



Fines Amendment Regulation 2004

under the

Fines Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Fines Act 1996*.

MICHAEL EGAN, M.L.C.,

Treasurer

Explanatory note

The object of this Regulation is to amend the *Fines Regulation 1997* to omit provisions now included in the *Fines Act 1996*, and to consequentially amend other provisions, as a result of the commencement of amendments made to the *Fines Act 1996* by the *Fines Amendment Act 2004*.

This Regulation is made under the *Fines Act 1996*, including sections 50, 80, 87, 89A and 128 (the general regulation-making power).

2004 No 571

Clause 1 Fines Amendment Regulation 2004

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1 Name of Regulation

This Regulation is the *Fines Amendment Regulation 2004*.

2 Commencement

This Regulation commences on 1 September 2004.

3 Amendment of Fines Regulation 1997

The *Fines Regulation 1997* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clauses 8, 11, 12, 14, 17, 18–20 and 21

Omit the clauses.

[2] Clause 16 Applications to Local Court for redetermination of applications for annulment of penalty notice enforcement orders: section 50

Omit clause 16 (1).

[3] Clause 16 (2)

Omit “the renewed application”.

Insert instead “an application under section 50 of the Act to have an application for annulment determined by a Local Court”.

[4] Clause 16 (3)

Omit “to which a renewed application”.

Insert instead “with which any such application”.

[5] Clause 17A Community service orders: section 79

Omit clause 17A (2)–(6). Insert instead:

- (2) For the purposes of section 80 (2) of the Act, the notice of a community service order is to be in Form 2.

[6] Clause 20A Warrants of commitment: section 87

Omit “87 (1)”. Insert instead “87 (2A)”.

[7] Clause 20B Periodic detention orders: section 89

Omit clause 20B (2)–(6). Insert instead:

- (2) For the purposes of section 89A (2) of the Act, the notice of a periodic detention order is to be in Form 6.

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Schedule 1 Amendments

[8] Schedule 1 Forms

Omit “(*Fines Act 1996*, section 79, and *Crimes (Sentencing Procedure) Act 1999*, section 93)” from Form 2.

Insert instead “(*Fines Act 1996*, section 80)”.

[9] Schedule 1, Form 6

Omit “(*Fines Act 1996*, section 89, *Crimes (Sentencing Procedure) Act 1999*, section 72)”.

Insert instead “(*Fines Act 1996*, section 89A)”.

BY AUTHORITY
