

Impounding Amendment (Unattended Boat Trailers) Act 2015 No 27

[2015-27]



New South Wales

Status Information

Currency of version

Repealed version for 28 September 2015 to 1 July 2016 (accessed 3 July 2024 at 20:20)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

This Act was repealed by sec 30C of the [Interpretation Act 1987 No 15](#) with effect from 2.7.2016.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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Contents

Long title	3
1 Name of Act	3
2 Commencement	3
Schedule 1 Amendment of Impounding Act 1993 No 31	3

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New South Wales

An Act to amend the *Impounding Act 1993* to make further provision for the impounding of boat trailers left unattended for extended periods.

1 Name of Act

This Act is the *Impounding Amendment (Unattended Boat Trailers) Act 2015*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

Schedule 1 Amendment of *Impounding Act 1993 No 31*

[1] Section 15A

Insert after section 15:

15A Impounding boat trailers

(1) In this section:

declared area in relation to an impounding officer's area of operations, means the whole or any part of that area that is declared by the impounding authority that has appointed the officer, by order published in the Gazette, to be a declared area for the purposes of this section in relation to the officer.

road means a road within the meaning of the *Road Transport Act 2013* and includes a road related area within the meaning of that Act.

Note—

The definition of **motor vehicle** in the Dictionary includes a boat trailer.

(2) An impounding officer may impound a boat trailer in the officer's area of operations if the officer believes on reasonable grounds that the boat trailer is in a declared area and has not been moved for at least 28 days (or such other

period as is specified by the regulations).

- (3) A boat trailer that is on a road is not moved for the purposes of this section if it is only moved along the same road and without passing an intersection with another road. An intersection with a road related area is to be disregarded for the purposes of this subsection unless it is related to a different road.
- (4) This section does not apply to a boat trailer that is parked on a road in accordance with an official resident's parking permit that applies to the boat trailer and is displayed on the boat trailer.
- (5) The power of an impounding officer to impound a boat trailer under this section is in addition to any power to impound the boat trailer under section 15.
- (6) Section 16 applies to the impounding of a boat trailer under this section and in such a case, the notice to the owner under section 16 (4) is to specify a period of not less than 15 days in which the boat trailer may be moved to avoid the impounding.
- (7) A boat trailer that may be impounded under this section is taken to have been left unattended for the purposes of this Act.

[2] Schedule 1 Savings and transitional provisions

Insert at the end of clause 1 (1):

any other Act that amends this Act

[3] Schedule 1, clause 8

Insert after clause 7:

8 Impounding boat trailers—2015 amendments

In determining the period for which a boat trailer has not been moved for the purposes of section 15A (2), no regard is to be had to any period before the commencement of that subsection.

[4] Dictionary

Insert in alphabetical order:

boat trailer means a trailer constructed for, or used for, the conveyance of a boat and includes any boat (including any article that is secured to or in such a boat) or other article mounted on such a trailer at the time it is impounded.

[5] Dictionary, definition of “motor vehicle”

Omit paragraph (a). Insert instead:

- (a) a motor vehicle within the meaning of the *Road Transport Act 2013*, and includes a caravan, boat trailer or other trailer (whether or not attached to such a vehicle), and

[6] Notes

Omit “at least 3 days’ notice must be given to owner before vehicle impounded. s. 16 (1)-(4)” from the diagram relating to Impounding of motor vehicles in the notes at the end of the Act.

Insert instead “notice must be given to owner before vehicle impounded. s. 16 (1)-(4A)”.