

Australian Capital Territory

Magistrates Court (Lakes Infringement Notices) Regulation 2004

SL2004-4

made under the

Magistrates Court Act 1930

Republication No 8

Effective: 20 August 2019

Republication date: 20 August 2019

Last amendment made by [SL2019‑20](http://www.legislation.act.gov.au/sl/2019-20/default.asp%22%20%5Co%20%22Magistrates%20Court%20%28Lakes%20Infringement%20Notices%29%20Amendment%20Regulation%202019%20%28No%202%29)

About this republication

The republished law

This is a republication of the *Magistrates Court (Lakes Infringement Notices) Regulation 2004*, made under the *Magistrates Court Act 1930* (including any amendment made under the [Legislation Act 2001](http://www.legislation.act.gov.au/a/2001-14), part 11.3 (Editorial changes)) as in force on 20 August 2019. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 20 August 2019.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel’s Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

* authorised republications to which the [Legislation Act 2001](http://www.legislation.act.gov.au/a/2001-14) applies
* unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The [Legislation Act 2001](http://www.legislation.act.gov.au/a/2001-14), part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see [Legislation Act 2001](http://www.legislation.act.gov.au/a/2001-14), s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the [Legislation Act 2001](http://www.legislation.act.gov.au/a/2001-14), section 95.

Penalties

At the republication date, the value of a penalty unit for an offence against this law is $160 for an individual and $810 for a corporation (see [Legislation Act 2001](http://www.legislation.act.gov.au/a/2001-14), s 133).



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Magistrates Court (Lakes Infringement Notices) Regulation 2004

made under the

Magistrates Court Act 1930

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Australian Capital Territory

Magistrates Court (Lakes Infringement Notices) Regulation 2004

made under the

[Magistrates Court Act 1930](http://www.legislation.act.gov.au/a/1930-21%22%20%5Co%20%22A1930-21)

1 Name of regulation

This regulation is the Magistrates Court (Lakes Infringement Notices) Regulation 2004.

2 Dictionary

The dictionary at the end of this regulation is part of this regulation.

Note 1 The dictionary at the end of this regulation defines certain terms used in this regulation, and includes references (signpost definitions) to other terms defined elsewhere.

For example, the signpost definition ‘inspector—see the [Lakes Act 1976](http://www.legislation.act.gov.au/a/1976-65), dictionary.’ means that the term ‘inspector’ is defined in that dictionary and the definition applies to this regulation.

Note 2 A definition in the dictionary (including a signpost definition) applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), s 155 and s 156 (1)).

3 Purpose of regulation

The purpose of this regulation is to provide for infringement notices under the [Magistrates Court Act 1930](http://www.legislation.act.gov.au/a/1930-21), part 3.8 for certain offences against the lakes legislation.

Note The [Magistrates Court Act 1930](http://www.legislation.act.gov.au/a/1930-21), pt 3.8 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 this regulation is explanatory and is not part of this regulation.

Note See [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), s 127 (1), (4) and (5) for the legal status of notes.

5 Administering authority

The following entities are administering authorities for an infringement notice offence against the lakes legislation:

 (a) the delegate for lakes;

 (b) the chief police officer.

6 Infringement notice offences

The [Magistrates Court Act 1930](http://www.legislation.act.gov.au/a/1930-21), part 3.8 applies to an offence against a provision of the lakes legislation mentioned in schedule 1, column 2.

7 Infringement notice penalties

 (1) The penalty payable by an individual for an offence against the lakes legislation, 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 lakes legislation, 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 lakes legislation is $34.

8 Contents of infringement notices—other information

 (1) An infringement notice served on a company by an authorised person for an infringement notice offence against the lakes legislation must include the company’s ACN.

Note The requirement under this section is additional to the requirement under the [Magistrates Court Act 1930](http://www.legislation.act.gov.au/a/1930-21), s 121 (1) (c).

 (2) In this section:

company means a company registered under the [Corporations Act](http://www.comlaw.gov.au/Series/C2004A00818).

