



YMCA SA Youth Parliament 2016

Youth Bills and Acts

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Youth Bills & Acts of YMCA SA Youth Parliament 2016

The 21st sitting of YMCA SA Youth Parliament saw young people from across South Australia come together to debate and discuss issues important to young people in the state. Twelve Youth Bills and two Motions of Public Importance were debated in Parliament House.

Nine of the twelve Youth Bills passed both houses to become Youth Acts. The National Motion of Public Importance- *South Australia should decriminalise voluntary euthanasia* - passed, but the Youth Governor's Motion of Public Importance - *South Australia should take a supportive rather than a punitive approach to drug policy* – narrowly failed.

The most strongly supported Youth Bills were the *Equal Access to Affordable Sanitary Products Act 2016* which passed with a collective 57 Ayes, 9 Noes and 4 Abstentions and the *Improvement of Youth Services Act 2016* which passed with a collective 57 Ayes, 9 Noes and 3 Abstentions.

Two other significant results were the *Youth Safe Housing Act 2016* which passed with a collective 50 Ayes, 17 Noes and 1 Abstention, the *Compulsory LGBTQI+ Education Act 2016* which passed with a collective 45 Ayes, 19 Noes and 2 Abstentions.

Two Youth Bills passed in one house only and one Youth Bill failed in both houses.

The 2016 Youth Parliamentarians put in a commendable effort to bring these Youth Bills to Parliament and ensure the voices of young people are heard. On behalf of the YMCA of South Australia, the Youth Parliament Taskforce and the Youth Parliamentarians, I encourage you to share the Youth Bills and Acts Book and continue to amplify the voices of young South Australians.

For further information or to provide feedback on any of the following Bills and Acts, please contact the YMCA Youth Programs Coordinator Alana James.

Warm regards,



Alana James

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YMCA of South Australia

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CONTENTS

Summary	1
Results of the 2016 YMCA SA Youth Parliament	3
Declaration of the Youth Governor	4
Youth Governor's Motion of Public Importance	5
National Motion of Public Importance	6
Equal Access to Affordable Sanitary Products Act 2016	7
Adelaide Metro Train Improvement Act 2016	10
Anti-Bullying Initiatives Act 2016	14
Ethical Consumerism Act 2016	18
Compulsory LGBTQI+ Act 2016	22
Improvement of Youth Services Act 2016	25
Intergenerational Exchange Act 2016	29
Youth Safe Housing Act 2016	32
Unavoidable Vaccination Act 2016	36
Abortion Accessibility Act 2016	40
South Australian Industry Protection Act 2016	43
Organ Transplant and Rehabilitation Act 2016	46



RESULTS OF THE 2016 YOUTH PARLIAMENT

Youth Bills and Acts	House	Ayes	Noes	Abstentions	Result
Equal Access to Affordable Sanitary Products Act 2016	House of Assembly	30	4	0	Pass
	Legislative Council	27	5	4	
Adelaide Metro Train Improvement Act 2016	House of Assembly	8	21	0	Fail
	Legislative Council	17	14	2	
Anti-Bullying Initiatives Act 2016	House of Assembly	19	13	3	Pass
	Legislative Council	18	13	4	
Ethical Consumerism Act 2016	House of Assembly	22	15	0	Fail
	Legislative Council	15	22	0	
Compulsory LGBTQI+ Act 2016	House of Assembly	25	6	2	Pass
	Legislative Council	20	13	0	
Improvement of Youth Services Act 2016	House of Assembly	34	0	0	Pass
	Legislative Council	23	9	3	
Intergenerational Exchange Act 2016	House of Assembly	18	14	2	Pass
	Legislative Council	23	13	0	
Youth Safe Housing Act 2016	House of Assembly	24	9	1	Pass
	Legislative Council	26	8	0	
Unavoidable Vaccination Act 2016	House of Assembly	22	7	2	Pass
	Legislative Council	19	13	0	
Abortion Accessibility Act 2016	House of Assembly	1	21	7	Fail
	Legislative Council	12	14	8	
South Australian Industry Protection Act 2016	House of Assembly	18	14	0	Pass
	Legislative Council	15	12	8	
Organ Transplant and Rehabilitation Act 2016	House of Assembly	19	10	3	Pass
	Legislative Council	21	12	0	
Youth Governor's Motion of Public Importance	Debated in the Legislative Council with all Youth Parliamentarians	32	32	6	Fail
National Motion of Public Importance	Debated in the House of Assembly with all Youth Parliamentarians	43	9	9	Pass



*The Office of Her Excellency
Youth Governor Elysse Dimitriadis*

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 11 July 2016 at 10:00am, at the building known as Parliament House, North Terrace, Adelaide, for the 21st session of the South Australian Youth Parliament.

Signed,

A handwritten signature in black ink, appearing to read "Elysse Dimitriadis", on a light blue background.

Her Excellency, Elysse Dimitriadis

Youth Governor's Motion of Public Importance

Her Excellency, the Youth Governor Elysse Dimitriadis directs and invites the Government of the Youth Parliament of South Australia to move a motion that:

“South Australia should take a supportive rather than a punitive approach to drug policy.”

This motion calls upon the South Australian government to legalise drug use and provide support through rehabilitative programs to people who are struggling with drug addiction.

Below is a list of arguments in favour of the motion and arguments against the motion. This list is not exhaustive but may be used as starting points for this debate.

For:

- Imprisonment for drug possession, particularly for long sentences, leaves people worse off and more likely to reoffend when they exit the prison system as they have no support to become functioning members of society.
- Drug laws are ineffective. According to the 2013 National Drug Strategy Household Survey, 15.7% of South Australians had used an illicit drug in the past twelve months.
- Drug use is a victimless crime. People should have the freedom to decide what they put in their body.
- Alcohol affects people in many of the same ways illicit drug use does yet it is not illegal.
- Currently, people are unable to check that illicit drugs they purchase are good quality and safe to use. If they were legalised, government can regulate their production so people can use them responsibly.

Against:

- Drug use is not a victimless crime as the actions of people who use illicit drugs can harm those around them whether physically or emotionally.
- Strong laws with harsh penalties are a necessary deterrent to prevent drug use and keep our society safe.
- Drug use can exacerbate existing mental health conditions
- Illicit drug use is a key driver of crime, particularly violent crime, both as a consequence of drug use and as a means of procuring drug or funds to purchase them.
- There is no safe level of drug use. Every drug poses a risk to the person who uses it.
- The Australian Institute of Criminology reported that two in every three offenders detained by police tested positive to at least one drug excluding alcohol.
- This will make it easier for drug dealers to entice young people into drug addiction.
- We may never fully eradicate murder, robbery and other crimes – this does not mean we should give up and make them legal.

