

2023

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Transport and City Services)

Circular Economy Bill 2023

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THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Transport and City Services)

Circular Economy Bill 2023

A Bill for

An Act to reduce waste and promote a circular economy, and for other purposes

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

1 **Part 1 Preliminary**

2 **1 Name of Act**

3 This Act is the *Circular Economy Act 2023*.

4 **2 Commencement**

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

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

8 **3 Dictionary**

9 The dictionary at the end of this Act is part of this Act.

10 *Note 1* The dictionary at the end of this Act defines certain terms used in this
11 Act, and includes references (*signpost definitions*) to other terms defined
12 elsewhere.

13 For example, the signpost definition ‘*waste*—see the [Waste Management
14 and Resource Recovery Act 2016](#), section 10.’ means that the term
15 ‘waste’ is defined in that section and the definition applies to this Act.

16 *Note 2* A definition in the dictionary (including a signpost definition) applies to
17 the entire Act unless the definition, or another provision of the Act,
18 provides otherwise or the contrary intention otherwise appears (see
19 [Legislation Act](#), s 155 and s 156 (1)).

20 **4 Notes**

21 A note included in this Act is explanatory and is not part of this Act.

1 **5 Offences against Act—application of Criminal Code etc**

2 Other legislation applies in relation to offences against this Act.

3 *Note 1 Criminal Code*

4 The [Criminal Code](#), ch 2 applies to all offences against this Act (see
5 Code, pt 2.1).

6 The chapter sets out the general principles of criminal responsibility
7 (including burdens of proof and general defences), and defines terms used
8 for offences to which the Code applies (eg *conduct*, *intention*,
9 *recklessness* and *strict liability*).

10 *Note 2 Penalty units*

11 The [Legislation Act](#), s 133 deals with the meaning of offence penalties
12 that are expressed in penalty units.

13 **6 Objects of Act**

14 (1) The objects of this Act are to—

15 (a) minimise the generation of waste; and

16 (b) maximise the recovery and re-use of resources; and

17 (c) minimise the amount of waste that goes to landfill; and

18 (d) reduce the harm of plastic and other waste on the natural and
19 built environment and public health; and

20 (e) promote other features of a circular economy including by
21 encouraging the design and manufacture of products that—

22 (i) use less resources during manufacturing; and

23 (ii) use more renewable, reusable or nontoxic resources during
24 manufacturing; and

25 (iii) are more durable, repairable, reusable, recyclable or
26 compostable.

27 (2) The precautionary principle must be taken into account in giving
28 effect to the objects of this Act.

- 1 (3) In this section:
- 2 *precautionary principle* means that, if there is a threat of serious or
- 3 irreversible environmental damage, a lack of full scientific certainty
- 4 should not be used as a reason for postponing measures to prevent
- 5 environmental degradation.

1 **Part 2** **Waste reduction measures**

2 **Division 2.1** **Preliminary**

3 **7** **Meaning of *business*—pt 2**

4 In this part:

5 *business*—

6 (a) includes—

7 (i) a trade, industry or profession; and

8 (ii) any other activity carried on for fee, benefit or reward; and

9 (iii) a person or activity prescribed by regulation; but

10 (b) does not include a person or activity excluded by regulation.

11 **Division 2.2** **Waste requirements for businesses**

12 **8** **Requirements for reducing waste produced by**
13 **businesses**

14 A regulation may require a person conducting a business to do any of
15 the following to reduce the amount of waste produced by the business
16 (a *waste reduction requirement*):

17 (a) prepare a plan to reduce the amount of waste produced by the
18 business;

19 (b) keep records about, and report on, the person's compliance with
20 a regulation made for paragraph (a).

- 1 **9** **Requirements for dealing with waste produced by**
2 **businesses**
- 3 A regulation may require a person conducting a business to do any of
4 the following in relation to waste produced by a business (a *waste*
5 *processing requirement*):
- 6 (a) sort the waste at the business’s premises in a stated way before
7 processing or disposal;
- 8 (b) dispose of the waste in a stated way;
- 9 (c) keep records about, and report on, the person’s compliance with
10 a regulation made for paragraph (a) or (b).
- 11 **10** **Consultation requirements—proposed waste reduction or**
12 **processing requirements**
- 13 Before a regulation may be made prescribing a requirement for
14 section 8 or section 9—
- 15 (a) the Minister must give a public notice in relation to the proposed
16 regulation that includes the following information:
- 17 (i) details about the requirements to be prescribed;
- 18 (ii) a statement that anyone may give a written submission to
19 the Minister about the proposed regulation;
- 20 (iii) a statement that submissions may be given only in the
21 period starting on the day the notice is published and
22 ending 12 weeks later or any later day stated in the notice;
23 and
- 24 (b) the Executive must consider the following:
- 25 (i) any written submissions received in accordance with the
26 public notice;

- 1 (ii) the financial and operational impact of the proposed waste
2 reduction requirement or waste processing requirement on
3 the people and businesses to whom the requirement
4 applies.

1 **Part 3** **Prohibited products**

2 **Division 3.1** **Important concepts**

3 **11** **Definitions—pt 3**

4 In this part:

5 *beverage* includes water.

6 *plastic product* means a product made, in whole or in part, of plastic.

7 *prohibited plastic product*—see section 13 (1).

8 *prohibited product*—see section 12 (1).

9 *single-use*, in relation to a plastic product—see section 14 (1).

10 *supply*, a prohibited product to a person—see section 15.

11 **12** **Meaning of *prohibited product*—pt 3**

12 (1) In this part:

13 *prohibited product*—

14 (a) means—

15 (i) a prohibited plastic product; or

16 (ii) any other product prescribed by regulation if—

17 (A) the production or use of the product is harmful to the
18 natural or built environment or human health; or

19 (B) there is a reasonably available and affordable
20 alternative product that better promotes a circular
21 economy; but

22 (b) does not include a product excluded by regulation.

- 1 (2) For this section, an alternative product *better promotes a circular*
2 *economy* than another product if it—
- 3 (a) uses less resources during manufacturing than the other product;
4 and
- 5 (b) uses more renewable, reusable or nontoxic resources during
6 manufacturing than the other product; and
- 7 (c) is more durable, repairable, reusable, recyclable or compostable
8 than the other product.