9 Contents of infringement notices—identifying authorised person

An infringement notice served on a person by an authorised person for an infringement notice offence against the lakes legislation must identify the authorised person by—

 (a) for an authorised person who is a police officer—the police officer’s service number; or

 (b) for an authorised person who is not a police officer—

 (i) the authorised person’s full name, or surname and initials; or

 (ii) any unique number given to the authorised person by the administering authority for this regulation.

10 Contents of reminder notices—identifying authorised person

A reminder notice served on a person by an authorised person for an infringement notice offence against the lakes legislation must identify the authorised person by—

 (a) for an authorised person who is a police officer—the police officer’s service number; or

 (b) for an authorised person who is not a police officer—

 (i) the authorised person’s full name, or surname and initials; or

 (ii) any unique number given to the authorised person by the administering authority for this regulation.

11 Authorised people for infringement notice offences

An inspector may serve the following:

 (a) an infringement notice for an infringement notice offence against the lakes legislation;

 (b) a reminder notice for an infringement notice offence against the lakes legislation.

Note An inspector includes a police officer—see the [Lakes Act 1976](http://www.legislation.act.gov.au/a/1976-65), s 89.

Schedule 1 Lakes legislation infringement notice offences and penalties

(see s 6 and s 7)

Part 1.1 Lakes Act 1976

| column 1item | column 2offence provision | column 3offence penalty(penalty units) | column 4infringement penalty ($) |
| --- | --- | --- | --- |
| 1 | 15 (1) (a) | 30 | 330 |
| 2 | 15 (1) (b) | 30 | 330 |
| 3 | 15 (1) (c) | 30 | 330 |
| 4 | 15 (1) (d) | 30 | 330 |
| 5 | 15 (1) (e) | 30 | 330 |
| 6 | 16 (1) (c) | 5 | 55 |
| 7 | 17 (1) | 5 | 55 |
| 8 | 18 (2) | 5 | 55 |
| 9 | 18 (3) | 5 | 55 |
| 10 | 18 (4) | 5 | 55 |
| 11 | 19 (2) | 5 | 55 |
| 12 | 20 (2) | 20 | 220 |
| 13 | 21 (2) | 20 | 220 |
| 14 | 22 (6) | 50 | 550 |
| 15 | 23 (4) | 50 | 550 |
| 16 | 26 (3) | 50 | 550 |
| 17 | 30 (1) | 50 | 500 |
| 18 | 36 (1) | 30 | 330 |
| 19 | 42 (2) | 30 | 300 |
| 20 | 43 (1) | 30 | 300 |
| 21 | 43 (2) | 30 | 300 |
| 22 | 44 (1) | 30 | 300 |
| 23 | 46 (1) | 30 | 300 |
| 24 | 46 (2) | 30 | 300 |
| 25 | 47 (2) | 30 | 300 |
| 26 | 48 (2) | 30 | 300 |
| 27 | 51 (2) | 30 | 300 |
| 28 | 52 (2) | 30 | 300 |
| 29 | 53 (3) | 30 | 300 |
| 30 | 54 (2) | 30 | 300 |
| 31 | 55 (5) | 30 | 300 |
| 32 | 56 (3) | 30 | 300 |
| 33 | 57 (3) | 30 | 300 |
| 34 | 74 (1) | 30 | 500 |
| 35 | 76 (1) | 50 | 300 |
| 36 | 77 (3) | 50 | 300 |
| 37 | 83 (8) | 50 | 500 |
| 38 | 100 (3) | 50 | 500 |
| 39 | 101 (2) | 50 | 500 |
| 40 | 102 (2) | 50 | 500 |
| 41 | 103 (2) | 50 | 500 |
| 42 | 104 (2) | 50 | 500 |
| 43 | 105 (3) | 50 | 500 |
| 44 | 124 (1) | 50 | 1000 |