National Motion of Public Importance

‘South Australia should decriminalise voluntary euthanasia.’

This motion calls upon the South Australian government to decriminalise voluntary euthanasia, otherwise known as physician-assisted suicide. This is where a physician knowingly provides a competent but suffering patient, upon the patient's request, with the means by which the patient intends to end their own life.

Below is a list of arguments in favour of the motion and arguments against the motion. This list is not exhaustive but may be used as starting points for this debate.

For

- People should have autonomy and sovereignty over their own lives.
- Voluntary euthanasia allows people who are suffering to die with dignity and on their terms.
- Substantial amounts of health resources are used to keep people with incurable illnesses alive. Voluntary euthanasia would let people who want it have their wish and free up resources for other public health issues.
- People who want to be euthanised will go to extensive lengths, even going overseas, to fulfil their wishes. We cannot stop it so we should instead legalise it and ensure it is regulated properly.
- Death is an inevitable part of life. The least we can do is let people face death on their own terms.
- Most people would have their pets put down if they were suffering – this would be regarded as kindness. Why can't the same kindness be given to humans?

Against

- A right to die may become a duty to die as vulnerable people including the disabled, terminally ill, and elderly may be pressured into feeling like they are burden.
- Rights have their own corresponding duties. A patient's 'right' to die imposes a duty to kill on a doctor.
- Poor or uninsured patients may not have the money or no access to proper care will have limited options, and they could be pressured towards assisted death.
- It is too complicated for governments to regulate. 32% of assisted deaths in Belgium are carried out without request despite the laws prohibiting it. Additionally, there has not been one attempt to prosecute abuses of euthanasia law in Belgium.
- Permitting voluntary euthanasia to occur may lead to the support and legalisation of non-voluntary and involuntary euthanasia.
- We should focus on improving palliative care and easing patient suffering rather than ending it.

South Australia

Equal Access to Affordable Sanitary Products Act 2016

Brief

This Act aims to increase the affordability of sanitary products and provide free access for females during times of necessity and/or emergency in homeless shelters and schools. Sanitary products are a necessary item for females menstruating to maintain hygiene and dignity. The high cost of these products renders them unaffordable for some individuals. This is a cost burden that is only imposed on females in society, increasing the already evident gender gap. No female should ever have to make the choice between using sanitary products and eating. Alternatives of using cloths, rags and newspaper which are resorted to in times of emergency, are unhygienic, unreasonable and undignified.

Government funded free sanitary products in school bathrooms and homeless shelters will allow females to access these products if they cannot afford them in a time of emergency and necessity and subsidisation of their purchase price contributes to ensuring equal access to these products for females of all socioeconomic classes. This will increase female well-being in allowing them to maintain their dignity.

Equal Access to Affordable Sanitary Products Act 2016

An Act to subsidise the cost of female-specific sanitary products and provide free access in public places; 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 *Equal Access to Affordable Sanitary Products Act 2016*.

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 increase accessibility to sanitary products for females of all socioeconomic classes through increasing their affordability;
- (b) to compensate females for the inclusion of female-specific sanitary products as taxable items under the Goods and Services Tax; and
- (c) to create a generation of strong, healthy females through improving their capacity to manage their bodies with dignity.

4—Interpretation

In this Act, unless the contrary appears—

female means someone with the biological sex of female that menstruates;

homeless shelter means a service agency which provides temporary residence for homeless individuals and/or families;

menstruating means the discharge of blood and other material from the lining of the uterus as part of the menstrual cycle;

public bathroom means a room or small building containing one or more toilets which is available for use by the general public;

RevenueSA means the government body responsible for the management, collection and enforcement of state taxation and associated refunds;

sanitary product means a pad or tampon;

school means a primary, secondary or tertiary institution for education; and

uni-sex bathroom means a public toilet that people of any gender or gender identity may use.

Part 2—Subsidisation

5—Establishment of refund for purchase of sanitary products

A business that purchases female-specific sanitary products is entitled to claim a refund from the government for 50% of the purchase price after tax, provided the business—

- (a) operates within South Australia; and
- (b) intends to resell the goods at a price no greater than 150% of the original purchase price.

6—Administration

A process to claim a refund as provided in s5(1) will be established and administered by Revenue SA.

Part 3—Access to products free of charge

7—Products in public venues

Sanitary products will be provided in stations in female, uni-sex and disability bathrooms free of charge in—

- (a) schools;
- (b) public bathrooms; and
- (c) homeless shelters.

Part 4—Sunset Clause

8—Sunset Clause

Two years from proclamation this Act will be reviewed by the Legislative Review Committee.

Adelaide Metro Train Improvement Act 2016

Brief

Adelaide Metro provides a transport service to 63 million riders annually¹. For many of these people, the train is where they sacrifice a large part of their day as a part of the commute. More so than buses, trains do the bulk of long-range people moving in the Adelaide region, and are typically caught for hours at a time. During this extended period it is more than likely that passengers may be in need of restroom facilities which currently are unavailable on our train services. This Act seeks to emulate policies in NSW, Victoria and Queensland by providing restroom facilities on Adelaide Metro trains.

Public safety is also an issue of concern for evening and night time commuters. In particular, fear of sexual assault and harassment among women who use public transport is of significant concern. Women who encounter sexual harassment on public transport are often powerless in being able to remove themselves from these situations. This Act seeks to address this unacceptable state of affairs by modifying our existing train system based on a Japanese model of requiring optional gender-specific carriages after 9:30 PM.

¹ Government of South Australia, *Public transport facts* (January 2014)
<<https://www.sa.gov.au/topics/transport-travel-and-motoring/transport-facts-and-figures/public-transport-journeys>>

South Australia

Adelaide Metro Train Improvement Act 2016

A BILL FOR

An Act to redesign Adelaide Metro's train carriages to improve safety and overall experience; 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 *Adelaide Metro Train Improvement Act 2016*.

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 introduce optional gender specific carriages between certain hours; and
- (b) to introduce toilets in Adelaide metro train carriages.

4—Interpretation

In this Act, unless the contrary appears—

disability access means facilities that have been designed and constructed to ensure that a person with a disability can use it, including those who are wheelchair bound.

gender refers to the sex (female/male/other) that a person identifies with, which is not necessarily the biological sex of a person;

hygiene means conditions conducive to preventing disease through the maintaining of cleanliness, including ensuring antibacterial soap, clean water and paper towels are available to passengers; and

unisex refers to facilities that can be used by a person of any gender.

Part 2— Toilets on trains

5— Employees

Responsibility for the maintenance and upkeep of toilet facilities will fall to the Department of Planning, Transport and Infrastructure.