9 **13 Meaning of *prohibited plastic product*—pt 3**

- 10 (1) In this part:
- 11 *prohibited plastic product*—
- 12 (a) means any of the following:
- 13 (i) a single-use plastic product prescribed by regulation;
- 14 (ii) a non-compostable degradable plastic product prescribed
15 by regulation; but
- 16 (b) does not include an integrated packaging item.
- 17 (2) In this section:
- 18 *non-compostable*, in relation to a plastic product, means a plastic
19 product that is not designated—
- 20 (a) compostable in accordance with AS 4736-2006 (Biodegradable
21 plastics—Biodegradable plastics suitable for composting and
22 other microbial treatment) as in force from time to time; or
- 23 (b) home compostable in accordance with AS 5810-2010
24 (Biodegradable plastics—Biodegradable plastics suitable for
25 home composting) as in force from time to time.

26 *Note* AS 4736-2006 and AS 5810-2010 may be purchased at
27 www.standards.org.au.

1

integrated packaging item—

2

(a) means an item that is an integral part of the packaging in which goods, including pre-packaged portions of food or a beverage, are sealed before the goods are supplied; but

3

4

5

(b) does not include an item prescribed by regulation.

6

Examples—par (a)

7

1 a sealed expanded polystyrene cup containing dry noodles with flavouring

8

2 a sealed expanded polystyrene tray containing fruit, vegetables or uncooked meat

9

10

3 a plastic bag containing cereal inside a cardboard box

11

4 a fork included in a pre-packed salad

12

5 a spoon attached to an ice-cream cup

13

6 a plate forming part of a frozen meal

14

14 Meaning of *single-use*—pt 3

15

(1) For this part, a *single-use* product means a product designed or intended to be used only once.

16

17

Example

18

A cafe sells coffee in plastic takeaway cups under a cup-return scheme. Under the scheme, a customer buys their coffee in a plastic takeaway cup and returns the empty cup to the cafe or any other participating cafe to be washed and reused by other customers of the cafe. The use and return of the plastic takeaway cups is tracked using a mobile phone app. The plastic takeaway cups are *not* intended to be used once only.

19

20

21

22

23

24

(2) Subsection (1) applies even if a single-use product is able to be re-used.

25

26

Example—re-use

27

A restaurant selling takeaway food places the prepared food in plastic takeaway food containers and then in a single-use plastic shopping bag along with plastic cutlery for a customer to take away and eat. The customer washes the empty plastic takeaway containers and re-uses them to take their lunch to work. The customer also re-uses the single-use plastic shopping bag as a bin liner and the plastic cutlery as planting labels for seedlings. The subsequent re-use of these items is unrelated to the restaurant's original intended use.

28

29

30

31

32

33

1 (3) For subsection (1), *used only once* includes multiple purposes within
2 the 1 use.

3 **Example—multiple purposes**

4 Fresh herbs are placed in a plastic sleeve by the grower. The plastic sleeve has the
5 following purposes:

- 6 (a) portioning the herbs for sale;
7 (b) protecting the herbs during transport to the supermarket;
8 (c) extending the shelf-life of the herbs at the supermarket;
9 (d) protecting the herbs during purchase and transport to the home of the
10 consumer.

11 **15 Meaning of *supply*—pt 3**

12 In this part:

13 *supply*, a prohibited product to a person—

- 14 (a) means sell or otherwise provide a prohibited product to the
15 person; and
16 (b) includes the following:
17 (i) offer to provide the product to the person;
18 (ii) receive or possess the product for the purpose of providing
19 it to the person;
20 (iii) display the product for the purpose of providing it to the
21 person;
22 (iv) cause or permit the product to be provided to the person;
23 and
24 (c) for a plastic product—
25 (i) includes providing the plastic product to the person—
26 (A) as a container or packaging for another product
27 provided to the person; or

- 1 (B) for use with, or in relation to, another product
2 provided to the person; but
- 3 (ii) does not include providing the plastic product to the person
4 in a domestic setting.
- 5 **Example—par (c) (i) (A)**
6 giving a customer in a restaurant a plastic takeaway container to put uneaten
7 restaurant food into
- 8 **Example—par (c) (i) (B)**
9 making plastic beverage stirrers available on the counter at a coffee shop
- 10 **Example—par (c) (ii)**
11 a parent providing a plastic fork for a school lunch

12 **16 Consultation requirements—prohibited products and**
13 **prohibited plastic products**

- 14 (1) Before a regulation may be made prescribing a product for a relevant
15 section—
- 16 (a) the Minister must give a public notice in relation to the proposed
17 regulation that includes the following:
- 18 (i) details about the product to be prescribed by the proposed
19 regulation;
- 20 (ii) the reasons for prescribing the product;
- 21 (iii) information about any proposed declaration to be made
22 under section 23 in relation to the product;
- 23 (iv) a statement that anyone may give a written submission to
24 the Minister about the proposed regulation;
- 25 (v) a statement that submissions may be given only in the
26 period starting on the day the notice is published and
27 ending 12 weeks later or any later day stated in the notice;
28 and

- 1 (b) the Executive must consider the following:
- 2 (i) any written submissions received in accordance with the
- 3 public notice;
- 4 (ii) the availability and utility of alternative products to replace
- 5 the proposed prohibited product.
- 6 (2) In this section:
- 7 *relevant section* means—
- 8 (a) section 12 (1), definition of *prohibited product*,
- 9 paragraph (a) (ii); or
- 10 (b) section 13 (1), definition of *prohibited plastic product*,
- 11 paragraph (a) (i) or (ii).

12 **Division 3.2 Supplying prohibited products**

13 **17 Person must not supply prohibited product**

- 14 (1) A person must not supply a prohibited product to another person.
- 15 Maximum penalty: 50 penalty units.
- 16 (2) An offence against this section is a strict liability offence.

17 **18 Person must not make false representation about prohibited product**

- 18 A person commits an offence if the person—
- 19 (a) supplies a prohibited product to another person; and
- 20 (b) intentionally or recklessly represents to the other person that the
- 21 product is not a prohibited product.
- 22
- 23 Maximum penalty: 50 penalty units.

