

AUSTRALIAN CAPITAL TERRITORY  
FLAMMABLE LIQUIDS (AMENDMENT) ORDINANCE 1981  
No. 34 of 1981  
EXPLANATORY STATEMENT

The Flammable Liquids (Amendment) Ordinance 1981 repeals and replaces section 20D of the Principal Ordinance. Section 20D was objected to by the Senate Standing Committee on Regulations and Ordinances on the basis that it provided a defence of a general nature to an absolute offence, thus placing the onus of proof upon the defendant.

The Committee suggested that the occupier of the premises, where a contravention of section 20C has been committed by another person, should be subject to a different offence from that provided in section 20D, thus obviating the need for the general defence provided in that section.

Section 3 of the Ordinance gives effect to the Committee's suggestion by making it an offence, in addition to the offence committed by another person, for an occupier of premises knowingly to permit the person who is on the premises to contravene section 20C.

Ord. No. 49/81