



Impounding Regulation 2013

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*.

DON PAGE, MP
Minister for Local Government

Explanatory note

The object of this Regulation is to remake, with minor amendments, the *Impounding Regulation 2008*, which is repealed on 1 September 2013 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation:

- (a) prescribes the authorities that are impounding authorities within the meaning of the *Impounding Act 1993* and the places or classes of places for which they are impounding authorities, and
- (b) prescribes the offences under that Act that may be dealt with by a penalty notice, or an on-the-spot fine, (namely the offences of abandoning an article in a public place or causing or permitting an animal to be unattended in a public place) and to prescribe the amount of penalty payable if those offences are dealt with by a penalty notice.

This Regulation is made under the *Impounding Act 1993*, including sections 36 (about penalty notices) and 51 (the general regulation-making power) and the definition of ***impounding authority*** in the Dictionary to the Act.

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

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1 Name of Regulation

This Regulation is the *Impounding Regulation 2013*.

2 Commencement

This Regulation commences on 1 September 2013 and is required to be published on the NSW legislation website.

Note. This Regulation replaces the *Impounding Regulation 2008* which is repealed on 1 September 2013 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definition

(1) In this Regulation:

the Act means the *Impounding Act 1993*.

(2) Notes included in this Regulation do not form part of this Regulation.

4 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 class of places so specified in relation to the authority.

Table

Authority	Place or class of places
Sydney Ferries	All land vested in Sydney Ferries
Parramatta Park Trust	All land vested in the Trust
Royal Botanic Gardens and Domain 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

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Authority	Place or class of places
Venues NSW	All land vested in Venues NSW

5 Penalty notice offences

For the purposes of section 36 of the Act:

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

Column 1	Column 2
Section 32 (1) (article not being a motor vehicle)	\$220
Section 32 (1) (article being a motor vehicle)	\$550
Section 32 (2)	\$330

6 Savings

Any act, matter or thing that, immediately before the repeal of the *Impounding Regulation 2008*, had effect under that Regulation continues to have effect under this Regulation.