



New South Wales

Stock (Chemical Residues) Amendment (Penalty Notice Offences) Regulation 2007

under the

Stock (Chemical Residues) Act 1975

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Stock (Chemical Residues) Act 1975*.

IAN MACDONALD, M.L.C.,
Minister for Primary Industries

Explanatory note

The object of this Regulation is to prescribe certain offences under the *Stock (Chemical Residues) Act 1975* and the *Stock (Chemical Residues) Regulation 2005 (the 2005 Regulation)* as penalty notice offences for the purposes of that Act and that Regulation.

This Regulation also increases from 20 penalty units (\$2,200) to 50 penalty units (\$5,500) the maximum penalty that may be imposed under the 2005 Regulation for offences relating to a permanent stock identifier.

This Regulation is made under the *Stock (Chemical Residues) Act 1975*, including sections 15A (Penalty notices) and 16 (the general regulation-making power).

2007 No 223

Stock (Chemical Residues) Amendment (Penalty Notice Offences)
Clause 1 Regulation 2007

Stock (Chemical Residues) Amendment (Penalty Notice Offences) Regulation 2007

under the

Stock (Chemical Residues) Act 1975

1 Name of Regulation

This Regulation is the *Stock (Chemical Residues) Amendment (Penalty Notice Offences) Regulation 2007*.

2 Commencement

This Regulation commences on 31 May 2007.

3 Amendment of Stock (Chemical Residues) Regulation 2005

The *Stock (Chemical Residues) Regulation 2005* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clause 10 Identification of stock: section 16

Omit “20 penalty units” wherever occurring in clause 10 (2) and (6).
Insert instead “50 penalty units”.

[2] Clause 10A

Insert after clause 10:

10A Penalty notice offences

For the purposes of section 15A of the Act:

- (a) each offence arising under a provision specified in Column 1 of Schedule 1 is prescribed as a penalty notice offence, and
- (b) the prescribed penalty for such an offence is:
 - (i) in the case of a penalty payable by an individual—the amount specified in relation to the offence in Column 2 of Schedule 1, and
 - (ii) in the case of a penalty payable by a corporation—the amount specified in relation to the offence in Column 3 of Schedule 1.

[3] Schedule 1

Insert after clause 11:

Schedule 1 Penalty notice offences

(Clause 10A)

Column 1	Column 2	Column 3
Provision	Penalty for an individual	Penalty for a corporation
Offence under the Act		
Section 7 (4)	\$550	\$1,100
Section 7A (3)	\$550	\$1,100
Section 8 (5)	\$1,100	\$2,200
Section 12 (3)	\$550	\$1,100

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Schedule 1 Amendments

Column 1	Column 2	Column 3
Provision	Penalty for an individual	Penalty for a corporation
Section 12B	\$1,100	\$2,200
Section 12C	\$550	\$1,100
Section 12D (1)	\$550	\$1,100
Section 12D (2)	\$550	\$1,100
Offence under this Regulation		
Clause 10 (2)	\$550	\$1,100
Clause 10 (6)	\$550	\$1,100

BY AUTHORITY