

Magistrates Court (Fair Trading Fuel Prices Infringement Notices) Regulation 2026

Subordinate law SL2026–13

made under the

Magistrates Court 1930, s 321 (Regulation-making power)

EXPLANATORY STATEMENT

Outline

Part 3.8 of the *Magistrates Court Act 1930* provides for the issue of infringement notices for offences listed in regulation. This regulation creates an infringement notice for offences under the *Fair Trading (Fuel Prices) Act 1993*.

Financial implications

Nil

Notes on the sections

Section 1 - Name of regulation – provides that this regulation is the *Magistrates Court (Fair Trading Fuel Prices Infringement Notices) Regulation 2026*.

Section 2 - Commencement – provides that the regulation commences on the day after notification day.

Section 3 – Notes – provides that a note included in this regulation is explanatory and is not part of this regulation.

Section 4 –Purpose of the regulation – provides that the purpose of the regulations is to create a system of infringement notices under the *Magistrates Court Act 1930*, part 3.8, for an offence against section 5A of the *Fair Trading (Fuel Prices) Act 1993*.

Section 5 - Administering authority – provides that the administering authority for an infringement notice offence against the *Fair Trading (Fuel Prices) Act 1993* is the commissioner for fair trading.

Section 6 - Infringement notice offences – provides that infringement notices can be issued for an offence against section 5A of the *Fair Trading (Fuel Prices) Act 1993*.

Section 7 - Infringement notice penalties – provides the penalties payable by an individual for an offence (\$1,600), and the penalty payable by a corporation for an offence (\$8,100). It also provides the cost for serving a reminder notice (\$34).

Section 8 – Contents of infringement notices - identifying authorised person – provides that an infringement notice must identify the authorised person by the authorised person’s full name or surname and initials, or by any unique number given to the authorised person by the administering authority.

Section 9 – Contents of infringement notices – other information – provides that an infringement notice served on a company must include the company’s ACN. A company, in this section, means a company registered under the *Corporations Act 2001* (Cth).

Section 10 – Contents of reminder notices - identifying authorised person – provides that a reminder notice must identify the authorised person by the authorised person’s full name or surname and initials, or by any unique number given to the authorised person by the administering authority.

Section 11 - Authorised people for infringement notice offences – provides that an investigator (as defined in the dictionary to the *Fair Trading (Australian Consumer Law) Act 1992*) may serve an infringement notice and a reminder notice for an infringement notice against section 5A of the *Fair Trading (Fuel Prices) Act 1993*.