



New South Wales

Landlord and Tenant (Rental Bonds) Amendment (Penalty Notices) Regulation 1999

under the

Landlord and Tenant (Rental Bonds) Act 1977

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Landlord and Tenant (Rental Bonds) Act 1977*.

JOHN WATKINS, M.P.,
Minister for Fair Trading

Explanatory note

The objects of this Regulation are to prescribe certain offences under the *Landlord and Tenant (Rental Bonds) Act 1977* as penalty notice offences and to prescribe short descriptions for those offences.

This Regulation is made under the *Landlord and Tenant (Rental Bonds) Act 1977*, including section 15A (Penalty notices) and section 34 (the general regulation-making power).

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Clause 1 Landlord and Tenant (Rental Bonds) Amendment (Penalty Notices)
Regulation 1999

**Landlord and Tenant (Rental Bonds) Amendment
(Penalty Notices) Regulation 1999**

1 Name of Regulation

This Regulation is the *Landlord and Tenant (Rental Bonds) Amendment (Penalty Notices) Regulation 1999*.

2 Amendment of Landlord and Tenant (Rental Bonds) Regulation 1993

The *Landlord and Tenant (Rental Bonds) Regulation 1993* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 2)

[1] Clauses 10A and 10B

Insert after clause 10:

10A Penalty notice offences

For the purposes of section 15A of the Act:

- (a) each offence arising under a provision specified in Column 1 of Schedule 1 is prescribed as a penalty notice offence, and
- (b) the prescribed penalty for such an offence is the amount specified in relation to the offence in Column 4 of Schedule 1.

10B Short description of offences

- (1) For the purposes of section 145B of the *Justices Act 1902*, the prescribed expression for an offence arising under a provision specified in Column 1 of Schedule 1 consists of the IPB Code set out in relation to the offence in Column 2, together with:
 - (a) the text set out in relation to the offence in Column 3 of that Schedule, or
 - (b) if a choice of words is indicated in that text, the words remaining after the omission of the words irrelevant to the offence.
- (2) For the purposes of any proceedings for an offence arising under a provision specified in Column 1 of Schedule 1, the prescribed expression is taken to relate to the offence arising under the provision, as the provision was in force when the offence is alleged to have been committed.
- (3) 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, and any such document continues to

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Schedule 1 Amendments

have effect as if that expression had not been amended or repealed.

- (4) 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.

- (5) In this clause:

Infringement Processing Bureau means the Infringement Processing Bureau within the Police Service.

IPB Code, in relation to an offence, means the code allocated to the offence by the Infringement Processing Bureau.

[2] Schedule 1

Insert after clause 11:

Schedule 1 Penalty notice offences and short descriptions

(Clauses 10A and 10B)

Column 1	Column 2	Column 3	Column 4
Offence under the Act	IPB Code	Prescribed expression	Penalty
Section 8 (2)	7504 PAE	fail to deposit bond within required time	\$550
Section 12 (1)	7505 PAF	fail to give receipt for bond	\$220
Section 12 (2)	7506 PAG	fail to include required particulars in receipt for bond	\$110

BY AUTHORITY