

1997
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Urban Services)

**Roads and Public Places (Amendment) Bill
(No. 2) 1997**

**A BILL
FOR
An Act to amend the *Roads and Public Places Act*
1937**

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

Short title

5 **1.** This Act may be cited as the *Roads and Public Places (Amendment) Act (No. 2) 1997*.

Commencement

2. This Act commences on the day on which it is notified in the *Gazette*.

Principal Act

10 **3.** In this Act, "Principal Act" means the *Roads and Public Places Act 1937*.¹

87102 (1997/173) (T102/1997)

Insertion

4. After section 15M of the Principal Act the following section is inserted:

Notice to remove object to which no permit has applied

5 “15MA. (1) Where—

- (a) an object, other than an object referred to in paragraph 8 (a), is placed in, over or across a public place; and
- (b) no permit has at any time been obtained to authorise the object being so placed;

10 the Minister may, by notice in writing given to the person who placed the object in the public place, require the person, within such period as is specified in the notice, being a period of not less than 14 days after the notice is given, to remove the object from the public place.

15 “(2) A notice under subsection (1) ceases to have effect if a permit is issued authorising the object being placed in, over or across the public place.”.

Removal of objects by the Territory

5. Section 15N of the Principal Act is amended by inserting in subsections (1) and (2) “or 15MA (1)” after “15M (1)”.

20 **Disposal of objects by the Territory**

6. Section 15P of the Principal Act is amended by omitting paragraph (2) (b) and substituting the following paragraph:

“(b) in payment of the balance, if any, to the person to whom the notices were given under—

- 25 (i) subsection 15M (1) or 15MA (1); and
- (ii) subsection 15N (2).”.

Manner of giving notices

7. Section 15Q of the Principal Act is amended by omitting “or subsection” and substituting “, 15MA (1) or”.

NOTES

Principal Act

1. Reprinted as at 31 January 1996. See also Act No. 63, 1997.

Section heading

On the day on which the *Roads and Public Places Act 1937* is amended by this Act, the heading to section 15M of the Principal Act is altered by adding at the end “**to which a permit has applied**”.