-4.11.14.pdf>>.

South Australia

Specialised Teaching in Primary Education Act 2015

An Act to amend the current primary school education system to provide specialist teaching in individual learning areas to ensure sufficient education of essential subjects; and for related purposes.

The Youth Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Specialised Teaching in Primary Education Act 2015*.

2—Commencement

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

3—Object of this Act

The objects of this Act are—

- (a) to ensure students have access to teachers who are sufficiently familiar with, and competent in, teaching individual subject areas; and
- (b) to prepare students for the educational requirements of high school and increase their engagement with learning areas so as to lift South Australia's educational standards and facilitate greater economic growth, particularly in high skilled industries.

4—Interpretation

In this Act, unless the contrary appears—

HumSS means Humanities and Social Sciences;

Learning Area means the separate areas of the Australian Curriculum - Mathematics, English, Science, HumSS, Arts, Health and Physical Education, Technologies, and Languages;

pedagogy means the instructional methods and teaching principles and practices;

primary school means any school that delivers some or all of the Australian Curriculum from year levels three (3) to seven (7);

specialist teacher means a teacher who has specialised in teaching one or more learning areas of the Australian Curriculum;

TRB means the Teachers Registration Board of South Australia established under Part 3 of the *Teachers Registration and Standards Act 2004* (SA).

Part 2—Governance

5—Establishment of Board

- (1) The Better Education Board (BEB) will be established to oversee the implementation of this Bill.
 - (a) BEB will consist of:
 - (i) two (2) representatives from the Department of Education and Child Development;
 - (ii) one (1) representative of the Minister for Regional Development Department of Regional Development;
 - (iii) one (1) person from each learning area who is responsible for teaching the pedagogy of their respective Learning Area at a higher education institution; and
 - (iv) one (1) representative from each recognised schools association may be nominated to sit on the Board.

6—Establishing criteria for registration as a specialist teacher

- (1) The Board will establish specific criteria necessary for a teacher to register a specialisation in a specific learning area.
 - (a) The criteria must include a requirement that a minimum of 300 hours of study comprising of at least 60 hours in pedagogical study has been completed in subjects deemed by the Board to be relevant to the requirements of a specific learning area.
 - (b) The Board must also impose the following requirements for registering as a specialist in the following subjects:
 - (i) science requires that a minimum of 60 hours study has been completed in each of Biology, Chemistry and Physics courses; and
 - (ii) HumSS requires that a minimum of 60 hours study has been completed in each of History, Geography, Politics or Law, and Economics or Business Studies courses.
 - (c) The TRB is responsible for the administration of these criteria.

7—Requirements of schools

- (1) Where content in the Australian Curriculum is covered by a specific Learning Area within the year levels three (3) to seven (7), schools must ensure this content is taught by a registered specialist teacher in the respective Learning Area.

8—Implementation process

- (1) In the first year of implementation the Board must do the following:
 - (a) determine the requirements a teacher must have to specialise as per section (6);
 - (b) prepare and distribute informational material to relevant stakeholders; and
 - (c) establish channels for communication, assistance and issue resolution for relevant stakeholders.
- (2) In the second year of implementation all primary schools must do the following:
 - (a) develop an implementation plan specific to their school that:
 - (i) identifies any problems or risks the school may encounter;
 - (ii) identifies how the school plans to coordinate staff;
 - (iii) identifies how the school plans to structure lesson times; and
 - (iv) ensures existing legislation is complied with;
 - (b) submit this plan to the Board for approval; and
 - (c) begin the implementation process upon approval of the plan.
- (3) In the third year:
 - (a) the Board must commission inspections of each school's progress in the implementation of their plans within the first six (6) months of the year; and
 - (b) if the Board deems a school to be at risk of failing to successfully implement their plan after inspection, it will be within the Board's power to conduct a considered intervention so as to facilitate successful implementation.

Part 3—Assisting workforce planning and managing supply and demand

9— Data collection

- (1) The TRB is required to implement a process of collecting relevant data regarding the qualification and specialisation (if any) of current and new teachers in the workforce.

- (a) South Australian universities and other educational institutions are required to collect relevant data on current and commencing students studying primary level teaching degrees at their institution. Data must include statistics regarding:
 - (i) demographics of students undertaking education degrees; and
 - (ii) students' selected specialisations.

