

2004

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

MAGISTRATES COURT (LAKES INFRINGEMENT NOTICES)  
REGULATIONS 2004

Subordinate Law No SL2004-4

EXPLANATORY STATEMENT

Circulated by authority of Jon Stanhope MLA  
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## **BACKGROUND AND OUTLINE**

The *Lakes Act 1976* provides for the administration, control and use of certain lakes. The *Magistrates Court (Lakes Infringement Notices) Regulations 2004* (the regulations) are made under part 8 of the *Magistrates Court Act 1930* to create a system of infringement notices for certain offences against the *Lakes Act 1976*.

## **DETAILS OF THE REGULATIONS**

Regulation 1 provides that the name of the regulations is the *Magistrates Court (Lakes Infringement Notices) Regulations 2004*.

Regulation 2 provides that the regulations commence on the day after their notification day.

Regulation 3 provides that the purpose of the regulations is to create a system of infringement notices under the *Magistrates Court Act 1930*, part 8, for certain offences against the *Lakes Act 1976*.

Regulation 4 provides that the notes included in the regulations are explanatory and are not part of the regulations.

Regulation 5 provides that the administering authority for an infringement notice offence is the delegate for lakes.

Regulation 6 provides that infringement notices can be issued for an offence against the *Lakes Act 1976* mentioned in schedule 1 column 2.

Regulation 7 provides for infringement notice penalties payable by an individual or corporation. The penalty payable by a corporation is five times that payable by an individual. The regulation also provides that the cost of serving a reminder notice for an infringement notice offence is \$34.

Regulation 8 provides that an infringement notice served on a company must include the company's ACN.

Regulation 9 provides that an authorised person issuing an infringement notice offence must identify the authorised person by:

- (a) the authorised person's full name, or surname and initials; or
- (b) any unique number given to the authorised person by the administering authority.

Regulation 10 provides that a reminder notice issued for an infringement notice offence must identify the authorised person. The identifying particulars are the same as those provided in regulation 9.

Regulation 11 provides that an inspector under the *Lakes Act 1976* may serve an infringement notice and a reminder notice for an infringement notice offence.

Schedule 1 specifies the offences under section 27(1) and section 27(2) of the *Lakes Act 1976* as infringement notice offences. It also specifies the infringement notice penalties. Section 27(1) makes it an offence to be in charge or control of a power boat on a lake. Section 27(2) makes it an offence to be in a power boat on a lake.

## **FINANCIAL IMPLICATIONS**

Nil.