



New South Wales

Anzac Memorial (Building) Amendment Act 1999 No 44

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Anzac Memorial (Building) Amendment Act 1999 No 44

Act No 44, 1999

An Act to amend the *Anzac Memorial (Building) Act 1923* and the *Anzac Memorial (Building) By-laws 1937* to increase penalties for offences under the By-laws and to provide for payments for damage by offenders; and for other purposes. [Assented to 1 October 1999]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Anzac Memorial (Building) Amendment Act 1999*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Amendment of Anzac Memorial (Building) Act 1923 No 27

The *Anzac Memorial (Building) Act 1923* is amended as set out in Schedule 1.

4 Amendment of Anzac Memorial (Building) By-laws 1937

The *Anzac Memorial (Building) By-laws 1937* are amended as set out in Schedule 2.

Schedule 1 Amendment of Anzac Memorial (Building) Act 1923

(Section 3)

[1] Section 9 By-laws

Omit section 9 (3). Insert instead:

- (3) A by-law may create an offence punishable by a penalty not exceeding 20 penalty units.

[2] Section 11

Insert after section 10:

11 Compensation

- (1) A court that convicts a person of an offence under the by-laws (being an offence committed after the commencement of this section) may, in addition to any penalty imposed for the offence, order the person to pay an amount not exceeding 20 penalty units as the cost of, or as a contribution to the cost of, the repair or restoration of any damage caused by the action that resulted in the conviction.
- (2) An amount ordered to be paid under subsection (1) is to be paid to the trustees unless the court orders otherwise.
- (3) An order for the payment of money under subsection (1) is taken to be a fine for the purposes of the *Fines Act 1996*.
- (4) An order by a court under section 556A of the *Crimes Act 1900* in any proceedings for an offence referred to in subsection (1) operates for the purposes of that subsection as a conviction for the offence.

Schedule 2 Amendment of Anzac Memorial (Building) By-laws 1937

(Section 4)

[1] By-laws 10, 11 and 13–15

Insert at the end of By-laws 10, 11 and 13–15:

Maximum penalty: 10 penalty units.

[2] By-law 12

Insert at the end of By-law 12:

Maximum penalty: 20 penalty units.

[3] By-law 19

Omit By-law 19.

[Minister's second reading speech made in—
Legislative Assembly on 15 September 1999
Legislative Council on 23 September 1999]