



Queensland

# **State Penalties Enforcement (Modernisation) Amendment Bill 2022**





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# State Penalties Enforcement (Modernisation) Amendment Bill 2022

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# 2022

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## A Bill

for

***An Act to amend the Land Tax Act 2010, the Residential Tenancies and Rooming Accommodation Act 2008, the State Penalties Enforcement Act 1999, the State Penalties Enforcement Amendment Act 2017, the State Penalties Enforcement Regulation 2014, the Taxation Administration Act 2001, the Traffic Regulation 1962 and the Transport Operations (Road Use Management) Act 1995 for particular purposes***

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[s 1]

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**The Parliament of Queensland enacts—** 1

**Part 1 Preliminary** 2

**Clause 1 Short title** 3

This Act may be cited as the *State Penalties Enforcement (Modernisation) Amendment Act 2022*. 4  
5

**Clause 2 Commencement** 6

(1) Part 2 commences on 30 June 2022. 7

(2) The following provisions commence on 1 July 2022— 8

(a) part 3; 9

(b) part 6, division 3. 10

(3) The following provisions commence on 30 November 2022— 11

(a) part 6, division 4; 12

(b) part 8. 13

(4) Section 38 commences on the day of commencement of the *State Penalties Enforcement Amendment Act 2017*, section 25. 14  
15

(5) Section 39 commences on the day of commencement of the *State Penalties Enforcement Amendment Act 2017*, section 37. 16  
17

**Part 2 Amendment of Land Tax Act 2010** 18  
19

**Clause 3 Act amended** 20

This part amends the *Land Tax Act 2010*. 21



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<b>Clause 4</b>	<b>Amendment of s 33 (Reduced rate for particular trustees)</b>	1
	Section 33(1)—	2
	<i>omit, insert—</i>	3
	(1) This section applies to—	4
	(a) a trustee for a person under the <i>Bankruptcy Act 1966</i> (Cwlth); or	5 6
	(b) a trustee for an incapacitated person within the meaning of the <i>Public Trustee Act 1978</i> ; or	7 8 9
	(c) a trustee of a special disability trust under—	10
	(i) the <i>Social Security Act 1991</i> (Cwlth), section 1209L; or	11 12
	(ii) the <i>Veterans' Entitlements Act 1986</i> (Cwlth), section 52ZZZW.	13 14
<b>Part 3</b>	<b>Amendment of Residential Tenancies and Rooming Accommodation Act 2008</b>	15 16 17
<b>Clause 5</b>	<b>Act amended</b>	18
	This part amends the <i>Residential Tenancies and Rooming Accommodation Act 2008</i> .	19 20
<b>Clause 6</b>	<b>Amendment of s 121 (No entitlement to interest)</b>	21
	Section 121, 'other than the authority'—	22
	<i>omit, insert—</i>	23
	other than the State	24
<b>Clause 7</b>	<b>Replacement of ch 2, pt 3, div 5, hdg</b>	25
	Chapter 2, part 3, division 5, heading—	26

[s 8]

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*omit, insert—*

1

**Division 5                  Rental bond account**

2

**Clause 8                  Replacement of ss 149 and 150**

3

Sections 149 and 150—

4

*omit, insert—*

5

**150 Rental bond account**

6

(1) The authority must keep a rental bond account.

7

(2) The account is in addition to other accounts the authority is required or permitted to keep under this or another Act.

8

9

10

(3) The authority must pay into the rental bond account all rental bonds it receives under this Act.

11

12

(4) The authority may pay only the following amounts out of the rental bond account—

13

14

(a) amounts payable under division 3;

15

(b) amounts paid under section 151.

16

*Note—*

17

See section 482A in relation to the banking arrangements for the rental bond account.

18

19

**Clause 9                  Replacement of s 151 (Unclaimed amounts in rental bond account)**

20

21

Section 151—

22

*omit, insert—*

23

**151 Unclaimed amounts in rental bond account**

24

(1) This section applies if—

25

(a) in order to make a payment out of the rental bond account under division 3, the authority draws a cheque and gives it to the person entitled to the payment; and

26

27

28

29

- 
- (b) the cheque is not presented for payment within 15 months after it is drawn; and
- (c) it is at least 7 years since the cheque was drawn; and
- (d) since the end of the time mentioned in paragraph (b), the person has not received the amount and has not asked the authority to be paid the amount.
- (2) This section also applies if—
- (a) the authority has made 1 or more attempts to make a payment out of the rental bond account under division 3 using an electronic payment method; and
- (b) the payment could not be effected because of incomplete or incorrect information about the intended payee’s bank account or for another reason; and
- (c) it is at least 7 years since the first attempt; and
- (d) the person has not received the amount and, since the last attempt, has not asked the authority to be paid the amount.
- (3) With the Minister’s agreement, the authority may pay an amount mentioned in subsection (1) or (2) out of the rental bond account for—
- (a) establishing or administering rental advisory services; or
- (b) establishing schemes for supplying residential accommodation; or
- (c) researching, or setting up projects about improving, relationships between lessors and tenants and providers and residents; or
- (d) facilitating the resolution of disputes about agreements by tribunals; or

[s 10]

---

	(e) conducting a scheme, or helping another entity to conduct a scheme, to provide housing or a related service.	1 2 3
	(4) Subsection (3) does not affect a person's entitlement to be paid an amount mentioned in subsection (1) or (2).	4 5 6
<b>Clause 10</b>	<b>Omission of s 152 (Rental bond interest account)</b>	7
	Section 152—	8
	<i>omit.</i>	9
<b>Clause 11</b>	<b>Replacement of s 153 (Other payments from rental bond interest account)</b>	10 11
	Section 153—	12
	<i>omit, insert—</i>	13
	<b>153 Guaranteed payment of rental bonds</b>	14
	(1) The payment of rental bonds under this Act by the authority is guaranteed by the Treasurer on behalf of the State.	15 16 17
	(2) An amount payable by the Treasurer under the guarantee is to be paid out of the consolidated fund, which is appropriated accordingly.	18 19 20
<b>Clause 12</b>	<b>Insertion of new s 482A</b>	21
	After section 482—	22
	<i>insert—</i>	23
	<b>482A Banking arrangements for rental bond account</b>	24 25
	(1) The Treasurer may give the authority a direction about the banking arrangements for the rental bond account.	26 27 28
	(2) A direction must be consistent with requirements	29

---

	applying to the authority under this or another Act.	1 2	
	(3) A direction may require or authorise the keeping of a rental bond account that is comprised of 2 or more bank accounts.	3 4 5	
	(4) The authority must comply with a direction under this section.	6 7	
<b>Clause 13</b>	<b>Insertion of new ch 14, pt 6</b>	8	
	Chapter 14—	9	
	<i>insert—</i>	10	
	<b>Part 6</b>	<b>Transitional provisions for State Penalties Enforcement (Modernisation) Amendment Act 2022</b>	11 12 13 14 15
	<b>572 Former rental bond interest account</b>	16	
	(1) This section applies to the account that, until the commencement, was kept by the authority under former section 149(1)(b).	17 18 19	
	(2) From the commencement, the account continues as an account that the authority is permitted to keep under this Act.	20 21 22	
	(3) In this section—	23	
	<i>former section 149(1)(b)</i> means section 149(1)(b) as in force from time to time before the commencement.	24 25 26	