- 1 **19 Notice to dispose of prohibited products**
- 2 (1) This section applies if an authorised person believes on reasonable
3 grounds that a person has contravened section 17.
- 4 (2) The authorised person may give the person written notice requiring
5 the person to dispose of the prohibited product in a stated way within
6 a reasonable stated period.
- 7 *Note* If the notice is given to a person who may apply to the ACAT for review
8 of the decision, the notice must be a reviewable decision notice (see s 53).
- 9 (3) For subsection (2), the authorised person may only require a person
10 to dispose of the prohibited product in a way that—
- 11 (a) does not unreasonably financially disadvantage the person; and
12 (b) is consistent with the objects of this Act.
- 13 **Example—par (b)**
14 a direction to take the prohibited product to a waste management and resource
15 recovery centre for appropriate disposal
- 16 (4) The notice must contain a statement to the effect that if the person
17 does not dispose of the prohibited product in accordance with the
18 notice—
- 19 (a) an authorised person may remove and dispose of the product or
20 authorise a stated person to remove and dispose of the product;
21 and
- 22 (b) the person must pay to the Territory the reasonable cost of any
23 removal and disposal of the product.
- 24 *Note* An amount owing under a law may be recovered as a debt in a court of
25 competent jurisdiction or the ACAT (see [Legislation Act](#), s 177).
- 26 (5) A person must comply with a notice given to the person under
27 subsection (2).
- 28 Maximum penalty: 20 penalty units.
- 29 (6) An offence against this section is a strict liability offence.

1 **20** **Authorised person may remove and dispose of prohibited**
2 **products if notice not complied with**

3 (1) If a person fails to comply with a notice under section 19 in relation
4 to a prohibited product, an authorised person may—

5 (a) remove and dispose of the product; or

6 (b) authorise a stated person to remove and dispose of the product.

7 (2) However, the authorised person or stated person must not remove or
8 dispose of the prohibited product unless—

9 (a) the period in which the person may make an application for
10 review of the decision to which the notice relates has ended and
11 the person has not made an application; or

12 (b) if the person applies to the ACAT for a review of the decision—

13 (i) the ACAT confirms the decision; or

14 (ii) if the ACAT varies or substitutes the decision and the
15 varied or substituted decision requires the person to
16 dispose of the product—the person fails to comply with the
17 varied or substituted decision; or

18 (iii) the person withdraws the application.

19 (3) A person who fails to comply with a requirement in a notice under
20 section 19 must pay to the Territory the reasonable cost of any
21 removal or disposal carried out under this section.

22 *Note* An amount owing under a law may be recovered as a debt in a court of
23 competent jurisdiction or the ACAT (see [Legislation Act](#), s 177).

- 1 **Division 3.3** **Supply of declared products at public**
2 **events**
- 3 **21** **Minister may declare prohibitable product must not be**
4 **supplied at public event**
- 5 (1) The Minister may declare that a person must not supply a stated
6 prohibitable product to another person at a stated public event.
- 7 (2) For a public event that is not a government event, the Minister may
8 only make a declaration if—
- 9 (a) the declaration is made not less than 3 months before the day the
10 event starts; and
- 11 (b) after consulting the person conducting the public event, the
12 Minister is satisfied that—
- 13 (i) there is a reasonably available and affordable alternative
14 product; and
- 15 (ii) the declaration will not have an unreasonable impact on the
16 event.
- 17 (3) A declaration is a disallowable instrument.
- 18 (4) In this section:
- 19 **government event** means an event conducted by the Territory or a
20 territory entity.
- 21 **prohibitable product** means a product that may be, but is not,
22 prescribed as a prohibited product for—
- 23 (a) section 12 (1), definition of *prohibited product*,
24 paragraph (a) (ii); or
- 25 (b) section 13 (1), definition of *prohibited plastic product*,
26 paragraph (a) (i) or (ii).

- 1 **22** **Person must not supply declared product at public event**
- 2 (1) A person must not supply a declared product to another person at a
- 3 declared public event.
- 4 Maximum penalty: 50 penalty units.
- 5 (2) An offence against this section is a strict liability offence.
- 6 (3) In this section:
- 7 *declared product* means a product the subject of a declaration made
- 8 under section 21 (1).
- 9 *declared public event* means an event the subject of a declaration
- 10 made under section 21 (1).

1 **Part 4** **Exemptions**

2 **23** **Minister may disapply Act for person or prohibited**
3 **product**

- 4 (1) The Minister may, on application or on the Minister's own initiative,
5 declare that a provision of this Act does not apply (with or without
6 conditions) in relation to—
- 7 (a) a person; or
8 (b) a prohibited product.
- 9 (2) An application must include any information prescribed by
10 regulation.
- 11 (3) The Minister may make a declaration in relation to a provision of this
12 Act only if satisfied that—
- 13 (a) for subsection (1) (a)—
- 14 (i) it is not reasonably practicable or in the public interest for
15 the person to comply with the provision; or
- 16 (ii) it is not consistent with the person's human rights for the
17 person to comply with the provision; and
- 18 (b) disapplication of the provision will not have any significant
19 adverse effect on public health, property or the environment.
- 20 (4) A declaration is a disallowable instrument.
- 21 (5) A declaration may commence on a day earlier than its notification
22 day.
- 23 (6) A person commits an offence if—
- 24 (a) a declaration subject to a condition applies to the person or a
25 prohibited product; and

1 (b) the person supplies a prohibited product in contravention of the
2 condition.

3 Maximum penalty: 50 penalty units.

4 (7) An offence against subsection (6) is a strict liability offence.

1 **Part 5** **Enforcement**

2 **Division 5.1** **Preliminary**

3 **24** **Definitions—pt 5**

4 In this part:

5 ***authorised person*** means—

- 6 (a) a person appointed as an authorised person under section 25; or
7 (b) a person appointed as an investigator under the *Fair Trading*
8 *(Australian Consumer Law) Act 1992*, section 36; or
9 (c) a public health officer authorised under the *Public Health*
10 *Act 1997*, section 12A (2) as an authorised officer for the *Food*
11 *Act 2001* or a provision of that Act.

12 ***connected***—a thing is ***connected*** with an offence if—

- 13 (a) the offence has been committed in relation to it; or
14 (b) it will provide evidence of the commission of the offence; or
15 (c) it was used, is being used, or is intended to be used, to commit
16 the offence.

17 ***occupier***, of premises, includes—

- 18 (a) a person an authorised person believes on reasonable grounds to
19 be an occupier of the premises; and
20 (b) a person apparently in charge of the premises.

21 ***offence*** includes an offence that there are reasonable grounds for
22 believing has been, is being, or will be, committed.

1 *premises* includes the following:

- 2 (a) land (whether or not vacant);
- 3 (b) any part of a building, tent, stall or other structure (whether of a
- 4 permanent or temporary nature);
- 5 (c) a vehicle.

