



Queensland

# State Penalties Enforcement and Other Legislation Amendment Regulation 2023

## Subordinate Legislation 2023 No. 131

made under the

*Forestry Act 1959*

*Nature Conservation Act 1992*

*Recreation Areas Management Act 2006*

*State Penalties Enforcement Act 1999*

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## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *State Penalties Enforcement and Other Legislation Amendment Regulation 2023*.

### 2 Commencement

This regulation commences on 15 September 2023.

## Part 2 Amendment of Forestry Regulation 2015

### 3 Regulation amended

This part amends the *Forestry Regulation 2015*.

### 4 Amendment of s 28 (Safe use of vehicle by reference to transport legislation)

(1) Section 28(1), from ‘subsection’—  
*omit, insert—*

subsection—

- (a) section 256(1);
- (b) section 264;
- (c) section 264A;
- (d) section 265;
- (e) section 268;
- (f) section 270;
- (g) section 271(4) or (5).

Maximum penalty—20 penalty units.

[s 5]

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(2) Section 28(2), from ‘contravene’—

*omit, insert—*

contravene either of the following provisions of the *Transport Operations (Road Use Management) Act 1995*, the person commits an offence against this subsection—

(a) section 83(1), in the circumstances mentioned in paragraph (c) of the penalty for that section;

(b) section 84.

Maximum penalty—20 penalty units.

(3) Section 28(3)(b), ‘section 83’—

*omit, insert—*

section 83(1)

**5 Omission of s 29 (Persons on quad bike to wear approved motorbike helmet)**

Section 29—

*omit.*

**6 Amendment of sch 7 (Dictionary)**

Schedule 7, definition *quad bike*—

*relocate* to section 30(3).

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## **Part 3**                      **Amendment of Nature Conservation (Protected Areas Management) Regulation 2017**

### **7**            **Regulation amended**

This part amends the *Nature Conservation (Protected Areas Management) Regulation 2017*.

### **8**            **Amendment of s 123 (Safe use of vehicles by reference to transport legislation)**

Section 123(2), from ‘contravene’—  
*omit, insert—*

contravene either of the following provisions of the *Transport Operations (Road Use Management) Act 1995*, the person commits an offence against this subsection—

- (a) section 83(1), in the circumstances mentioned in paragraph (c) of the penalty for that section;
- (b) section 84.

Maximum penalty—20 penalty units.

## **Part 4**                      **Amendment of Recreation Areas Management Regulation 2017**

### **9**            **Regulation amended**

This part amends the *Recreation Areas Management Regulation 2017*.

[s 10]

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## **10 Amendment of s 18 (Safe use of vehicles)**

(1) Section 18(1)(f)—

*omit, insert—*

(f) section 270;

(2) Section 18(2), from ‘contravene’—

*omit, insert—*

contravene either of the following provisions of the *Transport Operations (Road Use Management) Act 1995*, the person commits an offence against this subsection—

(a) section 83(1), in the circumstances mentioned in paragraph (c) of the penalty for that section;

(b) section 84.

Maximum penalty—20 penalty units.

## **Part 5 Amendment of State Penalties Enforcement Regulation 2014**

### **11 Regulation amended**

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

### **12 Amendment of sch 1 (Infringement notice offences and fines for nominated laws)**

(1) Schedule 1, entry for *Forestry Regulation 2015*, entries for sections 28(1), 29(1), 29(2) and 29(3)—

*omit.*

(2) Schedule 1, entry for *Forestry Regulation 2015*—

*insert—*

s 28(1)(a), (e) or (g)	2	-
s 28(1)(b), (c) or (d)	7½	-
s 28(1)(f)	3	-
s 28(2)(a)	4	-
s 28(2)(b)	2	-
<p>(3) Schedule 1, entry for <i>Nature Conservation (Protected Areas Management) Regulation 2017</i>, entries for section 123(1) and (2)—  <i>omit.</i></p>		
<p>(4) Schedule 1, entry for <i>Nature Conservation (Protected Areas Management) Regulation 2017</i>—  <i>insert—</i></p>		
s 123(1)(a)		1
s 123(1)(b), (c) or (d)		7½
s 123(1)(e) or (g)		2
s 123(1)(f)		3
s 123(2)(a)		4
s 123(2)(b)		2
<p>(5) Schedule 1, entry for <i>Recreation Areas Management Regulation 2017</i>, entries for section 18(1) and (2)—  <i>omit.</i></p>		
<p>(6) Schedule 1, entry for <i>Recreation Areas Management Regulation 2017</i>—  <i>insert—</i></p>		

[s 12]

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s 18(1)(a)	1
s 18(1)(b), (c) or (d)	7½
s 18(1)(e) or (g)	2
s 18(1)(f)	3
s 18(2)(a)	4
s 18(2)(b)	2



ENDNOTES

- 1 Made by the Governor in Council on 7 September 2023.
- 2 Notified on the Queensland legislation website on 8 September 2023.
- 3 The administering agency is the Department of Environment and Science.

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