

STATE SPORTS CENTRE TRUST (AMENDMENT) BILL 1988

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the State Sports Centre Trust Act 1984—

- (a) to enable the Trust, with the consent of the Minister, to grant easements over original trust land even though a service will not be provided to the land as a consequence; and
- (b) to provide for the issuing of “on the spot” penalty notices for prescribed parking offences on trust land and make the owner of a vehicle liable in certain cases for any parking offence on trust land.

The Bill also amends consequentially the Justices Act 1902.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act is to commence on a day or days to be appointed by proclamation.

Clause 3 is a formal provision that gives effect to the Schedule of amendments to the Principal Act.

Clause 4 amends section 100i of the Justices Act 1902 to apply Part 4b of that Act (Penalty Notices) to penalty notices under proposed section 20b of the State Sports Centre Trust Act 1984 (to be inserted in the latter Act by the proposed Act). That Part will enable an enforcement order to be made by an authorised Justice if the fine to which any such penalty notice relates is not paid.

SCHEDULE 1—AMENDMENT OF STATE SPORTS CENTRE TRUST ACT 1984

Granting of easements

The Bill (Schedule 1 (1)) amends section 16 of the Principal Act so as to enable the Trust, with the consent of the Minister, to grant easements over the original trust land for the purpose of the construction and use of pipelines and cables and to grant easements over that land to public authorities for any purpose. At present, an easement over any of the trust land may be granted by the Trust only if the easement will result in the provision of services to the original trust land. The amendment removes that restriction.

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Parking offences

The Bill (Schedule 1 (2)) inserts proposed sections 20A and 20B into the Principal Act.

Proposed section 20A makes the owner of a vehicle liable for parking offences committed on trust land unless the owner provides the name and address of the actual offender or evidence that the owner did not know the name and address of the offender.

Proposed section 20B provides for the issue of penalty notices by authorised officers for prescribed parking offences on trust land.

A penalty of no more than half a penalty unit (presently \$50) or the maximum penalty for the relevant offence, whichever is the lesser, may be prescribed for the purposes of those proposed sections. A person's right to dispute any such offence in court is preserved by the Justices Act 1902.
