

2026

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for City and Government Services)

City and Environment Legislation Amendment Bill 2026

Contents

		Page
Part 1	Preliminary	
1	Name of Act	2
2	Commencement	2
3	Legislation amended	2
Part 2	Cemeteries and Crematoria Act 2020	
4	Section 25	3
5	Section 27 heading	6
6	Section 27 (2), penalty	6

		Page
7	Sections 59 to 61	6
8	Section 63A	6
9	Offences—keeping registers Section 64 (1) (b) (iii) and (3) (b)	7
Part 3	Electoral Act 1992	
10	Timing of redistributions Section 37 (1) (a)	8
Part 4	Heavy Vehicle National Law (ACT) Act 2013	
11	Offences against Heavy Vehicle National Law (ACT)—application of Criminal Code Section 6	9
12	Offences for which person charged does not have benefit of mistake of fact defence—the Law, s 14 Section 21	9
Part 5	Road Transport (Offences) Regulation 2005	
13	Infringement notice penalties—Act, dict, def <i>infringement notice penalty</i> , par (a) Section 6 (2)	10
Part 6	Road Transport (Safety and Traffic Management) Regulation 2017	
14	Testing and maintenance requirements—Act, s 24 (2) (b) Section 16 (2) (a) (i)	11
15	Testing and maintenance requirements for police vehicle speedometer—Act, s 24 (2) (b) Section 17 (2) (a)	11

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City and Environment Legislation Amendment Bill 2026

A Bill for

An Act to amend legislation about the city and environment, 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 *City and Environment Legislation Amendment Act*
4 *2026*.

5 **2 Commencement**

6 This Act commences on the 7th 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)).

9 **3 Legislation amended**

10 This Act amends the following legislation:

- 11 • [Cemeteries and Crematoria Act 2020](#)
- 12 • [Electoral Act 1992](#)
- 13 • [Heavy Vehicle National Law \(ACT\) Act 2013](#)
- 14 • [Road Transport \(Offences\) Regulation 2005](#)
- 15 • [Road Transport \(Safety and Traffic Management\)](#)
16 [Regulation 2017](#).

1 **Part 2** **Cemeteries and Crematoria**
2 **Act 2020**

3 **4 Section 25**

4 *substitute*

5 **25 Licensee must make remains available for collection**

- 6 (1) If human remains are cremated at a crematorium, the licensee must,
7 within 7 days after the cremation, notify the applicant that the
8 cremated remains are available for collection.
- 9 (2) The licensee must make the cremated remains available for collection
10 by the applicant for 3 years after the day the applicant is notified
11 (the *retention period*).
- 12 (3) If the applicant does not collect the cremated remains within the first
13 year of the retention period, the licensee must make the remains
14 available for collection by a suitable person until the end of the
15 retention period.
- 16 (4) If the cremated remains have not been collected within the first
17 2 years of the retention period, the licensee must ask the applicant or
18 a suitable person to collect the remains by—
- 19 (a) contacting the last known telephone number of the applicant or
20 suitable person on at least 2 days; and
- 21 (b) sending a written notice to the last known postal or email address
22 of the applicant or suitable person.
- 23 (5) A notice under subsection (4) (b) must state—
- 24 (a) the day the retention period ends; and
- 25 (b) that the licensee may dispose of the cremated remains after that
26 day.

- 1 (6) In this section:
- 2 *applicant*, in relation to the cremation of human remains, means the
3 person who applied to the licensee of a crematorium for the cremation
4 under section 22.
- 5 *suitable person* means a person who is—
- 6 (a) a family member of the deceased person whose human remains
7 were cremated; and
- 8 (b) over 16 years of age.
- 9 **25A Offences—failure to notify applicant or suitable person**
10 **about collection of cremated remains**
- 11 (1) A person commits an offence if—
- 12 (a) the person is the licensee of a crematorium; and
- 13 (b) human remains are cremated at the crematorium; and
- 14 (c) the person fails to comply with section 25 (1).
- 15 Maximum penalty: 20 penalty units.
- 16 (2) A person commits an offence if—
- 17 (a) the person is the licensee of a crematorium; and
- 18 (b) human remains are cremated at the crematorium; and
- 19 (c) the cremated remains are not collected within the first 2 years of
20 the retention period; and
- 21 (d) the person fails to comply with section 25 (4).
- 22 Maximum penalty: 20 penalty units.
- 23 (3) In this section:
- 24 *retention period*—see section 25 (2).

