



Australian Capital Territory

Magistrates Court (Plastic Reduction Infringement Notices) Regulation 2021

Subordinate Law SL2021-12

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

Dated 24 June 2021.

ANDREW BARR
Chief Minister

SHANE RATTENBURY
Minister



Australian Capital Territory

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[Magistrates Court Act 1930](#)

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1 Name of regulation

This regulation is the *Magistrates Court (Plastic Reduction Infringement Notices) Regulation 2021*.

2 Commencement

This regulation commences on 1 July 2021.

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

3 Dictionary

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

4 Notes

A note included in this regulation is explanatory and is not part of this regulation.

5 Purpose of regulation

The purpose of this regulation is to provide for infringement notices under the *Magistrates Court Act 1930*, part 3.8 for certain offences against the *Plastic Reduction Act 2021*.

Note The *Magistrates Court Act 1930*, 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.

6 Administering authority

The administering authority for an infringement notice offence against the *Plastic Reduction Act 2021* is the director-general of the Transport Canberra and City Services Directorate.

7 Infringement notice offences

The *Magistrates Court Act 1930*, part 3.8 applies to an offence against a provision of the *Plastic Reduction Act 2021* mentioned in schedule 1, column 2.

8 Infringement notice penalties

- (1) The penalty payable by an individual for an offence against the *Plastic Reduction Act 2021*, 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 *Plastic Reduction Act 2021*, 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 *Plastic Reduction Act 2021* is \$34.

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 *Plastic Reduction Act 2021* must identify the authorised person by—

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

10 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 *Plastic Reduction Act 2021* must include the company's ACN.

Note The requirement under this section is additional to the requirement under the *Magistrates Court Act 1930*, s 121 (1) (c).

- (2) In this section:

company means a company registered under the *Corporations Act*.

11 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 *Plastic Reduction Act 2021* must identify the authorised person by—

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

12 Authorised people for infringement notice offences

An authorised person may serve the following:

- (a) an infringement notice for an infringement notice offence against the *Plastic Reduction Act 2021*;
- (b) a reminder notice for an infringement notice offence against that Act.

13 Prescribed person—Act, s 135 (1)

The waste manager is prescribed.

Schedule 1 Plastic Reduction Act 2021 infringement notice offences and penalties

(see s 7 and s 8)

column 1 item	column 2 offence provision	column 3 offence penalty (penalty units)	column 4 infringement penalty (\$)
1	10 (1)	50	300
2	12 (5)	20	120
3	16 (1)	50	300
4	18 (2)	50	300
5	21 (3)	1	32
6	32 (1)	5	100

Dictionary

(see s 3)

Note 1 The [Legislation Act](#) contains definitions relevant to this regulation. For example:

- commissioner for fair trading
- corporation
- Corporations Act
- individual.

Note 2 Terms used in this regulation have the same meaning that they have in the [Magistrates Court Act 1930](#). For example, the following terms are defined in the [Magistrates Court Act 1930](#), dict:

- administering authority
- infringement notice
- infringement notice offence
- infringement notice penalty
- reminder notice.

authorised person—see the [Plastic Reduction Act 2021](#), section 19.

waste manager—see the [Waste Management and Resource Recovery Act 2016](#), dictionary.

Endnotes

1 Notification

Notified under the [Legislation Act](#) on 30 June 2021.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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