6— Types of toilets on trains

It is Mandatory that all trains have toilets that—

- (a) are uni-sex;
- (b) are accessible to people with disabilities; and
- (c) have parenting facilities including a changing table and breastfeeding stations.

Part 3—Gender Specific Carriages on Trains

7—Gender specific carriages after 9:30 pm

After 9:30 pm the train will be split into three sections. Division of the trains will be such that—

- (a) one carriage will be allocated to female passengers;
- (b) one carriage will be allocated to male passengers; and
- (c) non-gender specific carriages make up the remaining carriages.

8—Punishments

Boarding a carriage section that does not conform to your gender is an offence under this act. In the case of—

- (a) a first offence, the perpetrator will receive a formal warning;
- (b) a second offence, the perpetrator will be required to perform three weeks of community service;
- (c) a third offence, the perpetrator will be required to pay a fine of \$300; and
- (d) a fourth offence, the perpetrator will be subject to a number of days in prison, equal to that of the number of offences they have made under this act.

Part 4—Sunset Clause

9—Sunset Clause

Four years from proclamation this Act will be reviewed by the Legislative Review Committee.

Anti-Bullying Initiatives Act 2016

Brief

This Act aims to minimise the effects of direct and indirect bullying by implementing mandatory anti-bullying procedures in all private and government schools within South Australia. Bullying has significant impacts on today's society, especially on the youth. Studies show one in four students between eight to fourteen years of age were bullied almost every week in 2009 and these figures increased to one in three in 2013². This clearly indicates the significant increase of bullying rate within schools, which can have various impacts on students mental and physical health. Bullying at schools can result in lower academic performance and low self-esteem that can lead to depression, anxiety and other mental health issues.

The Act is placing three main initiatives to tackle this issue. Our first initiative is implementing mandatory procedures within schools to address any direct and indirect bullying within all South Australian schools. Secondly we are implementing a camp for victims and offenders of found bullying cases to offer a counselling approach as a solution. Thirdly the implementation of an anti-bullying app that can be downloaded on any smart phone allows teachers, peers, individual or family members to report direct or indirect bullying cases to the Department of Education and Childhood Development (DECD). DECD will follow up the cases and offer appropriate services by a case by case scenario.

² Australian Institute of Family Studies, *Understanding School Bullying* (July 2014)
<<https://aifs.gov.au/cfca/publications/children-who-bully-school/understanding-school-bullying>>.

South Australia

Anti-Bullying Initiatives Act 2016

An Act to decrease bullying in all private and government, junior and secondary schools in South Australia; 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 *Anti-Bullying Initiatives Act 2016*.

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 decrease direct and indirect bullying in all schools in South Australia;
- (b) to implement mandatory anti-bullying procedures in all schools;
- (c) to implement an anti-bullying camp for offenders and parent/guardian;
and
- (d) to implement an anti-bullying mobile application.

4—Interpretation

In this Act, unless the contrary appears—

direct bullying means the obvious form of bullying including kicking, attacking with fists/words without hiding the identity of bullies; and

indirect bullying means threatening a victim's safety through social isolation including gossiping/rumours.

Part 2—Implementing mandatory anti-bullying procedures

5—School Procedures and Policies

Each school will be provided with—

- (a) a tool kit of strategies providing a range of interventions targeting all students and individual instances of bullying;
- (b) mandatory training for staff addressing bullying and anti-bullying interventions; and
- (c) a centralised recording system which identifies vulnerable students, track students' behaviour, and also provides evidence for effectiveness of interventions including peer support.

6—Senior Student Peer Support Program

- (1) A peer support program will be established.
- (2) This peer support program will require senior student volunteers who will provide support to victims of bullying and report instances of bullying to the school.
- (3) Volunteers for this program must—
 - (a) apply for the position and provide a C.V. with their application;
 - (b) undergo training to inform volunteers of different types of bullying and anti-bullying interventions; and
 - (c) hold meetings with victims of bullying and bullies to resolve conflicts in accessible space within their school.

Part 3—Anti-bullying camp for offenders and parents/guardians

7—The Camp

- (1) A student who is found to have committed an act of bullying must attend a four day camp with a parent or guardian.
- (2) Attendees of this camp will be required to—
 - (a) forfeit access to any mobile devices and internet sources and offender to remain at the site for the entirety of the four days;
 - (b) attend educational sessions on the forms of bullying and its effects; and
 - (c) attend intensive workshops and counselling sessions.

- (3) Parents and guardians attending the camp will also be required to attend workshops on how to prevent bullying and curtail abusive behaviour.
- (4) Failure to attend any component of this camp will result in a maximum offence of \$2,500.

Part 4—Implementing an anti-bullying mobile application

8—The Application

- (1) A mobile application that can be accessed by teachers, parents and/or students to report the occurrence of bullying within the school community and outside school premises will be created.
- (2) This mobile application will—
 - (a) be free to download and allow users to report instances of bullying via text message or a phone call;
 - (b) protect the anonymity of its users and contain different pages for students, parents and teachers;
 - (c) allow for evidence of bullying to be uploaded to an online database; and
 - (d) have administrators who will follow up serious cases that have been reported through the application.

Part 5—Penalties

9—Fines and Jail Sentencing

- (1) Students who participate in an act of bullying will incur a maximum fine of \$1,000 for each instance, payable by their parent(s) or guardian(s).
- (2) Students aged sixteen to eighteen who engage in repeated instances of bullying may be sentenced to a maximum of six months in prison.
- (3) Schools who fail to implement any of the procedures or policies stated in s(5) and s(6) will incur a maximum fine of \$50,000.

Part 6— Sunset Clause

10—Sunset Clause

Two years from proclamation this Act will be reviewed by the Legislative Review Committee.

South Australia

Ethical Consumerism Act 2016

Brief

Many products purchased by Australian consumers are produced overseas rather than by Australian businesses. These products are made by struggling farmers and workers in poor working conditions, also often utilising materials and manufacturing methods that are harmful to the environment. Many foreign farmers and workers are not paid the same minimum wage as required in Australia and are forced to work unreasonable hours. Workers also include children, and those with poor health.

Through ensuring that domestic production is strengthened, more jobs will be created which will in turn increase tax-revenue, reduce welfare costs, and boost Australia's GDP. Increasing the number of Australian jobs will not only be beneficial to those Australian workers personally but will also improve the South Australian economy. With the population growing, and consumers growing, supporting Fairtrade would be giving everyone a fair go. This Act will require that all South Australian business and schools be either Australian or Fairtrade accredited thus improving the livelihoods of Australians, foreign farmers, workers and the environment. Purchasing products manufactured in Australia ensures high standards in the quality of the products consumed and stimulates our local economy.