Part 1.2 Lakes Regulation 2019

| column 1item | column 2offence provision | column 3offence penalty(penalty units) | column 4infringement penalty ($) |
| --- | --- | --- | --- |
| 1 | 18 | 30 | 500 |
| 2 | 19 | 20 | 300 |
| 3 | 20 | 30 | 500 |
| 4 | 21 | 30 | 500 |
| 5 | 22 | 30 | 500 |
| 6 | 37 (1) | 20 | 300 |
| 7 | 37 (2) | 20 | 300 |
| 8 | 37 (5) | 20 | 300 |
| 9 | 37 (6) | 20 | 300 |
| 10 | 42 | 30 | 500 |
| 11 | 44 | 30 | 500 |
| 12 | 47 (2) | 20 | 300 |
| 13 | 47 (3) | 20 | 300 |
| 14 | 49 (1) | 20 | 300 |
| 15 | 49 (2) | 20 | 300 |
| 16 | 49 (3) | 20 | 300 |
| 17 | 49 (4) | 20 | 300 |
| 18 | 50 (2) | 20 | 300 |
| 19 | 50 (3) | 20 | 300 |
| 20 | 50 (4) | 20 | 300 |
| 21 | 51 (1) | 20 | 300 |
| 22 | 55 (1) | 30 | 500 |
| 23 | 55 (2) | 30 | 500 |

Dictionary

(see s 2)

Note 1 The [Legislation Act](http://www.legislation.act.gov.au/a/2001-14) contains definitions and other provisions relevant to this regulation.

Note 2 For example, the [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), dict, pt 1, defines the following terms:

 chief police officer

 corporation

 Corporations Act

 individual

 penalty unit (see s 133)

 police officer.

Note 3 Terms used in this regulation have the same meaning that they have in the [Magistrates Court Act 1930](http://www.legislation.act.gov.au/a/1930-21) (see [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), s 148). For example, the following terms are defined in the [Magistrates Court Act 1930](http://www.legislation.act.gov.au/a/1930-21), dict:

 administering authority

 authorised person

 infringement notice

 infringement notice offence

 reminder notice.

delegate for lakes—see the [Lakes Act 1976](http://www.legislation.act.gov.au/a/1976-65), dictionary.

inspector—see the [Lakes Act 1976](http://www.legislation.act.gov.au/a/1976-65), dictionary.

lakes legislation means the following:

 (a) the [Lakes Act 1976](http://www.legislation.act.gov.au/a/1976-65);

 (b) the [Lakes Regulation 2019](https://www.legislation.act.gov.au/sl/2019-8/).

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the [Legislation Act 2001](http://www.legislation.act.gov.au/a/2001-14), part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel’s Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

|  |  |
| --- | --- |
| A = Act | NI = Notifiable instrument |
| AF = Approved form | o = order |
| am = amended | om = omitted/repealed |
| amdt = amendment | ord = ordinance |
| AR = Assembly resolution | orig = original |
| ch = chapter | par = paragraph/subparagraph |
| CN = Commencement notice | pres = present |
| def = definition | prev = previous |
| DI = Disallowable instrument | (prev...) = previously |
| dict = dictionary | pt = part |
| disallowed = disallowed by the Legislative  | r = rule/subrule |
| Assembly | reloc = relocated |
| div = division | renum = renumbered |
| exp = expires/expired | R[X] = Republication No |
| Gaz = gazette | RI = reissue |
| hdg = heading | s = section/subsection |
| IA = Interpretation Act 1967 | sch = schedule |
| ins = inserted/added | sdiv = subdivision |
| LA = Legislation Act 2001 | SL = Subordinate law |
| LR = legislation register | sub = substituted |
| LRA = Legislation (Republication) Act 1996 | underlining = whole or part not commenced |
| mod = modified/modification | or to be expired |

3 Legislation history

This regulation was originally the [Magistrates Court (Lakes Infringement Notices) Regulations 2004](http://www.legislation.act.gov.au/sl/2004-4). It was renamed under the [Legislation Act 2001](http://www.legislation.act.gov.au/a/2001-14).