6 *warrant* means a warrant issued under division 5.5.

7 **25 Appointment of authorised people**

8 The director-general may appoint a public servant as an authorised

9 person for this Act.

10 *Note* For laws about appointments, see the [Legislation Act](#), pt 19.3.

11 **26 Identity cards**

12 (1) The director-general must give an authorised person an identity card

13 that—

- 14 (a) states the authorised person’s name; and
- 15 (b) states that the person is an authorised person; and
- 16 (c) includes a recent photograph of the person; and
- 17 (d) states the card’s date of issue and expiry; and
- 18 (e) includes anything else prescribed by regulation.

19 (2) A person must return their identity card to the director-general within

20 7 days after the day the person stops being an authorised person.

21 Maximum penalty: 1 penalty unit.

22 (3) Subsection (2) does not apply to a person if their identity card is—

- 23 (a) lost or stolen; or

1 (b) destroyed by someone else.

2 *Note* The defendant has an evidential burden in relation to the matters
3 mentioned in s (3) (see [Criminal Code](#), s 58).

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

5 **Division 5.2 Exercise of powers generally**

6 **27 Requirements before certain powers can be exercised**

7 (1) This section applies if an authorised person intends to exercise any of
8 the following powers:

9 (a) giving a direction under section 29 (1) (Direction to give
10 information);

11 (b) giving a direction under section 30 (1) or (2) (Direction to give
12 name and address);

13 (c) entering premises under section 31 (1) (b) or (c) (Powers of
14 authorised person to enter premises);

15 (d) giving a direction under section 34 (1) (e) (General powers on
16 entry to premises).

17 (2) Before exercising the power, the authorised person must—

18 (a) either—

19 (i) show their identity card to the affected person; or

20 (ii) if the authorised person intends to exercise the power other
21 than in person—provide other evidence of the authorised
22 person's identity to the affected person; and

23 (b) tell the affected person the reason for exercising the power; and

- 1 (c) tell the affected person about any relevant offence in relation to
2 the power.

3 **Examples—exercise of powers other than in person**

4 1 an authorised person emails a person giving them a direction to provide
5 information

6 2 an authorised person emails a person asking for consent to enter and search
7 the person’s premises using a remote-controlled surveillance device

- 8 (3) The authorised person must ensure the matters mentioned in
9 subsection (2) are communicated in a way that the authorised person
10 believes the affected person is likely to understand.

- 11 (4) In this section:

12 *affected person*, in relation to the exercise of a power under this part,
13 means—

- 14 (a) the individual affected by the exercise of the power; or
15 (b) if the person is not an individual—an employee, officer or agent
16 of the person affected by the exercise of the power.

17 *relevant offence* means an offence against—

- 18 (a) for a direction under section 29 (1)—section 29 (2); or
19 (b) for a direction under section 30 (1) or (2)—section 30 (3); or
20 (c) for a direction under section 34 (1) (e)—section 34 (2).

21 **28 Privilege against self-incrimination does not apply**

22 (1) If an authorised person gives a person a direction to provide
23 information, a document or other thing under this part, the person is
24 not excused from complying with the direction on the ground that
25 doing so may—

- 26 (a) tend to incriminate the person; or
27 (b) expose the person to a penalty.

- 1 (2) However, any information, document or thing obtained, directly or
2 indirectly, because of the person's compliance with the direction is
3 not admissible in evidence against the person in a civil or criminal
4 proceeding, other than a proceeding for an offence arising out of the
5 false or misleading nature of the information, document or thing.

6 **Division 5.3 Power to obtain information**

7 **29 Direction to give information**

- 8 (1) An authorised person may, in writing, direct a relevant person to give
9 the authorised person information, a document or other thing within
10 a stated reasonable period if the information, document or thing is
11 reasonably required by the authorised person for this Act.

12 *Note* The [Legislation Act](#), s 171 deals with the application of client legal
13 privilege.

- 14 (2) A relevant person must take reasonable steps to comply with the
15 direction.

16 Maximum penalty: 50 penalty units.

- 17 (3) Subsection (2) does not apply to a relevant person unless the
18 authorised person—

19 (a) complies with section 27 (Requirements before certain powers
20 can be exercised); and

21 (b) explains the effect of section 28 (Privilege against
22 self-incrimination does not apply).

23 *Note* The defendant has an evidential burden in relation to the matters
24 mentioned in s (3) (see [Criminal Code](#), s 58).

- 25 (4) In this section:

26 ***beverage***—see section 11.

27 ***plastic product***—see section 11.

- 1 ***relevant person*** means—
- 2 (a) a person to whom a waste reduction requirement or waste
- 3 processing requirement applies; or
- 4 (b) a person who supplies food or beverages in the ACT; or
- 5 (c) a person who supplies or manufactures plastic products in the
- 6 ACT; or
- 7 (d) any other person prescribed by regulation.
- 8 ***supply***, a prohibited product to a person—see section 15.

9 **30 Direction to give name and address**

- 10 (1) An authorised person may direct a person to state the person’s name
- 11 and home address if the authorised person believes on reasonable
- 12 grounds that the person—
- 13 (a) is involved in the commission of an offence against this Act; or
- 14 (b) may be able to assist in the investigation of an offence against
- 15 this Act.
- 16 (2) If the authorised person believes on reasonable grounds that
- 17 information given in response to a direction under subsection (1) is
- 18 false or misleading, the authorised person may direct the person to
- 19 produce evidence of the correctness of the information within a stated
- 20 reasonable period.
- 21 (3) A person must comply with a direction given to the person under this
- 22 section.

23 Maximum penalty: 5 penalty units.

24 *Note* It is an offence to make a false or misleading statement or give false or

25 misleading information (see [Criminal Code](#), pt 3.4).

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

1 (5) Subsection (3) does not apply to a person unless the authorised person
2 complies with section 27 (Requirements before certain powers can be
3 exercised).

4 *Note* The defendant has an evidential burden in relation to the matter
5 mentioned in s (5) (see [Criminal Code](#), s 58).

