

STATUTE LAW (PENALTIES) ACT 1993 No. 47

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Acts

SCHEDULE 1—AMENDMENTS OF ACTS

STATUTE LAW (PENALTIES) ACT 1993 No. 47

NEW SOUTH WALES



Act No. 47, 1993

An Act to amend various Acts to express penalties for offences in penalty units in accordance with section 56 of the Interpretation Act 1987.
[Assented to 15 June 1993]

*Statute Law (Penalties) Act 1993 No. 47***The Legislature of New South Wales enacts:****Short title**

1. This Act may be cited as the Statute Law (Penalties) Act 1993.

Commencement

2. This Act commences on the date of assent.

Amendment of Acts

3. Each Act specified in Column 1 of Schedule 1 is amended:
 - (a) by omitting from each provision of that Act specified in Column 1 the matter (wherever occurring) specified opposite that provision in Column 2 of that Schedule;
 - (b) by inserting instead the matter specified opposite that provision in Column 3 of that Schedule.

SCHEDULE 1—AMENDMENT OF ACTS

(Sec. 3)

Column 1 Provision amended	Column 2 Matter to be omitted	Column 3 Matter to be inserted
Agreements Validating Act 1902 No. 58 section 7	forty dollars	0.5 penalty unit
Agricultural Scientific Collections Trust Act 1983 No. 148 sections 19, 20	Penalty: \$2,000	Maximum penalty: 20 penalty units
section 21 (3)	\$500	5 penalty units
Anglican Church of Australia Act 1976 No. 21 section 6 (1)	Penalty: \$100	Maximum penalty: 1 penalty unit

Statute Law (Penalties) Act 1993 No. 47—Sch. 1

Column 1 Provision amended	Column 2 Matter to be omitted	Column 3 Matter to be inserted
Anti-Discrimination Act 1977 No. 48		
sections 51 (2), 116, 124	Penalty: \$1,000	Maximum penalty: 10 penalty units
section 92 (3)	Penalty: \$500	Maximum penalty: 5 penalty units
section 101B (5)	Penalty (subsection (5.)): \$1,000	Maximum penalty (subsection (5)): 10 penalty units
section 110A (3)	Penalty (subsection (3)): \$1,000	Maximum penalty: (subsection (3)): 10 penalty units
section 127 (5)	\$500	5 penalty units
Art Gallery of New South Wales Act 1988 No. 65		
section 23 (3)	\$500	5 penalty units
Attachment of Wages Limitation Act 1957 No. 28		
section 10 (8)	one hundred dollars	1 penalty unit
Balranald Irrigation Act 1902 No. 78		
section 35 (2)	\$200	2 penalty units
section 49	forty dollars	0.5 penalty unit
section 50	two hundred dollars	2 penalty units
section 51	twenty dollars	0.5 penalty unit
Biological Control Act 1985 No. 199		
sections 41, 43	Penalty: \$1,000	Maximum penalty: 10 penalty units
section 45 (2)	\$5,000	50 penalty units
sections 45 (4), 49 (2)	\$2,000	20 penalty units

Statute Law (Penalties) Act 1993 No. 47–Sch. 1

Column 1 Provision amended	Column 2 Matter to be omitted	Column 3 Matter to be inserted
sections 46 (1), 49(1)	Penalty: \$2,000	Maximum penalty: 20 penalty units
section 49 (2)	Penalty: \$10,000	Maximum penalty: 100 penalty units
Children (Community Service Orders) Act 1987 No. 56		
section 26 (1) (a), (3) (a)	\$250	2.5 penalty units
Coal Industry Act 1946 No. 44		
section 54A (2)	\$200	2 penalty units
section 59 (1)–(5)	\$10,000	100 penalty units
section 59 (1)–(3)	\$3,000	30 penalty units
section 59 (4), (5)	\$6,000	60 penalty units
section 63	\$500	5 penalty units
Coal Mining Industry Long Service Leave Act 1950 No. 23		
sections 8 (3), 9 (2)	one hundred dollars	1 penalty unit
section 10 (1)	two hundred dollars	2 penalty units
section 13 (3)	forty dollars	0.5 penalty unit
Constitution Further Amendment (Referendum) Act 1930 No. 2		
section 41 (1)	two hundred dollars	2 penalty units
section 42 (1)	ten dollars	0.1 penalty unit
Contractors' Debts Act 1897 No. 29		
section 17	one hundred dollars	1 penalty unit

