



Queensland

State Penalties Enforcement Amendment Regulation (No. 4) 2016

Subordinate Legislation 2016 No. 159

made under the

State Penalties Enforcement Act 1999

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[s 1]

1 Short title

This regulation may be cited as the *State Penalties Enforcement Amendment Regulation (No. 4) 2016*.

2 Commencement

- (1) Section 4(3), (5), (6) and (9) to (14) commences on 1 September 2016.
- (2) Section 4(4), (7), (8), (15) and (16) commences on 1 February 2017.

3 Regulation amended

This regulation amends the *State Penalties Enforcement Regulation 2014*.

4 Amendment of sch 1 (Infringement notice offences and fines for nominated laws)

- (1) Schedule 1, entry for *Liquor Act 1992*, entries for sections 142AB(3), 155AD(2) and 155AD(3)—
omit.
- (2) Schedule 1, entry for *Liquor Act 1992*—
insert—

s 143B	2
s 155AD(2) if paragraph (b)(i) applies	5
s 155AD(2) if paragraph (b)(ii) applies	5
s 155AD(2) if paragraph (b)(iii) applies	5
s 155AD(3) if paragraph (b)(i) applies	5
s 155AD(3) if paragraph (b)(ii) applies	5
s 155AD(3) if paragraph (b)(iii) applies	5
s 155AI(1)	10

s 158(2)(b) in the circumstances in paragraph (a) of the penalty	2
s 158(2)(b) in the circumstances in paragraph (b) of the penalty	4
s 183AA(3)	5
s 217(1)	10
s 217(3)	10
s 217(4A)	10
s 217(5)	10
s 217(6)	2
s 217(7)	2
(3) Schedule 1, entry for <i>Liquor Act 1992</i> — <i>insert</i> —	
s 142ZZE(1)	2
s 148AB(1)	10
s 148AB(2)	10
s 162B(2)	2
s 162B(3)	2
s 162C(2)	2
s 162C(3)	2
(4) Schedule 1, entry for <i>Liquor Act 1992</i> — <i>insert</i> —	
s 142AB(3)	10
(5) Schedule 1, entry for <i>Tobacco and Other Smoking Products Act 1998</i> , entries for sections 26ZE(1), 26ZF, 26ZGC(1), 26ZGC(2), 26ZGD(1), 26ZGD(2) and 26ZGE—	

[s 4]

omit.

- (6) Schedule 1, entry for *Tobacco and Other Smoking Products Act 1998*—

insert—

s 13C(1)	4
s 26VH(1)	2
s 26VI	2
s 26VL(1)	2
s 26VM	2
s 26VO(1)	2
s 26VO(2)	2
s 26VP	2
s 26VQ(1)	2
s 26VQ(2)	2
s 26VR	2
s 26VS(1)	2
s 26VT	2
s 26VU(1)	2
s 26VU(2)	2
s 26VV	2
s 26VW(1)	2
s 26VW(2)	2
s 26VX	2
s 26ZD(1)	2
s 26ZE	2
s 26ZKA(1)	2

-
- | | |
|------------|---|
| s 26ZKB(1) | 2 |
| s 26ZKB(2) | 2 |
| s 26ZKC(1) | 2 |
| s 26ZKD(1) | 2 |
| s 26ZKD(2) | 2 |
- (7) Schedule 1, entry for *Tobacco and Other Smoking Products Act 1998*—
insert—
- | | |
|------------|---|
| s 26ZKE(1) | 2 |
|------------|---|
- (8) Schedule 1, entry for *Tobacco and Other Smoking Products Act 1998*, administering authority for an infringement notice offence entry, paragraph (d)—
omit, insert—
- (d) for an infringement notice served by a conservation officer appointed under the *Nature Conservation Act 1992*, section 127—the department in which the *Nature Conservation Act 1992* is administered; or
- (e) otherwise—the department in which the provision is administered
- (9) Schedule 1, entry for *Tobacco and Other Smoking Products Act 1998*, authorised person for service of infringement notices entry, paragraph (a)—
omit, insert—
- (a) for an offence against section 26VS(1), 26VT, 26VU(2), 26VV, 26ZH(1), 26ZI(1), 26ZJ(1), 26ZK(1), 26ZKA(1), 26ZKB(1), 26ZKB(2), 26ZKC(1), 26ZKD(1), 26ZKD(2) or 26ZL—an authorised person appointed under the *Tobacco and Other Smoking Products Act 1998*, section 28(1), (2) or (3); or

[s 4]