6 **Division 5.4 Power to enter premises**

7 **31 Powers of authorised person to enter premises**

8 (1) For this Act, an authorised person may—

9 (a) at any reasonable time, enter premises that the public is entitled
10 to use or that are open to the public (whether or not on payment
11 of money); or

12 (b) at any time, enter premises with the occupier’s consent; or

13 (c) at any time, enter premises if the authorised person believes on
14 reasonable grounds that—

15 (i) an offence against this Act is being, or is likely to be, or
16 has just been, committed at the premises; and

17 (ii) the risk to the environment or public health resulting from
18 the offence is so serious and urgent that immediate entry to
19 the premises without the authority of a warrant is
20 necessary; or

21 (d) enter premises in accordance with a warrant.

22 (2) However, subsection (1) (a) or (c) do not authorise entry into a part
23 of the premises that is being used only for residential purposes.

24 (3) If an authorised person wants to ask for consent to enter a building or
25 other structure on the premises, the authorised person may, without
26 the occupier’s consent, enter any land that forms part of the premises
27 to ask for the consent.

- 1 (4) To remove any doubt, an authorised person may enter premises under
2 subsection (1) without payment of an entry fee or other charge.
- 3 (5) An authorised person may—
- 4 (a) enter the premises with 1 or more people who, in the opinion of
5 the authorised person, have knowledge or skills that could assist
6 the authorised person to carry out their functions; and
- 7 (b) if entering the premises in accordance with a warrant—also
8 enter the premises with necessary force.

9 **32 Obtaining consent to entry**

- 10 (1) For section 31 (1) (b), an authorised person must—
- 11 (a) before asking the occupier for consent—tell the occupier—
- 12 (i) the purpose of the proposed entry; and
- 13 (ii) the reason for, and identity of, any other person
14 accompanying the authorised person; and
- 15 (iii) that anything found and seized under this part may be used
16 in evidence in court; and
- 17 (iv) that consent may be refused; and
- 18 (b) if the occupier consents to the entry—give the occupier a written
19 record confirming—
- 20 (i) the matters mentioned in paragraph (a); and
- 21 (ii) that the occupier was told about those matters; and
- 22 (iii) the date and time when the consent was given.
- 23 (2) A court must find that the occupier did not consent if—
- 24 (a) a question arises, in a proceeding in the court, whether the
25 occupier consented to the authorised person entering the
26 premises under this part; and

1 (b) a record mentioned in subsection (1) (b) is not produced in
2 evidence; and

3 (c) it is not proved that the occupier consented to the entry.

4 **33 Consent to enter taken to be given if premises entered**
5 **under other Act**

6 An occupier of premises is taken to have given consent under this
7 division for an authorised person to enter the premises if—

8 (a) the occupier consents to an authorised person entering the
9 premises under the *Fair Trading (Australian Consumer Law)*
10 *Act 1992* or the *Food Act 2001*; and

11 (b) before obtaining the occupier’s consent, the authorised person
12 told the occupier in writing that the authorised person intends to
13 exercise a power under this division in relation to the premises.

14 **34 General powers on entry to premises**

15 (1) An authorised person who enters premises under this division may do
16 1 or more of the following in relation to the premises or anything at
17 the premises:

18 (a) examine anything;

19 (b) take a measurement or conduct a test;

20 (c) take a sample;

21 (d) take images, make audio or video recordings or any other kind
22 of record;

23 (e) if reasonably required for an authorised person to exercise a
24 power under this division, direct the occupier of the premises, or
25 anyone at the premises, to do 1 or more of the following:

26 (i) give information, a document or other thing (including
27 information, document or thing that is not at the premises);

- 1 (ii) produce a document or anything else (including a
2 document or other thing that is not at the premises);
3 (iii) answer a question;
4 (iv) give the authorised person reasonable help to exercise a
5 power under this part.

6 *Note* The [Legislation Act](#), s 171 deals with the application of client legal
7 privilege.

- 8 (2) A person must take all reasonable steps to comply with a direction
9 given under subsection (1) (e).

10 Maximum penalty: 50 penalty units.

- 11 (3) Subsection (2) does not apply in relation to a direction given to a
12 person under subsection (1) (e) (i), (ii) or (iii) unless, before giving
13 the direction, the authorised person—

14 (a) complies with section 27 (Requirements before certain powers
15 can be exercised); and

16 (b) explains the effect of section 28 (Privilege against
17 self-incrimination does not apply) to the person.

18 *Note* The defendant has an evidential burden in relation to the matters
19 mentioned in s (3) (see [Criminal Code](#), s 58).

20 **Division 5.5 Warrants**

21 **35 Definitions—div 5.5**

22 In this division:

23 *remote application*—see section 36 (3).

24 *warrant form*—see section 39 (2).

25 *warrant terms*—see section 38 (2).

- 1 **36 Application for warrant**
- 2 (1) An authorised person may apply to a magistrate for a warrant to enter
3 premises.
- 4 (2) The application must—
- 5 (a) be sworn; and
- 6 (b) state the grounds on which the warrant is sought.
- 7 (3) However, if the authorised person considers it necessary because of
8 urgent or other special circumstances, the authorised person may
9 make an application (a *remote application*) by—
- 10 (a) preparing a written application stating the grounds on which a
11 warrant is sought; and
- 12 (b) applying to the magistrate for the warrant other than in person
13 before the written application is sworn.
- 14 **37 Magistrate may refuse to consider application for warrant**
15 **until authorised person gives relevant information**
- 16 The magistrate may refuse to consider an application for a warrant
17 made under section 36 until the authorised person gives the
18 magistrate all the information the magistrate requires about the
19 application in the way the magistrate requires.
- 20 **38 Decision on application for warrant**
- 21 (1) If an application for a warrant is made under section 36, the
22 magistrate may issue the warrant only if satisfied there are reasonable
23 grounds for suspecting—
- 24 (a) there is a particular thing or activity connected with an offence
25 against this Act; and
- 26 (b) the thing or activity—
- 27 (i) is, or is being engaged in, at the premises; or

- 1 (ii) may be, or may be engaged in, at the premises within the
2 next 14 days.
- 3 (2) The warrant must include the following information (the *warrant*
4 *terms*):
- 5 (a) a statement that an authorised person may, with any necessary
6 assistance and force, enter the premises and exercise the
7 authorised person's powers under this part;
- 8 (b) details of the offence for which the warrant is issued;
- 9 (c) the things that may be seized under the warrant;
- 10 (d) the hours when the premises may be entered;
- 11 (e) the date, within 14 days after the day of the warrant's issue,
12 when the warrant ends.

