



New South Wales

# Sydney Water Amendment (Penalty Notices) Regulation 2005

under the

Sydney Water Act 1994

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Sydney Water Act 1994*.

FRANK ERNEST SARTOR, M.P.,  
Minister for Energy and Utilities

## Explanatory note

The objects of this Regulation are:

- (a) to increase the penalty payable in relation to a penalty notice issued for an offence under section 48 (Illegal diversion of water) of the *Sydney Water Act 1994* from \$550 to \$2,200, and
- (b) to increase the penalty payable by a corporation in relation to a penalty notice issued for an offence under clause 17 (Restrictions on use of water) of the *Sydney Water Regulation 2000* from \$220 to \$550 (the penalty payable by an individual will remain the same, being \$220).

This Regulation is made under the *Sydney Water Act 1994*, including sections 50 and 106 (the general regulation-making power).

## **2005 No 335**

Clause 1            Sydney Water Amendment (Penalty Notices) Regulation 2005

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# **Sydney Water Amendment (Penalty Notices) Regulation 2005**

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Sydney Water Act 1994

### **1 Name of Regulation**

This Regulation is the *Sydney Water Amendment (Penalty Notices) Regulation 2005*.

### **2 Commencement**

This Regulation commences on 1 July 2005.

### **3 Amendment of Sydney Water Regulation 2000**

The *Sydney Water Regulation 2000* is amended as set out in Schedule 1.

**Schedule 1 Amendments**

(Clause 3)

**[1] Clause 35 Penalty notice offences**

Omit clause 35 (b). Insert instead:

- (b) the penalty prescribed for such an offence if dealt with under that section is:
  - (i) in the case of a penalty payable by an individual—the amount specified in relation to the offence in Column 2 of that Schedule, and
  - (ii) in the case of a penalty payable by a corporation—the amount specified in relation to the offence in Column 3 of that Schedule.

**[2] Schedule 1**

Omit the Schedule. Insert instead:

**Schedule 1 Penalty notice offences**

(Clause 35)

<b>Column 1 Provision</b>	<b>Column 2 Penalty for an individual</b>	<b>Column 3 Penalty for a corporation</b>
<b>Offences under the Act</b>		
Section 48	\$2,200	\$2,200
<b>Offences under this Regulation</b>		
Clause 17 (3)	\$220	\$550