



New South Wales

# **Inclosed Lands Protection Regulation 2018**

under the

**Inclosed Lands Protection Act 1901**

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Inclosed Lands Protection Act 1901*.

MARK SPEAKMAN, MP  
Attorney General

## **Explanatory note**

The object of this Regulation is to remake, with no significant amendments, the provisions of the *Inclosed Lands Protection Regulation 2013*, which is to be repealed on 1 September 2018 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation prescribes those offences under the *Inclosed Lands Protection Act 1901* that can be dealt with by the issue of a penalty notice (that is, an on-the-spot fine) and prescribes the amount of penalty for offences dealt with in that way.

This Regulation is made under the *Inclosed Lands Protection Act 1901*, including sections 10 (penalty notices) and 11 (the general regulation-making power).

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 *Inclosed Lands Protection Regulation 2018*.

### 2 Commencement

This Regulation commences on 1 September 2018 and is required to be published on the NSW legislation website.

**Note.** This Regulation replaces the *Inclosed Lands Protection Regulation 2013* which is to be repealed on 1 September 2018 by section 10 (2) of the *Subordinate Legislation Act 1989*.

### 3 Definitions

(1) In this Regulation:

*the Act* means the *Inclosed Lands Protection Act 1901*.

**Note.** The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Regulation.

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

### 4 Penalty notice offences

For the purposes of section 10 (3) of the Act:

- (a) each offence specified in the following table is an offence for which a penalty notice may be issued, and
- (b) the amount payable under any such penalty notice is the amount specified in the table for the offence.

Column 1	Column 2
Provision	Penalty
<b>Offences under the Act</b>	
Section 4 (1)—in relation to prescribed premises	\$550
Section 4 (1)—in relation to premises that are not prescribed premises	\$350
Section 4A (1)	\$250

### 5 Savings

Any act, matter or thing that, immediately before the repeal of the *Inclosed Lands Protection Regulation 2013*, had effect under that Regulation continues to have effect under this Regulation.