

Queensland



Justices Act 1886

JUSTICES (OFFENCE NOTICES) REGULATION 1992

**Reprinted as in force on 22 September 1993
(includes amendments up to SL No. 311 1993)**

Reprint No. 2

**This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy**

Information about this reprint

This Act is reprinted as at 22 September 1993. As required by section 5 of the *Reprints Act 1992*, it—

- shows the law as amended by all amendments that commenced on or before that day; and
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind.

As required by section 6 of the *Reprints Act 1992*, the reprint includes a reference to the law by which each amendment was made—see List of legislation and List of annotations in Endnotes.

This page is specific to this reprint. See previous reprint[s] for information about earlier changes made under the *Reprints Act 1992*. A Table of previous reprints is included in the Endnotes.

Also see Endnotes for—

- **details about when provisions commenced; and**
- **any provisions that have not commenced and are not incorporated in the reprint.**

Queensland



**JUSTICES (OFFENCE NOTICES)
REGULATION 1992**

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JUSTICES (OFFENCE NOTICES) REGULATION 1992

[as amended by all amendments that commenced on or before 22 September 1993.]^{2]}

PART 1—PRELIMINARY

Short title

1. This regulation may be cited as the *Justices (Offence Notices) Regulation 1992*³⁻⁵.

Definitions

2. In this regulation—

“**District Superintendent of Traffic**” means a person who holds that office under the *Traffic Act 1949*;

“**relevant department**”, in relation to a provision of a transport Act, means the department of government that—

- (a) deals with matters arising under the provision; and
- (b) is administered by the Minister or Ministers for the time being administering the provision;

“**traffic offence**” means an offence mentioned in section 140 of the *Traffic Regulation 1962*;

“**transport Act**” means—

- (a) the *Carriage of Dangerous Goods by Road Act 1984*; or
- (b) the *State Transport Act 1960*; or
- (c) the *Tow-truck Act 1973*; or
- (d) the *Transport Infrastructure (Roads) Act 1991*;

“**transport offence**” means an offence contained in—

- (a) a provision mentioned in column 1 of Schedule 3 to the *Carriage*

of Dangerous Goods by Road Regulation 1989; or

- (b) a provision mentioned in column 1 of Schedule 6 to the *State Transport Regulation 1987; or*
- (c) a provision mentioned in column 1 of Schedule 4 to the *Tow-truck Regulation 1988; or*
- (d) a provision mentioned in column 1 of Schedule 3 or 4 to the *Transport Infrastructure (Roads) Regulation 1991.*

PART 2—PRESCRIBED COURT

Prescribed court for the purpose of s.98F(2) of the Act

3. The prescribed court for the purpose of section 98F(2) of the Act is the Brisbane Central Magistrates Court.

PART 3—APPLICATION OF PART 4A OF THE ACT TO TRAFFIC OFFENCES

Traffic offence provisions

4. A provision providing for an infringement notice in relation to a traffic offence is a prescribed provision for the purposes of Part 4A of the Act.

Person to serve a reminder notice or notify the SETONS clerk

5. The person prescribed for the purposes of sections 98D(1) and 98E of the Act, in relation to the *Traffic Act 1949*, is a person authorised under the *Traffic Act 1949* to make complaints of traffic offences.

Amount of costs of notification under s.98E of the Act

6. The prescribed amount for the purposes of section 98E(4)(a)(iii) of the Act, in relation to a traffic offence, is \$38.00.

Period of imprisonment

7. The prescribed period for the purposes of section 98F(1)(b)(i)(A) of the Act, in relation to a traffic offence, is twice the number of days determined under section 98F(1)(b)(i)(B) of the Act.

Amount of execution fee

8. The prescribed amount of an execution fee for the purposes of section 98I(3)(b) of the Act, in relation to a traffic offence, is \$58.00.

Persons who may withdraw from acting under Part 4A of the Act

9. The person prescribed for the purposes of section 98M(1) of the Act, in relation to the *Traffic Act 1949*, is a District Superintendent of Traffic.

