

2005

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Urban Services)

Litter Amendment Bill 2005

A Bill for

An Act to amend the *Litter Act 2004*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 **1 Name of Act**

2 This Act is the *Litter Amendment Act 2005*.

3 **2 Commencement**

4 This Act commences on the day after its notification day.

5 *Note* The naming and commencement provisions automatically commence on
6 the notification day (see Legislation Act, s 75 (1)).

7 **3 Legislation amended**

8 This Act amends the *Litter Act 2004*.

9 **4 Section 15**

10 *substitute*

11 **15 Identity cards**

12 (1) The chief executive must give an authorised person an identity card
13 stating the person's name and that the person is an authorised
14 person.

15 (2) The identity card must show—

- 16 (a) a recent photograph of the person; and
17 (b) the card's date of issue and expiry; and
18 (c) anything else prescribed by regulation.

19 (3) A person commits an offence if—

- 20 (a) the person stops being an authorised person; and

1 (b) the person does not return the person's identity card to the
2 chief executive as soon as practicable, but no later than 7 days
3 after the day the person stops being an authorised person.

4 Maximum penalty: 1 penalty unit.

5 (4) An offence against this section is a strict liability offence.

6 **5 Power not to be exercised before identity card shown etc**
7 **New section 16 (3)**

8 *insert*

9 (3) Subsection (1) does not apply to the exercise of a power by an
10 authorised person under section 17 (1).

11 *Note* Section 17 (3) allows a person to ask the authorised person to produce
12 his or her identity card for inspection.

13 **6 Section 17**

14 *substitute*

15 **17 Power to require name and address**

16 (1) An authorised person may require a person to state the person's
17 name and home address if the authorised person believes, on
18 reasonable grounds, that the person is committing or has just
19 committed an offence against this Act.

20 *Note* A reference to an Act includes a reference to the statutory instruments
21 made or in force under the Act, including any regulation (see
22 Legislation Act, s 104).

23 (2) The authorised person must tell the person the reason for the
24 requirement and, as soon as practicable, record the reason.

25 (3) The person may ask the authorised person to produce his or her
26 identity card for inspection by the person.

27 (4) A person must comply with a requirement made of the person under
28 subsection (1) if the authorised person—

- 1 (a) tells the person the reason for the requirement; and
2 (b) complies with any request made by the person under
3 subsection (3).
4 Maximum penalty: 10 penalty units.
5 (5) An offence against this section is a strict liability offence.
6 (6) In this section:
7 *home address*, of a person, means the address of the place where the
8 person usually lives.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 2005.

2 Notification

Notified under the Legislation Act on 2005.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.
