

AUSTRALIAN CAPITAL TERRITORY

TRESPASS ON COMMONWEALTH LANDS ORDINANCE 1972

EXPLANATORY MEMORANDUM

No. 20 of 1972

The objective of the proposed Trespass on Commonwealth Lands Ordinance 1972 is to prohibit camping on unleased Commonwealth land in the city area of Canberra unless such land has been declared as a camping area by the Minister for the Interior by notice published in the Commonwealth Gazette.

The proposed amendments will remove the existing deficiency in the Australian Capital Territory law in this regard and will prevent the possibility of sites such as the City Hill, nature strips and other vacant lands from becoming camping areas.

This legislation will not restrict in any way the traditional rights of freedom of speech or assembly. It is directed solely at camping, not at assembly.

The proposed Ordinance will create an offence for a person to camp, erect a tent or other structure on unleased land, and to occupy or be in a tent or other structure on such land.

Permits will be made available by the Department of the Interior for using unleased Commonwealth land for the purposes of festivals, shows, fairs, circuses or carnivals.

Parking of motor vehicles will be prohibited on areas of unleased land specified by the Minister by notice in the Gazette.

A maximum penalty of fifty dollars will apply for the offences with a continuing penalty of ten dollars for each day after a person has been charged with an offence if the contravention continues, provided he is convicted of the offence.

An inspector appointed under this Ordinance or a member of the A.C.T. Police Force will have power to remove a structure or a vehicle if he has requested the person who is in occupation or has apparent control of the structure or vehicle to remove the structure and immediate steps are not taken to comply with the request, or the structure or vehicle are not removed within a reasonable time after the making of the request.

R.J.H

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(Minister's Initials)