[s 13]

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<b>573 Transfer of value of current investments into rental bond account</b>	1
	2
(1) As soon as practicable after the commencement, the authority must transfer, into the rental bond account, an amount equal to the market value of its current investments.	3 4 5 6
(2) In this section—	7
<i>agreed valuation time</i> means the time, on 30 June 2022, agreed between the Treasurer and the authority for the purpose of making a valuation under this section.	8 9 10 11
<i>current investments</i> means the investments, held by the authority at the agreed valuation time, that were made from the rental bond account.	12 13 14
<i>investment</i> means an amount invested under the <i>Statutory Bodies Financial Arrangements Act 1982</i> .	15 16 17
<i>market value</i> , of the current investments, means the value of the investments, as at the agreed valuation time, determined in a way agreed between the Treasurer and the authority.	18 19 20 21
<b>574 Balancing of rental bond account</b>	22
(1) After complying with section 573, the authority must notify the Treasurer of the amount by which the balance of the rental bond account (the <i>starting balance</i> ) is more or less than the amount of the rental bonds held by the authority at that time (the <i>rental bond liability</i> ).	23 24 25 26 27 28
(2) If the amount of the starting balance is less than the amount of the rental bond liability, the Treasurer must pay into the rental bond account an amount equal to the difference.	29 30 31 32
(3) Any payment required under subsection (2) is to be made from the consolidated fund, which is	33 34

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	appropriated accordingly.	1
	(4) If the amount of the starting balance is more than the amount of the rental bond liability, the authority must pay an amount equal to the difference from the rental bond account into another account kept by the authority.	2 3 4 5 6
<b>Clause 14</b>	<b>Amendment of sch 2 (Dictionary)</b>	7
	(1) Schedule 2, definitions <i>rental bond account</i> and <i>rental bond interest account</i> —	8 9
	<i>omit.</i>	10
	(2) Schedule 2—	11
	<i>insert</i> —	12
	<i>rental bond account</i> means the account by that name kept under section 150.	13 14
<b>Part 4</b>	<b>Amendment of State Penalties Enforcement Act 1999</b>	15 16
<b>Division 1</b>	<b>Preliminary</b>	17
<b>Clause 15</b>	<b>Act amended</b>	18
	This part amends the <i>State Penalties Enforcement Act 1999</i> .	19
<b>Division 2</b>	<b>Amendments commencing on assent</b>	20 21
<b>Clause 16</b>	<b>Insertion of new s 9A</b>	22
	After section 9—	23
	<i>insert</i> —	24

[s 17]

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	<b>9A Registrar</b>	1
	(1) There is a registrar of SPER.	2
	(2) The office of registrar is held by the person holding office as the Commissioner of State Revenue under the <i>Taxation Administration Act 2001</i> .	3 4 5 6
	(3) The registrar has the functions and powers given under this or another Act.	7 8
<b>Clause 17</b>	<b>Replacement of s 10 (Staff and contractors)</b>	9
	Section 10—	10
	<i>omit, insert—</i>	11
	<b>10 Staff and contractors</b>	12
	(1) The staff of SPER are employed under the <i>Public Service Act 2008</i> .	13 14
	(2) The registrar may also engage, under contract, debt collectors and other entities to assist the registrar in the administration and enforcement of this Act.	15 16 17 18
	(3) Persons engaged under subsection (2) are engaged under this Act and not the <i>Public Service Act 2008</i> .	19 20 21
<b>Clause 18</b>	<b>Amendment of s 10A (Service contractors)</b>	22
	Section 10A(1), ‘section 10(3)(b)’—	23
	<i>omit, insert—</i>	24
	section 10(2)	25
<b>Clause 19</b>	<b>Relocation and renumbering of ss 11A and 11B</b>	26
	Sections 11A and 11B—	27



---

*relocate* to part 9, division 2A, as inserted by this Act, and  
*renumber* as sections 159G and 159H. 1  
2

**Clause 20 Amendment of s 13 (Service of infringement notices—generally) 3  
4**

Section 13(4), ‘an administering authority may start a  
prosecution for the offence’— 5  
6

*omit, insert—* 7

a prosecution for the offence may be started 8

**Clause 21 Amendment of s 32 (Proceedings after cancellation of  
infringement notice) 9  
10**

Section 32(2)— 11

*omit, insert—* 12

(2) If the infringement notice is withdrawn or  
cancelled and the name of the actual offender is  
known, nothing in this or any other Act  
prevents— 13  
14  
15  
16

(a) the administering authority issuing an  
infringement notice against the actual  
offender; or 17  
18  
19

(b) a proceeding being started in a court for the  
offence against the actual offender. 20  
21

**Clause 22 Amendment of s 33 (Default by person served with  
infringement notice) 22  
23**

(1) Section 33(3)— 24

*omit.* 25

(2) Section 33(4)— 26

*renumber* as section 33(3). 27

(3) Section 33(5) to (7)— 28

[s 22]

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- omit, insert—* 1
- (4) If a default certificate is given to SPER for registration on or before the final day, the registrar must register the certificate as soon as practicable after it is received. 2  
3  
4  
5
- (5) If a default certificate is given to SPER for registration after the final day, the registrar must not register it. 6  
7  
8
- (6) A regulation may, for an infringement notice offence, prescribe— 9  
10
- (a) a day (the **due day**), before the final day, by which the administering authority must give a default certificate for the offence to SPER for registration; and 11  
12  
13  
14
- (b) a late lodgement fee that is payable by the administering authority for giving a default certificate for the offence to SPER for registration after the due day. 15  
16  
17  
18
- (7) An administering authority may give an amended default certificate to SPER for registration if amendment of an earlier certificate is necessary because of error, the dishonour of a cheque, or for another reason. 19  
20  
21  
22  
23
- (8) Subsection (5) does not apply to an amended default certificate. 24  
25
- (9) No registration fee under subsection (3) or late lodgement fee under subsection (6)(b) is payable for an amended default certificate. 26  
27  
28
- (10) In this section— 29
- final day**, for registration of a default certificate for an infringement notice offence, means— 30  
31
- (a) the latest day on which a prosecution for the offence may be started; or 32  
33

