

IMPOUNDING ACT 1993—REGULATION

(Relating to penalty notice offences)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Impounding Act 1993, has been pleased to make the Regulation set forth hereunder.

EDWARD PICKERING, M.L.C.,
Minister for Local Government and Co-operatives.

Commencement

1. This Regulation commences on 1 July 1994.

Amendment

2. The Impounding (Penalty Notice Offences) Regulation 1993 is amended by omitting clauses 4 and 5 and by inserting instead the following clauses and Schedule:

Offences in respect of which penalty notices may be served

4. An offence specified in Column 1 of Schedule 1 is an offence to which section 36 of the Act applies.

Penalties for offences

5. For the purposes of section 36 (2) of the Act, the amount shown in Column 2 of Schedule 1 opposite an offence specified in Column 1 of that Schedule is the amount of penalty prescribed for the offence if that offence is dealt with under section 36 of the Act.

SCHEDULE 1

(Cl. 4 and 5)

<i>Column 1</i> Offence	<i>Column 2</i> Amount of penalty (penalty units)
Section 32 (1)—abandon an article (other than a motor vehicle) in a public place	1
Section 32 (1)—abandon a motor vehicle in a public place	2

EXPLANATORY NOTE

At present, the Impounding (Penalty Notice Offences) Regulation 1993 provides that the only offence which may be dealt with by penalty notice is the offence of abandoning a motor vehicle in a public place. The object of this Regulation is to add the offence of abandoning any other article in a public place to the offences which may be dealt with by penalty notice. The Regulation provides that the penalty which may be imposed for that offence if it is dealt with by penalty notice is 1 penalty unit (currently \$100), which is less than the penalty prescribed for the offence of abandoning a motor vehicle if it is dealt with in that manner (currently \$200).

The Regulation lists the offences which may be dealt with by penalty notice and the applicable penalties in Schedule format, to allow for the fact that different penalties apply according to the nature of the offence.

This Regulation is made under the Impounding Act 1993, in particular section 36 (Penalty notices) and section 51 (the general regulation making power).