South Australia

Ethical Consumerism Act 2016

A BILL FOR

An Act to support local industry; 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 *Ethical Consumerism Act 2016*.

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 prioritise the consumption of local products by local industries and facilities;
- (b) to prioritise the consumption of ethically sourced goods by local industries and facilities; and
- (c) to create the office for the Ethical Consumerism Commissioner.

4—Interpretation

In this Act, unless the contrary appears—

Commissioner means the Commissioner for Ethical Consumerism;

Ethical means is not the product of slave or child labour, in accordance with the standards established by the International Labour Organisation; and

Local means within South Australia.

Part 2—The Commissioner

5—Ethical Consumerism

Five years from proclamation, all government departments, local industries and educational facilities will purchase only local or ethically sourced goods and services.

6—Offences and Defenses

- (1) To not purchase only local or ethically sourced products is an offence under this act and subject to punishment under s(5).
- (2) It is a defense to an offence under this act if the offender can show, beyond all reasonable doubt, that there is no local or ethical source to acquire the particular good or service they are accused of purchasing.

7—The Commissioner for Ethical Consumerism

- (1) The Office for the Commissioner for Ethical Consumerism will be established.
- (2) The Minister for Investment and Trade will nominate, in writing, the Commissioner.
- (3) The onus of responsibility lies with the Commissioner to—
 - (a) hire staff;
 - (b) oversee the transition from non-ethically to ethically sourced goods, including but not limited to—
 - (i) electronic devices;
 - (ii) clothing;
 - (iii) stationery;
 - (iv) food and beverages; and
 - (c) penalise non-compliant industries with punishments including—
 - (i) barring from receiving government incentives under other state legislation;
 - (ii) a fine no less than \$200,000; or
 - (iii) a fine no more than the sum of differences between non-ethically and ethically sourced products purchased by the company since the day of proclamation of this act.
 - (d) The funds accumulated from fines will be used by the Commissioner to run ethical consumerism media campaigns.
- (4) Four years from proclamation, the Commissioner will report to Parliament about the merit and progress of the program.

Part 4—Sunset Clause

8—Sunset Clause

Five years from proclamation this Act will be reviewed by the Legislative Review Committee.

Compulsory LGBTQI+ Education Act 2016

Brief

According to psychologists from the organisation Beyond Blue, people who identify as LGBTQI+ tend to have higher levels of anxiety, depression, self-harm, and suicides rates.^[1] Up to 80% of same sex attracted and gender questioning young Australians experience public insult. Currently, the education system focuses on heterosexual relationships. The hole in the education system perpetuates the spread of misinformation building the foundation for prejudice.

This Act works to resolve this issue by introducing a new component to the current health education system regarding same-sex education. This will include integration with the year nine and ten health classes with an opt-out system with incorporation of non-compulsory workshops regarding normalising LGBTQI+ relationships. Understanding that health teachers may be underprepared to provide an LGBTQI+ friendly classroom, compulsory training for health teachers is necessary. This will be integrated into pre-existing training. This will be instrumental in reducing prejudice and normalising the LGBTQI+ community which will in turn assist in lowering the suicide rates of these individuals.

Compulsory LGBTQI+ Education Act 2016

An Act to introduce compulsory LGBTQI+ sex education in high schools, and non-compulsory workshops in primary schools; 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 LGBTQI+ Education Act 2016*.

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 create an opt-out section in years nine and ten health classes to teach LGBTQI+ sex education;
- (b) to create non-compulsory workshops in primary schools to explain LGBTQI+ relationships so as to normalise them; and
- (c) compulsory training for health teachers to recognise and prevent sexual prejudice in classes.

4—Interpretation

In this Act, unless the contrary appears—

LGBTQI+ means lesbian, gay, bisexual, transgender, queer, intersex, and inclusive of other sexual preferences such as asexual, pansexual, and polygamy;

opt-out means the option for parents to withdraw their child from the educational component regarding LGBTQI+ sex education with no questions asked;

same-sex refers to the romantic relationships between two members of the same sex;

sexual prejudice means any sort of discrimination based on sexual preference.

Part 2— Education

5— Compulsory classes in high schools

- (1) The compulsory education will be integrated into the pre-existing year nine and ten health classes.
- (2) A student’s parents may apply for an exemption for their child from attending these classes if they have religious or moral objections.
- (3) This education module will include but will not be limited to—
 - (a) information regarding prevention of STIs;
 - (b) reinforcing the need for consent; and
 - (c) mental health services which are LGBTQI+ friendly.

6— Non-compulsory workshops in primary schools

- (1) Workshops will be held outside of school hours giving access to parents and children.
- (2) These workshops will include, but not be limited to—
 - (a) a basic understanding of a non-heterosexual relationship; and
 - (b) accessible support services.

Part 3—Teacher Training

7—Training to create a safe environment for LGBTQI+ in classrooms

Training will be provided to all health teachers that includes—

- (a) recognising sexual prejudice in schools;
- (b) techniques to prevent sexual prejudice in classrooms; and
- (c) how to provide advice to students seeking help.

Part 4—Sunset Clause

8—Sunset Clause

Three years from proclamation this Act will be reviewed by the Legislative Review Committee.

Improvement of Youth Services Act 2016

Brief

According to the Australian Bureau of Statistics, suicide was the leading cause of death in 2015 among all people 15-44 years of age³. Those deaths could have been prevented if mental health services were not constantly underfunded, or worse - forced to shut down.

The primary intention of this Act is to establish a South Australian Headspace headquarters, funded by the State Government, to protect youth mental health services from any changes of Federal Government's budgets or priorities. The secondary intention, is to establish requirements such as mandatory client feedback, to create more frequent and more effective opportunities for the services to improve and develop.

The services provided will include, but not be limited to; one-on-one or group counselling, referral to external services and a variety of recreational activities. A Director shall be selected by the Minister for Mental Health, to oversee the successful implementation and utilisation of the Act.

The youths of South Australia deserve to have accessible and reasonable help when it comes to mental health. Regardless of race, sex, disabilities, political beliefs or religious beliefs, all youths deserve a life with which they can be happy.

³ Australian Bureau of Statistics, *Causes of Death, Australia 2015* (2016)
<<http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/3303.0~2015~Main%20Features~Intentional%20self-harm:%20key%20characteristics~8>>

South Australia

Improvement of Youth Services Act 2016

An Act to establish an effective mental health service in South Australia, funded by State Government; 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 *Improvement of Youth Services Act 2016*.