---

	(b) if a day, earlier than the day mentioned in paragraph (a) is prescribed by regulation to be the final day for registration of the default certificate—the day prescribed.	1 2 3 4
<b>Clause 23</b>	<b>Amendment of s 35 (Effect of registration under this division)</b>	5 6
	Section 35(2)(a), after ‘registration fee’—	7
	<i>insert—</i>	8
	under section 33(3)	9
<b>Clause 24</b>	<b>Amendment of s 57 (Decision on application)</b>	10
	Section 57(4) and (5)—	11
	<i>omit, insert—</i>	12
	(4) If the registrar cancels the relevant enforcement order—	13 14
	(a) the registrar must refer the matter of the offence to the administering authority; and	15 16
	(b) the administering authority may—	17
	(i) accept payment of the fine in full as stated in the infringement notice for the offence; or	18 19 20
	(ii) issue a fresh infringement notice for the offence; and	21 22
	(c) if the administering authority does not take an action mentioned in paragraph (b)(i) or (ii), a proceeding may be started against the applicant for the offence.	23 24 25 26
<b>Clause 25</b>	<b>Amendment of s 73D (Payment by enforcement debtor before sale)</b>	27 28
	Section 73D(b), ‘costs of enforcement’—	29

[s 26]

---

*omit, insert—* 1  
enforcement costs 2

**Clause 26 Amendment of s 73E (Storage before sale)** 3

Section 73E(2)— 4

*omit, insert—* 5

(2) SPER must pay any storage expenses. 6

*Note—* 7

Storage expenses that are enforcement costs may be  
recovered under section 73D or 73J. 8  
9

**Clause 27 Amendment of s 114 (Power of person serving fine  
collection notice or enforcing warrant to demand name  
and address etc.)** 10  
11  
12

Section 114(9), ‘section 11A(1)’— 13

*omit, insert—* 14

section 159G(1) 15

**Clause 28 Insertion of new s 117A** 16

After section 117— 17

*insert—* 18

**117A Use of body-worn cameras by enforcement  
officers** 19  
20

(1) It is lawful for an enforcement officer to use a  
body-worn camera to record images or sounds  
while the officer is performing the officer’s  
functions under this Act. 21  
22  
23  
24

(2) Use of a body-worn camera by an enforcement  
officer under subsection (1) includes use that is— 25  
26

(a) inadvertent or unexpected; or 27

---

	(b) incidental to use while performing a function under this Act.	1 2
	(3) Subsection (1) does not affect an ability the enforcement officer has at common law or under this Act or another Act to record images or sounds.	3 4 5 6
	(4) To remove any doubt, it is declared that subsection (1) is a provision authorising the use by an enforcement officer of a listening device for the purposes of the <i>Invasion of Privacy Act 1971</i> , section 43(2)(d).	7 8 9 10 11
	(5) In this section— <i>body-worn camera</i> means a device—	12 13
	(a) worn on clothing or otherwise secured on a person; and	14 15
	(b) designed to be used to—	16
	(i) record images; or	17
	(ii) record images and sounds.	18
<b>Clause 29</b>	<b>Amendment of s 134L (Disclosure of confidential information by registrar)</b>	19 20
	(1) Section 134L(1)(e)— <i>omit, insert—</i>	21 22
	(e) to the Minister or an officer of the department, if the disclosure is—	23 24
	(i) for developing or monitoring policies for, or for the operation of, this Act; or	25 26
	(ii) for administering the <i>Financial Accountability Act 2009</i> , section 21; or	27 28
	(iii) permitted under a law; or	29
	(2) Section 134L(1)— <i>insert—</i>	30 31

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[s 30]

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	(g) if the registrar is the administering authority for an infringement notice offence—to the department or other agency in which the offence provision is administered, for the purpose of the enforcement of the offence.	1 2 3 4 5
(3)	Section 134L(5)—	6
	<i>insert—</i>	7
	<i>enforcement</i> , of an offence, see section 134K(6).	8
	<i>offence provision</i> , for an infringement notice offence, means the provision containing the offence.	9 10 11
<b>Clause 30</b>	<b>Insertion of new s 134LA</b>	12
	After section 134L—	13
	<i>insert—</i>	14
	<b>134LA Disclosure of identifying information when remitting amounts collected by SPER</b>	15 16
	(1) This section applies if—	17
	(a) under section 34, the registrar registers the prescribed particulars of the unpaid amount relating to a court order; and	18 19 20
	(b) SPER collects any of the unpaid amount.	21
	(2) To enable the registrar to pay the amount collected to the entity entitled to it, and to enable the entity to administer the receipt of the amount, the registrar may disclose identifying information for the court order to the entity.	22 23 24 25 26
	(3) In this section—	27
	<i>identifying information</i> , for a court order, means the particulars registered under section 34 that are necessary to identify the person against whom the order was made.	28 29 30 31

---

<b>Clause 31</b>	<b>Replacement of s 149 (Enforcement costs and their allocation)</b>	1 2
	Section 149—	3
	<i>omit, insert—</i>	4
	<b>149 Enforcement costs</b>	5
	(1) An <i>enforcement cost</i> is a cost that—	6
	(a) is reasonably incurred by SPER in taking a step for the purpose of enforcing payment of a fine, penalty or another amount under this Act; and	7 8 9 10
	(b) is of a type prescribed by regulation.	11
	(2) Without limiting subsection (1)(a), a cost is incurred by SPER in taking a step if the cost becomes payable by SPER to another entity for taking the step.	12 13 14 15
<b>Clause 32</b>	<b>Insertion of new pt 9, div 2A</b>	16
	Part 9—	17
	<i>insert—</i>	18
	<b>Division 2A Appointment of enforcement officers</b>	19 20
	<b>159B Explanation of div 2A</b>	21
	(1) This division provides for the appointment of enforcement officers.	22 23
	(2) Enforcement officers have particular powers under part 5.	24 25
	<b>159C Appointment</b>	26
	The registrar may, by instrument in writing, appoint any of the following persons as an	27 28

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enforcement officer—	1
(a) a public service employee or contracted debt collector—	2 3
(i) who is appropriately qualified; and	4
(ii) who the registrar is satisfied is of good character and otherwise suitable for appointment;	5 6 7
(b) the sheriff, deputy sheriff or bailiff of a court.	8 9
<b>159D Appointment conditions and limit on powers</b>	10
(1) An enforcement officer holds office on any conditions stated in—	11 12
(a) the officer’s instrument of appointment; or	13
(b) a signed notice given to the officer; or	14
(c) a regulation.	15
(2) The instrument of appointment, a signed notice given to the enforcement officer or a regulation may limit the officer’s powers.	16 17 18
(3) In this section—	19
<i>signed notice</i> means a notice signed by the registrar.	20 21
<b>159E When office ends</b>	22
(1) The office of a person as an enforcement officer ends if any of the following happens—	23 24
(a) the term of office stated in a condition of office ends;	25 26
(b) under another condition of office, the office ends;	27 28