Statute Law (Penalties) Act 1993 No. 47—Sch. 1

Column 1 Provision amended	Column 2 Matter to be omitted	Column 3 Matter to be inserted
Contracts Review Act 1984 No. 16 section 18 (1)	\$2,000	20 penalty units
Copyright Act 1879 42 Vic. No. 20 section 7	twenty dollars	0.5 penalty unit
Crimes Act 1900 No. 40 section 496 (1)	of \$5,000	not exceeding 50 penalty units
Crimes Prevention Act 1916 No. 80 section 3	one hundred dollars	1 penalty unit
Dams Safety Act 1978 No. 96 section 30	\$1,000	10 penalty units
section 32 (4)	\$500	5 penalty units
Darling Harbour Authority Act 1984 No. 103 section 54 (3)	\$2,000	20 penalty units
Disorderly Houses Act 1943 No. 60 section 8	not less than sixty dollars and not exceeding six hundred dollars	not exceeding 10 penalty units
section 11	fifty dollars	0.5 penalty unit
Disposal of Uncollected Goods Act 1966 No. 57 section 21 (1)	two hundred dollars	2 penalty units
section 22 (2)	one hundred dollars	1 penalty unit

Statute Law (Penalties) Act 1993 No. 47—Sch.

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Column 1 Provision amended	Column 2 Matter to be omitted	Column 3 Matter to be inserted
Farm Water Supplies Act 1946 No. 22		
section 17	\$800	10 penalty units
section 18 (1)	\$500	5 penalty units
Fertilizers Act 1985 No. 5		
sections 15 (1), 17, 18 (1), 19, 22, 27, 28, 31, 33, 34	Penalty: \$2,000	Maximum penalty: 20 penalty units
sections 16 (1), 21 (1)	Penalty: \$1,000	Maximum penalty: 10 penalty units
sections 20 (2), 26 (2)	Penalty (subsection (2)): \$1,000	Maximum penalty (subsection (2)): 10 penalty units
section 25 (5)	Penalty (subsection (5)): \$2,000	Maximum penalty (subsection (5)): 20 penalty units
section 42 (3)	\$500	5 penalty units
Geographical Names Act 1966 No. 13		
section 15 (2)	forty dollars	0.5 penalty unit
Health Administration Act 1982 No. 135		
sections 22, 23 (3)	\$1,000	10 penalty units
Historic Houses Act 1980 No. 94		
section 23 (3)	\$500	5 penalty units
Homing Pigeons Protection Act 1909 (1910 No. 1)		
sections 3, 4	twenty dollars	0.5 penalty unit
section 5	ten dollars	0.1 penalty unit
section 6	four dollars	0.1 penalty unit
Housing Act 1912 No. 7		
section 23 (2)	one hundred dollars	1 penalty unit

Statute Law (Penalties) Act 1993 No. 47—Sch. 1

Column 1 Provision amended	Column 2 Matter to be omitted	Column 3 Matter to be inserted
Housing Act 1976 No. 62 section 35 (2)	\$100	1 penalty unit
Housing Act 1985 No. 163 sections 13 (1), (2), 14	Penalty: \$2,000	Maximum penalty: 20 penalty units
Imperial Acts Application Act 1969 No. 30 section 20	not more than one thousand dollars	not exceeding 10 penalty units
section 39	one hundred dollars	1 penalty unit
section 43	not more than two thousand dollars	not exceeding 20 penalty units
Inclosed Lands Protection Act 1901 No. 33 section 4 (1)	\$500	5 penalty units
section 4A (1)	of \$1,000	not exceeding 10 penalty units
section 5 (1), (2)	\$200	2 penalty units
section 6 (2)	fifty dollars	0.5 penalty unit
Inebriates Act 1912 No. 24 sections 4 (1), 10	forty dollars	0.5 penalty unit
section 21	ten dollars	0.1 penalty unit
section 25	twenty dollars	0.5 penalty unit
sections 26, 28	one hundred dollars	1 penalty unit
Innkeepers Act 1968 No. 24 section 9	forty dollars	0.5 penalty unit