13 **39 Warrant issued on remote application**

- 14 (1) A magistrate may issue a warrant on a remote application by—
- 15 (a) immediately giving a written copy of the warrant to the
16 authorised person if it is practicable to do so; or
- 17 (b) if it is not practicable to do so—tell the authorised person the
18 following:
- 19 (i) the warrant terms;
- 20 (ii) the date and time the warrant was issued.
- 21 (2) If the magistrate issues a warrant under subsection (1) (b), the
22 authorised person must complete a form of warrant (the *warrant*
23 *form*) stating—
- 24 (a) the magistrate's name; and
- 25 (b) the date and time the magistrate issued the warrant; and
- 26 (c) the warrant terms.

- 1 (3) The written copy of the warrant, or the warrant form properly
2 completed by the authorised person, authorises the entry and the
3 exercise of the authorised person’s powers under this division.
- 4 (4) The authorised person must, as soon as is reasonably practicable—
5 (a) swear the remote application; and
6 (b) give the magistrate—
7 (i) the sworn application; and
8 (ii) if the authorised person completed a warrant form—the
9 warrant form.
- 10 (5) On receiving the documents mentioned in subsection (4) (b), the
11 magistrate must attach them to the warrant.
- 12 (6) A court must find that a power exercised by an authorised person was
13 not authorised by a warrant under this section if—
14 (a) a question arises in a proceeding before the court whether the
15 exercise of the power was authorised by a warrant; and
16 (b) the warrant is not produced in evidence; and
17 (c) it is not proved that the exercise of the power was authorised by
18 a warrant under this section.

19 **40 Announcement before entry under warrant**

- 20 (1) Before anyone enters premises under a warrant, an authorised person
21 must—
22 (a) announce that the authorised person is authorised to enter the
23 premises; and
24 (b) give anyone at the premises an opportunity to allow entry to the
25 premises; and
26 (c) if the occupier of the premises is present at the premises—
27 identify themselves to the person.

1 (2) The authorised person is not required to comply with subsection (1)
2 if the authorised person believes on reasonable grounds that
3 immediate entry to the premises is required to ensure—

4 (a) the safety of anyone (including the authorised person or any
5 person assisting the authorised person); or

6 (b) that the effective execution of the warrant is not frustrated.

7 **41 Warrant etc to be given to occupier**

8 If the occupier of premises is present at the premises while a warrant
9 is being executed, the authorised person must give to the person—

10 (a) a copy of—

11 (i) the warrant; or

12 (ii) if section 39 (1) (b) applies—the warrant form; and

13 (b) a document setting out the rights and obligations of the person.

14 **42 Occupier entitled to watch search etc**

15 (1) If the occupier of premises is present at the premises while a warrant
16 is being executed, the person is entitled to watch the authorised
17 person, and any person assisting the authorised person, conduct any
18 search and exercise any other power authorised by the warrant.

19 (2) However, the person is not entitled to watch the authorised person or
20 a person assisting the authorised person, exercise their powers if—

21 (a) to do so would interfere with the powers being exercised; or

22 (b) the person is under arrest, and allowing the person to watch the
23 powers being exercised would interfere with the objective of the
24 warrant.

25 (3) This section does not prevent an authorised officer exercising powers
26 under this part in 2 or more areas of the premises at the same time.

1 **Division 5.6 Power to seize things**

2 **43 Authorised person may seize things at premises**

3 (1) An authorised person who enters premises under this part—

4 (a) may seize anything at the premises if satisfied on reasonable
5 grounds that—

6 (i) the thing is connected with an offence against this Act; and

7 (ii) the seizure is necessary to prevent the thing from being—

8 (A) concealed, lost or destroyed; or

9 (B) used to commit, continue or repeat the offence; and

10 (b) if the premises were entered with the occupier’s consent—may
11 also seize anything at the premises if seizure of the thing is
12 consistent with the purpose of the entry told to the occupier
13 when seeking the occupier’s consent; and

14 (c) if the premises were entered under a warrant—may also seize
15 anything at the premises that the authorised person is authorised
16 to seize under the warrant.

17 (2) Having seized a thing, the authorised person may—

18 (a) remove the thing from the premises where it was seized to
19 another place; or

20 (b) leave the thing at the premises where it is seized and restrict
21 access to it.

22 *Note* If an authorised person seizes a thing, the authorised person must give a
23 receipt for it to the person from whom it was seized (see s 47).

24 (3) If access to a seized thing is restricted under subsection (2) (b), the
25 authorised person must secure, in a conspicuous place at the premises,
26 a notice identifying that the thing is seized.

- 1 **44** **Moving things to another place for examination or**
2 **processing under warrant**
- 3 (1) A thing found at premises entered under a warrant may be moved to
4 another place for examination or processing to decide whether it may
5 be seized under the warrant if—
- 6 (a) both of the following apply:
- 7 (i) there are reasonable grounds for believing that the thing is
8 or contains something to which the warrant relates;
- 9 (ii) it is significantly more practicable to do so taking into
10 account the timeliness and cost of examining or processing
11 the thing at another place and the availability of expert
12 assistance; or
- 13 (b) the occupier of the premises agrees in writing.
- 14 (2) The thing may be moved to another place for examination or
15 processing for not longer than 72 hours.
- 16 (3) An authorised person may apply to a magistrate for an extension of
17 time if the authorised person believes on reasonable grounds that the
18 thing cannot be examined or processed within 72 hours.
- 19 (4) The authorised person must give notice of the application to the
20 occupier of the premises, and the occupier is entitled to be heard on
21 the application.
- 22 (5) If a thing is moved to another place under this section, the authorised
23 person must, if practicable—
- 24 (a) tell the person from whom the thing was seized the address of
25 the place where, and time when, the examination or processing
26 will be carried out; and
- 27 (b) allow the person from whom the thing was seized or their
28 representative to be present during the examination or
29 processing.

- 1 (6) The provisions of this part relating to the issue of warrants apply, with
2 any necessary changes, to the giving of an extension under
3 subsection (3).

4 **45 Owner etc may access seized things**

5 A person who would, apart from the seizure, be entitled to inspect a
6 thing seized under this division may—

- 7 (a) inspect the thing; and
8 (b) make a visual recording of the thing; and
9 (c) if the thing is a document—take extracts from, or make copies
10 of, the thing.

11 **46 Person must not interfere with seized things**

- 12 (1) A person commits an offence if—
13 (a) a thing has been seized under this division; and
14 (b) the person interferes with the thing, or anything containing the
15 thing; and
16 (c) the person does not have the approval of an authorised person to
17 interfere with the thing.