2—Commencement

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

3—Objectives

The objectives of this act are—

- (a) to establish a state headquarters for Headspace;
- (b) to establish the Office for the State Director of Headspace;
- (c) to positively impact clients mental health and well-being; and
- (d) to prioritise the improvement of services

4—Interpretations

In this Act, unless the contrary appears—

Director means an individual employed by the Minister, to direct the State Office of Headspace;

External means similar, well trusted services, that are not a part of the Headspace organisational structure;

GP means a qualified general practitioner;

Minister means the current Minister for Mental Health;

Service means type or types of assistance that provide support for youths, regarding mental health and well-being;

Youth means persons within the age range of 15 to 25.

Part 2—The State Office for Headspace

5—The Director

- (1) The Office for the State Director of Headspace will be established.
- (2) The Minister will appoint, in writing, a Director.
- (3) The onus of responsibility lies with the Director to—
 - (a) define organisational guidelines, procedures and practices;
 - (b) hire employees and monitor staff performance;
 - (c) review service and funding proposals for approval; and
 - (d) enforce regulations stated within Part 3, Section 7.
- (4) Two years from proclamation, the Director will be required to report on the progress and merit of the program to Parliament.

6—Services

- (1) Services can be approved and funded at the Director's discretion, providing they have relevance to at least one of four areas—
 - (a) mental health;
 - (b) physical health;
 - (c) work and study support; or
 - (d) alcohol and other drug services.
- (2) These services will include, but not be limited to—
 - (a) on-on-one or group counselling delivered by accredited psychologists;
 - (b) referral to external services where appropriate;
 - (c) educational courses; and
 - (d) recreational group activities.

Part 3—Regulations

7—Guidelines

- (1) Only youths may receive access to Headspace services.
- (2) Clients must provide a referral from a GP to receive services from Headspace.
- (3) Funding can only be used for the approved proposals.
- (4) Clients using the services must provide compulsory feedback of their experience.
- (5) Headspace must supply adequately flexible support packages to youths. Proof of adequate flexibility requires either—
 - (a) attendance ratings of seventy five percent or higher; or
 - (b) with the majority of client feedback showing agreement that flexible support packages were provided.

Part 4—Sunset Clause

8—Sunset Clause

Three years from proclamation, this Act will be reviewed by the Legislative Review Committee.

Intergenerational Exchange Act 2016

Brief

Across the world, intergenerational social distance is a growing issue as the young and the elderly are becoming increasingly estranged. Too often, each generation becomes a scapegoat for the other to place all their fears, anxieties, anger and frustrations upon. Young people blame the older generations for the current housing affordability crisis. The elderly blame young people for the rise in anti-social behaviour and crime. The young accuse the elderly of ‘pulling up the drawbridge’ of opportunities that they enjoyed when they were young. The elderly claim the young are lazy, entitled and unwilling to work hard. These misconceptions and accusations are a part of a breakdown in communication and interaction between these two generations.

The Intergenerational Exchange Act seeks to facilitate knowledge sharing between the young and elderly in a number of areas as well as creating a mutual understanding and respect between the young and the elderly. This Act seeks to fix this issue of intergenerational hostility by introducing a program as a part of the Personal Learning Program which requires students to spend two hours per week for five weeks in total with elderly people. During this time, students will be required to teach elderly people specific skills including using technology and popular culture, and elderly people will be required to teach the students specific skills including gardening and knitting. This Act will also require all history classes to allocate a minimum of two hours per year to having an elderly person provide their perspective and experiences of historical events in which they had been affected by or involved.

Intergenerational Exchange Act 2016

An Act to establish a program within the South Australian curriculum which connects young people and the elderly; 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 *Intergenerational Exchange Act 2016*.

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 program as a part of the PLP where students visit elderly people; and
- (b) to have elderly people share their experiences within the history curriculum.

4—Interpretation

In this Act, unless the contrary appears—

elderly means someone who is of sixty-five years of age or greater;

Personal Learning Program means the compulsory subject in Stage 1 of the South Australian Certificate of Education; and

RSL means the Returned and Services League; a support organisation for men and women who have served or are serving in the Defence Force.

Part 2—Engagement with the elderly

5—The Program

- (1) Students undertaking the Personal Learning Program must complete a six week component in order to pass. Time shall be allocated such that—
 - (a) fifty-percent is given to students to teach the elderly specific skills; and
 - (b) fifty-percent is allocated to the elderly to teach the students specific skills.
- (2) The program will require students to—
 - (a) visit elderly people while supervised for two hours per week for the first five weeks; and
 - (b) present a report on their experience in class during the sixth week.
- (3) This component may be completed at an aged care facility, RSL, community centre or the student's school.

6—Regulations

- (1) Students must be supervised by a person who has Child Safe Environment training, has passed a Police Check and a Working with Children check.
- (2) To participate in these intergenerational classes, an elderly person must also pass a police check.

Part 3—Curriculum Enhancement

7—History Class Visits

Each year, a minimum of two hours in the history curriculum must be allocated to an elderly person(s) to provide their perspective on a historical issue they were involved in or had been affected by.

Part 4—Sunset Clause

8—Sunset Clause

Five years from proclamation this Act will be reviewed by the Legislative Review Committee.

Youth Safe Housing Act 2016

Brief

Homelessness, and youth homelessness in particular is a blight on society. This Act will enact temporary housing for the recently homeless youth, and any youth who has fled their home for their own safety. The specific focus on youth in this Act is entirely because of their risk level in homeless environments, especially when by themselves, providing stability is key⁴.

At any given time there are roughly 6,000 homeless people in South Australia, with 626 (10.5%) being between 12 and 18, and 824 (13.8%) being between 19 and 24⁵, making up two of the largest demographics. Though there already is supported housing and boarding houses available, these places can be overcrowded, and entirely without adequate protection for youth. The ultimate aim of this Act is to alleviate the demand on the current establishments and provide a more caring and protective place of temporary dwelling for recently homeless and endangered youth, so they can focus on their own well-being and development.

“It is vital that all young people, particularly during the formative stages of their growth and development, are physically, socially and emotionally well”⁶. The first few years after leaving home are some of the most essential in a person’s life, and getting ahead is nigh impossible when you don’t even have a roof over your head, taking away the worry of finding a place to sleep or eating enough will give these youth the stability needed to help themselves find work and permanent housing.

⁴The Salvation Army, *Why are people homeless?* <<http://www.salvationarmy.org.au/en/Who-We-Are/our-work/Homelessness/Why-are-people-homeless/?gclid=COHk3r7cyc0CFYGVvAod9scGEQ>>

⁵ Homelessness Australia, *Homelessness in South Australia* (January 2014)
<http://www.homelessnessaustralia.org.au/images/publications/Infographics/SA_-_updated_Jan_2014.pdf>

⁶ Y Foundations, *Health and Wellness* <<http://yfoundations.org.au/explore-and-learn/publications/the-foundations/health-and-wellness/>>

South Australia

Youth Safe Housing Act 2016

An Act to create safe houses for recently homeless youth, and youth in immediate danger.