Statute Law (Penalties) Act 1993 No. 47—Sch. 1

Column 1 Provision amended	Column 2 Matter to be omitted	Column 3 Matter to be inserted
Justices Act 1902 No. 27		
section 15	forty dollars	0.5 penalty unit
Land Agents Act 1927 No. 3		
section 4 (2)	one hundred dollars	1 penalty unit
Landlord and Tenant Act 1899 No. 18		
section 2AA (5)	Penalty	Maximum penalty
section 2AA (5)	\$500	5 penalty units
section 2AA (5)	\$1,000	10 penalty units
Landlord and Tenant (Amendment) Act 1948 No. 25		
section 81 (2)	ten dollars	0.1 penalty unit
section 95 (5) (a)	one hundred dollars	1 penalty unit
Legal Aid Commission Act 1979 No. 78		
sections 26, 32, 41	Penalty: \$1,000	Maximum penalty: 10 penalty units
section 76 (2)	\$500	5 penalty units
Lie Detectors Act 1983 No. 62		
section 7 (1) (a)	\$5,000	50 penalty units
section 7 (1) (a)	\$10,000	100 penalty units
section 7 (1) (b)	\$1,000	10 penalty units
section 7 (1) (b)	\$2,000	20 penalty units
Liquefied Petroleum Gas (Grants) Act 1980 No. 175		
sections 12 (2), 16 (1), (3)	Penalty: \$1,000	Maximum penalty: 10 penalty units
section 13 (4)	Penalty: \$500	Maximum penalty: 5 penalty units

Statute Law (Penalties) Act 1993 No. 47—Sch. 1

Column 1 Provision amended	Column 2 Matter to be omitted	Column 3 Matter to be inserted
Liquefied Petroleum Gas (Grants) Act 1980 No. 175—continued		
section 16 (2)	Penalty: \$2,000	Maximum penalty: 20 penalty units
section 20 (2)	\$200	2 penalty units
Liquor Act 1982 No. 147		
section 13	\$1,000 ¹	penalty units
section 101 (1)	Penalty: \$500	Maximum penalty: 5 penalty units
Local Courts (Civil Claims) Act 1970 No. 11		
section 47C (3)	Penalty: \$200	Maximum penalty: 2 penalty units
section 56 (1)	Penalty: \$100	Maximum penalty: 1 penalty unit
Maritime Services Act 1935 No. 47		
section 38 (2) (fi)	four hundred dollars	4 penalty units
Marketing of Primary Products Act 1983 No. 176		
section 91 (4)	\$2,000	20 penalty units
section 163 (4)	\$1,000	10 penalty units
section 163 (4)	\$100	1 penalty unit
Mines Inspection Act 1901 No. 75		
section 80 (1)	5 penalty units	\$500
Mock Auctions Act 1973 No. 17		
section 4 (1)	Penalty: \$800	Maximum penalty: 10 penalty units
Motor Vehicles (Third Party Insurance) Act 1942 No. 15		
section 45 (3)	\$300	3 penalty units

Statute Law (Penalties) Act 1993 No. 47—Sch. 1

Column 1 Provision amended	Column 2 Matter to be omitted	Column 3 Matter to be inserted
National Parks and Wildlife Act 1974 No. 80		
Schedule 9A, clause 11 (11)	\$200	2 penalty units
Schedule 9A, clause 12 (2)	\$100	1 penalty unit
New South Wales—Queensland Border Rivers Act 1947 No. 10		
section	one hundred dollars	1 penalty unit
	forty dollars	0.5 penalty unit
	two hundred dollars	2 penalty units
	ten dollars	0.1 penalty unit
New South Wales State Cancer Council Act 1955 No. 25		
section 10A (4)	four hundred dollars	4 penalty units
Non-Indigenous Animals Act 1987 No. 166		
section 22	Penalty: \$2,000	Maximum penalty: 20 penalty units
Oaths Act 1900 No. 20		
section 21A (3)	two hundred dollars	2 penalty units
section 30 (b)	five hundred dollars	5 penalty units
Ombudsman Act 1974 No. 68		
section 31H (3), (4)	Penalty: \$2,000	Maximum penalty: 20 penalty units
sections 34 (1) ,37 (1) ,(2)	Penalty: \$1,000	Maximum penalty: 10 penalty units