**PART 4—APPLICATION OF PART 4A OF THE ACT
TO TRANSPORT OFFENCES****Transport offence provisions**

10. A provision providing for an infringement notice in relation to a transport offence is a prescribed provision for the purposes of Part 4A of the Act.

Person to serve a reminder notice or notify the SETONS clerk

11. The person prescribed for the purposes of sections 98D(1) and 98E of the Act, in relation to a transport Act, is a person authorised to make complaints of transport offences under that transport Act.

Amount of costs of notification under s.98E of the Act

12. The prescribed amount for the purposes of section 98E(4)(a)(iii) of the Act, in relation to a transport offence, is \$38.00.

Period of imprisonment

13. The prescribed period for the purposes of section 98F(1)(b)(i)(A) of the Act, in relation to a transport offence, is twice the number of days determined under section 98F(1)(b)(i)(B) of the Act.

Amount of execution fee

14. The prescribed amount of an execution fee for the purposes of section 98I(3)(b) of the Act, in relation to a transport offence, is \$38.00.

Persons who may withdraw from acting under Part 4A of the Act

15. The following persons are prescribed for the purposes of section 98M(1) of the Act, in relation to a provision of a transport Act—

- (a) the chief executive of the relevant department;
- (b) a person authorised to make complaints of transport offences under that transport Act.

ENDNOTES

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2 Date to which amendments incorporated

This is the reprint date mentioned in section 5(c) of the *Reprints Act 1992*. Accordingly, this reprint includes all amendments that commenced operation on or before 22 September 1993. Future amendments of the Justices (Offence Notices) Regulation 1992 may be made in accordance with this reprint under section 49 of the *Reprints Act 1992*.

3 Table of previous reprints

Reprint No.	Amendments included	Reprint date
1	none	1 December 1992

4 List of legislation

Justices (Offence Notices) Regulation 1992 SL No. 273

notfd Gaz 28 August 1992 pp 3139–41
commenced on date of notification

as amended by—

Justices (Offence Notices) Amendment Regulation (No. 1) 1993 SL No. 311

notfd Gaz 13 August 1993 pp 1777–9
commenced on date of notification

5 List of annotations

Key to abbreviations in list of annotations

amd	=	amended
Chap	=	Chapter
cl	=	clause
def	=	definition
Div	=	Division
hdg	=	heading
ins	=	inserted
om	=	omitted
prec	=	preceding
pres	=	present
prev	=	previous
prov	=	provision
Pt	=	Part
RA	=	<i>Reprints Act 1992</i>
renum	=	renumbered
Sdiv	=	Subdivision
sub	=	substituted

Provisions not included in reprint, or amended by amendments not included in reprint, are underlined

Definitions

s 2 sub 1993 No. 311 s 3

PART 3—APPLICATION OF PART 4A OF THE ACT TO TRAFFIC OFFENCES

Pt hdg sub 1993 No. 311 s 4

Traffic offence provisions

s 4 sub 1993 No. 311 s 4

Person to serve a reminder notice or notify the SETONS clerk

s 5 sub 1993 No. 311 s 4

Amount of costs of notification under s.98E of the Act

s 6 sub 1993 No. 311 s 4

Period of imprisonment

s 7 sub 1993 No. 311 s 4

Amount of execution fee

s 8 sub 1993 No. 311 s 4

Persons who may withdraw from acting under Part 4A of the Act

s 9 sub 1993 No. 311 s 4

PART 4—APPLICATION OF PART 4A OF THE ACT TO TRANSPORT OFFENCES

Pt hdg ins 1993 No. 311 s 5

Transport offence provisions

s 10 ins 1993 No. 311 s 5

Person to serve a reminder notice or notify the SETONS clerk**s 11** ins 1993 No. 311 s 5**Amount of costs of notification under s.98E of the Act****s 12** ins 1993 No. 311 s 5**Period of imprisonment****s 13** ins 1993 No. 311 s 5**Amount of execution fee****s 14** ins 1993 No. 311 s 5**Persons who may withdraw from acting under Part 4A of the Act****s 15** ins 1993 No. 311 s 5