



Impounding Regulation 2003

under the

Impounding Act 1993

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Impounding Act 1993*.

ANTHONY KELLY, M.L.C.,
Minister for Local Government

Explanatory note

The object of this Regulation is to remake, with only minor changes of substance, the provisions of the *Impounding (General) Regulation 1998*. That Regulation will be repealed on 1 September 2003 by section 10 (2) of the *Subordinate Legislation Act 1989*. Both Regulations do the following:

- (a) they prescribe certain authorities as impounding authorities for the purposes of the *Impounding Act 1993*,
- (b) they prescribe certain offences as penalty notice offences for the purposes of that Act.

The minor changes are the following:

- (a) the substitution of references to the Sydney Olympic Park Authority and land vested in that Authority for references to the Bicentennial Park Trust and land vested in that Trust (since the Authority has replaced the Trust),
- (b) the omission of short descriptions of certain offences (since section 145B of the *Justices Act 1902*, which authorised the prescription of short descriptions, has been repealed).

This Regulation is made under the *Impounding Act 1993*, including sections 36 (Penalty notices) and 51 (the general regulation-making power).

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*—namely, matters of a machinery nature.

Contents

	Page
1 Name of Regulation	3
2 Commencement	3
3 Definition	3
4 Notes	3
5 Impounding authorities	3
6 Penalty notice offences: section 36	4
7 Saving	4
 Schedule 1	
Penalty notice offences	5

Impounding Regulation 2003

under the

Impounding Act 1993

1 Name of Regulation

This Regulation is the *Impounding Regulation 2003*.

2 Commencement

This Regulation commences on 1 September 2003.

Note. This Regulation replaces the *Impounding (General) Regulation 1998* which is repealed on 1 September 2003 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definition

In this Regulation:

the Act means the *Impounding Act 1993*.

4 Notes

Notes in the text of this Regulation do not form part of this Regulation.

5 Impounding authorities

For the purposes of the definition of *impounding authority* in the Dictionary to the Act, each authority specified in the Table to this clause is prescribed as an impounding authority for the place or classes of places so specified in relation to the authority.

2003 No 605

Clause 6 Impounding Regulation 2003

Table

Authority	Place or classes of place
Parramatta Park Trust	All land vested in the Trust
Parramatta Stadium Trust	All land vested in the Trust
Royal Botanic Gardens and Domain Trust	All land vested in the Trust
State Sports Centre Trust	All land vested in the Trust
State Transit Authority	All places in NSW that are under the control of the Authority
Sydney Olympic Park Authority	All land vested in the Authority

6 Penalty notice offences: section 36

For the purposes of section 36 of the Act:

- (a) each offence created by a provision specified in Column 1 of Schedule 1 is a prescribed offence, and
- (b) the prescribed penalty for such an offence is the amount specified in Column 2 of Schedule 1.

7 Saving

Any act, matter or thing that, immediately before the repeal of the *Impounding (General) Regulation 1998*, had effect under that Regulation continues to have effect under this Regulation.

Impounding Regulation 2003

Penalty notice offences

Schedule 1

Schedule 1 Penalty notice offences

(Clause 6)

Column 1	Column 2
Section 32 (1) (article not being a motor vehicle)	\$110.00
Section 32 (1) (article being a motor vehicle)	\$220.00
Section 32 (2)	\$220.00
