



Crown Lands Amendment (Short Descriptions of Offences) Regulation 1998

under the
Crown Lands Act 1989

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Crown Lands Act 1989*.

RICHARD AMERY, MP
Minister for Land and Water Conservation

Explanatory note

The object of this Regulation is to specify short descriptions for certain offences under the *Crown Lands Act 1989* to facilitate the issue of penalty notices and other legal processes.

This Regulation is made under the Crown Lands Act 1989, including section 184 (the general regulation-making power) and in accordance with section 145B of the *Justices Act 1902*.

This Regulation is made in connection with the staged repeal of subordinate legislation under the *Subordinate Legislation Act 1989*.

Crown Lands Amendment (Short Descriptions of Offences) Regulation 1998

1 Name of Regulation

This Regulation is the *Crown Lands Amendment (Short Descriptions of Offences) Regulation 1998*.

2 Commencement

This Regulation commences on 1 May 1998.

3 Amendment of Crown Lands Regulation 1995

The *Crown Lands Regulation 1995* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 49A

Insert after clause 49:

49A Short descriptions of offences

- (1) For the purposes of section 145B (2) of the *Justices Act* 1902, the prescribed expression in relation to an offence specified in Column 1 of Schedule 5 is the expression set out opposite that offence in Column 2 of the Schedule.
- (2) If a choice of words is indicated in Column 2 of Schedule 5, the words remaining after the omission of the words irrelevant to the offence constitute the prescribed expression.
- (3) For the purposes of any proceedings for an offence created by a provision specified in Column 1 of Schedule 5, the prescribed expression for the offence is taken to relate to the offence created by the provision, as the provision was in force when the offence is alleged to have been committed.
- (4) The amendment or repeal of a prescribed expression does not affect the validity of any information, complaint, summons, warrant, notice, order or other document in which the expression is used.
- (5) Subclause (3) applies to any information, complaint, summons, warrant, notice, order or other document (whether issued, given or made before or after the amendment or repeal) that relates to an offence alleged to have been committed before the amendment or repeal.

[2] Schedule 5

Insert after Schedule 4:

Schedule 5 Short descriptions of offences

(Clause 49A)

Column 1 Offence	Column 2 Prescribed expression
Section 155 (1) (a) of the Act—reside on public land without lawful authority	reside on public land without authority
Section 155 (1) (b) of the Act—erect a structure on public land without lawful authority	erect structure on public land without authority
Section 155 (1) (c) of the Act—depasture stock on public land without lawful authority	depasture stock on public land without authority
Section 155 (1) (d) of the Act—drive stock on public land without lawful authority	drive stock on public land without authority
Section 155 (1) (e) of the Act—clear, dig up or cultivate public land without lawful authority	clear/dig up/cultivate public land without authority
Section 155 (1) (f) of the Act—enclose public land (other than a road or watercourse to which section 63 applies) without lawful authority	enclose public land without authority
Section 155 (1) (h) of the Act—interfere with any substance, whether on or in, or forming part of, public land without lawful authority	interfere with substance on public land without authority
Section 155 (1) (i) of the Act—without lawful authority, deposit or leave on public land:	
(i) any rubbish, litter, refuse, dead animal, filth or other similar matter, or	deposit/leave rubbish/litter/refuse/dead animal/filth/matter on public land without authority
(ii) any matter of a prescribed class or description, whether or not of a kind referred to in subparagraph (i), except in a place or receptacle provided for the purpose.	deposit/leave prescribed matter on public land without authority

Amendments

Schedule 1

Column 1 Offence	Column 2 Prescribed expression
Section 156 (2) of the Act—after service of a notice prohibiting the making use, without lawful authority, of a structure erected on public land, make use of the structure without lawful authority after the expiry of the period specified in the notice	use structure on public land after notice
Section 156 (2) of the Act and clause 47 (a) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, conduct any entertainment, instruction or performance for money or consideration of any kind) without lawful authority after the expiry of the period specified in the notice	conduct entertainment/instruction/performance on public land after notice
Section 156 (2) of the Act and clause 47 (b) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, operate television, cinematographic or photographic equipment for commercial purposes) without lawful authority after the expiry of the period specified in the notice	operate TV/cinema/photo equipment on public land after notice
Section 156 (2) of the Act and clause 47 (c) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, conduct or take part in any sporting activity that forms part of an organised competition) without lawful authority after the expiry of the period specified in the notice	conduct/take part competitive sport on public land after notice
Section 156 (2) of the Act and clause 47 (d) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, sell, offer for sale or distribute any article or thing) without lawful authority after the expiry of the period specified in the notice	sell/offer for sale/distribute article/thing on public land after notice

1998 No 229

Crown Lands Amendment (Short Descriptions of Offences) Regulation 1998

Schedule 1 Amendments

Column 1 Offence	Column 2 Prescribed expression
Section 156 (2) of the Act and clause 47 (e) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, affix any sign, bill, poster, banner or bunting on, or to, any post, building, fence, seat, table, enclosure or other structure) without lawful authority after the expiry of the period specified in the notice	affix sign/bill/poster/banner/bunting on/to structure on public land after notice
Section 156 (2) of the Act and clause 47 (f) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, camp) without lawful authority after the expiry of the period specified in the notice	camp on public land after notice
Section 156 (2) of the Act and clause 47 (g) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, light a fire other than in a properly constructed fire place) without lawful authority after the expiry of the period specified in the notice	light fire on public land after notice
Section 156 (2) of the Act and clause 47 (h) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, drive a vehicle or ride a horse) without lawful authority after the expiry of the period specified in the notice	drive vehicle/ride horse on public land after notice
Section 156 (2) of the Act and clause 47 (i) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, carry or use firearms) without lawful authority after the expiry of the period specified in the notice	carry/use firearm on public land after notice

