



Australian Capital Territory

# **Magistrates Court (Lakes Infringement Notices) Regulation 2004**

**SL2004-4**

made under the

**Magistrates Court Act 1930**

**Republication No 7**

**Effective: 10 May 2019 – 19 August 2019**

Republication date: 10 May 2019

Last amendment made by [SL2019-7](#)

## 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 10 May 2019. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 10 May 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](http://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 does not include 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](http://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).



Australian Capital Territory

# Magistrates Court (Lakes Infringement Notices) Regulation 2004

made under the

**Magistrates Court Act 1930**

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R7  
10/05/19

Magistrates Court (Lakes Infringement Notices)  
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Effective: 10/05/19-19/08/19

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Australian Capital Territory

# Magistrates Court (Lakes Infringement Notices) Regulation 2004

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made under the

**Magistrates Court Act 1930**

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R7  
10/05/19

Magistrates Court (Lakes Infringement Notices)  
Regulation 2004

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Effective: 10/05/19-19/08/19

**1 Name of regulation**

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

**2 Dictionary**

The dictionary at the end of this regulation is part of this regulation.

*Note 1* The dictionary at the end of this regulation defines certain terms used in this regulation, and includes references (*signpost definitions*) to other terms defined elsewhere.

For example, the signpost definition '*inspector*—see the [Lakes Act 1976](#), dictionary.' means that the term 'inspector' is defined in that dictionary and the definition applies to this regulation.

*Note 2* A definition in the dictionary (including a signpost definition) applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

**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 legislation.

*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 legislation 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 legislation mentioned in schedule 1, column 2.

## **7 Infringement notice penalties**

- (1) The penalty payable by an individual for an offence against the lakes legislation, 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 legislation, 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 legislation 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 legislation 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 legislation 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 legislation 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 may serve the following:

- (a) an infringement notice for an infringement notice offence against the lakes legislation;
- (b) a reminder notice for an infringement notice offence against the lakes legislation.



## **Schedule 1      Lakes legislation infringement notice offences and penalties**

(see s 6 and s 7)

### **Part 1.1              Lakes Act 1976**

<b>column 1 item</b>	<b>column 2 offence provision</b>	<b>column 3 offence penalty (penalty units)</b>	<b>column 4 infringement penalty (\$)</b>
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

**Schedule 1**  
**Part 1.1**

Lakes legislation infringement notice offences and penalties  
Lakes Act 1976

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<b>column 1 item</b>	<b>column 2 offence provision</b>	<b>column 3 offence penalty (penalty units)</b>	<b>column 4 infringement penalty (\$)</b>
20	43 (1)	30	300
21	43 (2)	30	300
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

## **Part 1.2 Lakes Regulation 2019**

<b>column 1 item</b>	<b>column 2 offence provision</b>	<b>column 3 offence penalty (penalty units)</b>	<b>column 4 infringement penalty (\$)</b>
1	18	30	500
2	19	20	300
3	20	30	500
4	21	30	500
5	22	30	500
6	37 (1)	20	300
7	37 (2)	20	300
8	37 (5)	20	300
9	37 (6)	20	300
10	42	30	500
11	44	30	500
12	47 (2)	20	300
13	47 (3)	20	300
14	49 (1)	20	300
15	49 (2)	20	300
16	49 (3)	20	300
17	49 (4)	20	300
18	50 (2)	20	300
19	50 (3)	20	300
20	50 (4)	20	300
21	51 (1)	20	300
22	55 (1)	30	500
23	55 (2)	30	500

## Dictionary

(see s 2)

*Note 1* The [Legislation Act](#) contains definitions and other provisions relevant to this regulation.

*Note 2* For example, the [Legislation Act](#), dict, pt 1, defines the following terms:

- corporation
- Corporations Act
- individual
- penalty unit (see s 133).

