



Australian Capital Territory

# Magistrates Court (Utilities Infringement Notices) Regulations 2002

**Subordinate Law SL2002-34**

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The Australian Capital Territory Executive makes the following regulations under the *Magistrates Court Act 1930*.

Dated 21 November 2002.

TED QUINLAN  
Minister

BILL WOOD  
Minister





Australian Capital Territory

# Magistrates Court (Utilities Infringement Notices) Regulations 2002

Subordinate Law SL2002-34

made under the

*Magistrates Court Act 1930*

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**1 Name of regulations**

These regulations are the *Magistrates Court (Utilities Infringement Notices) Regulations 2002*.

**2 Commencement**

These regulations commence on the day after their notification day.

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

**3 Purpose of regulations**

The purpose of these regulations is to create a system of infringement notices under the *Magistrates Court Act 1930*, part 8, for certain offences against the water restrictions regulations.

*Note* The *Magistrates Court Act 1930*, pt 8 provides a system of infringement notices for offences against various Acts. The infringement notice system is intended to provide an alternative to prosecution.

**4 Notes**

A note included in these regulations is explanatory and is not part of these regulations.

*Note* See Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

**5 Meaning of *water restrictions regulations***

For these regulations, the *water restrictions regulations* are the *Utilities (Water Restrictions) Regulations 2002*

**6 Administering authority**

The administering authority for an infringement notice offence against the water restrictions regulations is ACTEW Corporation Limited.

## **7 Infringement notice offences**

The Act, part 8 applies to an offence against a provision of the water restrictions regulations mentioned in schedule 1, column 2.

## **8 Infringement notice penalties**

- (1) The penalty payable by an individual for an offence against the water restrictions regulations, under an infringement notice for the offence, is the amount mentioned in schedule 1, column 4 for the offence.
- (2) The penalty payable by a corporation for an offence against the water restrictions regulations, under an infringement notice for the offence, is 5 times the amount mentioned in schedule 1, column 4 for the offence.
- (3) The cost of serving a reminder notice for an infringement notice offence against the water restrictions regulations is \$34.

## **9 Identifying particulars for person served**

An infringement notice served on a person by an authorised person for an infringement notice offence against the water restrictions regulations must identify the person as follows:

- (a) if the person is a company registered under the Corporations Act—by the company's ACN;
- (b) if the person is a business with a business name registered under the *Business Names Act 1963*—by the registered business name.

**10 Identifying particulars for authorised person for infringement notice**

An infringement notice served on a person by an authorised person for an infringement notice offence against the water restrictions regulations must identify the authorised person by—

- (a) the authorised person's full name, or surname and initials; and
- (b) the authorised person's identity card number.

**11 Identifying particulars for authorised person for reminder notice**

A reminder notice served on a person by an authorised person for an infringement notice offence against the water restrictions regulations must identify the authorised person by—

- (a) the authorised person's full name, or surname and initials; and
- (b) the authorised person's identity card number.

**12 Authorised people for infringement notice offences**

An authorised person under the *Utilities Act 2001*, section 114 may serve—

- (a) an infringement notice for an infringement notice offence against the water restrictions regulations; and
- (b) a reminder notice for an infringement notice offence against the water restrictions regulations.

## **Schedule 1** Water restrictions regulations infringement notice offences and penalties

(see reg 7 and reg 8)

<b>column 1 item</b>	<b>column 2 offence provision</b>	<b>column 3 offence penalty (penalty units)</b>	<b>column 4 infringement penalty (\$)</b>
1	10	10	200
2	13	10	200

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### **Endnotes**

#### **Penalty units**

- 1 The Legislation Act, s 133 deals with the meaning of offence penalties that are expressed in penalty units.

#### **Notification**

- 2 Notified under the Legislation Act on 21 November 2002.  
(see [www.legislation.act.gov.au](http://www.legislation.act.gov.au))

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