18 Maximum penalty: 50 penalty units.

- 19 (2) An offence against this section is a strict liability offence.

20 **47 Authorised person must give receipt for seized things**

- 21 (1) If an authorised person seizes a thing under this division, the
22 authorised person must—
23 (a) as soon as practicable after seizing the thing, give the person
24 from whom the thing was seized a receipt for the thing; or

- 1 (b) if complying with paragraph (a) is not practicable—secure a
2 receipt for the thing in a conspicuous place at the premises where
3 the thing was seized.
- 4 (2) A receipt must include the following information:
- 5 (a) a description of the thing seized;
- 6 (b) the reasons why the thing was seized;
- 7 (c) the authorised person’s name, and how the authorised person
8 can be contacted;
- 9 (d) if the thing is moved from the premises where it was seized—
10 where the thing will be taken.

11 **48 Return of seized things**

- 12 (1) A thing seized under this division must be returned to its owner, or
13 reasonable compensation must be paid to the owner by the Territory
14 for the loss of the thing, if—
- 15 (a) an infringement notice for an offence connected with the thing
16 is not served on the owner within 1 year after the day of the
17 seizure and either—
- 18 (i) a prosecution for an offence connected with the thing is not
19 started within the 1-year period; or
- 20 (ii) a prosecution for an offence connected with the thing is
21 started within the 1-year period but the person is not
22 convicted or found guilty; or
- 23 (b) an infringement notice for an offence connected with the thing
24 is served on the owner within 1 year after the day of the seizure
25 and—
- 26 (i) the infringement notice is withdrawn; and

- 1 (ii) either—
- 2 (A) a prosecution for an offence connected with the thing
3 is not started within 1 year after the day of the seizure;
4 or
- 5 (B) a prosecution for an offence connected with the thing
6 is started within 1 year after the day of the seizure but
7 the person is not convicted or found guilty; or
- 8 (c) an infringement notice for an offence connected with the thing
9 is served on the owner within 1 year after the day of the seizure
10 and—
- 11 (i) the owner gives notice disputing liability for the offence in
12 accordance with the *Magistrates Court Act 1930*,
13 section 132 (Disputing liability for infringement notice
14 offence); and
- 15 (ii) either—
- 16 (A) an information is not laid in the Magistrates Court
17 against the person for the offence within 60 days after
18 the day the notice is given; or
- 19 (B) an information is laid in the Magistrates Court against
20 the person for the offence within 60 days after the day
21 the notice is given but the person is not convicted or
22 found guilty.
- 23 (2) However, subsection (1) does not apply if—
- 24 (a) the thing seized is a prohibited product; or
- 25 (b) a prosecution for an offence connected with the thing is started
26 within 1 year after the day the thing is seized and—
- 27 (i) the thing is required to be produced in evidence in the
28 prosecution; and

- 1 (ii) the prosecution (including any appeal) has not been
2 finalised; and
- 3 (iii) for subsection (1) (c) (ii) (B)—the proceeding is
4 discontinued under the *Magistrates Court Act 1930*,
5 section 134 (3); or
- 6 (c) a court has made an order under a territory law that the thing is
7 forfeited to the Territory or must be otherwise dealt with.
- 8 (3) If anything seized under this division is not required to be returned or
9 reasonable compensation is not required to be paid under subsection
10 (1), the thing—
- 11 (a) is forfeited to the Territory; and
- 12 (b) the director-general may direct that the thing be sold, destroyed
13 or otherwise disposed of.
- 14 (4) In this section:
15 *prohibited product*—see section 12 (1).

16 **49 Order disallowing seizure**

- 17 (1) If a thing is seized under this division, a person claiming to be entitled
18 to the thing may apply to the Magistrates Court for an order
19 disallowing the seizure.
- 20 (2) The application—
- 21 (a) must be made not later than 10 days after the day the thing is
22 seized; and
- 23 (b) must not be heard unless the applicant has served a copy of the
24 application on the director-general.
- 25 (3) The director-general is entitled to appear as a respondent at the
26 hearing of the application.

- 1 (4) The court must make an order disallowing the seizure of the thing if
2 satisfied that—
- 3 (a) the applicant would, apart from the seizure, be entitled to the
4 return of the seized thing; and
- 5 (b) the thing is not connected with an offence against this Act; and
- 6 (c) possession of the thing by the person would not be an offence.
- 7 (5) The court may also make an order disallowing the seizure if satisfied
8 there are exceptional circumstances justifying the making of the
9 order.
- 10 (6) If the court makes an order disallowing the seizure, the court may
11 make 1 or more of the following ancillary orders:
- 12 (a) an order directing the director-general to return the thing to the
13 applicant or to someone else who appears to be entitled to it;
- 14 (b) if the thing cannot be returned or has depreciated in value
15 because of the disallowed seizure—an order directing the
16 Territory to pay reasonable compensation;
- 17 (c) an order about costs in relation to the application.

18 **Division 5.7 Miscellaneous**

19 **50 Damage etc to be minimised**

- 20 (1) In the exercise, or purported exercise, of a function under this part, an
21 authorised person must take all reasonable steps to ensure that the
22 authorised person, and any person assisting the authorised person,
23 causes as little inconvenience, detriment and damage as is practicable.
- 24 (2) If an authorised person, or a person assisting an authorised person,
25 damages anything in the exercise or purported exercise of a function
26 under this part, the authorised person must give written notice of the
27 particulars of the damage to the person whom the authorised person
28 believes on reasonable grounds is the owner of the thing.

- 1 (3) If the damage happens at premises entered under this part in the
2 absence of the occupier, the notice may be given by leaving it secured
3 in a conspicuous place at the premises.

4 **51 Compensation for exercise of enforcement powers**

- 5 (1) A person may claim compensation from the Territory if the person
6 suffers loss or expense because of the exercise, or purported exercise,
7 of a function under this part by—
8 (a) an authorised person; or
9 (b) a person assisting an authorised person.
- 10 (2) Compensation may be claimed and ordered in a proceeding for—
11 (a) compensation brought in a court of competent jurisdiction; or
12 (b) an offence against this Act brought against the person making
13 the claim for compensation.
- 14 (3) A court may order the payment of reasonable compensation for the
15 loss or expense only if satisfied it is just to make the order in the
16 circumstances of the particular case.
- 17 (4) A regulation may prescribe matters that may, must or must not be
18 taken into account by the court in considering whether it is just to
19 make the order.