*Note 3* Terms used in this regulation have the same meaning that they have in the [Magistrates Court Act 1930](#) (see [Legislation Act](#), s 148). For example, the following terms are defined in the [Magistrates Court Act 1930](#), dict:

- administering authority
- authorised person
- infringement notice
- infringement notice offence
- reminder notice.

*delegate for lakes*—see the [Lakes Act 1976](#), dictionary.

*inspector*—see the [Lakes Act 1976](#), dictionary.

*lakes legislation* means the following:

- (a) the [Lakes Act 1976](#);
- (b) the [Lakes Regulation 2019](#).

## 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

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### 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))

#### **Magistrates Court (Lakes Infringement Notices) Amendment Regulation 2019 (No 1) SL2019-7**

notified LR 9 May 2019  
s 1, s 2 commenced 9 May 2019 (LA s 75 (1))  
remainder commenced 10 May 2019 (s 2 and see [Lakes Regulation 2019](#) SL2019-8 s 2)

## 4 Amendment history

### Name of regulation

s 1 am R2 LA

### Dictionary

s 2 om LA s 89 (4)  
ins [SL2019-7](#) s 4

### Purpose of regulation

s 3 am [A2004-60](#) amdt 1.426, amdt 1.427; [SL2019-7](#) s 5

### Administering authority

s 5 am [SL2019-7](#) s 5

### Infringement notice offences

s 6 am [A2004-60](#) amdt 1.428; [SL2019-7](#) s 5

### Infringement notice penalties

s 7 am [A2015-15](#) amdt 3.106; [SL2019-7](#) s 5

### Contents of infringement notices—other information

s 8 am [SL2019-7](#) s 5

### Contents of infringement notices—identifying authorised person

s 9 am [SL2019-7](#) s 5

### Contents of reminder notices—identifying authorised person

s 10 am [SL2019-7](#) s 5

### Authorised people for infringement notice offences

s 11 am [A2015-15](#) amdt 3.107, amdt 3.108; [SL2019-7](#) s 6, s 7

### Lakes legislation infringement notice offences and penalties

sch 1 hdg sub [SL2019-7](#) s 8  
sch 1 table sub [SL2010-30](#) s 4  
table am [A2018-7](#) amdts 1.1-1.3; items renum R6 LA  
table renum as sch 1 pt 1.1

### Lakes Act 1976

sch 1 pt 1.1 hdg ins [SL2019-7](#) s 8  
sch 1 pt 1.1 (prev sch 1) renum as sch 1 pt 1.1 [SL2019-7](#) s 8

### Lakes Regulation 2019

sch 1 pt 1.2 ins [SL2019-7](#) s 9

### Dictionary

dict ins [SL2019-7](#) s 10  
def *delegate for lakes* ins [SL2019-7](#) s 10  
def *inspector* ins [SL2019-7](#) s 10  
def *lakes legislation* ins [SL2019-7](#) s 10

## Endnotes

### 5 Earlier republications

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#### 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.

<b>Republication No and date</b>	<b>Effective</b>	<b>Last amendment made by</b>	<b>Republication for</b>
R1 23 Jan 2004	23 Jan 2004– 31 Oct 2004	not amended	new regulation
R2 1 Nov 2004	1 Nov 2004– 9 Jan 2005	<a href="#">A2004-60</a>	editorial amendments under <a href="#">Legislation Act</a>
R3 10 Jan 2005	10 Jan 2005– 26 July 2010	<a href="#">A2004-60</a>	amendments by <a href="#">A2004-60</a>
R4 27 July 2010	27 July 2010– 9 June 2015	<a href="#">SL2010-30</a>	amendments by <a href="#">SL2010-30</a>
R5 10 June 2015	10 June 2015– 4 Mar 2019	<a href="#">A2015-15</a>	amendments by <a href="#">A2015-15</a>
R6 5 Mar 2019	5 Mar 2019– 9 May 2019	<a href="#">A2018-7</a>	amendments by <a href="#">A2018-7</a>

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