10—Incentives

- (1) The Board is permitted to establish incentive programs (monetary or otherwise), upon approval by the Minister for Education and Child Development, for the purpose of raising teacher registrations in certain Learning Area specialisations in order to meet demand.

11—Re-training programs

- (1) The Board will, in conjunction with higher education institutions, establish subsidised intensive professional development programs for the purpose of equipping teachers with an existing teaching qualification with the necessary skills to teach a specific specialisation as per the requirements determined by the Board in section (6).

Part 4—Sunset Clause

12—Sunset Clause

- (1) Five years after proclamation this Act shall be reviewed by the Legislative Review Committee.

South Australia

Voluntary Euthanasia Bill 2015

Brief

Each year there are a countless patients in hospitals who are terminally ill or are in a great amount of pain due to cancers, diseases, accidents or other afflictions. In South Australia this is a problem because many patients will have to live a prolonged life of pain and suffering until the day they die.

This Bill addresses the issue of prolonged life and aims to resolve this problem by allowing the patient to choose to end their suffering in a dignified manner.

Everyone should have the right to choose how and when they die. It is believed by some that the right time for a person to die is when the body gives up on that individual. Therefore we are allowing someone else to make a decision for an individual who does not know how the person suffering is feeling. It is impossible for one person to feel another's pain and it is often the case in our State that the untreatable are kept alive because there is no other option.

Patients will be better protected with the set procedures and rules this Bill proposes for euthanasia. There have been documented cases of terminally ill patients resorting to starving themselves in order to die. Other cases included a patient asking someone close to them to end their suffering. With this Bill we give those currently voiceless people the right to decide to continue living or to end their lives in a professional, medical way.

South Australia

Voluntary Euthanasia Bill 2015

A BILL FOR

An Act to establish guidelines and systems that allow citizens in South Australia the right and choice to be legally euthanised; and for related purposes.

The Youth Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Voluntary Euthanasia Act 2015*.

2—Commencement

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

3—Object of this Act

The objects of this Act are—

- (a) to legalise euthanasia in the state of South Australia;
- (b) to implement procedures and regulations regarding the practice of euthanasia;
- (c) to provide an education system for doctors regarding these procedures and the practice of euthanasia; and
- (d) to establish a euthanasia register.

4—Interpretation

In this Act, unless the contrary appears—

euthanasia means the killing of a patient who is suffering from an incurable or painful disease or an irreversible condition, painlessly;

patient means a person receiving or registered to receive medical treatment;

doctor means a person qualified to treat ill people and has had three or more years of experience of working as a doctor;

medical means activities related to the practice of medicine;

voluntary means to decide of one's own free will;

substitute decision-maker means a person chosen to make decisions on the patient's behalf;

Advance Care Directive means the recorded wish of the patient used to express the patient's request;

screened means to test for the presence of a disease or illness;

terminally ill means the patient is diagnosed with a disease capable of terminating the patient's life;

terminal injury means a condition which the patient cannot be cured or treated for so the patient's death is imminent;

mentally incapacitated means that an individual is unable to make decisions after receiving the necessary information, advice and support; and

sound mental health means that the patient does not have any psychological problems which could affect their decision making.

Part 2—Implementation

5— Legalisation

- (1) From the commencement of this Act, euthanasia shall be legal in the state of South Australia.

Part 3—Education

6— Establishment

- (1) A tertiary education course shall be established, to authorise doctors to euthanise patients who meet the specifications outlined in section (8).
- (2) The course will educate students regarding —
 - (a) the medical, moral and ethical considerations regarding euthanasia;
 - (b) the circumstances in which euthanasia can be performed; and
 - (c) the procedure for correctly performing euthanasia.
- (3) To complete this course a student must have obtained, or be in the process of obtaining, a medical doctorate.

Part 4—Regulations

7— Euthanasia Register

- (1) A register will be established for citizens and permanent residents to sign up to be euthanised should they become mentally incapacitated and/or meet the specifications outlined in section (8).