1 **Part 6** **Reviewable decisions**

2 **52** **Definitions—pt 6**

3 (1) In this part:

4 *affected person* means a person given a notice to dispose of a
5 prohibited product under section 19 (2).

6 *reviewable decision* means a decision under section 19 (2) to give an
7 affected person a notice requiring the affected person to dispose of a
8 prohibited product.

9 (2) In this section:

10 *prohibited product*—see section 12 (1).

11 **53** **Reviewable decision notices**

12 If an authorised person makes a reviewable decision, the person must
13 give a reviewable decision notice to the affected person in relation to
14 the decision.

15 *Note 1* The person must also take reasonable steps to give a reviewable decision
16 notice to any other person whose interests are affected by the decision
17 (see [ACT Civil and Administrative Tribunal Act 2008](#), s 67A).

18 *Note 2* The requirements for reviewable decision notices are prescribed under
19 the [ACT Civil and Administrative Tribunal Act 2008](#).

20 **54** **Applications for review**

21 The following people may apply to the ACAT for review of a
22 reviewable decision:

23 (a) the affected person;

24 (b) any other person whose interests are affected by the decision.

1 **Part 7** **Miscellaneous**

2 **55** **Incorporating, applying or adopting documents in**
3 **regulations and instruments**

4 (1) A regulation or instrument may incorporate, apply or adopt (with or
5 without change or modification)—

6 (a) a law or an Australian Standard as in force from time to time; or

7 (b) another instrument as in force from time to time.

8 (2) The [Legislation Act](#), section 47 (5) and (6) do not apply to a document
9 incorporated, applied or adopted under subsection (1).

10 (3) The director-general must ensure that an instrument that is
11 incorporated, applied or adopted under subsection (1) is—

12 (a) on the ACT legislation register; or

13 (b) available for inspection by anyone without charge during
14 ordinary business hours at an ACT government office; or

15 (c) accessible on an ACT government website, or by a link on an
16 ACT government website.

17 (4) An instrument that is incorporated, applied or adopted under
18 subsection (1) is not enforceable by or against the Territory or anyone
19 else unless it is made accessible in accordance with subsection (3).

20 (5) In this section:

21 *ACT legislation register*—see the [Legislation Act](#), section 18 (1).

22 **56** **Regulation-making power**

23 (1) The Executive may make regulations for this Act.

24 (2) A regulation may create offences and fix maximum penalties of not
25 more than 50 penalty units for the offences.

1 **Part 8 Repeals**

2 **57 Legislation repealed**

- 3 (1) The following legislation is repealed:
- 4 • *Plastic Reduction Act 2021* (A2021-4)
 - 5 • *Plastic Reduction Amendment Regulation 2023 (No 1)* (SL2023-10)
 - 6 • *Plastic Reduction Regulation 2022* (SL2022-7)
 - 7 • *Magistrates Court (Plastic Reduction Infringement Notices)*
 - 8 *Regulation 2021* (SL2021-12).
- 9 (2) All other statutory instruments made under the *Plastic Reduction*
- 10 *Act 2021* are repealed.

1 **Part 9** **Transitional**

2 **58** **Meaning of *commencement day*—pt 9**

3 In this part:

4 *commencement day* means the day this Act, section 3 commences.

5 **59** **Disapplication of s 16 (1) requirements for certain**
6 **regulations**

7 Section 16 (1) (Consultation requirements—prohibited products and
8 prohibited plastic products) does not apply to a proposed regulation
9 if it—

10 (a) commences on the commencement day; or

11 (b) provides for a matter substantially in the same terms as a matter
12 provided for in the *Plastic Reduction Amendment*
13 *Regulation 2023 (No 1)*.

14 **60** **Disapplication of s 21 (2) requirements for certain**
15 **declarations**

16 Section 21 (2) (Minister may declare prohibitible products must not
17 be supplied at public event) does not apply to a declaration proposed
18 to be made under section 21 (1) in relation to a stated public event
19 if—

20 (a) the proposed declaration commences on the commencement
21 day; and

22 (b) a declaration (a *repealed declaration*) under the *Plastic*
23 *Reduction Act 2021*, section 15 is in force immediately before
24 the commencement day; and

25 (c) the repealed declaration applies to the stated public event.

1 **61 Expiry—pt 9**

2 This part expires on the commencement day.

3 *Note* A transitional provision is repealed on its expiry but continues to have
4 effect after its repeal (see [Legislation Act](#), s 88).

Dictionary

(see s 3)

Note The [Legislation Act](#) contains definitions relevant to this Act.
For example:

- magistrate
- Minister (see s 162)
- public notice
- the Territory.

affected person, for part 6 (Reviewable decisions)—see section 52.

authorised person, for part 5 (Enforcement)—see section 24.

beverage, for part 3 (Prohibited products)—see section 11.

business, for part 2 (Waste reduction measures)—see section 7.

connected, for part 5 (Enforcement)—see section 24.

occupier, of premises, for part 5 (Enforcement)—see section 24.

offence, for part 5 (Enforcement)—see section 24.

plastic means material made from, or containing, organic polymers from plant extracts or fossil fuels.

plastic product, for part 3 (Prohibited products)—see section 11.

premises, for part 5 (Enforcement)—see section 24.

prohibited plastic product, for part 3 (Prohibited products)—see section 13 (1).

prohibited product, for part 3 (Prohibited products)—see section 12 (1).

remote application, for division 5.5 (Warrants)—see section 36 (3).

reviewable decision, for part 6 (Reviewable decisions)—see section 52.

single-use, in relation to a plastic product, for part 3 (Prohibited products)—see section 14 (1).

- 1 **supply**, a prohibited product to a person, for part 3 (Prohibited
2 products)—see section 15.
- 3 **warrant**, for part 5 (Enforcement)—see section 24.
- 4 **warrant form**, for division 5.5 (Warrants)—see section 39 (2).
- 5 **warrant terms**, for division 5.5 (Warrants)—see section 38 (2).
- 6 **waste**—see the [Waste Management and Resource Recovery Act 2016](#),
7 section 10.
- 8 **waste processing requirement**—see section 9
- 9 **waste reduction requirement**—see section 8.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 30 August 2023.

2 Notification

Notified under the [Legislation Act](#) on 2023.

3 Republications of amended laws

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