Column 1 Offence	Column 2 Prescribed expression
Section 156 (2) of the Act and clause 47 (j) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, discharge fireworks) without lawful authority after the expiry of the period specified in the notice	discharge fireworks on public land after notice
Section 156 (2) of the Act and clause 47 (k) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, use any bow and arrow or throw any stone or other dangerous missile) without lawful authority after the expiry of the period specified in the notice	use bow and arrow/throw dangerous missile on public land after notice
Section 156 (2) of the Act and clause 47 (l) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the activity (that is, drink alcohol) without lawful authority after the expiry of the period specified in the notice	drink alcohol on public land after notice
Section 156 (2) of the Act and clause 47 (m) of this Regulation—after service of a notice prohibiting the carrying on, without lawful authority, of a prescribed activity on public land, carry on the prescribed activity (that is, sell or offer for sale or otherwise provide alcohol to another person) without lawful authority after the expiry of the period specified in the notice	sell/offer for sale/provide alcohol on public land after notice
Section 156 (3) of the Act—without lawful authority, make use of a structure on public land when that use is prohibited by a notice displayed in a conspicuous place at or near the land	use structure on public land contrary to sign

Schedule 1 Amendments

Column 1 offence	Column 2 Prescribed expression
Section 156 (3) of the Act and clause 47 (a) of this Regulation—without lawful authority, carry on a prescribed activity (that is, conduct any entertainment, instruction or performance for money or consideration of any kind) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land	conduct entertainment/instruction/performance on public land contrary to sign
Section 156 (3) of the Act and clause 47 (b) of this Regulation—without lawful authority, carry on a prescribed activity (that is, operate television, cinematographic or photographic equipment for commercial purposes) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land	operate TV/cinema/photo equipment on public land contrary to sign
Section 156 (3) of the Act and clause 47 (c) of this Regulation—without lawful authority, carry on a prescribed activity (that is, conduct or take part in any sporting activity that forms part of an organised competition) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land	conduct/take part competitive sport on public land contrary to sign
Section 156 (3) of the Act and clause 47 (d) of this Regulation—without lawful authority, carry on a prescribed activity (that is, sell, offer for sale or distribute any article or thing) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land	sell/offer for sale/distribute article/thing on public land contrary to sign

Crown Lands Amendment (Short Descriptions of Offences) Regulation 1998

Amendments

Schedule 1

Column 1 Offence	Column 2 Prescribed expression
Section 156 (3) of the Act and clause 47 (e) of this Regulation—without lawful authority, carry on a prescribed activity (that is, affix any sign, bill, poster, banner or bunting on, or to, any post, building, fence, seat, table, enclosure or other structure) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land	affix sign/bill/poster/banner/bunting on/to structure on public land contrary to sign
Section 156 (3) of the Act and clause 47 (f) of this Regulation—without lawful authority, carry on a prescribed activity (that is, camp) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land	camp on public land contrary to sign
Section 156 (3) of the Act and clause 47 (g) of this Regulation—without lawful authority, carry on a prescribed activity (that is, light a fire other than in a properly constructed fire place) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land	light fire on public land contrary to sign
Section 156 (3) of the Act and clause 47 (h) of this Regulation—without lawful authority, carry on a prescribed activity (that is, drive a vehicle or ride a horse) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land	drive vehicle/ride horse on public land contrary to sign
Section 156 (3) of the Act and clause 47 (i) of this Regulation—without lawful authority, carry on a prescribed activity (that is, carry or use firearms) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land	carry/use firearm on public land contrary to sign

1998 No 229**Crown Lands Amendment (Short Descriptions of Offences) Regulation 1998****Schedule 1 Amendments****Column 1
Offence****Column 2
Prescribed expression**

Section 156 (3) of the Act and clause 47 (j) of this Regulation—without lawful authority, carry on a prescribed activity (that is, discharge fireworks) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land

discharge fireworks on public land contrary to sign

Section 156 (3) of the Act and clause 47 (k) of this Regulation—without lawful authority, carry on a prescribed activity (that is, use any bow and arrow or throw any stone or other dangerous missile) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land

use bow and dangerous missile on public land contrary to sign

Section 156 (3) of the Act and clause 47 (l) of this Regulation—without lawful authority, carry on a prescribed activity (that is, drink alcohol) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land

drink alcohol on public land contrary to sign

Section 156 (3) of the Act and clause 47 (m) of this Regulation—without lawful authority, carry on a prescribed activity (that is, sell or offer to sell or otherwise provide alcohol to another person) on public land when that activity is prohibited by a notice displayed in a conspicuous place on or near the land

sell/offer to sell/provide alcohol on public land contrary to sign

Section 160 (6) of the Act—contravene direction under section 160 (3) as to the bringing of vehicles into any vacant public land

disobey direction about bringing vehicles into public land

Section 160 (6) of the Act—contravene direction under section 160 (3) as to the use of vehicles in any vacant public land

disobey direction about use of vehicles in public land

Section 160 (6) of the Act—contravene direction under section 160 (3) as to the parking or mooring of vehicles in any vacant public land

disobey direction about parking/mooring vehicles in public land