



Australian Capital Territory

Magistrates Court (Lakes Infringement Notices) Regulation 2004

SL2004-4

made under the

Magistrates Court Act 1930

Republication No 6

Effective: 5 March 2019 – 9 May 2019

Republication date: 5 March 2019

Last amendment made by [A2018-7](#)

About this republication

The republished law

This is a republication of the *Magistrates Court (Lakes Infringement Notices) Regulation 2004*, made under the *Magistrates Court Act 1930* (including any amendment made under the [Legislation Act 2001](#), part 11.3 (Editorial changes)) as in force on 5 March 2019. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 5 March 2019.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the [Legislation Act 2001](#) applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The [Legislation Act 2001](#), part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see [Legislation Act 2001](#), s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register (www.legislation.act.gov.au). For more information, see the home page for this law on the register.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the [Legislation Act 2001](#), section 95.

Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see [Legislation Act 2001](#), s 133).



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Magistrates Court Act 1930

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R6
05/03/19

Magistrates Court (Lakes Infringement Notices)
Regulation 2004

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Effective: 05/03/19-09/05/19

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R6
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Magistrates Court (Lakes Infringement Notices)
Regulation 2004

page 1

Effective: 05/03/19-09/05/19

1 Name of regulation

This regulation is the *Magistrates Court (Lakes Infringement Notices) Regulation 2004*.

3 Purpose of regulation

The purpose of this regulation is to provide for infringement notices under the *Magistrates Court Act 1930*, part 3.8 for certain offences against the *Lakes Act 1976*.

Note The *Magistrates Court Act 1930*, pt 3.8 provides a system of infringement notices for offences against various Acts. The infringement notice system is intended to provide an alternative to prosecution.

4 Notes

A note included in this regulation is explanatory and is not part of this regulation.

Note See *Legislation Act*, s 127 (1), (4) and (5) for the legal status of notes.

5 Administering authority

The administering authority for an infringement notice offence against the *Lakes Act 1976* is the delegate for lakes.

6 Infringement notice offences

The *Magistrates Court Act 1930*, part 3.8 applies to an offence against a provision of the *Lakes Act 1976* mentioned in schedule 1, column 2.

7 Infringement notice penalties

- (1) The penalty payable by an individual for an offence against the *Lakes Act 1976*, under an infringement notice for the offence, is the amount mentioned in schedule 1, column 4 for the offence.
- (2) The penalty payable by a corporation for an offence against the *Lakes Act 1976*, under an infringement notice for the offence, is 5 times the amount mentioned in schedule 1, column 4 for the offence.
- (3) The cost of serving a reminder notice for an infringement notice offence against the *Lakes Act 1976* is \$34.

8 Contents of infringement notices—other information

- (1) An infringement notice served on a company by an authorised person for an infringement notice offence against the *Lakes Act 1976* must include the company's ACN.

Note The requirement under this section is additional to the requirement under the *Magistrates Court Act 1930*, s 121 (1) (c).

- (2) In this section:

company means a company registered under the *Corporations Act*.

9 Contents of infringement notices—identifying authorised person

An infringement notice served on a person by an authorised person for an infringement notice offence against the *Lakes Act 1976* must identify the authorised person by—

- (a) the authorised person's full name, or surname and initials; or
- (b) any unique number given to the authorised person by the administering authority for this regulation.

10 Contents of reminder notices—identifying authorised person

A reminder notice served on a person by an authorised person for an infringement notice offence against the *Lakes Act 1976* must identify the authorised person by—

- (a) the authorised person’s full name, or surname and initials; or
- (b) any unique number given to the authorised person by the administering authority for this regulation.

11 Authorised people for infringement notice offences

An inspector under the *Lakes Act 1976*, section 7 may serve the following:

- (a) an infringement notice for an infringement notice offence against the *Lakes Act 1976*;
- (b) a reminder notice for an infringement notice offence against the *Lakes Act 1976*.