The Youth Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Youth Safe Housing Act 2016*.

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 at least one safe house for each postcode for the use of recently homeless youth and youth in need of emergency temporary housing;
- (b) to afford the powers of this Act to the Minister for Youth; and
- (c) to establish regulations and exemptions for the youth taking residence in the safe houses.

4—Interpretation

In this Act, unless the contrary appears—

house facilities means showers, landlines, kitchens, and food rations;

house overseer means a volunteer or contracted employee nominated by the Minister with the oversight of the house;

Minister means the Minister for Youth;

recently homeless means a person(s) within two months of losing their home;

safe house means a building subsidised and operated by the government for the purposes of housing recently homeless and endangered youth;

volunteer means a person who willingly offers their services without pay, and has submitted to the relevant police checks; and

youth means a person(s) twenty-two (22) years of age or under.

Part 2—Regulations

5—Safe Houses

- (1) Those admitted for residence within a safe house must—
 - (a) be between the age of sixteen and twenty-two;
 - (b) be recently homeless; and
 - (c) not have committed a major indictable offence under South Australian law.
- (2) Those admitted for residence will be permitted to stay in the safe house for no more than two months.
- (3) All residents must conform to a set of house rules. These rules include but are not limited to—
 - (a) separate bedrooms and bathrooms for males and females; and
 - (b) being back on premises before a 9:00pm curfew.

6—Role of the Minister

- (1) The Minister will be responsible for the establishment and oversight of youth safe housing.
- (2) The Minister will—
 - (a) nominate one house overseer per safe house to—
 - (i) enforce guidelines;
 - (ii) manage and regulate the use of house facilities; and
 - (b) recruit and hire volunteers and employees; and
 - (c) facilitate the good psychological well-being of the youth workers.

Part 3—Exemptions

7—Exemptions

- (1) Those exempt from the regulations of this act are—

- (a) any person(s) under contract by the government to work at the facilities previously detailed;
 - (b) any authorised volunteer working at the facilities; and
 - (c) any youth under the age limit who is in immediate danger.
- (2) Residents may be exempted from the curfew time for work related purposes, subject to the approval of the house overseer.

Part 4—Implementation

8—The Minister and Implementation

- (1) In the first year of implementation, the Minister must—
 - (a) outsource the building or renovation of prospective safe house facilities to local construction companies;
 - (b) liaise and communicate with existing youth services;
 - (c) work alongside existing youth services to accommodate youth at risk or to relieve the burden on other youth housing projects; and
 - (d) provide information for young people on where they can access help for mental health conditions.
- (2) At the end of the second year following the enactment of this Act, the Minister will be required to make a report to Parliament regarding the merit of this legislation and how it has worked in practice.

Sunset Clause

9—Safe Houses

Five years from proclamation, this Act will be reviewed by the Legislative Review Committee.

South Australia

Unavoidable Vaccination Act 2016

Brief

This is an Act to ensure all peoples young and old are vaccinated against all preventable infectious diseases and illness. This act aims to boost immunity and eradicate known diseases from the South Australian population and prevent future outbreaks such as the Bubonic Plague. Unfortunately, misinformation and a lack of awareness has led to rising levels of people refusing to vaccinate themselves or their children. This poses significant risks to public health as herd immunity is gradually eroded and the risk of outbreaks of otherwise preventable diseases is increased.

This Act aims to make sure that newborns, school age children, adults and the elderly are vaccinated in the first twelve months of this act being proclaimed. Further ‘boosters’ to these vaccinations will be administered after twelve months to ensure full immunisation. In the unfortunate event of persons disregarding the following legislation, those who fail to abide will face monetary penalisation and potential imprisonment.

Unavoidable Vaccination Act 2016

An Act to vaccinate and immunise all peoples in South Australia 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 *Unavoidable Vaccinations Act 2016*.

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 compulsory immunisation and vaccination program for all South Australian citizens;
- (b) to reduce the chance of infection for all South Australian citizens; and
- (c) to establish penalties to offences under this act.

4—Interpretation

In this act, unless the contrary appears—

compassionate grounds means consideration of an unusual, undeserved or disproportionate hardship caused to a person;

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

individual means the person in context;

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

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

SA Health means the body of services and agencies responsible to the Minister for Health and Minister for Mental Health & Substance Abuse and the Minister for Ageing;

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

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

Part 2—Implementation

5—Vaccinations

- (1) South Australian citizens will be notified by SA Health to report to an authorised Medical Practitioner to receive vaccinations and immunisations.
- (2) All individuals must receive vaccinations within the first 12 months of legislation.
- (3) After initial vaccinations individuals will be notified via email, post or phone when they/their children require a further booster and/or new immunisations become available.

Part 3—Exemptions

6—Exemptions from Penalties

- (1) Under this Act, permanent exemptions from unavoidable, and scheduled vaccinations are limited to persons who—
 - (a) can prove beyond a reasonable doubt that said vaccination would endanger their life;
 - (b) are hospitalised with a serious illness;
 - (c) have an immunodeficiency disorder; or
 - (d) have less than six months to live.
- (2) South Australian citizens will be notified by SA Health to report to an authorised Medical Practitioner to receive vaccinations and immunisations.
- (3) Partial exemptions will be granted to persons who—
 - (a) are unable to receive a vaccination at the scheduled time for medical reasons approved by a doctor; or
 - (b) apply for an exemption on compassionate grounds.

- (4) To obtain either a partial or permanent exemption, an application must be submitted to SA Health for approval.
- (5) Partial exemptions will require that the vaccination be rescheduled shortly after the allowed time of leave has expired.
- (6) Individuals who are not vaccinated within the first 12 months; but have made an appointment with a doctor, and can provide proof or who have been exempt from vaccinations will be excused.

Part 4—Penalties

8—Penalties for non-compliance

- (1) Failure to comply with required vaccination plans will incur a penalty of \$1200, payable by a parent or guardian in the case of a minor. Penalties will not apply if an individual has been granted an exemption by a medical professional.
- (2) Further failure to comply may incur a prison sentence of a minimum of fifteen days and a maximum of thirty-five days. Upon completion of this sentence, the individual will be escorted to a medical clinic where they will be forcibly administered the necessary vaccinations.
- (3) If an individual dies as a result of contracting a disease from another unvaccinated individual, the unvaccinated individual shall be charged with manslaughter under s(13) of the *Criminal Law Consolidation Act 1935 (SA)*.