Statute Law (Penalties) Act 1993 No. 47—Sch. 1

Column 1 Provision amended	Column 2 Matter to be omitted	Column 3 Matter to be inserted
Pathology Laboratories Accreditation Act 1981 No. 51		
section 34	Penalty: \$2,000	Maximum penalty: 20 penalty units
sections 35, 36, 37, 38	Penalty: \$500	Maximum penalty: 5 penalty units
section 48 (3)	\$200	2 penalty units
Police Offences Act 1901 No. 5		
section 104	forty dollars	0.5 penalty unit
sections 105, 107	twenty dollars	0.5 penalty unit
section 108	two hundred dollars	2 penalty units
Prices Regulation Act 1948 No. 26		
section 59 (3) (a)	\$10,000	100 penalty units
section 59 (3) (b)	\$5,000	50 penalty units
section 61 (3) (a)	\$2,000	20 penalty units
section 61 (3) (b)	\$1,000	10 penalty units
Printing and Newspapers Act 1973 No. 46		
sections 3 (1), (2), 4 (1), (2)	Penalty: \$400	Maximum penalty: 4 penalty units
Prisons Act 1952 No. 9		
section 48A (3)	two hundred dollars	2 penalty units
Privacy Committee Act 1975 No. 37		
sections 20, 22	Penalty: \$1,000	Maximum penalty: 10 penalty units
Public Hospitals Act 1929 No. 8		
section 42 (4) (a)	one hundred dollars	1 penalty unit

Statute Law (Penalties) Act 1993 No. 47—Sch. 1

Column 1 Provision amended	Column 2 Matter to be omitted	Column 3 Matter to be inserted
Public Notaries Act 1985 No. 6 section 9 (3)	Penalty: \$500	Maximum penalty: 5 penalty units
Public Servant Housing Authority Act 1975 No. 38 section 33	\$1,000	10 penalty units
Public Works Act 1912 No. 45 section 148 section 150 (1)	forty dollars twenty dollars	0.5 penalty unit 0.5 penalty unit
Registered Clubs Act 1976 No. 31 section 37 (3) sections 79 (2). 86 (3). 117 (1)	\$1,000 Penalty: \$2,000 20	10 penalty units Maximum penalty: penalty units
Royal Commissions Act 1923 No. 29 sections 19 (1), 20	four hundred dollars	4 penalty units
Sea-carriage of Goods (State) Act 1921 No. 5 section 7	two hundred dollars	2 penalty units
Sheriff Act 1900 No. 16 section 8 section 13	one hundred dollars Penalty: \$500	1 penalty unit Maximum penalty: 5 penalty units
Small Business Development Corporation Act 1984 No. 119 section 16 section 20 (2)	Penalty: \$2,000 \$500	Maximum penalty: 20 penalty units 5 penalty units

Statute Law (Penalties) Act 1993 No. 47—Sch. 1

Column 1	Column 2	Column 3
Provision amended	Matter to be omitted	Matter to be inserted
Snowy Mountains Hydro-electric Agreements Act 1958 No. 20		
section 14 (4) (a)	two hundred dollars	2 penalty units
section 14 (4) (b)	one thousand dollars	10 penalty units
South-west Tablelands Water Supply Administration Act 1941 No. 36		
section 20 (1B)	one hundred dollars	1 penalty unit
Special Commissions of Inquiry Act 1983 No. 90		
sections 25 (1), 26, 37 (2)	\$1,000	10 penalty units
section 31 (2)	Penalty: \$1,000	Maximum penalty: 10 penalty units
Stamp Duties Act 1920 No. 47		
section 97ADE (6)	\$500	5 penalty units
Strata Titles (Leasehold) Act 1986 No. 219		
sections 17 (1), 99 (1), 103 (5), 116 (1), 129 (2), 131 (2), 137 (7), 175 (2), 176 (1), 180 (3)	Penalty: \$500	Maximum penalty: 5 penalty units
section 86 (1), (4)	Penalty: \$1,000	Maximum penalty: 10 penalty units
sections 88 (1), 180 (1)	Penalty: \$100	Maximum penalty: 1 penalty unit
sections 94 (2), 100 (1), (3)	Penalty: \$200	Maximum penalty: 2 penalty units
sections 98 (8) (a), 196 (2)	\$200	2 penalty units
sections 98 (8) (b), 174 (3), 180 (2)	\$500	5 penalty units
sections 103 (8), 109 (2)	Penalty: \$2,000	Maximum penalty: 20 penalty units