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(c)	for an officer who is a contracted debt collector appointed under section 159C(a)—the officer ceases to be a contracted debt collector;	1 2 3 4
(d)	for an officer appointed under section 159C(b)—the officer ceases to be the sheriff, deputy sheriff or bailiff of a court;	5 6 7
(e)	the officer’s resignation under section 159F takes effect.	8 9
(2)	Subsection (1) does not limit the ways the office of a person as an enforcement officer ends.	10 11
(3)	In this section— <i>condition of office</i> means a condition under which the enforcement officer holds office.	12 13 14
	<b>159F Resignation</b>	15
(1)	An enforcement officer may resign by signed notice given to the registrar.	16 17
(2)	Subsection (1) does not apply to an enforcement officer if—	18 19
(a)	the officer is a contracted debt collector appointed under section 159C(a); and	20 21
(b)	holding office as an enforcement officer is a condition of the contract under section 10(2) under which the debt collector is engaged.	22 23 24
<b>Clause 33</b>	<b>Replacement of ss 160 and 161</b>	25
	Sections 160 and 161—	26
	<i>omit, insert—</i>	27
	<b>160 Delegation by administering authority</b>	28
	An administering authority, or the chief executive officer of an administering authority, may	29 30

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delegate its functions and powers under this Act, 1  
or its functions and powers under another Act as 2  
an administering authority, to an appropriately 3  
qualified person. 4

**161 Delegation by registrar** 5

- (1) Subject to section 10C, the registrar may delegate 6  
functions and powers of the registrar, or of SPER, 7  
under this Act or another Act to an appropriately 8  
qualified person. 9
- (2) Without limiting subsection (1), the registrar may 10  
delegate, to a bailiff, the registrar's power to 11  
appoint a contracted debt collector as an 12  
enforcement officer. 13
- (3) If the registrar is an authorised person for an 14  
infringement notice, the registrar may delegate 15  
the registrar's functions and powers as an 16  
authorised person to an appropriately qualified 17  
person. 18

**Clause 34 Amendment of s 165 (Regulation-making power)** 19

- (1) Section 165— 20  
*insert*— 21
- (1A) A regulation may prescribe an entity to be the 22  
administering authority for an infringement 23  
notice or infringement notice offence. 24
- (1B) A regulation may prescribe a person who may 25  
serve an infringement notice for an infringement 26  
notice offence. 27
- (2) Section 165(2) and (3)— 28  
*omit, insert*— 29
- (2) A regulation may prescribe an offence, other than 30  
an indictable offence or an offence against the 31  
person, to be an offence to which this Act applies. 32

- 
- (3) A regulation may prescribe an amount to be the fine payable for an infringement notice offence under an infringement notice.

**Clause 35      Insertion of new s 166**

After section 165—

*insert—*

**166 Registrar as administering authority etc.**

- (1) To remove any doubt, it is declared that—
- (a) the registrar is a person who may be prescribed by regulation for a purpose under section 165(1A) or (1B); and
- (b) unless the context otherwise requires, a reference in this Act to the registrar is a reference to the registrar in that capacity, and does not include a reference to the registrar in the registrar’s capacity as (for example)—
- (i) the administering authority for an infringement notice or infringement notice offence; or
- (ii) an authorised person for an infringement notice; and

*Example—*

A regulation under section 165(1B) prescribes the registrar to be a person who may serve an infringement notice for a particular infringement notice offence.

A reference to the registrar in section 134C (Registrar may require person to give information) does not include a reference to the registrar in the registrar’s capacity as an authorised person for the infringement notice.

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- (c) section 162 is not limited by section 163 in relation to an infringement notice for which the registrar is the administering authority. 1  
2  
3
- (2) In relation to an infringement notice or infringement notice offence for which the registrar is the administering authority— 4  
5  
6
- (a) this Act applies to the registrar, in the capacity of registrar and in the capacity of administering authority, with all necessary changes; and 7  
8  
9  
10
- (b) without limiting paragraph (a)— 11
- (i) a provision requiring an administering authority to give a thing to SPER or the registrar does not apply to the registrar as an administering authority; and 12  
13  
14  
15
- Example—* 16
- Section 28(2)(c) requires an administering authority to give to SPER a copy of a notice withdrawing an infringement notice. 17  
18  
19
- If the registrar withdraws an infringement notice for which the registrar is the administering authority, the registrar is not required under section 28(2)(c) to give a copy of the withdrawal notice to SPER. 20  
21  
22  
23  
24
- (ii) if a provision provides for an administering authority to give a thing to SPER or the registrar for a purpose, the registrar may take action under this Act as if the thing had been given under the provision; and 25  
26  
27  
28  
29  
30
- Example—* 31
- Section 28(2)(c) requires an administering authority to give to SPER a copy of a notice withdrawing an infringement notice. 32  
33  
34
- If the registrar withdraws an infringement notice for which the registrar is the administering authority, the registrar may take action under section 29 as if a copy of 35  
36  
37  
38

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	the withdrawal notice had been given to	1
	SPER under section 28(2)(c).	2
	(iii) a provision requiring the registrar to	3
	notify an administering authority does	4
	not apply to the registrar as an	5
	administering authority.	6
	<i>Example—</i>	7
	Section 57(4)(a) requires the registrar to	8
	refer the matter of an offence to the	9
	administering authority in particular	10
	circumstances. If the registrar is the	11
	administering authority for an offence,	12
	section 57(4)(a) does not apply.	13
<b>Clause 36</b>	<b>Insertion of new pt 10, div 9</b>	14
	Part 10—	15
	<i>insert—</i>	16
	<b>Division 9</b>	<b>Transitional provisions for</b>
		<b>State Penalties</b>
		<b>Enforcement</b>
		<b>(Modernisation)</b>
		<b>Amendment Act 2022</b>
		17
		18
		19
		20
		21
	<b>196 Current enforcement officers</b>	22
	(1) This section applies to a person who was,	23
	immediately before the commencement, an	24
	enforcement officer under this Act.	25
	(2) From the commencement, the person continues to	26
	be an enforcement officer as if the person had	27
	been appointed under section 159C.	28
	(3) Subsection (2) stops applying to the person at the	29
	earliest of the following to happen—	30

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- (a) the person is appointed as an enforcement officer under section 159C; 1  
2
- (b) the registrar ends the person's deemed appointment under subsection (2) by signed notice given to the person; 3  
4  
5
- (c) the person resigns as an enforcement officer by signed notice given to the registrar; 6  
7
- (d) the end of 30 days from the commencement. 8

**197 Infringement notices issued after change of administering authority** 9  
10

- (1) This section applies if an amendment of a regulation by the *State Penalties Enforcement (Modernisation) Amendment Act 2022* (the **2022 amendment**) changes the entity prescribed to be the administering authority for an infringement notice. 11  
12  
13  
14  
15  
16
- (2) The former approved form for the infringement notice continues to be the approved form during the period (the **transitional period**)— 17  
18  
19
  - (a) starting on the commencement of the 2022 amendment; and 20  
21
  - (b) ending when the approval of a new form for the infringement notice under section 162(a) takes effect. 22  
23  
24
- (3) If an infringement notice in the former approved form is served on a person during the transitional period— 25  
26  
27
  - (a) the notice does not contravene section 15 only because it refers to the former authority instead of the new authority; and 28  
29  
30
  - (b) a person who does a thing in the way stated in the notice in relation to the former authority is taken to have done the thing in relation to the new authority. 31  
32  
33  
34

