



Australian Capital Territory

# Magistrates Court (Circular Economy Infringement Notices) Regulation 2023

Subordinate Law SL2023-26

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

Dated 23 October 2023.

ANDREW BARR  
Chief Minister

SHANE RATTENBURY  
Minister

CHRIS STEEL  
Minister

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J2023-1134

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**1 Name of regulation**

This regulation is the *Magistrates Court (Circular Economy Infringement Notices) Regulation 2023*.

**2 Commencement**

This regulation commences on the day the *Circular Economy Act 2023*, section 3 commences.

*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.

*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 ‘*authorised person*—see the *Circular Economy Act 2023*, section 24.’ means that the term ‘authorised person’ is defined in that section 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](#), s 155 and s 156 (1)).

**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 *Circular Economy Act 2023*.

*Note* The *Magistrates Court Act 1930*, pt 3.8 provides a system of infringement notices for offences against various territory laws. 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 *Circular Economy Act 2023* 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 *Circular Economy Act 2023* mentioned in schedule 1, column 2.

## **8 Infringement notice penalties**

- (1) The penalty payable by an individual for an offence against the *Circular Economy Act 2023*, 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 *Circular Economy Act 2023*, 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 *Circular Economy Act 2023* 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 *Circular Economy Act 2023* 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 *Circular Economy Act 2023* must include the company’s ACN.

*Note* This 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 *Circular Economy Act 2023* 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 person for infringement notice offences**

An authorised person may serve the following:

- (a) an infringement notice for an infringement notice offence against the *Circular Economy Act 2023*;
- (b) a reminder notice for an infringement notice offence against that Act.

**13 Prescribed person—Act, s 135 (1)**

The waste manager is prescribed.



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## Schedule 1      Circular Economy Act 2023 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	17 (1)	50	300
2	19 (5)	20	120
3	22 (1)	50	300
4	23 (6)	50	300
5	26 (2)	1	32
6	30 (3)	5	100

## Dictionary

(see s 3)

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

- 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 that [Act](#), dict:

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

*authorised person*—see the [Circular Economy Act 2023](#), section 24.

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

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## Endnotes

### 1 Notification

Notified under the [Legislation Act](#) on 26 October 2023.

### 2 Republications of amended laws

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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