8— Specifications

- (1) For a patient to elect to be euthanised they must meet the following specifications —
 - (a) patient must be over sixteen (16) years of age or have parent/guardian consent; and
 - (b) patient must be terminally ill or in a deteriorating condition with no chance of improvement; and
 - (c) other treatment options would result in a poorer quality of life for the patient; and
 - (d) consent must be voluntary;
 - (i) must not be under influence of drugs, must have a sound mental health must not be influenced by others.
 - (e) the patient must be fully aware of their condition and all other treatment options; and
 - (f) the patient must be screened to make sure they meet all of these conditions.
- (2) Patients can only be euthanised by a medical doctor who holds the qualification outlined in section (6).

9— Mentally Incapacitated

- (1) If a patient is mentally incapacitated, the following people can elect for them to be euthanised on their behalf —
 - (a) a substitute decision-maker (SDM), as specified in a patient's Advance Care Directive (ACD); or
 - (b) the patient's next of kin, if no SDM has been identified.
- (2) People identified in section (9) subsection (1), cannot deny a patient's right to be euthanised if the patient is on the euthanasia register.
- (3) If the people identified in section (9) section (1) wish to put forward a patient to be euthanised (if the patient is not on the register), they must be screened to verify that they meet the following conditions —
 - (a) the patient has become mentally incapacitated as a result of a sudden and unforeseen terminal illness or injury;
 - (b) their decision must be in the best interests of the patient;
 - (c) must be over sixteen (16) years of age;
 - (d) must be fully aware of patient's condition and all other treatment options; and

- (e) must not be under the influence of drugs, must have a sound mental health, must not be influenced by others.

10— Obligations

(1) Doctors have the obligation to inform patients that the treatment option of euthanasia is available if the patient has met the specifications outlined in section (8),

Part 5—Procedure

(1) A patient can be euthanised by a doctor with the qualification outlined in section (6) quickly and painlessly via lethal injection.

Part 6— Offences

- (1) The act of euthanasia will be classified as a criminal offence if –
 - (a) the act was committed by someone other than a medical doctor who holds the qualification outlined in section (6);
 - (b) the act was committed without consent of the following, in order of priority –
 - (i) patient's;
 - (ii) next of kin;
 - (iii) the SDM, as specified in the patient's ACD.
- (2) The doctor is abusing their power to euthanise. Abuse includes but is not limited to:
 - (a) euthanising a patient without consent of the –
 - (i) patient;
 - (ii) next of kin;
 - (iii) the Substitute Decision Maker (SDM), specified in the patient's Advanced Care Directive.
 - (b) the doctor does not inform the patient of other treatment options, capable of improving the patient's chance of recovery or quality of life;
 - (c) the patient was euthanised or consent to euthanise was given although the patient did not meet the specifications outlined in section (8).

Part 7—Sunset Clause

11— Sunset Clause

- (1) Five years after proclamation this Act shall be reviewed by the Legislative Review Committee.

South Australia

Youth Employment Opportunities Implementation Act 2015

Brief

This Act addresses issue of youth unemployment in South Australia and aims to significantly lower youth unemployment through education and skills development. By supporting the establishment of youth employment opportunities, this Act will provide pathways which assist young people towards gaining meaningful employment.

According to the Executive Director of the Brotherhood of St Lawrence, Tony Nicholson, the majority of young people in South Australia have a limited knowledge about employment. ‘Overwhelmingly we know that these young people need advice about their career paths, they need opportunities to gain basic skills, they need mentoring, but over and above all that, what they need is an opportunity to gain work experience in a real work place with a real employer,’ he said.¹⁴

This Act ultimately supports young people in employment by addressing the three areas of work experience, volunteering, and job creation and preservation that target a wide youth age bracket. Additionally, the establishment of a diverse and informed committee allows accountability and the best treatment for our young people.

Young people are at high risk of poverty even though South Australia is arguably considered one of the best Australian states to live in. Consequently this Act will also help reduce the current high rate of youth homelessness in South Australia, the use of drugs and alcohol, crimes among young people and others, mental health problems such as depression and cultural and social isolation. Education, training and employment are the keys to a better society for young people and the public in general.

¹⁴Australian Broadcasting Company, 'Youth Unemployment At Crisis Point, According To Brotherhood Of St Laurence Analysis', (online) 24 February 2014, <<http://www.abc.net.au/news/2014-02-24/youth-unemployment-at-crisis-point/5278436>>.

South Australia

Youth Employment Opportunities Implementation Act 2015

An Act to implement work experience, money for young volunteers, youth employment, and for related purposes.

