

Queensland



Subordinate Legislation 1994 No. 20

City of Brisbane Market Act 1960

**CITY OF BRISBANE MARKET AMENDMENT
REGULATION (No. 1) 1994**

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MINOR AMENDMENTS

Short title

1. This regulation may be cited as the *City of Brisbane Market Amendment Regulation (No. 1) 1994*.

Amended regulation

2. The *Brisbane Market By-law 1982* is amended as set out in this regulation.

Amendment of s 1

3. Section 1—

omit, insert—

‘Short title

‘1. This regulation may be cited as the *City of Brisbane Market Regulation 1982*.’.

Amendment of s 28 (Obstruction of platforms, roads or footways)

4. Section 28 (from ‘and shall be liable’ to ‘removal of such matter or thing’)—

omit, insert—

‘Maximum penalty—8 penalty units.

‘(2) The authorised officer may remove or order the removal of the matter or thing.’.

Amendment of s 32 (Alterations and damage)

5. Section 32 (from ‘and shall be liable’ to ‘arising out of such interference or alteration’)—

omit, insert—

‘Maximum penalty—8 penalty units.

‘(2) The person must also reimburse the Trust for the cost of the

restoration, repairs or other necessary work arising out of the interference or alteration.’.

Amendment of s 39A

6. Section 39A(c) (from ‘this By-law’ to ‘in that behalf’)—

omit, insert—

‘Maximum penalty—2 penalty units.

‘(ca) The Trust may sue a driver for recovery of a parking fee as a civil debt in a court of competent jurisdiction even if a penalty has been imposed on the driver under subsection (c).’.

Replacement of s 40

7. Section 40—

omit, insert—

‘Operation of forklift vehicles, tow-motors and other similar vehicles

‘40.(1) A person must not operate a forklift vehicle, tow-motor or other similar vehicle in the market unless the conditions specified in section 39, concerning the use of unregistered vehicles, are satisfied.

‘(2) The driver of a forklift vehicle must not carry a passenger on the vehicle unless the passenger occupies a passenger seat fitted to the vehicle in accordance with the vehicle manufacturer’s specifications.

‘(3) The driver of a forklift vehicle carrying goods of any kind, including empty pallets, in the market, must operate the vehicle in reverse except when manoeuvring the vehicle in a confined space or for the purpose of loading or unloading the vehicle.

‘Maximum penalty—2 penalty units’.

Replacement of s 41

8. Section 41—

omit, insert—

‘Compulsory wearing of safety helmets

‘41.(1) In this section—

“safety helmet” means a safety helmet of the type required under Australian Standard AS1698–1988 Protective Helmets for Vehicle Users.

‘(2) A person driving a motor cycle or motor scooter in the market—

- (a) must wear a safety helmet; and
- (b) must not carry a passenger on the cycle or scooter unless the passenger is wearing a safety helmet.

‘(3) A person driving a moped in the market must wear a safety helmet.

‘(4) A passenger of a motor cycle or motor scooter must wear a safety helmet while the cycle or scooter is being driven in the market.

‘Maximum penalty—2 penalty units.’.

Omission of s 53

9. Section 53—

omit.

Amendment of s 56

10. Section 56 (from ‘and shall be liable upon conviction’ to ‘removed from the Market’)—

omit, insert—

‘Maximum penalty—5 penalty units.

‘(2) The authorised officer may also remove or order the removal of the person’s vehicle from the market.’.

SCHEDULE

MINOR AMENDMENTS

section 2

1. Section 17(2)—

omit ‘and shall be liable upon conviction to a penalty not exceeding Fifty dollars (\$50) for every such offence’,

insert—

‘Maximum penalty—5 penalty units.’.

2. Section 18(3)—

omit ‘and shall be liable upon conviction to a penalty not exceeding Two hundred and fifty dollars (\$250.00)’,

insert—

‘Maximum penalty—5 penalty units.’.