Magistrates Court (Lakes Infringement Notices) Regulation 2004 SL2004-4

notified LR 22 January 2004

s 1, s 2 commenced 22 January 2004 (LA s 75 (1))

remainder commenced 23 January 2004 (s 2)

as amended by

[Court Procedures (Consequential Amendments) Act 2004](http://www.legislation.act.gov.au/a/2004-60/default.asp)
A2004-60 sch 1 pt 1.45

notified LR 2 September 2004
s 1, s 2 commenced 2 September 2004 (LA s 75 (1))

sch 1 pt 1.45 commenced 10 January 2005 (s 2 and see [Court Procedures Act 2004](http://www.legislation.act.gov.au/a/2004-59) A2004-59, s 2 and [CN2004-29](http://www.legislation.act.gov.au/cn/2004-29/default.asp))

[Magistrates Court (Lakes Infringement Notices) Amendment Regulation 2010 (No 1)](http://www.legislation.act.gov.au/sl/2010-30) SL2010-30

notified LR 26 July 2010
s 1, s 2 commenced 26 July 2010 (LA s 75 (1))

remainder commenced 27 July 2010 (s 2)

[Statute Law Amendment Act 2015](http://www.legislation.act.gov.au/a/2015-15) A2015‑15 sch 3 pt 3.26

notified LR 27 May 2015

s 1, s 2 commenced 27 May 2015 (LA s 75 (1))

sch 3 pt 3.26 commenced 10 June 2015 (s 2)

[Lakes Amendment Act 2018](http://www.legislation.act.gov.au/a/2018-7%20/default.asp) A2018-7 sch 1

notified LR 5 March 2018

s 1, s 2 commenced 5 March 2018 (LA s 75 (1))

sch 1 commenced 5 March 2019 (s 2 (2))

[Magistrates Court (Lakes Infringement Notices) Amendment Regulation 2019 (No 1)](http://www.legislation.act.gov.au/sl/2019-7) SL2019-7

notified LR 9 May 2019

s 1, s 2 commenced 9 May 2019 (LA s 75 (1))

remainder commenced 10 May 2019 (s 2 and see [Lakes Regulation 2019](https://www.legislation.act.gov.au/sl/2019-8/) SL2019-8 s 2)

[Magistrates Court (Lakes Infringement Notices) Amendment Regulation 2019 (No 2)](http://www.legislation.act.gov.au/sl/2019-20) SL2019-20

notified LR 19 August 2019

s 1, s 2 commenced 19 August 2019 (LA s 75 (1))

remainder commenced 20 August 2019 (s 2)

4 Amendment history

Name of regulation

s 1 am R2 LA

Dictionary

s 2 om LA s 89 (4)

 ins [SL2019‑7](http://www.legislation.act.gov.au/sl/2019-7/default.asp) s 4

Purpose of regulation

s 3 am [A2004‑60](http://www.legislation.act.gov.au/a/2004-60) amdt 1.426, amdt 1.427; [SL2019‑7](http://www.legislation.act.gov.au/sl/2019-7/default.asp) s 5

Administering authority

s 5 am [SL2019‑7](http://www.legislation.act.gov.au/sl/2019-7/default.asp) s 5

 sub [SL2019‑20](http://www.legislation.act.gov.au/sl/2019-20/default.asp) s 4

Infringement notice offences

s 6 am [A2004‑60](http://www.legislation.act.gov.au/a/2004-60) amdt 1.428; [SL2019‑7](http://www.legislation.act.gov.au/sl/2019-7/default.asp) s 5

Infringement notice penalties

s 7 am [A2015‑15](http://www.legislation.act.gov.au/a/2015-15) amdt 3.106; [SL2019‑7](http://www.legislation.act.gov.au/sl/2019-7/default.asp) s 5

Contents of infringement notices—other information

s 8 am [SL2019‑7](http://www.legislation.act.gov.au/sl/2019-7/default.asp) s 5

Contents of infringement notices—identifying authorised person

s 9 am [SL2019‑7](http://www.legislation.act.gov.au/sl/2019-7/default.asp) s 5; [SL2019‑20](http://www.legislation.act.gov.au/sl/2019-20/default.asp) s 5

