



New South Wales

Local Government (General) Amendment (Parking and Wheel Clamping) Regulation 1998

under the
Local Government Act 1993

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Local Government Act 1993*.

ERNIE PAGE, M.P.,
Minister for Local Government

Explanatory note

The *Local Government Amendment (Parking and Wheel Clamping) Act 1998* amends the *Local Government Act 1993* so as to make it an offence in certain circumstances:

- (a) to immobilise a vehicle owned by another person by means of wheel clamps or any other prescribed device, or
- (b) to fail to release a vehicle on demand to any person having a lawful right to the possession or control of the vehicle or demand payment for or in relation to the release of a vehicle.

The objects of this Regulation are:

- (a) to introduce an "on the spot fine" of \$300 for those offences, and
- (b) to specify, in accordance with section 145B of the *Justices Act 1902*, the short descriptions that may be used to describe those offences in any information, complaint, summons, warrant, notice, order or other document.

This Regulation is made under the *Local Government Act 1993*, including section 748 (the general regulation-making power) and section 679 (penalty notices for certain offences), and in accordance with section 145B of the *Justices Act 1902*.

1998 No 505

Clause 1 Local Government (General) Amendment (Parking and Wheel Clamping) Regulation 1998

**Local Government (General) Amendment
(Parking and Wheel Clamping) Regulation 1998**

1 Name of Regulation

This Regulation is the *Local Government (General) Amendment (Parking and Wheel Clamping) Regulation 1998*.

2 Commencement

This Regulation commences on 29 August 1998.

3 Amendment of Local Government (General) Regulation 1993

The *Local Government (General) Regulation 1993* 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)

Schedule 1 Penalty notice offences and short descriptions

Insert in appropriate order in columns 1, 2 and 3 of Schedule 1:

Section 651B (1)—immobilise a vehicle owned by another person by means of wheel clamps, or a prescribed device, except with the consent of the owner	immobilise vehicle by means of wheel clamps/prescribed device	\$300
Section 651C (1) (a)—fail to release a vehicle on demand to any person having a lawful right to the possession or control of the vehicle	fail to release vehicle on demand	\$300
Section 651C (1) (b)—demand payment for or in relation to the release of a vehicle	demand payment for release of vehicle	\$300