3. Section 26—

omit ‘and liable upon conviction to a penalty not exceeding One hundred dollars (\$100.00)’,

insert—

‘Maximum penalty—4 penalty units.’.

4. Section 27(3)—

omit ‘and liable on conviction to a penalty not exceeding Two hundred and fifty dollars (\$250.00)’,

insert—

‘Maximum penalty—8 penalty units.’.

SCHEDULE (continued)

5. Section 29—

omit ‘and be liable upon conviction to a penalty not exceeding Fifty dollars (\$50.00) for every such offence’,

insert—

‘Maximum penalty—2 penalty units.’.

6. Section 30—

omit ‘and liable upon conviction to a penalty not exceeding five hundred dollars (\$500.00)’,

insert—

‘Maximum penalty—8 penalty units.’.

7. Section 31—

omit ‘and be liable upon conviction to a penalty not exceeding One hundred dollars (\$100.00) for each offence’,

insert—

‘Maximum penalty—8 penalty units.’.

8. Section 36—

omit ‘and be liable upon conviction to a penalty not exceeding Fifty dollars (\$50.00) for every such offence’,

insert—

‘Maximum penalty—2 penalty units.’.

9. Section 37—

omit ‘and shall be liable upon conviction to a penalty not exceeding Fifty dollars (\$50.00) for every such offence’,

SCHEDULE (continued)

insert—

‘Maximum penalty—2 penalty units.’

10. Section 39A(a)—

omit ‘one dollar (\$1)’, *insert* ‘\$2’.

11. Section 59—

omit ‘and shall be liable upon conviction to a penalty not exceeding Fifty dollars (\$50.00) for every such offence’,

insert—

‘Maximum penalty—2 penalty units.’

12. Section 61—

omit ‘and shall be liable upon conviction to a penalty not exceeding Fifty dollars (\$50.00) for every such offence’,

insert—

‘Maximum penalty—2 penalty units.’

13. Section 62—

omit ‘and shall be liable upon conviction to a penalty not exceeding Five hundred dollars (\$500.00)’,

insert—

‘Maximum penalty—8 penalty units.’

14. Section 63—

omit ‘and shall be liable upon conviction to a penalty not exceeding Two hundred and fifty dollars (\$250.00)’,

SCHEDULE (continued)

insert—

‘Maximum penalty—8 penalty units.’

15. Section 64(1) (after ‘28,’)—

insert ‘31,’.

16. Section 64(1) (after ‘52,’)—

omit ‘53,’.

17. Section 64(2) (after ‘Minimum Quantities ...’)—

omit ‘\$20’, insert ‘\$50’.

18. Section 64(2) (after ‘Delivery, Unloading and Sorting of Produce’)—

omit ‘\$10’, insert ‘\$20’.

19. Section 64(2) (after ‘Storage of Produce’)—

omit ‘\$50’, insert ‘\$100’.

20. Section 64(2) (after ‘Obstruction of platforms, roads and footways’)—

omit ‘\$50’, insert ‘\$100’.

21. Section 64(2) (before ‘36’)—

insert—

‘31 Noncompliance with lawful directions \$100’.

SCHEDULE (continued)

22. Section 64(2) (after ‘Regulation of Vehicles and Traffic’)—

omit ‘\$10’, insert ‘\$20’.

23. Section 64(2) (after ‘Parking in areas designated’)—

omit ‘\$10’, insert ‘\$20’.

24. Section 64(2) (after ‘52’)—

omit ‘53’.

25. Section 64(2) (after ‘Cleanliness and Hygiene’)—

omit ‘\$50’, insert ‘\$100’.

26. Section 64(2) (after ‘Unauthorised Notices’)—

omit ‘\$50’, insert ‘\$100’.

27. Section 65—

omit ‘to a penalty not exceeding Two hundred and fifty dollars (\$250.00)’,

insert ‘to a maximum penalty of 8 penalty units’.

ENDNOTES

1. Made by the Governor in Council on 3 February 1994.
2. Notified in the Gazette on 4 February 1994.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Primary Industries.