



New South Wales

Protection of the Environment Operations (Penalty Notices) Amendment (Noisy Vehicle Sound Systems) Regulation 2002

under the

Protection of the Environment Operations Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Protection of the Environment Operations Act 1997*.

BOB DEBUS, M.P.,

Minister for the Environment

Explanatory note

The object of this Regulation is to amend the *Protection of the Environment Operations (Penalty Notices) Regulation 1999 (the principal Regulation)* to include a new proposed offence in Schedule 1 to the principal Regulation which provides that a driver of a motor vehicle with a sound system must not drive or use the motor vehicle on a road or road related area if the sound system emits offensive noise (proposed clause 17A of the *Protection of the Environment Operations (Noise Control) Regulation 2000 (the 2000 Regulation)*). The proposed offence is an offence for which a penalty notice can be issued and is subject to a penalty of \$150. Officers or employees of the Environment Protection Authority and police officers are prescribed as enforcement officers in relation to this penalty notice offence.

Schedule 1 to the *Protection of the Environment Operations (Noise Control) Amendment (Noisy Vehicle Sound Systems) Regulation 2002* proposes to insert clause 17A in the 2000 Regulation.

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Protection of the Environment Operations (Penalty Notices) Amendment (Noisy Vehicle Sound Systems) Regulation 2002

Explanatory note

Under a proposed amendment of the *Road Transport (Driver Licensing) Regulation 1999*, the offence will attract two demerit points being recorded against the driver's licence (three demerit points on a long weekend).

Out-of-date references to officers of the Darling Harbour Authority have been omitted. A consequential amendment has been also made to the clausal cross-reference to Schedule 1 to the principal Regulation.

This Regulation is made under the *Protection of the Environment Operations Act 1997*, including section 323 (the general regulation-making power) and sections 226 and 227.

Protection of the Environment Operations (Penalty Notices) Amendment (Noisy Vehicle Sound Systems) Regulation 2002

1 Name of Regulation

This Regulation is the *Protection of the Environment Operations (Penalty Notices) Amendment (Noisy Vehicle Sound Systems) Regulation 2002*.

2 Commencement

This Regulation commences on 1 July 2002.

3 Amendment of Protection of the Environment Operations (Penalty Notices) Regulation 1999

The *Protection of the Environment Operations (Penalty Notices) Regulation 1999* is amended as set out in Schedule 1.

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Protection of the Environment Operations (Penalty Notices) Amendment
(Noisy Vehicle Sound Systems) Regulation 2002

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 3)

[1] Clause 6 Enforcement officers: section 226

Omit “or of the Darling Harbour Authority” from clause 6 (5) (h).

[2] Clause 6 (6) (b)

Omit the paragraph.

[3] Schedule 1 Penalty notice offences

Omit “(Clauses 5–9)”. Insert instead “(Clauses 5–8)”.

[4] Schedule 1

Insert in numerical order of clauses in the matter relating to the *Protection of the Environment Operations (Noise Control) Regulation 2000* (as amended by Schedule 1 [6] and [7]) to the *Protection of the Environment Operations (Penalty Notices) Amendment (Waste Offences) Regulation 2002* in Columns 1 (Provision of Regulation), 2 (Officer) and 3 (Penalty (individuals)), respectively:

Clause 17A (1)	2, 5	\$150
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BY AUTHORITY