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<i>Example—</i>	1
If, in accordance with the notice, a person pays a fine to the former authority, the person is taken to have paid the fine to the new authority.	2 3 4
(4) In this section—	5
<i>former approved form</i> , for an infringement notice, means the approved form for the infringement notice that was in effect immediately before the commencement of the 2022 amendment.	6 7 8 9 10
<i>former authority</i> , for an infringement notice, means the administering authority for the notice immediately before the commencement of the 2022 amendment.	11 12 13 14
<i>new authority</i> , for an infringement notice, means the administering authority for the notice from the commencement of the 2022 amendment.	15 16 17
<b>Clause 37</b> <b>Amendment of sch 2 (Dictionary)</b>	18
(1) Schedule 2, definitions <i>appropriately qualified public service officer, enforcement officer, infringement notice offence</i> and <i>registrar—</i>	19 20 21
<i>omit.</i>	22
(2) Schedule 2—	23
<i>insert—</i>	24
<i>contracted debt collector</i> means a debt collector engaged under a contract under section 10(2).	25 26
<i>enforcement cost</i> see section 149.	27
<i>enforcement officer</i> means a person who holds office under part 9, division 2A as an enforcement officer.	28 29 30
<i>infringement notice offence</i> means an offence prescribed by regulation to be an offence to which this Act applies.	31 32 33

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	<i>registrar</i> means the person holding office as the registrar under section 9A.	1 2
(3)	Schedule 2, definition <i>administering authority</i> , ‘under a regulation as’—	3 4
	<i>omit, insert</i> —	5
	by regulation to be	6
<b>Division 3</b>	<b>Amendments consequential on State Penalties Enforcement Amendment Act 2017</b>	7 8 9
<b>Clause 38</b>	<b>Amendment of s 134LA (Disclosure of identifying information when remitting amounts collected by SPER)</b>	10 11
(1)	Section 134LA(1)(a)—	12
	<i>omit, insert</i> —	13
	(a) under section 34—	14
	(i) an administering authority registers with SPER the unpaid amount of a fine; or	15 16 17
	(ii) a court registers with SPER an unpaid court debt; and	18 19
(2)	Section 134LA(2), ‘for the court order’—	20
	<i>omit.</i>	21
(3)	Section 134LA(3), definition <i>identifying information</i> —	22
	<i>omit, insert</i> —	23
	<i>identifying information</i> means the particulars registered under section 34 that are necessary to identify the person on whom the fine was imposed or by whom the court debt was owing.	24 25 26 27



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<b>Clause 39</b>	<b>Amendment of s 166 (Registrar as administering authority etc.)</b>	1 2
	Section 166(2)(b)(iii), example—	3
	<i>omit, insert—</i>	4
	<i>Example—</i>	5
	Section 57A(2) requires the registrar to notify the affected administering authority of a particular decision.	6
	If the registrar is the affected administering authority, section 57A(2) does not apply.	7 8 9
<b>Part 5</b>	<b>Amendment of State Penalties Enforcement Amendment Act 2017</b>	10 11 12
<b>Clause 40</b>	<b>Act amended</b>	13
	This part amends the <i>State Penalties Enforcement Amendment Act 2017</i> .	14 15
<b>Clause 41</b>	<b>Amendment of s 25 (Replacement of pt 4, div 1 (Default commences enforcement process))</b>	16 17
	Section 25, inserted section 34(2)—	18
	<i>omit, insert—</i>	19
	(2) However, an administering authority may not register a matter under subsection (1) relating to an infringement notice for an offence after—	20 21 22
	(a) the latest day on which a prosecution for the offence may be started; or	23 24
	(b) if a day, earlier than the day mentioned in paragraph (a) is prescribed by regulation to be the latest day for registration of the matter—the day prescribed.	25 26 27 28
	(2A) A regulation may, for an infringement notice for a stated offence, prescribe—	29 30

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	(a) a day (the <i>due day</i> ) by which a matter under subsection (1) must be registered; and	1 2
	(b) a late registration fee that is payable for registration of a matter under subsection (1) after the due day.	3 4 5
	(2B) For subsection (2A)(a), the due day must be before the latest day on which the matter may be registered under subsection (2).	6 7 8
<b>Clause 42</b>	<b>Amendment of s 37 (Replacement of pt 4, div 6)</b>	9
	Section 37, inserted section 60(2)—	10
	<i>omit, insert—</i>	11
	(2) If the administering authority withdraws the relevant infringement notice—	12 13
	(a) the authority may issue a fresh infringement notice for the relevant offence; or	14 15
	(b) if a fresh infringement notice is not issued under paragraph (a), a proceeding may be started against the applicant for the offence.	16 17 18
<b>Part 6</b>	<b>Amendment of State Penalties Enforcement Regulation 2014</b>	19 20
<b>Division 1</b>	<b>Preliminary</b>	21
<b>Clause 43</b>	<b>Regulation amended</b>	22
	This part amends the <i>State Penalties Enforcement Regulation 2014</i> .	23 24

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<b>Division 2</b>	<b>Amendments commencing on assent</b>	1 2
<b>Clause 44</b>	<b>Amendment of s 5 (Administering authority for nominated laws)</b>	3 4
	(1) Section 5(1)(a), ‘department or agency’—	5
	<i>omit, insert</i> —	6
	entity	7
	(2) Section 5(1)(b), ‘no department or agency’—	8
	<i>omit, insert</i> —	9
	no entity	10
<b>Clause 45</b>	<b>Amendment of s 12 (Identifying particulars for vehicle)</b>	11
	Section 12(4)—	12
	<i>omit.</i>	13
<b>Clause 46</b>	<b>Insertion of new s 29A</b>	14
	After section 29—	15
	<i>insert</i> —	16
	<b>29A Enforcement costs—Act, s 149</b>	17
	For section 149 of the Act, the following types of cost are prescribed—	18 19
	(a) work of the type usually performed by a locksmith;	20 21
	(b) towing or otherwise transporting a vehicle;	22
	(c) impounding a vehicle;	23
	(d) storing or securing property;	24
	(e) insurance;	25

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	(f) selling property, including any of the following—	1 2	
	(i) engaging an agent;	3	
	(ii) advertising;	4	
	(iii) preparation for sale;	5	
	(iv) commission.	6	
<b>Clause 47</b>	<b>Amendment of sch 2 (Dictionary)</b>	7	
	Schedule 2—	8	
	<i>insert—</i>	9	
	<i>camera-detected offence</i> see the <i>Transport Operations (Road Use Management) Act 1995</i> , section 113.	10 11 12	
<b>Division 3</b>	<b>Amendments commencing on 1 July 2022</b>	13 14	
<b>Clause 48</b>	<b>Amendment of s 5 (Administering authority for nominated laws)</b>	15 16	
	Section 5(2)—	17	
	<i>omit.</i>	18	
<b>Clause 49</b>	<b>Replacement of pt 7, hdg (Transitional provision)</b>	19	
	Part 7, heading—	20	
	<i>omit, insert—</i>	21	
	<b>Part 7</b>	<b>Transitional provisions</b>	22
	<b>Division 1</b>	<b>Transitional provision for SL No. 177 of 2014</b>	23 24

