

2003

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mr Greg Cornwell)

Litter (Littering from Motor Vehicles) Amendment Bill 2003

Contents

	Page
Part 1 Preliminary	
1 Name of Act	2
2 Commencement	2
Part 2 Litter Act 1977	
3 Legislation amended—pt 2	3
4 New section 2A	3
5 New section 3B	4

		Page
Part 3	Road Transport (Offences) Regulations 2001	
6	Legislation amended—pt 3	5
7	Administering authority—Act, dict, def of <i>administering authority</i> New regulation 8 (1A)	5
8	Regulation 8	5
9	Authorised people for infringement notices—Act, dict, def of authorised person, par (b) Regulation 9	5
10	New regulation 9 (2)	6
11	Schedule 1, new part 1.2A	6

2003

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mr Greg Cornwell)

Litter (Littering from Motor Vehicles) Amendment Bill 2003

A Bill for

An Act to amend the *Litter Act 1977*, and for other purposes

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

1 **Part 1 Preliminary**

2 **1 Name of Act**

3 This Act is the *Litter (Littering from Motor Vehicles) Amendment*
4 *Act 2003*.

5 **2 Commencement**

6 This Act commences on the day after its notification day.

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

Part 2 Litter Act 1977

3 Legislation amended—pt 2

This part amends the *Litter Act 1977*.

4 New section 2A

insert

2A Offences against Act—application of Criminal Code etc

Other legislation applies in relation to offences against this Act.

Note 1 Criminal Code

The Criminal Code, ch 2 applies to the following offences against this Act (see Code, pt 2.1).

- section 3B

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg *conduct*, *intention*, *recklessness* and *strict liability*).

Note 2 Penalty units

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

1 **5 New section 3B**

2 *insert*

3 **3B Littering from motor vehicle**

4 (1) A person must not drop litter from a motor vehicle that is in a public
5 place.

6 Maximum penalty:

7 (a) if the litter is likely to cause injury to people or damage to
8 property—50 penalty units;

9 (b) in any other case—10 penalty units.

10 (2) Subsection (1) does not apply if litter is dropped from a public
11 vehicle by a passenger in the vehicle.

12 (3) An offence against subsection (1) is a strict liability offence.

13 (4) To remove any doubt, for the *Road Transport (General) Act 1999*,
14 section 36, an offence against subsection (1) is an infringement
15 notice offence involving a vehicle.

16 (5) In this section:

17 ***drop*** includes throw.

18 ***motor vehicle***—see the *Road Transport (General) Act 1999*,
19 dictionary, definition of ***motor vehicle***.

Part 3 Road Transport (Offences) Regulations 2001

6 Legislation amended—pt 3

This part amends the *Road Transport (Offences) Regulations 2001*.

7 Administering authority—Act, dict, def of *administering authority* New regulation 8 (1A)

insert

- (1A) The chief executive is the administering authority for infringement notice offences under the *Litter Act 1977* mentioned in schedule 1, part 1.2A.

8 Regulation 8

renumber subregulations when regulations next republished under Legislation Act

9 Authorised people for infringement notices—Act, dict, def of *authorised person*, par (b) Regulation 9

omit

A police officer

substitute

- (1) A police officer

10 New regulation 9 (2)

(2) An inspector under the *Litter Act 1977*, section 8 (1) may serve a reminder notice for any infringement notice offence under that Act.

insert

[illegible]

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

© Australian Capital Territory 2003