Part 5—Sunset Clause

8—Sunset Clause

Five years from proclamation this Act shall be reviewed by the Legislative Review Committee.

Abortion Accessibility Act 2016

Brief

In South Australia the Criminal Law Consolidation Act 1935 sections 81 – 82 (amended 1969) prohibits unlawful abortion, where if breached, one can be liable to life imprisonment. Section 82A gives a statutory explanation of when an abortion is not unlawful. It covers many points, though succinctly put, the abortion is legal if carried out within 28 weeks of conception in a prescribed hospital by a legally qualified medical practitioner, provided he or she is of the opinion, formed in good faith, that either the maternal health ground or the fetal disability ground is satisfied. Another medical practitioner must share the same opinion. The woman must also have been an Australian resident for a minimum of two months and there is a conscience clause so medical practitioners can elect to not participate in an abortion.⁷

To access an abortion under the current legislation, a woman must seek the opinion and approval of two medical practitioners. Under the current legislation, fathers are given no rights to or opinions on whether the fetus is brought to term. It is also well-known or common sense that multiple abortions can risk the woman's health and increase chances of preterm births.⁸

This Act seeks to follow other states within Australia, to have relatively unhindered lawful abortion under a certain time frame of gestation. This Act seeks to establish some fathers' rights to the fetus, given appropriate checks. This Act seeks to deter woman from having consecutive abortions. The true intent of this Act, is to give women accessibility to abortion while considering the mental and physical health of both parents.

⁷ Criminal Law Consolidation Act 1935 (SA)

⁸ Bhattacharya et al, *Reproductive outcomes following induced abortion: a national register-based cohort study in Scotland* (6 August 2012) <<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4400701/>>

South Australia

Abortion Accessibility Act 2016

A BILL FOR

An Act to improve and amend the accessibility of abortion; 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 *Abortion Accessibility Act 2016*.

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 guidelines for a legal abortion;
- (b) to establish a father's right to object to an abortion; and
- (c) to establish a deterrent for consecutive abortions.

4—Interpretation

In this Act, unless the contrary appears—

Abortion means the lawful, surgical removal of a fetus from a woman's womb; and

Trimester means 12 weeks.

Part 2—Guidelines

5—Term of Pregnancy

A woman is eligible to receive an abortion no more than two trimesters into her pregnancy, subject to sections (6) and (7).

6—Father's Rights

- (1) The father of the child may object to an abortion provided that they have—
 - (a) in writing, a contract expressing the intent of both parents to bring the child to term, signed by both parents—

- (i) prior to the conception of the child; or
 - (ii) during the first trimester of the woman's pregnancy; and
 - (b) no prior indictments for a major indictable offence;
 - (c) no concurrent prosecution for a major indictable offence; and
 - (d) the intent to take sole custody of the child following its birth.
- (2) A woman may never be forced to bring a fetus to term if doing so would cause irreparable and undue mental or physical harm to the mother.

Part 3—Deterrent

7—Consecutive Abortions

- (1) A woman seeking a third abortion or more must—
- (a) pay a compounding fee of \$200 for every abortion forthwith;
 - (b) show, if the baby is in its first trimester, evidence that—
 - (i) the mother is mentally or physically incapable of safely bringing the child to term; or
 - (ii) the child would cause an undue financial strain on the family.
 - (c) show, if the baby is in its second trimester, evidence that—
 - (i) the child would be born with severe mental or physical abnormalities as to be seriously handicapped; and
 - (ii) having a child with serious handicap would cause an undue financial and mental burden on the family unit.
- (2) A woman is never required to pay for an abortion when the child is the product of sexual assault or incest, provided that she has filed a police report to that effect.

Part 4—Sunset Clause

8—Sunset Clause

Five years from proclamation this Act will be reviewed by the Legislative Review Committee.

South Australian Industry Protection Act 2016

Brief

The economic downturn within South Australia due to the collapse in the mining sector, increasing offshore production and international competition, has been detrimental to the state's economy and resulted in thousands of job losses. As of March this year, two thousand jobs have been cut in the mining industry⁹. This is expected to rise further with an estimated fifty-thousand jobs predicted to be gone by the end of the year¹⁰. Furthermore, with the Arrium steel works in Whyalla going into administration, a further three thousand jobs and the life-blood of the city itself, are at risk. These have all contributed to South Australia's unemployment level of 6.8%, the highest in the nation¹¹.

It is clear that action needs to be taken to protect South Australians and their jobs from the power of international competition that places pressure on governments to engage in a race to the bottom.

This Act seeks to make it mandatory for businesses in South Australia to support their commercial neighbours through requiring them to only purchase from South Australian or Australian businesses. Businesses may only purchase from a non-Australian supplier if demand for a good or service cannot be satisfied by the domestic market. Businesses that follow this preference system will be provided with subsidies so as to keep the consumer safe from dramatic price increases as well in addition to providing an incentive to follow the system. Strict penalties will be in place to ensure compliance include fines of \$5000 per product and products will be taken by the government or destroyed.

⁹ Tess Ingram, Sydney Morning Herald, *More Than 2000 Mining Jobs Cut In 2016* (6 March 2016) <<http://www.smh.com.au/business/mining-and-resources/more-than-2000-mining-jobs-cut-in-2016-20160305-gnbn39.html>>

¹⁰ Stephen Letts, ABC News, *50,000 More Mining Jobs Set For The Axe As Boom Ends: NAB* (11 June 2016) <<http://www.abc.net.au/news/2016-06-10/mining-boom-halfway-down-the-mining-cliff/7500700>>

¹¹ Department of Employment, Australian Government, *Labour Force Region (SA4) - Unemployment Rate By State And Territory* (2016) <http://lmip.gov.au/default.aspx?LMIP/LFR_SAFOUR/LFR_UnemploymentRate>

South Australian Industry Protection Act 2016

An Act to mandate that all businesses give priority to South Australian and Australian products in their purchases; 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 *South Australian Industry Protection Act 2016*.

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 support South Australian and Australian businesses to foster economic sustainability; and
- (b) to give priority to local industry and enterprise.

4—Interpretation

In this Act, unless the contrary appears—

business means any private or public organisation; and

expropriation means when a public agency takes private property.

Part 2—Purchase Restrictions

5—Business Purchase Restrictions

- (1) A business may not purchase goods or services supplied from providers not based in South Australia, unless—
 - (a) a particular good or service cannot be supplied from a South Australian provider; and
 - (b) there is no viable alternative to said good or service that could be provided by a South Australian.