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<b>Clause 50</b>	<b>Insertion of new pt 7, div 2</b>	1
	Part 7—	2
	<i>insert—</i>	3
	<b>Division 2</b>	4
	<b>Transitional provision for</b>	5
	<b>State Penalties</b>	6
	<b>Enforcement</b>	7
	<b>(Modernisation)</b>	8
	<b>Amendment Act 2022</b>	9
<b>31</b>	<b>Infringement notices served before change of</b>	10
	<b>administering authority</b>	11
(1)	This section applies in relation to an infringement	12
	notice for an offence served on a person if—	13
(a)	when the notice was served, an entity (the	14
	<i>first entity</i> ) was prescribed by this	15
	regulation to be the administering authority	16
	for the infringement notice or offence; and	17
(b)	the notice stated that the person must or	18
	may—	19
(i)	pay a fine to the first entity; or	20
(ii)	make an election or application to the	21
	first entity; or	22
(iii)	give a declaration or other document to	23
	the first entity; and	24
(c)	after the notice was served, a 2022 Act	25
	amendment commenced and another entity	26
	(the <i>second entity</i> ) became the	27
	administering authority for the infringement	28
	notice or offence.	29
(2)	From the commencement of the 2022 Act	30
	amendment, for the purpose of a relevant	31
	provision of the Act, the first entity and the	32
	second entity are each prescribed to be an	33

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	administering authority for the infringement notice or offence.	1 2
(3)	To remove any doubt, it is declared that subsection (2) does not require a person to do a thing under a relevant provision in relation to both the first entity and the second entity.	3 4 5 6
	<i>Example—</i>	7
	If, under a relevant provision, a person served with an infringement notice may pay a fine to the administering authority, the person may pay the fine to either the first entity or the second entity.	8 9 10 11
(4)	In this section—	12
	<b>2022 Act amendment</b> means an amendment of this regulation by the <i>State Penalties Enforcement (Modernisation) Amendment Act 2022</i> .	13 14 15
	<b>relevant provision</b> means a provision under which a thing mentioned in subsection (1)(b)(i) to (iii) must or may be done.	16 17 18
<b>Clause 51</b>	<b>Amendment of sch 1 (Infringement notice offences and fines for nominated laws)</b>	19 20
(1)	Schedule 1, entry for Heavy Vehicle (Fatigue Management) National Regulation—	21 22
	<i>insert—</i>	23
	Administering authority for an infringement notice offence that is an offence against a provision of the Heavy Vehicle (Fatigue Management) National Regulation, or an infringement notice about the offence—the registrar	24 25 26 27 28 29
(2)	Schedule 1, entry for Heavy Vehicle (Mass, Dimension and Loading) National Regulation—	30 31
	<i>insert—</i>	32
	Administering authority for an infringement	33

- 
- notice offence that is an offence against a provision of the Heavy Vehicle (Mass, Dimension and Loading) National Regulation, or an infringement notice about the offence—the registrar 1  
2  
3  
4  
5
- (3) Schedule 1, entry for *Heavy Vehicle National Law Act 2012*— 6  
*insert*— 7  
Administering authority for an infringement notice offence that is an offence against a provision of the Heavy Vehicle National Law Act 2012, or an infringement notice about the offence—the registrar 8  
9  
10  
11  
12
- (4) Schedule 1, entry for Heavy Vehicle National Law (Queensland)— 13  
*insert*— 14  
Administering authority for an infringement notice offence that is an offence against a provision of the Heavy Vehicle National Law (Queensland), or an infringement notice about the offence—the registrar 15  
16  
17  
18  
19  
20
- (5) Schedule 1, entry for *Major Events Act 2014*— 21  
*insert*— 22  
Administering authority for an infringement notice offence that is an offence against a provision of the Major Events Act 2014, or an infringement notice about the offence—the registrar 23  
24  
25  
26  
27
- (6) Schedule 1, entry for *Motor Accident Insurance Act 1994*, administering authority for an infringement notice offence entry, ‘Motor Accident Insurance Commission’— 28  
29  
30  
*omit, insert*— 31  
registrar 32
- (7) Schedule 1, entry for *Motor Accident Insurance Act 1994*, authorised person for service of infringement notices entry— 33  
34
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<i>omit, insert—</i>	1
<b>Authorised person for service of infringement notices—</b>	2
	3
(a) for an offence against section 20(1) or (2) that is a camera-detected offence—the registrar; or	4 5 6
(b) otherwise—an authorised officer under the <i>Transport Operations (Road Use Management) Act 1995</i> , section 20	7 8 9
(8) Schedule 1, entry for <i>Motor Accident Insurance Regulation 2018</i> , administering authority for an infringement notice offence entry, ‘Motor Accident Insurance Commission’—	10 11 12
<i>omit, insert—</i>	13
registrar	14
(9) Schedule 1, entry for <i>Photo Identification Card Act 2008—</i>	15
<i>insert—</i>	16
Administering authority for an infringement notice offence that is an offence against a provision of the <i>Photo Identification Card Act 2008</i> , or an infringement notice about the offence—the registrar	17 18 19 20 21
(10) Schedule 1, entry for <i>Police Powers and Responsibilities Act 2000—</i>	22 23
<i>insert—</i>	24
Administering authority for an infringement notice offence that is an offence against a provision of the <i>Police Powers and Responsibilities Act 2000</i> , or an infringement notice about the offence—the registrar	25 26 27 28 29
(11) Schedule 1, entry for <i>Public Health Act 2005</i> , administering authority for an infringement notice offence entry, paragraph (b)—	30 31 32
<i>omit, insert—</i>	33



- 
- (b) for an infringement notice served by a police officer for an offence against section 346(1), 362D or 362J of that Act—the registrar; or
- (c) otherwise—the department in which the provision is administered
- (12) Schedule 1, entry for *Public Safety Preservation Act 1986*—  
*insert*—  
Administering authority for an infringement notice offence that is an offence against a provision of the Public Safety Preservation Act 1986, or an infringement notice about the offence—the registrar
- (13) Schedule 1, entry for *Summary Offences Act 2005*—  
*insert*—  
Administering authority for an infringement notice offence that is an offence against a provision of the Summary Offences Act 2005, or an infringement notice about the offence—the registrar
- (14) Schedule 1, entry for *Tobacco and Other Smoking Products Act 1998*, administering authority for an infringement notice offence entry, paragraph (a), ‘the Act’—  
*omit, insert*—  
that Act
- (15) Schedule 1, entry for *Tobacco and Other Smoking Products Act 1998*, administering authority for an infringement notice offence entry, paragraph (c)—  
*omit, insert*—  
(c) for an infringement notice served by a police officer under the *Police Powers and Responsibilities Act 2000*, section 60(3)(i)—the registrar; or
-

