



Australian Capital Territory

Litter Amendment Act 2005

A2005-50

An Act to amend the *Litter Act 2004*

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

2005 141B

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

1 Name of Act

This Act is the *Litter Amendment Act 2005*.

2 Commencement

This Act commences on the day after its notification day.

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

3 Legislation amended

This Act amends the *Litter Act 2004*.

4 Section 15

substitute

15 Identity cards

- (1) The chief executive must give an authorised person an identity card stating the person's name and that the person is an authorised person.
- (2) The identity card must show—
 - (a) a recent photograph of the person; and
 - (b) the card's date of issue and expiry; and
 - (c) anything else prescribed by regulation.
- (3) A person commits an offence if—
 - (a) the person stops being an authorised person; and

- (b) the person does not return the person's identity card to the chief executive as soon as practicable, but no later than 7 days after the day the person stops being an authorised person.

Maximum penalty: 1 penalty unit.

- (4) An offence against this section is a strict liability offence.

5 Power not to be exercised before identity card shown etc New section 16 (3)

insert

- (3) Subsection (1) does not apply to the exercise of a power by an authorised person under section 17 (1).

Note Section 17 (3) allows a person to ask the authorised person to produce his or her identity card for inspection.

6 Section 17

substitute

17 Power to require name and address

- (1) An authorised person may require a person to state the person's name and home address if the authorised person believes, on reasonable grounds, that the person is committing or has just committed an offence against this Act.

Note A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation (see Legislation Act, s 104).

- (2) The authorised person must tell the person the reason for the requirement and, as soon as practicable, record the reason.
- (3) The person may ask the authorised person to produce his or her identity card for inspection by the person.
- (4) A person must comply with a requirement made of the person under subsection (1) if the authorised person—

- (a) tells the person the reason for the requirement; and
- (b) complies with any request made by the person under subsection (3).

Maximum penalty: 10 penalty units.

- (5) An offence against this section is a strict liability offence.
- (6) In this section:

home address, of a person, means the address of the place where the person usually lives.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 30 June 2005.

2 Notification

Notified under the Legislation Act on 27 September 2005.

3 Republications of amended laws

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

I certify that the above is a true copy of the Litter Amendment Bill 2005, which was passed by the Legislative Assembly on 20 September 2005.

Clerk of the Legislative Assembly