

Queensland



REGULATORY OFFENCES ACT 1985

**Reprinted as in force on 1 September 2000
(includes amendments up to Act No. 5 of 2000)**

Reprint No. 1A *

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* Minor differences in style between this reprint and another reprint with the same number are due to the conversion to another software program. The content has not changed.

Information about this reprint

This Act is reprinted as at 1 September 2000. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 have been made to use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprint for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Queensland



REGULATORY OFFENCES ACT 1985

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REGULATORY OFFENCES ACT 1985

[as amended by all amendments that commenced on or before 1 September 2000]

An Act to make provision for certain regulatory offences and for related purposes

1 Short title

This Act may be cited as the *Regulatory Offences Act 1985*.

2 Commencement

(1) This section and section 1 shall commence on the day on which this Act is assented to for and on behalf of Her Majesty.

(2) Except as provided by subsection (1), this Act shall commence on a day appointed by proclamation.

3 Act not to alter the Criminal Code

Nothing in this Act shall be construed to alter the provisions of the Criminal Code.

4 Interpretation

In this Act—

“**goods**” includes any substance in liquid or gaseous form.

“**restaurant**” means a place where meals or refreshments are sold.

“**shop**” includes a motor garage or service station.

5 Unauthorised dealing with shop goods

(1) Any person who, with respect to goods in a shop of a value of \$150 or less—

- (a) consumes them without the consent, express or implied, of the person in lawful possession of them; or
- (b) deliberately alters, removes, defaces or otherwise renders indistinguishable a price shown on them, without the consent, express or implied, of the person in lawful possession of them; or
- (c) whether or not the property in the goods has passed to the person, takes them away without discharging, or attempting honestly, or making proper arrangements, to discharge his or her lawful indebtedness therefor;

is guilty of a regulatory offence and, subject to section 9,¹ is liable to a fine of 6 penalty units.

(2) It is a defence to a charge of an offence defined in subsection (1)(c) to prove the taking away of the goods was not dishonest.

6 Leaving hotel etc. without payment

(1) Any person who, with respect to food, drink, accommodation, or like goods and services, of the value of \$150 or less obtained from any restaurant or hotel, motel, boarding house or like premises—

- (a) leaves such premises without discharging, or attempting honestly, or making proper arrangements, to discharge, his or her lawful indebtedness therefor; or
- (b) purports to pay for them with a cheque that is not met on presentation or a credit card or similar document the person is not authorised to use;

is guilty of a regulatory offence and, subject to section 9, is liable to a fine of \$300.

(2) It is a defence to a charge of an offence defined in subsection (1)(b) to prove the defendant believed on reasonable grounds the cheque would be paid in full on presentation or the defendant was authorised to use the credit card or similar document.

¹ Section 9 (Further power to fine)

7 Unauthorised damage to property

Any person who wilfully destroys or damages the property of another and without the consent, express or implied, of the person in lawful possession thereof and thereby causes loss of \$250 or less is guilty of a regulatory offence and, subject to section 9, is liable to a fine of \$500.

9 Further power to fine

(1) The court convicting an offender of an offence defined in this Act may also order the offender to pay by way of fine an amount not exceeding the costs of bringing the charge, including the costs of all reasonable investigations relating thereto, the costs of court and the cost of compensating any person injured thereby.

(2) The court may make such order as it deems just for the payment of that part of the fine representing compensation.

ENDNOTES

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 September 2000. Future amendments of the Regulatory Offences Act 1985 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	prev	= previous
amd	= amended	(prev)	= previously
amdt	= amendment	proc	= proclamation
ch	= chapter	prov	= provision
def	= definition	pt	= part
div	= division	pubd	= published
exp	= expires/expired	R[X]	= Reprint No.[X]
gaz	= gazette	RA	= Reprints Act 1992
hdg	= heading	reloc	= relocated
ins	= inserted	renum	= renumbered
lap	= lapsed	rep	= repealed
notfd	= notified	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 1992
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	to Act No. 17 of 1989	3 November 1994

5 Tables in earlier reprints

TABLES IN EARLIER REPRINTS

Name of table	Reprint No.
Changed names and titles	1
Obsolete and redundant provisions	1
Renumbered provisions	1

6 List of legislation

Regulatory Offences Act 1985 No. 32

date of assent 17 April 1985

ss 1–2 commenced on date of assent

remaining provisions commenced 29 April 1985 (proc pubd gaz 27 April 1985 p 2349)

amending legislation—

Criminal Code, Evidence Act and other Acts Amendment Act 1989 No. 17 pts 1, 6

date of assent 30 March 1989

ss 1–2 commenced on date of assent

remaining provisions commenced 3 July 1989 (proc pubd gaz 24 June 1989 p 1821 (as amd by proc pubd gaz 1 July 1989 p 2190))

Police Powers and Responsibilities Act 2000 No. 5 ss 1–2, 461 (prev s 373) sch 3

date of assent 23 March 2000

ss 1–2 commenced on date of assent

remaining provisions commenced 1 July 2000 (see s 2(1), (3) and 2000 SL No. 174)

7 List of annotations

Title amd R1 (see RA ss 7(1)(k) and 40)

Act not to alter the Criminal Code

s 3 amd R1 (see RA s 37)

Interpretation

s 4 def “**goods**” ins 1989 No. 17 s 74

Unauthorised dealing with shop goods

s 5 sub 1989 No. 17 s 75

Manner of proceeding against offender

s 8 om 2000 No. 5 s 461 sch 3

Amendments of The Criminal Code

s 10 om R1 (see RA s 40)