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- |      |  |    |
|------|--|----|
| (16) | Schedule 1, entry for <i>Tow Truck Act 1973</i> —                    | 1  |
|      | <i>insert</i> —  | 2  |
|      | Administering authority for an infringement                          | 3  |
|      | notice offence that is an offence against a                          | 4  |
|      | provision of the <i>Tow Truck Act 1973</i> , or an                   | 5  |
|      | infringement notice about the offence—the                            | 6  |
|      | registrar  | 7  |
| (17) | Schedule 1, entry for <i>Tow Truck Regulation 2009</i> —             | 8  |
|      | <i>insert</i> —  | 9  |
|      | Administering authority for an infringement                          | 10 |
|      | notice offence that is an offence against a                          | 11 |
|      | provision of the <i>Tow Truck Regulation 2009</i> , or               | 12 |
|      | an infringement notice about the offence—the                         | 13 |
|      | registrar  | 14 |
| (18) | Schedule 1, entry for <i>Traffic Regulation 1962</i> , administering | 15 |
|      | authority for an infringement notice offence entry, paragraph        | 16 |
|      | (b)—   | 17 |
|      | <i>omit, insert</i> —  | 18 |
|      | (b) otherwise—the registrar  | 19 |
| (19) | Schedule 1, entry for <i>Transport Infrastructure Act 1994</i> ,     | 20 |
|      | administering authority for an infringement notice offence           | 21 |
|      | entry—   | 22 |
|      | <i>omit, insert</i> —  | 23 |
|      | Administering authority for an infringement                          | 24 |
|      | notice offence that is an offence against a                          | 25 |
|      | provision of the <i>Transport Infrastructure Act</i>                 | 26 |
|      | <i>1994</i> , or an infringement notice about the                    | 27 |
|      | offence—   | 28 |
|      | (a) for an offence against section 105ZH(7),                         | 29 |
|      | 105ZJ(4) or 105ZK(7) of that Act for which                           | 30 |
|      | an infringement notice is served by an                               | 31 |
|      | employee of the Brisbane City Council—the                            | 32 |
|      | Brisbane City Council; or  | 33 |
|      | (b) otherwise—the registrar  | 34 |

- 
- (20) Schedule 1, entry for *Transport Infrastructure Act 1994*,  
authorised person for service of infringement notices entry,  
paragraph (b)—  
*omit, insert—*  
(b) for an offence against section 99(7), 100(4)  
or 101(7)—the registrar; or
- (21) Schedule 1, entry for *Transport Infrastructure (Public Marine  
Facilities) Regulation 2011—*  
*insert—*  
Administering authority for an infringement  
notice offence that is an offence against a  
provision of the Transport Infrastructure (Public  
Marine Facilities) Regulation 2011, or an  
infringement notice about the offence—the  
registrar
- (22) Schedule 1, entry for *Transport Infrastructure (Rail)  
Regulation 2017—*  
*insert—*  
Administering authority for an infringement  
notice offence that is an offence against a  
provision of the Transport Infrastructure (Rail)  
Regulation 2017, or an infringement notice about  
the offence—the registrar
- (23) Schedule 1, entry for *Transport Infrastructure  
(State-controlled Roads) Regulation 2017—*  
*insert—*  
Administering authority for an infringement  
notice offence that is an offence against a  
provision of the Transport Infrastructure  
(State-controlled Roads) Regulation 2017, or an  
infringement notice about the offence—the  
registrar
- (24) Schedule 1, entry for *Transport Infrastructure (Waterways  
Management) Regulation 2012—*
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<i>insert—</i>	1
Administering authority for an infringement notice offence that is an offence against a provision of the Transport Infrastructure (Waterways Management) Regulation 2012, or an infringement notice about the offence—the registrar	2 3 4 5 6 7
(25) Schedule 1, entry for <i>Transport Operations (Marine Pollution) Act 1995—</i>	8 9
<i>insert—</i>	10
Administering authority for an infringement notice offence that is an offence against a provision of the Transport Operations (Marine Pollution) Act 1995, or an infringement notice about the offence—the registrar	11 12 13 14 15
(26) Schedule 1, entry for <i>Transport Operations (Marine Pollution) Regulation 2018—</i>	16 17
<i>insert—</i>	18
Administering authority for an infringement notice offence that is an offence against a provision of the Transport Operations (Marine Pollution) Regulation 2018, or an infringement notice about the offence—the registrar	19 20 21 22 23
(27) Schedule 1, entry for <i>Transport Operations (Marine Safety) Act 1994—</i>	24 25
<i>insert—</i>	26
Administering authority for an infringement notice offence that is an offence against a provision of the Transport Operations (Marine Safety) Act 1994, or an infringement notice about the offence—the registrar	27 28 29 30 31
(28) Schedule 1, entry for <i>Transport Operations (Marine Safety) Regulation 2016—</i>	32 33
<i>insert—</i>	34

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Administering authority for an infringement notice offence that is an offence against a provision of the Transport Operations (Marine Safety) Regulation 2016, or an infringement notice about the offence—the registrar	1 2 3 4 5
(29) Schedule 1, entry for <i>Transport Operations (Passenger Transport) Act 1994</i> —	6 7
<i>insert</i> —	8
Administering authority for an infringement notice offence that is an offence against a provision of the Transport Operations (Passenger Transport) Act 1994, or an infringement notice about the offence—the registrar	9 10 11 12 13
(30) Schedule 1, entry for <i>Transport Operations (Passenger Transport) Regulation 2018</i> —	15 16
<i>insert</i> —	17
Administering authority for an infringement notice offence that is an offence against a provision of the Transport Operations (Passenger Transport) Regulation 2018, or an infringement notice about the offence—the registrar	18 19 20 21 22
(31) Schedule 1, entry for <i>Transport Operations (Road Use Management) Act 1995</i> , administering authority for an infringement notice offence entry, paragraph (b)—	24 25 26
<i>omit, insert</i> —	27
(b) otherwise—the registrar	28
(32) Schedule 1, entry for <i>Transport Operations (Road Use Management) Act 1995</i> , authorised person for service of infringement notices entry—	29 30 31
<i>omit, insert</i> —	32
<b>Authorised person for service of infringement notices</b> —	33 34
(a) for an offence against section 84A(1) that is a camera-detected offence—the registrar; or	35 36

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	(b) otherwise—an authorised officer under the	1
	<i>Transport Operations (Road Use</i>	2
	<i>Management) Act 1995, section 20</i>	3
(33)	Schedule 1, entry for <i>Transport Operations (Road Use</i>	4
	<i>Management—Accreditation and Other Provisions)</i>	5
	<i>Regulation 2015—</i>	6
	<i>insert—</i>	7
	Administering authority for an infringement	8
	notice offence that is an offence against a	9
	provision of the Transport Operations (Road Use	10
	Management—Accreditation and Other	11
	Provisions) Regulation 2015, or an infringement	12
	notice about the offence—the registrar	13
(34)	Schedule 1, entry for <i>Transport Operations (Road Use</i>	15
	<i>Management—Dangerous Goods) Regulation 2018—</i>	16
	<i>insert—</i>	17
	Administering authority for an infringement	18
	notice offence that is an offence against a	19
	provision of the Transport Operations (Road Use	20
	Management—Dangerous Goods) Regulation	21
	2018, or an infringement notice about the	22
	offence—the registrar	23
(35)	Schedule 1, entry for <i>Transport Operations (Road Use</i>	24
	<i>Management—Driver Licensing) Regulation 2021—</i>	25
	<i>insert—</i>	26
	Administering authority for an infringement	27
	notice offence that is an offence against a	28
	provision of the Transport Operations (Road Use	29
	Management—Driver Licensing) Regulation	30
	2021, or an infringement notice about the	31
	offence—the registrar	32
(36)	Schedule 1, entry for <i>Transport Operations (Road Use</i>	33
	<i>Management—Road Rules) Regulation 2009, administering</i>	34
	authority for an infringement notice offence entry—	35
	<i>omit, insert—</i>	36