Statute Law (Penalties) Act 1993 No. 47—Sch. 1

Column 1 Provision amended	Column 2 Matter to be omitted	Column 3 Matter to be inserted
Strata Titles' (Leasehold) Act 1986 No. 219— continued		
section 135 (6)	Penalty— subsection (6): \$500	Maximum penalty (subsection (6)): 5 penalty units
section 174 (3)	Penalty	Maximum penalty
section 174 (3)	\$1,000	10 penalty units
section 180 (1)	\$10	0.1 penalty unit
section 193 (3)	Penalty— subsection (3): \$200	Maximum penalty (subsection (3)): 2 penalty units
Sydney Cricket and Sports Ground Act 1978 No. 72		
Schedule 1, clause 13 (11)	\$200	2 penalty units
Sydney Harbour Trust Act 1900 (1901 No. 1)		
section 86	forfeit for every such offence any sum not exceeding two hundred dollars	be liable for every such offence to a penalty not exceeding 2 penalty units
Sydney Turf Club Act 1943 No. 22		
sections 23 (5), 32 (2)	fifty dollars	0.5 penalty unit
section 24 (1), (2)	twenty dollars	0.5 penalty unit
Teacher Housing Authority Act 1975 No. 27		
section 35	\$1,000	10 penalty units
Theatres and Public Halls Act 1908 No. 13		
section 27 (1), (3)	\$2,000	20 penalty units
section 29 (3)	\$200	2 penalty units

Statute Law (Penalties) Act 1993 No. 47—Sch. 1

Column 1 Provision amended	Column 2 Matter to be omitted	Column 3 Matter to be inserted
Totalizator Act 1916 No. 75		
section 10E (4)	forty dollars	0.5 penalty unit
section 10E (4)	two hundred dollars	2 penalty units
Tourism Commission Act 1984 No. 46		
section 25	Penalty: \$1,000	Maximum penalty: 10 penalty units'
Transport Appeal Boards Act 1980 No. 104		
section 18 (2)	\$500	5 penalty units
section 32 (4)	\$100	1 penalty unit
Unclaimed Money Act 1982 No. 174		
section 6 (3) (a)	\$500	5 penalty units
section 6 (3) (b)	\$50	0.5 penalty unit
section 7 (2)	Penalty: \$200	Maximum penalty: 2 penalty units
section 11 (3)	Penalty: \$500	Maximum penalty: 5 penalty units
section 17 (2)	\$200	2 penalty units
Uranium Mining and Nuclear Facilities (Prohibitions) Act 1986 No. 194		
sections 7 (1), 8 (2)	Penalty: \$100,000	Maximum penalty: 1,000 penalty units
section 13 (2)	\$2,000	20 penalty units
Water Act 1912 No. 44		
section 20D	\$10,000	100 penalty units
Wollongong Sportsground Act 1986 No. 174		
sections 29 (2), 33 (3)	\$500	5 penalty units

Statute Law (Penalties) Act 1993 No. 47—Sch. 1

Column 1	Column 2	Column 3
Provision amended	Matter to be omitted	Matter to be inserted
Workers Compensation Act 1987 No. 70		
sections 43 (2), 57 (1), 94 (1), 134 (2), 141 (3), 161 (3), (4), 163, 170 (6), 184 (4), (10), (12), 191 (7), 229, 230, 237, 270 (2)	Penalty: \$2,000	Maximum penalty: 20 penalty units
sections 54 (1), 93 (1), 174, 192, 274 (3), 276	Penalty: \$5,000	Maximum penalty: 50 penalty units
sections 90 (5), 125 (1), 185 (9), 269 (3), 280 (2)	\$2,000	20 penalty units
sections 142 (2) (b), 169 (3), 189 (5), 209, 220 (4) (a), 228 (4) (a), 261 (7) (a), 278 (2)	\$10,000	100 penalty units
section 154 (5)	Penalty (subsection (5)): \$2,000	Maximum penalty (subsection (5)): 20 penalty units
section 155 (1)	Penalty: \$20,000	Maximum penalty: 200 penalty units
sections 157, 164, 179 (1), 181 (4), 190 (2), 213 (1), 271 (1)	Penalty: \$10,000	Maximum penalty: 100 penalty units
section 159 (7)	Penalty (subsection (7)): \$5,000	Maximum penalty (subsection (7)): 50 penalty units

*[Minister's second reading speech made in—
Legislative Assembly on 13 May 1993
Legislative Council on 20 May 1993]*