

Queensland



Subordinate Legislation 1997 No. 44

Justices Act 1886

**JUSTICES AMENDMENT REGULATION
(No. 1) 1997**

TABLE OF PROVISIONS

Section		Page
1	Short title	2
2	Regulation amended	2
3	Amendment of pt 2, div 2 (Local laws)	2
4	Replacement of section 6A (Infringement notice offences and penalties (local laws))	2
6A	Infringement notice offences and penalties (local laws and regulated parking)	2
5	Amendment of s 6B (Administering authority (local laws))	3
6	Amendment of s 6C (Authorised person for infringement notice (local laws))	3
7	Amendment of s 6D (Authorised person for local laws for reminder notice, enforcement notice and withdrawal from acting under the Act, pt 4A, div 3)	3
8	Insertion of new s 11A	4
	11A Cost of serving reminder notice	4
9	Amendment of sch 1, pts 39 and 40	4

Short title

1. This regulation may be cited as the *Justices Amendment Regulation (No. 1) 1997*.

Regulation amended

2. This regulation amends the *Justices Regulation 1993*.

Amendment of pt 2, div 2 (Local laws)

3. Part 2, division 2, heading, after ‘*laws*’—
insert—
‘and regulated parking’.

Replacement of section 6A (Infringement notice offences and penalties (local laws))

4. Section 6A—
omit, insert—

‘Infringement notice offences and penalties (local laws and regulated parking)

‘**6A.(1)** For part 4A of the Act—

- (a) subject to subsection (2), the following are offences (“**infringement notice offences**”) to which the part applies—
 - (i) an offence against a local law;
 - (ii) an offence in relation to regulated parking for which a local government has prescribed an amount under section 44F(5) of the *Traffic Act 1949*;¹ and
- (b) the penalty (“**infringement notice penalty**”) payable for an infringement notice offence under an infringement notice is—
 - (i) for an offence mentioned in paragraph (a)(i)—the amount

¹ Section 44F (Notice of alleged offence)

worked out under schedule 1A for the offence; or

- (ii) for an offence mentioned in paragraph (a)(ii)—the amount prescribed by the local government for the offence under the *Traffic Act 1949*, section 44F(5).

‘(2) This division applies to an offence in relation to regulated parking only if the infringement notice is served by an authorised officer under section 6C.’.

Amendment of s 6B (Administering authority (local laws))

5.(1) Section 6B, heading, after ‘(local laws’—

insert—

‘**and regulated parking**’.

(2) Section 6B, from ‘for a local law’—

omit, insert—

‘mentioned in section 6A(1)(a) is the chief executive officer of the local government that made the local law or prescribed the amount.’.

Amendment of s 6C (Authorised person for infringement notice (local laws))

6.(1) Section 6C, heading, after ‘(local laws’—

insert—

‘**and regulated parking**’.

(2) Section 6C, ‘for a local law’—

omit, insert—

‘mentioned in section 6A(1)(a)’.

Amendment of s 6D (Authorised person for local laws for reminder notice, enforcement notice and withdrawal from acting under the Act, pt 4A, div 3)

7.(1) Section 6D, heading, after ‘local laws’—

insert—

‘and regulated parking’.

(2) Section 6D, from ‘for a local law’—

omit, insert—

‘mentioned in section 6A(1)(a) is the chief executive officer of the local government that made the local law or prescribed the amount.’.

Insertion of new s 11A

8. After section 11—

insert—

‘Cost of serving reminder notice

‘11A. For section 98N(4) of the Act, the prescribed amount is \$10.’.

Amendment of sch 1, pts 39 and 40

9. Schedule 1, parts 39 and 40²—

insert—

‘Application of part

‘3. This part applies to an offence in relation to regulated parking only if part 2, division 2 does not apply to the offence.’.

ENDNOTES

1. Made by the Governor in Council on 6 March 1997.
2. Notified in the gazette on 7 March 1997.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Justice.

© State of Queensland 1997

² Schedule 1, part 39 (*Traffic Act 1949*) and part 40 (*Traffic Regulation 1962*)