



Regulatory Offences Act 1985

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Queensland

Regulatory Offences Act 1985

Contents

		Page
1	Short title	3
2	Commencement	3
3	Act not to alter the Criminal Code	3
4	Interpretation	3
5	Unauthorised dealing with shop goods	3
6	Leaving hotel etc. without payment	4
7	Unauthorised damage to property	5
9	Further power to fine	5

Regulatory Offences Act 1985

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, is liable to a fine of 6 penalty units.

- (1A) Without limiting subsection (1)(b), a price may be shown on goods by a bar code or a similar device.
- (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.

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.