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Administering authority for an infringement notice offence that is an offence against a provision of the Transport Operations (Road Use Management—Road Rules) Regulation 2009, or an infringement notice about the offence—	1 2 3 4 5 6
(a) for an offence against section 264, 264A or 300 of that regulation—the department in which the provision is administered; or	7 8 9
(b) for another offence—	10
(i) if an infringement notice for the offence is served by an employee of a local government—the local government; or	11 12 13 14
(ii) otherwise—the registrar	15
(37) Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> , authorised person for service of infringement notices entry—	16 17 18
<i>omit, insert—</i>	19
<b>Authorised person for service of infringement notices—</b>	20 21
(a) for an offence against section 20, 56(1), 56(2), 104(1), 104(2) or 104(3) that is a camera-detected offence—the registrar; or	22 23 24
(b) otherwise—an authorised officer under the <i>Transport Operations (Road Use Management) Act 1995</i> , section 20	25 26 27
(38) Schedule 1, entry for <i>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021—</i>	28 29
<i>insert—</i>	30
Administering authority for an infringement notice offence that is an offence against a provision of the Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021, or an infringement notice about the	31 32 33 34 35

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	offence—the registrar	1
(39)	Schedule 1, entry for <i>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021</i> , authorised person for service of infringement notices entry—	2 3 4
	<i>omit, insert—</i>	5
	<b>Authorised person for service of infringement notices—</b>	6 7
	(a) for an offence against section 10, 211(f) or 211(h)(ii) that is a camera-detected offence—the registrar; or	8 9 10
	(b) otherwise—an authorised officer under the <i>Transport Operations (Road Use Management) Act 1995</i> , section 20	11 12 13
(40)	Schedule 1, entry for <i>Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021—</i>	14 15 16
	<i>insert—</i>	17
	Administering authority for an infringement notice offence that is an offence against a provision of the <i>Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021</i> , or an infringement notice about the offence—the registrar	18 19 20 21 22 23
<b>Division 4</b>	<b>Amendments commencing on 30 November 2022</b>	24 25
<b>Clause 52</b>	<b>Amendment of sch 1 (Infringement notice offences and fines for nominated laws)</b>	26 27
(1)	Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> , administering authority for an infringement notice offence entry—	28 29 30
	<i>omit, insert—</i>	31



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Administering authority for an infringement notice offence that is an offence against a provision of the Transport Operations (Road Use Management—Road Rules) Regulation 2009, or an infringement notice about the offence—	1 2 3 4 5 6
(a) if an infringement notice for the offence is served by an employee of a local government—the local government; or	7 8 9
(b) otherwise—the registrar	10
(2) Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> , authorised person for service of infringement notices entry, paragraph (a)—	11 12 13 14
<i>omit, insert—</i>	15
(a) for an offence against section 20, 56(1), 56(2), 104(1), 104(2), 104(3), 264, 264A or 300 that is a camera-detected offence—the registrar; or	16 17 18 19

<b>Part 7</b>	<b>Amendment of Taxation Administration Act 2001</b>	20 21
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<b>Clause 53</b>	<b>Act amended</b>	22
	This part amends the <i>Taxation Administration Act 2001</i> .	23

<b>Clause 54</b>	<b>Amendment of s 111 (Disclosure of confidential information)</b>	24 25
	Section 111(2)(f)—	26
	<i>omit, insert—</i>	27
	(f) to the Treasurer or an officer of the department, if the disclosure is—	28 29

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- (i) for developing or monitoring public revenue policies; or 1  
2
- (ii) for administering the *Financial Accountability Act 2009*, section 21; or 3  
4
- (iii) permitted under a law; or 5

## **Part 8** **Amendment of Traffic Regulation 1962** 6 7

### **Clause 55** **Regulation amended** 8

This part amends the *Traffic Regulation 1962*. 9

### **Clause 56** **Amendment of s 208AA (Information about images or videos made by digital driver behaviour camera system—Act, s 113A)** 10 11 12

(1) Section 208AA(2), ‘who has viewed the image or video’— 13  
*omit, insert—* 14

or the SPER registrar has viewed the image or 15  
video and 16

(2) Section 208AA— 17  
*insert—* 18

(4) In this section— 19

***SPER registrar*** means the registrar under the 20  
*State Penalties Enforcement Act 1999*. 21

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<b>Part 9</b>	<b>Amendment of Transport Operations (Road Use Management) Act 1995</b>	1
		2
		3
<b>Clause 57</b>	<b>Act amended</b>	4
	This part amends the <i>Transport Operations (Road Use Management) Act 1995</i> .	5
		6
<b>Clause 58</b>	<b>Amendment of s 52 (False or misleading statements)</b>	7
	Section 52(1), definition <i>official</i> , ‘or an accredited person’—	8
	<i>omit, insert—</i>	9
	, an accredited person or the SPEA administering authority for a camera-detected offence	10
		11
<b>Clause 59</b>	<b>Amendment of s 53 (False or misleading documents, generally)</b>	12
	Section 53(1), definition <i>official</i> , ‘or an accredited person’—	13
	<i>omit, insert—</i>	14
	, an accredited person or the SPEA administering authority for a camera-detected offence	15
		16
		17
<b>Clause 60</b>	<b>Amendment of s 114 (Offences detected by photographic detection device)</b>	18
	(1) Section 114(3)(b)(i) and (ii), (4), (8) and (10), definition <i>online declaration system</i> , paragraph (b), ‘or chief executive’—	19
	<i>omit, insert—</i>	20
	, the chief executive or the SPEA administering authority	21
		22
		23
		24
		25
	(2) Section 114(3A)(b) and (c), after ‘chief executive’—	26

[s 61]

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*insert—* 1  
or the SPEA administering authority 2

**Clause 61 Amendment of s 116 (Notice accompanying summons) 3**

Section 116(1)(a), ‘or chief executive’— 4

*omit, insert—* 5

, the chief executive or the SPEA administering 6  
authority 7

**Clause 62 Amendment of sch 4 (Dictionary) 8**

Schedule 4— 9

*insert—* 10

***SPEA administering authority***, for a 11  
camera-detected offence, means the 12  
administering authority under the *State Penalties* 13  
*Enforcement Act 1999* for the offence. 14

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