The Youth Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Youth Employment Opportunities Implementation Act 2015*.

2—Commencement

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

3—Object of this Act

The objects of this Act are—

- (a) to allow senior secondary students to complete work experience in order to develop skills, prepare students for the realities of the workplace, and test tentative career choices that will help them secure their future employment;
- (b) to support young people to get involved in volunteering that can lead them to better chances of gaining employment; and
- (c) to create more jobs for young people to be able to support themselves.

4—Interpretation

In this Act, unless the contrary appears—

agricultural means the science, art, or occupation concerned with cultivating land, raising crops, and feeding, breeding, and raising livestock;

business means an enterprising entity engaged in commercial, industrial or professional activities;

farming means attending to a tract of land cultivated for the purpose of agricultural production;

job means a paid position of employment;

organisation means a social unit of people that is structured and managed to meet a need or to pursue collective goals;

SACE means South Australian Certificate of Education;

senior secondary means school students in Years 11 and 12;

special circumstances are circumstances that are beyond the student's control; if a situation occurs which a reasonable person would consider is not due to the student's action or

inaction, either direct or indirect, and for which the student is not responsible. This situation must be unusual, uncommon or abnormal;

supervisor means a person who directs and oversees the work of another individual;

volunteering means offering to assist without being paid;

work experience means short-term experience of employment; and

young people or *young person* means a person between 12 and 25 years of age.

Part 2—Senior Secondary Work Experience

5—Senior Secondary Work Experience Program

- (1) A Senior Secondary Work Experience Program will be established by the SACE Board.

6—Eligible Students

- (1) All SACE students in Years 11 and 12 are required to participate in the Senior Secondary Work Experience Program, as follows—
 - (a) it is a mandatory program for students, to be counted as a one school subject—
 - (i) students may either complete this program at Stage One to earn 10 SACE credits, or at Stage Two earn 10 SACE credits while meeting relevant requirements by the SACE Board; and
 - (ii) if the subject is not completed during Stage One, it must be completed at Stage Two.
 - (b) if students cannot access an external site for work experience, each school must provide opportunities within the school's network and/or grounds.
 - (c) if students are unable to complete work experience due to special circumstances, the individual student and/or school must contact the SACE Board in writing to apply for an exemption.

7—Nature of Work Experience

- (1) This program requires forty (40) hours of work experience overall which may be completed in more than one workplace.
- (2) Workplace supervisors must sign off on completed work experience.
- (3) The work experience may be completed during school time, after school, in the evenings or during school holiday periods.
- (4) Students and teachers will jointly decide on where the students' work experience will take place.

Part 3—Volunteering

8—Eligibility for Volunteering Grants

- (1) The State Government will provide grants to organisations and businesses to facilitate volunteering opportunities for young people—
 - (a) Grants will be available to organisations and businesses of \$500 per young person working within the organisation or business, up to a maximum of \$20,000.
 - (b) Tasks to be completed by the volunteer must be directly relevant to their career ambition with a focus on skill development, and decided in consultation with the young person.
 - (c) In order for organisations and businesses to be eligible for the grant money, volunteers must contribute a minimum of four (4) hours per month, equivalent to forty-eight (48) hours over the course of a year.

Part 4—Facilitating Job Creation and Continuous Employment

9—Young Farmers’ Fund

- (1) The State Government will provide start-up funds to young people engaging themselves in farming, or related agricultural activities—
 - (a) Funds will be available of up to \$5,000 per individual, with financial need to be determined by application to the Committee.

10—Continued Youth Employment Grant

- (1) The State Government will provide grants to organisations and businesses who continue to employ young workers, and to young people who continue to work at one workplace—
 - (a) Grants will be available to organisations and businesses of up to \$500 per individual, after 18 months of employment;
 - (b) One bonus of \$500 will be available per individual over their lifetime, after 18 months of employment in one workplace.

Part 5—Establishment of the Committee

11—Positions on the Committee for Youth Employment Opportunities

- (1) The Committee for Youth Employment Opportunities will consist of—
 - (a) the Minister for Education and Child Development or an appropriate representative of the Minister;
 - (b) one (1) Department for Education and Child Development (DECD) representative;
 - (c) one (1) SACE Board representative;
 - (d) one (1) expert in financial banking;
 - (e) one (1) Occupational Health and Safety representative; and
 - (f) two (2) experts in the field of Youth Work.

