

South Australian Heritage Council

28.1 Policy – Waiving Fees associated with permit applications relating to objects in the Register.

OBJECTIVE: The South Australian Heritage Council (the “**Council**”) desires to be transparent regarding the waiving or reducing of fees applicable to applying for permits in relation to Objects.

CONTEXT: Part 5, Division 1 of the *Heritage Places Act 1993* (the Act) pertains to places or objects of particular heritage significance.

Under Part 5, Division 1, section 28(2) of the Act a person must not, without a permit from the Council, damage, destroy or dispose of (movement and transfer) an object entered in the Register (either provisionally or confirmed) under section 14(2)(b). Maximum penalty: \$75,000.

Under Part 5, Division 1, section 28(3) of the Act a person must not, without a permit from the Council, alter an object entered in the Register (either provisionally or confirmed) under section 14(2)(b) in a way that would materially affects the heritage significance of the object. Maximum penalty: \$75,000.

Section 29 of the Act relates to the conditions under which a permit is granted.

Section 7 of the *Heritage Places Regulations 2005* indicates that fees set out in Schedule 2 are payable to the Council; and, the Council may waive or reduce a fee if it is satisfied that it is appropriate to do so in a particular case.

Schedule 2 says that the fee for applying for a permit under Part 5 Division 1 of the *Heritage Places Act 1993* is \$177.00.

Waiving of fees

The Council's policy is that it will waive the full amount of the fee payable in relation to applying for a permit with the exception of permits relating to the sale of objects. In this instance fees will be payable at the discretion of Council (or its delegate) .

Delegated responsibility

The Council has delegated responsibility to the Chair / Deputy Chair of the Council and the Manager, Heritage South Australia in relation to the issuing of permits as they relate to objects in the Register under section 28(2) and 28(3) and 29(d) of the Act, via an Instrument of Delegation. The Instrument of Delegation does not derogate from the power of the Council to act in this matter and is revocable at will.

Review of this policy

The Council will review its position on the waiving of fees every two years after the date of adoption.

APPLICATION: Applying to the Council and its delegates.

DATE ADOPTED: 12 December 2019

CHAIR:

