

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

LITTER (AMENDMENT) BILL 1998

EXPLANATORY MEMORANDUM

**Circulated by authority of
Michael Moore MLA
Independent**

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OUTLINE

The objective of this Bill is make it an offence to place leaflets and similar materials under the windscreen wipers of parked cars.

DETAILS OF THE BILL

Formal Provisions

Clauses 1, 2 and 3 — These clauses provide for the short title and commencement of the Bill and for the *Litter Act 1977* to be referred to as the “Principal Act”.

The Bill includes a 6 month ‘Macklin clause’ to ensure its commencement within that time.

Clause 4 — This clause inserts a new offence—section 7B—into the *Litter Act*. Sections 3, 4, 5 and 7A of the Principal Act already provide offences for other aspects of littering generally and in regard to commercial waste, refuse, and dangerous goods.

Notable features of the new offence are:

- the offence applies generally to items placed anywhere on the motor vehicle, not merely under windscreens;
- the offence is widely drafted to apply to the placement of all kinds of document;
- the offence includes the term “unsolicited”, so that messages which are in any way invited would not be prohibited,
- messages authorised under a law of the Territory are not prohibited;
- handwritten personal messages directed to the owner or driver of a vehicle are not prohibited.

The offence carries a (maximum) fine of 10 penalty units - \$1,000.