

**EXPLANATORY STATEMENT**  
**AUSTRALIAN CAPITAL TERRITORY**  
**LAKES (AMENDMENT) ORDINANCE 1988**  
**ORDINANCE NO. 61 OF 1988**

The Lakes Ordinance 1976 (the Principal Ordinance) provides for the administration, control and use of certain lakes within the ACT.

The Lakes (Amendment) Ordinance 1988 amends the Principal Ordinance to give effect to an undertaking given to the Senate Standing Committee on Regulations and Ordinances arising out of its consideration of the Lakes (Amendment) Ordinance 1987 (No. 49 of 1987). The Committee was concerned that an unwitting passenger in an unauthorised boat could attract the same penalty as the user or the person in charge of the boat.

The details of the Ordinance are as follows:

Section 1 identifies the short title of the Ordinance as the Lakes (Amendment) Ordinance 1988.

Section 2 amends section 27 of the Principal Ordinance by:

- . omitting subsection 27(1) and inserting a new subsection 27(1) so that subject to section 27, it is an offence for a person to be in charge or control of a power boat on a lake. A penalty of \$1000 or imprisonment for six months or both for a natural person or a fine of \$5000 for a body corporate may be imposed;
- . inserting a new subsection 27(1A) to provide that, subject to section 27, it will be an offence for a person to be in a power boat on a lake. A penalty of \$1000 may be imposed;
- . deleting the words 'sub-section (1)' from subsection 27(2) and inserting the words 'subsection (1) or (1A)' as a consequence of the new subsections;
- . deleting the words 'sub-section (1) does' from subsection 27(3) and inserting the words 'subsection (1) and (1A) do' as a consequence of the new subsections.

ISSUED BY THE AUTHORITY  
OF THE MINISTER OF STATE  
FOR THE ARTS AND TERRITORIES