

**2007**

**THE LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**MAGISTRATES COURT (WATER RESOURCES INFRINGEMENT  
NOTICES) REGULATION 2007**

**SUBORDINATE LAW SL2007-30**

**EXPLANATORY STATEMENT**

Circulated by authority of the  
Attorney General  
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## OVERVIEW

Part 3.8 of the *Magistrates Court Act 1930* provides that offences prescribed under regulation can be dealt with by way of an infringement notice. The *Magistrates Court (Water Resources Infringement Notices) Regulation 2007* will enable infringement notices to be issued for a number of offences under the *Water Resources Act 2007*.

The regulation will enable certain offences of taking ground and surface water without a licence, and contravening licence conditions, to be dealt with by way of infringement notice.

## SUMMARY OF CLAUSES

**Clause 1 - Name of Regulation** – provides that the Regulation is called the *Magistrates Court (Water Resources Infringement Notices) Regulation 2007*.

**Clause 2 - Commencement** – provides that the Regulation commences on the day the *Water Resources Act 2007* commences.

**Clause 3 – Purpose of Regulation** – provides that the purpose of this Regulation is to allow for infringement notices under the *Magistrates Court Act 1930*, part 3.8 for certain offences against the *Water Resources Act 2007*.

**Clause 4 – Dictionary** – provides that the dictionary (at the end of the Regulation) is part of the Regulation.

**Clause 5 – Notes** – provides that a note included in the Regulation is not part of the Regulation, it is purely explanatory.

**Clause 6 – Administering authority** – provides that the authority mentioned in the *Water Resources Act 2007* is the administering authority in relation to the issue of infringement notices.

**Clause 7 – Infringement notice offences** – provides that for an offence against the *Water Resources Act* as mentioned in schedule 1, there is a corresponding infringement penalty applicable.

**Clause 8 – Infringement notice penalties** – provides the penalties for an offence for both an individual and a corporation in Schedule 1 and also notes the cost of service a reminder notice for an infringement offence.

**Clause 9 – Contents of infringement notices – other information** – provides for additional information, other than the offence and penalty, which must be provided in an infringement notice.

**Clause 10 – Contents of infringement notices – identifying authorised person** – provides that the infringement notice must fully identify the authorised person.

**Clause 11 – Contents of reminder notices – identifying authorised person** – provides that a reminder notice must fully identify the authorised person.

**Clause 12 – Costs if liability disputed** – provides the cost of beginning a proceeding.

**Clause 13 – Authorised people for infringement notice offences** – provides who may serve an infringement notice and a reminder notice.

**Schedule 1** – contains the offences and associated penalties under the Water Resources Act 2007.