



New South Wales

Summary Offences Amendment (Display of Spray Paint Cans) Regulation 2006

under the

Summary Offences Act 1988

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Summary Offences Act 1988*.

DIANE BEAMER, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to amend the *Summary Offences Regulation 2005* so as:

- (a) to prescribe display on shelves that are 2.1 metres or more above floor level as a means by which spray paint cans may lawfully be displayed for the purposes of section 10D of the *Summary Offences Act 1988*, and
- (b) to disapply that section in relation to spray paint cans containing paint that is transparent and colourless.

Section 10D is inserted into the *Summary Offences Act 1988* by the *Summary Offences Amendment (Display of Spray Paint Cans) Act 2006*.

This Regulation is made under the *Summary Offences Act 1988*, including section 35 (the general power to make regulations) and section 10D.

2006 No 620

Clause 1 Summary Offences Amendment (Display of Spray Paint Cans) Regulation
2006

Summary Offences Amendment (Display of Spray Paint Cans) Regulation 2006

under the

Summary Offences Act 1988

1 Name of Regulation

This Regulation is the *Summary Offences Amendment (Display of Spray Paint Cans) Regulation 2006*.

2 Commencement

This Regulation commences on 1 November 2006.

3 Amendment of Summary Offences Regulation 2005

The *Summary Offences Regulation 2005* is amended by inserting the following clause after clause 13:

13A Display by retailers of spray paint cans

- (1) For the purposes of section 10D (2) (c) of the Act, a spray paint can is properly secured if it is displayed on a shelf that is 2.1 metres or more above floor level.
- (2) Section 10D of the Act does not apply to or in relation to a spray paint can that contains paint that, when applied to a surface, is both transparent and colourless.

BY AUTHORITY