12—Responsibilities

- (1) This Committee will be responsible for—
 - (a) processing applications and maintaining records;
 - (b) managing allocated budget, grants, and funds;
 - (c) forming connections with organisations, businesses, and workplaces; and
 - (d) overseeing the good treatment of young people.

Part 6—Sunset Clause

13—Sunset Clause

- (1) Two years from proclamation this Act will be reviewed by the Legislative Review Committee.

South Australia

Switch Driver Program Bill 2015

Brief

This Bill is designed to help individuals gain a better knowledge and understanding of road rules and driving techniques while progressing through the early stages of driving. This Bill will ensure learners from all parts of South Australia from regional, rural and metropolitan areas experience different road conditions, road surfaces and driving speeds. Greater levels of supervised, real world experience during the learner period have been shown to reduce post-licence crash involvement by up to 35%.¹⁵

This Bill works to resolve issues, including the lack of resources and opportunities for experiencing different driving conditions. Furthermore, an increase in young driver education on basic road rules in the city and regional areas will be incorporated. This includes the effects of fatigue management in young drivers, changes in traffic and road conditions, night and day time driving and effects of distraction and wildlife. The lack of experience on different road conditions leads young drivers to be unaware of the appropriate measures that need to be taken to avoid both weather related and vehicle/collision related accidents. The Switch Driver Program aims to address these issues by providing a program that benefits the learner by including all instructors and qualified supervising drivers in a course that makes the driver gain experience and understanding of both country and city terrain.

¹⁵ Gregersen, N.P. (1997). Evaluation of 16 years age limit for Driver training. First report No. 418A. Linköping, Sweden: VTI (Swedish National Road & Transport Research Institute).

South Australia

Switch Driver Program Bill 2015

A BILL FOR

An Act to create a City–Country Switch Driver program for drivers from both areas; and for related purposes.

The Youth Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Switch Driver Program Act 2015*.

2—Commencement

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

3—Object of this Act

The objects of this Act are—

- (a) to implement a law where country drivers with a learner’s licence require compulsory city hours of driving to progress to a P1 provisional licence;
- (b) to implement a law where city drivers with learner’s licences require compulsory country hours of driving to progress to a P1 provisional licence; and
- (c) to provide learner driver’s practical experience on different road surfaces to increase driver safety.

4—Interpretation

In this Act, unless the contrary appears—

ABS means the Australian Bureau of Statistics;

CBD means the Central Business District;

city driver is a person living in a metropolitan or city area who is attempting to obtain their P1 provisional licence;

city is in an area that is within a 100 kilometre (km) radius or less of the metropolitan district;

city roads are sealed roads within an area defined as metropolitan or a city;

country area is an area outside a 100 kilometre (km) radius from the CBD;

country driver is a person living in a rural/regional area who is attempting to obtain their P1 provisional licence;

country roads are roads that are sealed or unsealed in an area defined as rural or regional;

highway is a public road that connects between towns or cities;

Hindley Street means a street in the Adelaide CBD;

learner's licence means the existing permit for learners as issued in the *Motor Vehicles Act 1959* and subject to conditions given in section 75A(10) of said Act;

metropolitan is an area of South Australia with a population that is more than 10,000 citizens;

P1 provisional licence is a licence subject to P1 licensing conditions given in section 81A(3) of the *Motor Vehicles Act 1959* (SA);

regional is an area of South Australia's population that is less than 10,000 citizens;

rural means relating to the characteristics of the country, which involves farming and agricultural practices;

sealed roads means a road with a permanently sealed surface;

unsealed roads means a road that does not have a permanently sealed surface, or is defined as a 'dirt road';

wildlife means animals that have not been domesticated or tamed and are naturally living in the natural environment.

Part 2—Implementation

5—Administration

(1) This course will—

- (a) be mandatory for every individual on his or her learner's permit and they must complete the Driving Competencies in this Act to enable them to move on to a provisional licence.
- (b) be implemented into the current learners driving lessons on top of existing requirements—
 - (i) government owned cars will be provided for student drivers;
 - (ii) the government will pay for any damages to the cars, but is not liable for any medical expenses or damages incurred during the program;

(iii) mandatory health insurance is required to drive any government vehicle; and

(iv) all government vehicles will be kept up-to-date in regards to insurance, roadworthiness and servicing.