- (2) If no South Australian alternative is available, businesses may purchase from an Australian provider.
- (3) If no Australian made alternative is available, a business may purchase from outside of Australia without incurring a penalty.

6—Penalties for non-compliance

A business that does not comply with s5(1) will be subject to—

- (a) a maximum penalty of \$5000; and
- (b) the expropriation of offending purchases.

Part 3—Stimulating South Australian Industry

7—Subsidies

A South Australian business who complies with s5(1) will be granted a maximum subsidy of \$20,000 per annum.

Part 4—Sunset Clause

8—Sunset Clause

Two years from proclamation this Act will be reviewed by the Legislative Review Committee.

Organ Transplant and Rehabilitation Act 2016

Brief

The Organ Transplant and Rehabilitation Act was created to tackle the rising issue of patients post-surgery who continue to abuse substances. Their ability to receive a new organ is a debate that has been continuing for many years¹². This Act seeks to alleviate the pressure of current rehabilitation services in South Australia¹³ as well to revise and alter the current South Australian Organ Transplant Lists by means of reprioritising the Lists pertaining to patients who suffer from drug and alcohol abuse.

¹² Jordanna Schriever, The Advertiser, *Who Really Deserves an Organ Transplant?* (7 July 2011) <<http://www.adelaidenow.com.au/news/who-really-deserves-an-organ-transplant/story-e6frea6u-1226089273803>>

¹³ Paul Starick, The Advertiser, *Repatriation General Hospital and Hampstead Rehabilitation Centre earmarked for closure* (3 February 2015) <<http://www.adelaidenow.com.au/news/south-australia/repatriation-general-hospital-and-hampstead-rehabilitation-centre-earmarked-for-closure/news-story/acebbad16726d0f9daeae39c9507b867>>

Organ Transplant and Rehabilitation Act 2016

An Act to revise a patient's position on the South Australian Organ Transplant Waiting Lists and to establish a Rehabilitation Centre for patients recovering from transplants and addictions; 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 *Organ Transplant and Rehabilitation Act 2016*.

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 review and re-prioritise the South Australian Organ Transplant Waiting Lists pertaining to patients currently misusing and consuming substances;
- (b) to establish a Rehabilitation Centre in South Australia specific to transplant patients; and
- (c) to provide government concession for patients before and after surgery.

4—Interpretation

In this Act, unless the contrary appears—

Addiction means the fact or condition of being addicted to a particular substance;

Concession means the benefits and access to cheaper health care services and less expensive medicines;

Degree of Matching means the method of matching a patients' suitability with a donor;

Drug means any substance that can be habituating or addictive;

GP means a general practitioner or doctor who treats patients with minor or chronic illnesses and refers those with serious conditions to a hospital;

Organ means any part of the body exercising a specific function which is essential to the life or well-being of a person;

Organ Transplant means the operation of moving an organ from one organism (the donor) to another (the recipient);

Oromucosal quit devices means quit devices that are administered orally;

Oversight Commission means the South Australian Organ Transplant Oversight Commission;

Recovery system means the health system designed for the recuperation of patients suffering from substance abuse or addiction;

Rehabilitation means treatment designed to facilitate the process of recovery from injury, illness, or disease to as normal a condition as possible;

SARLC means South Australia Recovery and Living Centre;

South Australian Organ Transplant Waiting Lists means the waiting lists pertaining to the heart, lungs, liver, brain, kidney, pancreas, intestines and vascularised composite allotransplantation (face and hands) from a donor to a recipient;

Substance abuse means a substance-use disorder characterised by the use of a mood or behaviour altering substance in a maladaptive pattern resulting in significant impairment or distress;

Transdermal quit devices means quit devices that are applied to the skin.

Part 2—Organ Transplant Waiting List

5—Revision of the South Australian Organ Transplant List

- (1) The South Australian Organ Transplant Lists will be revised and altered as such that—
 - (a) Post-operation patients that intentionally misuse drugs will be ineligible to receive a new organ in the future;
 - (b) Post-operation patients that intentionally misuse drugs will be ineligible to receive a new organ in the future;
 - (c) People under the age of eighteen (18) are excluded from this Act;
 - (d) People who need drugs to survive and are regulated by any of the professionals in s7(1)(a) are excluded from this Act.

- (2) Post-operation patients who have re-abused and/or consumed substances will be ineligible to receive the same organ but will eligible to receive a new organ.
- (3) Patients with less than six (6) months to live will be put on an urgent Organ Transplant List. Patients will receive a new organ then will be placed in compulsory rehabilitation once they are recovered at the discretion of their doctor.

Part 3—South Australian Rehabilitation and Living Centre

6—Services

- (1) Services provided by the South Australian Rehabilitation and Living Centre include—
 - (a) Substance Prevention and Intervention
 - (b) One-on-one and group counselling
 - (c) Supervised visitation will be authorised by the clinical psychologist
 - (d) Recreational activities will be at discretion of the Recreation Officer
- (2) These services will be compulsory for the patient to undertake after they are deemed able by their attending physician.
- (3) Patients who are waiting to be accepted in the recovery system will be referred to this service.
- (4) Patients who do not attend rehabilitation will be ineligible to receive any organs in the future.
- (5) The services provided by the SARLC stated in s6(1) will be compulsory during the six (6) months abstinence period as stated in the Clinical Guidelines of Organ Transplant of Australia.

7—Oversight

- (1) The South Australian Organ Transplant Oversight Commission will provide oversight for the Services indicated in s6(1).
- (2) The Oversight Commission will include the Minister for Health, Minister for Substance Abuse, a clinical Psychiatrist and specialised Medical Doctors.
- (3) The Ministers of Health and Substance Abuse will decide who is on the Oversight Commission.

- (4) The relevant experience of the clinical Psychiatrist and the specialised Medical Doctors on the Oversight Commission will be decided at the discretion of the Minister of Health and Minister of Substance Abuse.
- (5) The appointment and experience of employed staff at SARLC will be at the discretion of the Oversight Commission.

Part 4—Government Concession

8—Patient Concessions

- (1) The Government will provide a full free concession prior, during and after surgery on the following—
 - (a) Substance Prevention and Intervention;
 - (b) One-on-one and group counselling; and
 - (c) Supervised visitation will be authorised by the clinical psychologist.
- (2) Patients will receive a full concession prior to surgery, if necessary, once they are selected by the Degree of Matching with a suitable donor.
- (3) Unless otherwise advised, patients will receive a full concession after surgery if they're approved by the patient's caseworker employed by the SARLC for up to one year after the operation.

Part 5—Sunset Clause

9—Sunset Clause

Two years from proclamation, this Act shall be reviewed by the Legislative Review Committee of South Australia.