- 1 **25B Offences—disposal of cremated remains**
- 2 (1) A person commits an offence if—
- 3 (a) the person is the licensee of a crematorium; and
- 4 (b) human remains are cremated at the crematorium; and
- 5 (c) the person fails to comply with section 25 (1); and
- 6 (d) the person disposes of the cremated remains.
- 7 Maximum penalty: 50 penalty units.
- 8 (2) A person commits an offence if—
- 9 (a) the person is the licensee of a crematorium; and
- 10 (b) human remains are cremated at the crematorium; and
- 11 (c) the cremated remains are not collected within the first 2 years of
- 12 the retention period; and
- 13 (d) the person fails to comply with section 25 (4); and
- 14 (e) the person disposes of the cremated remains.
- 15 Maximum penalty: 50 penalty units.
- 16 (3) A person commits an offence if—
- 17 (a) the person is the licensee of a crematorium; and
- 18 (b) human remains are cremated at the crematorium; and
- 19 (c) the person disposes of the cremated remains before the end of
- 20 the retention period.
- 21 Maximum penalty: 50 penalty units.
- 22 (4) In this section:
- 23 *retention period*—see section 25 (2).

- 1 **5 Section 27 heading**
- 2 *substitute*
- 3 **27 Offence—cremation at crematorium**
- 4 **6 Section 27 (2), penalty**
- 5 *omit*
- 6 **7 Sections 59 to 61**
- 7 *omit*
- 8 keep
- 9 *substitute*
- 10 comply with
- 11 **8 Section 63A**
- 12 *substitute*
- 13 **63A Register—collection of cremated remains**
- 14 (1) The licensee of a crematorium must keep a register of information in
- 15 relation to the collection of cremated remains from the crematorium.
- 16 (2) The register must include the following information in relation to
- 17 cremated remains available for collection from the crematorium:
- 18 (a) for an applicant notified under section 25 (1)—
- 19 (i) the date the licensee notified the applicant; and
- 20 (ii) the applicant's name and contact details;

- 1 (b) for a person asked to collect the cremated remains under
2 section 25 (4)—
- 3 (i) the date the licensee contacted the person; and
4 (ii) the person's name and contact details.
- 5 (3) The register must include the following information in relation to
6 cremated remains collected from the crematorium:
- 7 (a) the name and contact details of the person who collected the
8 cremated remains;
- 9 (b) the relationship of the person who collected the cremated
10 remains to the deceased person;
- 11 (c) whether all or some of the cremated remains of the deceased
12 person were collected;
- 13 (d) the date the cremated remains were collected.
- 14 (4) If the licensee disposes of cremated remains, the register must also
15 include the date the licensee disposed of the cremated remains.

16 **9 Offences—keeping registers**
17 **Section 64 (1) (b) (iii) and (3) (b)**

- 18 *omit*
- 19 section 63A (Register—cremation collections)
- 20 *substitute*
- 21 section 63A (Register—collection of cremated remains)

1 **Part 3 Electoral Act 1992**

2 **10 Timing of redistributions**
3 **Section 37 (1) (a)**

4 *after*

5 *2 years*

6 *insert*

7 *and 1 month*

1 **Part 4** **Heavy Vehicle National Law**
2 **(ACT) Act 2013**

3 **11 Offences against Heavy Vehicle National Law (ACT)—**
4 **application of Criminal Code**
5 **Section 6**

6 *omit*

7 subject to section 21 (Offences for which person charged does not
8 have benefit of mistake of fact defence—the Law, s 14)

9 **12 Offences for which person charged does not have benefit**
10 **of mistake of fact defence—the Law, s 14**
11 **Section 21**

12 *omit*

1 **Part 5** **Road Transport (Offences)**
2 **Regulation 2005**

3 **13** **Infringement notice penalties—Act, dict, def *infringement***
4 ***notice penalty*, par (a)**
5 **Section 6 (2)**

6 *substitute*

7 (2) However, the penalty payable by a corporation for an infringement
8 notice offence (other than an offence against the *Road Transport*
9 *(Road Rules) Regulation 2017*, part 12 (Restrictions on stopping and
10 parking)) is—

11 (a) for a heavy vehicle infringement notice offence— $P \times 5$; or

12 (b) in any other case—worked out as follows:

13 $(P \times 5) - 240$

1 **Part 6** **Road Transport (Safety and**
2 **Traffic Management)**
3 **Regulation 2017**

4 **14 Testing and maintenance requirements—Act, s 24 (2) (b)**
5 **Section 16 (2) (a) (i)**

6 *substitute*

- 7 (i) for a speed measuring device, or the speed measuring
8 component of the device—within an accuracy tolerance of
9 2% or 2km/h; and

10 **15 Testing and maintenance requirements for police vehicle**
11 **speedometer—Act, s 24 (2) (b)**
12 **Section 17 (2) (a)**

13 *substitute*

- 14 (a) within an accuracy tolerance of 2% or 2km/h; and

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 25 March 2026.

2 Notification

Notified under the [Legislation Act](#) on 2026.

3 Republications of amended laws

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

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