

DRAFT BY-LAWS – 36 by-laws summarised

No	By-law	Summary of content	Relation to existing regulations or other policy statements
1	Interpretation	<i>Note definition: Authorised person is person authorised in writing by the Board of TAFE S for the purpose of these by-laws.</i>	Definitions transposed from Technical and Further Education (Vehicles) Regulations 1998 and updated to comply with current regulation and TAFE SA governance.
By-laws 2 – 22		<i>Regulation of traffic and parking</i>	
2	Official signs		These by-laws are directly transposed from Regulations 5 – 25 of the 1998 Regulations with minor changes to ensure they reflect current terminology, governance structure of TAFE SA and regulation, eg in relation to disabled parking time limit. One new by-law (See 20) has been added.
3	Dangerous or noisy driving		
4	Speeding		
5	Driving only on roads		
6	Regulating the flow of traffic		
7	Impeding pedestrian access		
8	Parking only in areas set aside for parking		
9	Parking spaces		
10	Prohibited areas		
11	Permit areas		
12	Loading areas		
13	Limitation on class of vehicle that may be parked		
14	Time limit		
15	Angle parking		
16	Parallel parking		
17	Owner/driver contravening the by-laws		
18	Further contravention each hour		
19	Hinder or obstruct a person issuing expiation notices		
20	Removal of a vehicle from TAFE SA grounds	Allows TAFE SA to remove a vehicle that infringes the by-laws, a power explicitly stated in the TAFE SA Act 2012 (S17(1))f).	
21	Owner of vehicle may name driver		Transposed from 1998 vehicle regulations
22	Exemptions		
By-laws 23 - 36		<i>Regulation of behaviour and activities on TAFE SA grounds</i>	Drawn from the TAFE SA Act 2012, TAFE SA policy and existing prescribed standards of behaviour
23	Access to and use of TAFE SA grounds	Prohibits trespass and defines who is authorised to enter TAFE SA grounds, including students, staff, contractors, lessees, visitors, persons authorised or licensed by the Minister S17(1)(a) Act provides that TAFE SA can make by-laws to prohibit trespass on TAFE SA grounds.	Trespass and persons authorised to enter TAFE SA grounds are new. It reflects s40 of the <i>Technical and Further Education Act 1975</i> which enabled persons to be removed if their access was unauthorised
24	Alcohol or illicit drugs on TAFE SA grounds	This power is explicitly stated in TAFE SA Act 2012 S 17(1)(e)(iii)..	Stated in Student Code of Behaviour examples on web and conforms with TAFE SA policy on Health and Safety.
24(1)	Alcohol	Persons must have permission of the TAFE SA Board to bring alcohol onto the grounds except where a license is in place or it is required as part of a training course or an official function.	Draws on Workplace Health and Safety Drugs and Alcohol Procedure (216) clause 6.5.

No	By-law	Summary of content	Relation to existing regulations or other policy statements
24(2)	Illicit drugs	Illicit drugs are totally prohibited.	As for 24 (1)
25	Disorderly or offensive behaviour	Requires persons on TAFE SA grounds; <ul style="list-style-type: none"> to behave respectfully and without endangering other persons to obey directions of staff, SAPOL, Emergency Services to obey signs, laws not to disrupt teaching and learning not to interfere with lawful activities on TAFE SA grounds 	This by-law regulates behaviour of all people on TAFE SA grounds – including students, staff, contractors and visitors - in line with existing policy stated on the TAFE SA web Code of Behaviour. It covers disrupting learning, for example in a library.
26	Damage to TAFE SA grounds and property	Lists a number of prohibited actions but is not limited to them, eg litter, graffiti, property damage and provides for TAFE SA to fine, recover costs to repair damage.	New itemisation of types of damage for which persons will be accountable. 1999 Regulations provided for compensation by students for any damage, loss.
27	Firearms and weapons	Prohibits carrying or use of firearms and weapons except when required as part of an education program.	Stated in Student Code of Behaviour examples on web.
28	Noise	Regulates production of noise and interruption of TAFE SA activities by noise.	New – similar to existing subordinate legislation of public grounds or property of other organisations.
29	Smoking	Prohibits smoking on TAFE SA grounds	New smoke free environment established on TAFE SA grounds.
30	Children under 16 must be accompanied by an adult	Requires adult supervision of children on TAFE SA grounds and controls entry of children except a child under the age of 16 who is a student or who is in the care of a student or staff member or other person authorised to enter TAFE SA grounds. Allows children access to cafeterias.	Draws on existing WHS Children in the workplace procedure (175) which prohibits children in the workplace except in exceptional circumstances and then only with immediate supervision of the responsible adult. (clause 6.2 and 6.4). Also uses same definition of child – under 16 years of age.
31	Dogs and animals on TAFE SA grounds	Except for guide dogs and animals associated with a TAFE SA education program, dogs or animals must be kept on leash at all times.	New. This power is explicitly stated in TAFE SA Act 2012 S17(1)(e)(ii)
32	Activities on TAFE SA grounds subject to TAFE SA Board permission	Lists 11 activities that require permission of the TAFE SA Board including selling raffle tickets, distributing pamphlets, leaving property unattended for more than 24 hours.	Articulates some controls already in place through lease agreements, permits.
33	Requesting persons to leave TAFE SA grounds	Provides for an authorised person to ask a person contravening the by-laws to leave TAFE SA grounds.	TAFE SA Act 2012 S17(1)(f)
34	Authorised person may ask for identification, inspect and confiscate	Provides for identification of person, inspection and confiscation when a person is suspected of committing an offence under a by-law.	New. TAFE SA Act S17(1)(g)
35	Impersonation of an authorised person	Provides fine and expiation fee for impersonating an authorised person.	New.
36	Board may issue temporary ban on person entering TAFE SA grounds.	Provides for TAFE SA to ban persons who repeatedly infringe the by-laws, providing that they receive notice and an opportunity to make a submission to the Board.	New. TAFE SA Act S17(1)(j) gives TAFE SA power to prescribe matters 'expedient for the maintenance of good order on TAFE SA grounds).