- (10) Schedule 1, entry for *Tobacco and Other Smoking Products Act 1998*, authorised person for service of infringement notices entry, paragraph (b), ‘26ZGD(1),’—
omit.
- (11) Schedule 1, entry for *Tobacco and Other Smoking Products Act 1998*, authorised person for service of infringement notices entry, paragraph (c), ‘26ZGC(1)’—
omit, insert—
26VO(1)
- (12) Schedule 1, entry for *Tobacco and Other Smoking Products Act 1998*, authorised person for service of infringement notices entry, paragraph (d), ‘26ZGC(2) or 26ZGE’—
omit, insert—
26VO(2), 26VP, 26VW(2) or 26VX
- (13) Schedule 1, entry for *Tobacco and Other Smoking Products Act 1998*, authorised person for service of infringement notices entry, paragraph (e), ‘26ZGD(2)’—
omit, insert—
26VQ(2) or 26VR
- (14) Schedule 1, entry for *Tobacco and Other Smoking Products Act 1998*, authorised person for service of infringement notices entry, paragraph (f)—
omit, insert—
- (f) for an offence against section 26VW(1), an authorised person appointed under the *Tobacco and Other Smoking Products Act 1998*, section 28(1) or (4); or
 - (g) for an offence against another provision—an authorised person appointed under the *Tobacco and Other Smoking Products Act 1998*, section 28(1)
- (15) Schedule 1, entry for *Tobacco and Other Smoking Products Act 1998*, authorised person for service of infringement notices entry—

insert—

(fa) for an offence against section 26ZKE(1), an authorised person appointed under the *Tobacco and Other Smoking Products Act 1998*, section 28(1) or a conservation officer appointed under the *Nature Conservation Act 1992*, section 127; or

(16) Schedule 1, entry for *Tobacco and Other Smoking Products Act 1998*, authorised person for service of infringement notices entry, paragraphs (fa) and (g)—

renumber as schedule 1, entry for *Tobacco and Other Smoking Products Act 1998*, authorised person for service of infringement notices entry, paragraphs (g) and (h).

(17) Schedule 1, entry for *Queensland Building and Construction Commission Act 1991*, entry for section 106(2)—

omit.

(18) Schedule 1, entry for *Queensland Building and Construction Commission Act 1991*—

insert—

s 106(4)

5

(19) Schedule 1, entry for *Water Efficiency Labelling and Standards Act 2005*—

omit.

(20) Schedule 1, entry for *Water Supply (Safety and Reliability) Act 2008*—

insert—

s 102(2)

20

20

s 142A(2)

10

10

(21) Schedule 1, entry for *Water Supply (Safety and Reliability) Act 2008*, administering authority for an infringement notice offence entry, paragraphs (a) and (b)—

[s 4]

omit, insert—

- (a) for an infringement notice served by an authorised person of a relevant distributor-retailer appointed under the *Water Supply (Safety and Reliability) Act 2008*, section 45—the relevant distributor-retailer; or
 - (b) for an infringement notice served by an authorised person of a relevant local government appointed under the *Local Government Act 2009*, section 202—the relevant local government; or
- (22) Schedule 1, entry for *Water Supply (Safety and Reliability) Act 2008*, authorised person for service of infringement notices entry, paragraph (a), after ‘93(b),’—

insert—

102(2), 142A(2),

- (23) Schedule 1, entry for *Water Supply (Safety and Reliability) Act 2008*, authorised person for service of infringement notices entry, paragraphs (b) and (c)—

omit, insert—

- (b) for an offence committed against section 43(5), 52(4), 54(4), 55, 56(1), 57(4), 58(3), 145(1), 191, 192(1), 192(2), 193(1), 193(2), 193(3) or 195(1) in a relevant distributor-retailer’s geographic area—an authorised person of the relevant distributor-retailer appointed under the *Water Supply (Safety and Reliability) Act 2008*, section 45; or
- (c) for an offence committed against section 43(5), 52(4), 54(4), 55, 56(1), 57(4), 58(3), 145(1), 191, 192(1), 192(2), 193(1), 193(2), 193(3) or 195(1) in a relevant local government’s local government area—an authorised person of the relevant local

government appointed under the *Local Government Act 2009*, section 202.

5 Amendment of sch 2 (Dictionary)

Schedule 2—

insert—

relevant distributor-retailer means a distributor-retailer that is a service provider within the meaning of the *Water Supply (Safety and Reliability) Act 2008*.

relevant local government means a local government that is a service provider within the meaning of the *Water Supply (Safety and Reliability) Act 2008*.

service provider see the *Water Supply (Safety and Reliability) Act 2008*, schedule 3.

ENDNOTES

- 1 Made by the Governor in Council on 1 September 2016.
- 2 Notified on the Queensland legislation website on 1 September 2016.
- 3 The administering agency is the Department of Justice and Attorney-General.

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