Contents of reminder notices—identifying authorised person

s 10 am [SL2019‑7](http://www.legislation.act.gov.au/sl/2019-7/default.asp) s 5; [SL2019‑20](http://www.legislation.act.gov.au/sl/2019-20/default.asp) s 6

Authorised people for infringement notice offences

s 11 am [A2015‑15](http://www.legislation.act.gov.au/a/2015-15) amdt 3.107, amdt 3.108; [SL2019‑7](http://www.legislation.act.gov.au/sl/2019-7/default.asp) s 6, s 7; [SL2019‑20](http://www.legislation.act.gov.au/sl/2019-20/default.asp) s 7

Lakes legislation infringement notice offences and penalties

sch 1 hdg sub [SL2019‑7](http://www.legislation.act.gov.au/sl/2019-7/default.asp) s 8

sch 1 table sub [SL2010‑30](http://www.legislation.act.gov.au/sl/2010-30) s 4

 table am [A2018‑7](http://www.legislation.act.gov.au/a/2018-7/default.asp) amdts 1.1-1.3; items renum R6 LA

 table renum as sch 1 pt 1.1

Lakes Act 1976

sch 1 pt 1.1 hdg ins [SL2019‑7](http://www.legislation.act.gov.au/sl/2019-7/default.asp) s 8

sch 1 pt 1.1 (prev sch 1) renum as sch 1 pt 1.1 [SL2019‑7](http://www.legislation.act.gov.au/sl/2019-7/default.asp) s 8

Lakes Regulation 2019

sch 1 pt 1.2 ins [SL2019‑7](http://www.legislation.act.gov.au/sl/2019-7/default.asp) s 9

Dictionary

dict ins [SL2019‑7](http://www.legislation.act.gov.au/sl/2019-7/default.asp) s 10

 am [SL2019‑20](http://www.legislation.act.gov.au/sl/2019-20/default.asp) s 8

 def delegate for lakes ins [SL2019‑7](http://www.legislation.act.gov.au/sl/2019-7/default.asp) s 10

 def inspector ins [SL2019‑7](http://www.legislation.act.gov.au/sl/2019-7/default.asp) s 10

 def lakes legislation ins [SL2019‑7](http://www.legislation.act.gov.au/sl/2019-7/default.asp) s 10

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

| Republication No and date | Effective | Last amendment made by | Republication for |
| --- | --- | --- | --- |
| R123 Jan 2004 | 23 Jan 2004‑31 Oct 2004 | not amended | new regulation |
| R21 Nov 2004 | 1 Nov 2004–9 Jan 2005 | [A2004‑60](http://www.legislation.act.gov.au/a/2004-60) | editorial amendments under [Legislation Act](http://www.legislation.act.gov.au/a/2001-14) |
| R310 Jan 2005 | 10 Jan 2005–26 July 2010 | [A2004‑60](http://www.legislation.act.gov.au/a/2004-60) | amendments by [A2004‑60](http://www.legislation.act.gov.au/a/2004-60) |
| R427 July 2010 | 27 July 2010–9 June 2015 | [SL2010-30](http://www.legislation.act.gov.au/sl/2010-30) | amendments by [SL2010-30](http://www.legislation.act.gov.au/sl/2010-30) |
| R510 June 2015 | 10 June 2015–4 Mar 2019 | [A2015‑15](http://www.legislation.act.gov.au/a/2015-15) | amendments by [A2015‑15](http://www.legislation.act.gov.au/a/2015-15) |
| R65 Mar 2019 | 5 Mar 2019–9 May 2019 | [A2018‑7](http://www.legislation.act.gov.au/a/2018-7/default.asp) | amendments by [A2018‑7](http://www.legislation.act.gov.au/a/2018-7/default.asp) |
| R710 May 2019 | 10 May 2019–19 Aug 2019 | [SL2019‑7](http://www.legislation.act.gov.au/sl/2019-7/default.asp) | amendments by [SL2019‑7](http://www.legislation.act.gov.au/sl/2019-7/default.asp) |

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