Schedule 1 Lakes Act 1976 infringement notice offences and penalties

(see s 6 and s 7)

column 1 item	column 2 offence provision	column 3 offence penalty (penalty units)	column 4 infringement penalty (\$)
1	15 (1) (a)	30	330
2	15 (1) (b)	30	330
3	15 (1) (c)	30	330
4	15 (1) (d)	30	330
5	15 (1) (e)	30	330
6	16 (1) (c)	5	55
7	17 (1)	5	55
8	18 (2)	5	55
9	18 (3)	5	55
10	18 (4)	5	55
11	19 (2)	5	55
12	20 (2)	20	220
13	21 (2)	20	220
14	22 (6)	50	550
15	23 (4)	50	550
16	26 (3)	50	550
17	30 (1)	50	500
18	36 (1)	30	330
19	42 (2)	30	300
20	43 (1)	30	300
21	43 (2)	30	300

Schedule 1

Lakes Act 1976 infringement notice offences and penalties

column 1 item	column 2 offence provision	column 3 offence penalty (penalty units)	column 4 infringement penalty (\$)
22	44 (1)	30	300
23	46 (1)	30	300
24	46 (2)	30	300
25	47 (2)	30	300
26	48 (2)	30	300
27	51 (2)	30	300
28	52 (2)	30	300
29	53 (3)	30	300
30	54 (2)	30	300
31	55 (5)	30	300
32	56 (3)	30	300
33	57 (3)	30	300
34	74 (1)	30	500
35	76 (1)	50	300
36	77 (3)	50	300
37	83 (8)	50	500
38	100 (3)	50	500
39	101 (2)	50	500
40	102 (2)	50	500
41	103 (2)	50	500
42	104 (2)	50	500
43	105 (3)	50	500
44	124 (1)	50	1000

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

Endnotes

3 Legislation history

3 Legislation history

This regulation was originally the *Magistrates Court (Lakes Infringement Notices) Regulations 2004*. It was renamed under the *Legislation Act 2001*.

Magistrates Court (Lakes Infringement Notices) Regulation 2004 SL2004-4

notified LR 22 January 2004
s 1, s 2 commenced 22 January 2004 (LA s 75 (1))
remainder commenced 23 January 2004 (s 2)

as amended by

Court Procedures (Consequential Amendments) Act 2004 A2004-60 sch 1 pt 1.45

notified LR 2 September 2004
s 1, s 2 commenced 2 September 2004 (LA s 75 (1))
sch 1 pt 1.45 commenced 10 January 2005 (s 2 and see [Court Procedures Act 2004](#) A2004-59, s 2 and [CN2004-29](#))

Magistrates Court (Lakes Infringement Notices) Amendment Regulation 2010 (No 1) SL2010-30

notified LR 26 July 2010
s 1, s 2 commenced 26 July 2010 (LA s 75 (1))
remainder commenced 27 July 2010 (s 2)

Statute Law Amendment Act 2015 A2015-15 sch 3 pt 3.26

notified LR 27 May 2015
s 1, s 2 commenced 27 May 2015 (LA s 75 (1))
sch 3 pt 3.26 commenced 10 June 2015 (s 2)

Lakes Amendment Act 2018 A2018-7 sch 1

notified LR 5 March 2018
s 1, s 2 commenced 5 March 2018 (LA s 75 (1))
sch 1 commenced 5 March 2019 (s 2 (2))

4 Amendment history

Name of regulation

s 1 am R2 LA

Commencement

s 2 om LA s 89 (4)

Purpose of regulation

s 3 am [A2004-60](#) amdt 1.426, amdt 1.427

Infringement notice offences

s 6 am [A2004-60](#) amdt 1.428

Infringement notice penalties

s 7 am [A2015-15](#) amdt 3.106

Authorised people for infringement notice offences

s 11 am [A2015-15](#) amdt 3.107, amdt 3.108

Lakes Act 1976 infringement notice offences and penalties

sch 1 table sub [SL2010-30](#) s 4
table am [A2018-7](#) amdts 1.1-1.3; items renum R6 LA

Endnotes

5 Earlier republications

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No and date	Effective	Last amendment made by	Republication for
R1 23 Jan 2004	23 Jan 2004– 31 Oct 2004	not amended	new regulation
R2 1 Nov 2004	1 Nov 2004– 9 Jan 2005	A2004-60	editorial amendments under Legislation Act
R3 10 Jan 2005	10 Jan 2005– 26 July 2010	A2004-60	amendments by A2004-60
R4 27 July 2010	27 July 2010– 9 June 2015	SL2010-30	amendments by SL2010-30
R5 10 June 2015	10 June 2015– 4 Mar 2019	A2015-15	amendments by A2015-15

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