



AUSTRALIAN CAPITAL TERRITORY

Litter (Amendment) Act 1998

No. 49 of 1998

An Act to amend the *Litter Act 1977*

[Notified in ACT Gazette S205: 16 November 1998]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1. Short title

This Act may be cited as the *Litter (Amendment) Act 1998*.

2. Commencement

(1) Sections 1, 2 and 3 commence on the day on which this Act is notified in the *Gazette*.

(2) Section 5 commences on a day fixed by the Minister by notice in the *Gazette*.

(3) If section 5 has not commenced before the end of the period of 6 months commencing on the day on which this Act is notified in the *Gazette*, that provision, by force of this subsection, commences on the first day after the end of that period.

3. Principal Act

In this Act, “Principal Act” means the *Litter Act 1977*.¹

4. Interpretation

Section 2 of the Principal Act is amended—

- (a) by omitting the definition of “public place” and substituting the following definition:

“ ‘public place’ means a public street or a public place within the meaning of the *Motor Traffic Act 1936*;” and

(b) by omitting the definition of “public street”.

5. Insertion

After section 7A of the Principal Act the following section is inserted:

“7B. Placing advertising leaflets etc. on motor vehicles

“(1) A person shall not place in or on a motor vehicle in a public place an unsolicited leaflet, handbill or other document publicising or promoting a product, service, event, cause or belief, or otherwise conveying a message or information.

Penalty: 10 penalty units.

“(2) Subsection (1) does not apply in relation to a document—

- (a) placed in or on a motor vehicle in accordance with a law of the Territory; or
- (b) containing a message—
 - (i) of a personal nature; and
 - (ii) directed only to the owner, or the driver or rider, of a particular motor vehicle.

“(3) A leaflet, handbill or other document placed in or on a motor vehicle in a public place shall be presumed to be unsolicited unless the contrary is proved.”.

NOTES

Principal Act

1. Reprinted as at 1 July 1996. See also Act No. 7, 1997.

Penalty units

See section 33AA of the *Interpretation Act 1967*.

[Presentation speech made in Assembly on 21 May 1998]

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