(c) The South Australian Government will provide charter buses to the city every Thursday for South Australian residents living within a 400 kilometre (km) radius of the CBD. They will provide aeroplanes every third Thursday for those outside this radius.

(d) The South Australian Government will provide charter buses to the country every Wednesday for South Australian residents living in a city/metropolitan location as defined in the interpretation.

Part 3—Mandatory Driving Requirements: City

6—Driver must live in city area

(1) This driver must be living in the city/metropolitan area as defined by the ABS.

7—Driving competencies

- (1) Two (2) hours of driving on unsealed roads between the hours of 9am-5pm, Monday to Friday;
- (2) Two (2) hours of driving on a sealed major highway at between 100 kilometre (km) to 110 kilometre (km) driving between the hours of 9pm-12am; and
- (3) Thirty (30) minutes of driving in a high wildlife area between the hours of 6am-6pm.

Part 4—Mandatory Driving Requirements: Country

8—Driver must live in country area

(1) This driver must be living in a country area as defined by the ABS.

9—Driving competencies

- (1) Two (2) hours driving in the Adelaide CBD between the hours of 9am-5pm, Monday-Friday.
- (2) A drive down Hindley Street on a Friday night between the hours of 9pm-12am.
- (3) Thirty (30) minutes of driving in winter in the Adelaide CBD between the hours of 6am-6pm.

Part 5—Sunset Clause

10—Sunset Clause

- (1) Five years from proclamation this Act will be reviewed by the Legislative Review Committee.

South Australia

Public Order (Decent Exposure) Act 2015

Brief

The criminal law in Australia contains offences pertaining to public nudity.¹⁶ The wording of those provisions varies in each jurisdiction whether it be specifically relating to ‘indecent exposure’ or broadly as an act of indecency. South Australia takes the latter route whereby the criminal law broadly proscribes acts of indecent behaviour and gross indecency.¹⁷

The mere act alone of a woman exposing their breasts in a public place would contravene South Australian law whereas a male exhibiting identical conduct would not. This disparity, in the absence of any other circumstances, is a gross injustice from both a legal and social standpoint. The act of exposing a woman’s breast in public should not be seen as more or less indecent as the exposure of a male breast; this Act aims to rectify this in clear terms.

This Act does not aim to promote or encourage such conduct, but aims to enable all people to do so at their prerogative regardless of gender. The Act does so simply by codifying the act of being unclad above a person’s waist in public so that it does not constitute an offence within the State of South Australia.

¹⁶ *Crimes Act 1900* (ACT) s 393; *Summary Offences Act 1981* (NSW) s 5; *Nudity Act* (NT) s 6; *Summary Offences Act* (NT) s 50; *Criminal Code* (QLD) s 227; *Summary Offences Act 2005* (QLD) s 9; *Summary Offences Act 1953* (SA) s 23; *Police Offences Act 1935* (Tas) s 14; *Summary Offences Act 1966* (Vic) s 19; *Criminal Code* (WA) s 202.

¹⁷ *Summary Offences Act 1953* (SA) s 23.

South Australia

Public Order (Decent Exposure) Act 2015

An Act to prescribe acceptable attire for persons in a public place; and for related purposes.

The Youth Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Public Order (Decent Exposure) Act 2015*.

2—Commencement

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

3—Object of this Act

The object of this Act is—

- (a) to decriminalise conduct prescribed by this Act.

4—Interpretation

In this Act, unless the contrary appears—

public place includes—

- (a) a place to which free access is allowed to the public, with the express or tacit consent of the owner or occupier of that place; and
- (b) a place to which the public are admitted on payment of money, the test of admittance being the payment of money only; and
- (c) a road, street, footway, a court, alley or thoroughfare which the public are allowed to use, notwithstanding that road, street, footway, court, alley or thoroughfare is on private property;

unclad means a state of undress where a person is not clothed above the waist.

Part 2—Provisions applicable to the object of this Act

5—Certain acts not an offence

An act whereby a person is unclad in a public place, or while visible from a public place, is not of itself an offence under any Act or law.