



LITTER AMENDMENT

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 No. 60 of 1979
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AN ACT to amend the Litter Act 1973 for the purpose of providing for increases in penalties, the appointment of authorized officers by the Director of Environmental Control, and for related matters.

[Royal Assent 14 December 1979]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Litter Amendment Act 1979*. Short title.

Commence-
ment.

2—(1) This section and section 1 shall commence on the date of assent to this Act.

(2) Except as provided in subsection (1), this Act shall commence on such date as may be fixed by proclamation.

Principal Act.

3—In this Act, the *Litter Act* 1973* is referred to as the Principal Act.

Amendment of
section 3 of
Principal Act
(Authorized
officers).

4—(1) Section 3 of the Principal Act is amended as follows:—

(a) by omitting from subsection (1) (d) “(1A) or (2);” and substituting “(2) and (2A).”;

(b) by omitting subsections (1A) and (1B).

(2) Section 3 of the Principal Act is further amended by inserting the following subsections after subsection (2):—

(2A) In addition to those persons who are authorized officers by virtue of subsection (1) (a), (b), or (c) or of having been appointed under subsection (2), the Director of Environmental Control may, subject to subsection (2B), appoint to be an authorized officer for the purposes of this Act any other person who, in his opinion, is sufficiently competent to carry out the duties and exercise the powers of such an officer.

(2B) An officer or temporary employee within the meaning of the *Public Service Act* 1973 shall not be appointed under subsection (2A) unless the consent of the Minister administering the department in which the officer or temporary employee is employed has been first obtained.

Amendment of
section 4 of
Principal Act
(Offences).

5—Section 4 of the Principal Act is amended by omitting subsections (3), (4), and (5).

Amendment of
section 5 of
Principal Act
(Composition
of offences).

6—(1) Section 5 (1) of the Principal Act is amended by omitting “ten dollars” and substituting “\$20”.

(2) Section 5 (3) of the Principal Act is amended as follows:—

(a) by omitting from paragraph (a) “fifteen dollars” and substituting “\$30”;

(b) by omitting from paragraph (b) “twenty-five dollars” and substituting “\$50”.

* No. 13 of 1973. Subsequently amended by Nos. 28 and 58 of 1976.

7—Section 6 of the Principal Act is amended by omitting subsection (2).

Amendment of section 6 of Principal Act (Removal of litter).

8—Section 7 of the Principal Act is amended by inserting the following subsections after subsection (4):—

Amendment of Section 7 of Principal Act (Facilitation of proof of certain offences).

(5) Where, for the purposes of any proceedings for a contravention of subsection (2), it is necessary to establish that a person was the owner of a particular motor vehicle, a certificate purporting to be under the hand of the Secretary to the Transport Commission, or of an officer authorized by the Secretary, stating that a person specified in the certificate was, on a date specified in the certificate, the holder of a certificate of registration issued in respect of that motor vehicle shall be admissible in evidence in those proceedings and, until the contrary is proved, be evidence that that person was, on that date, the owner of that vehicle.

(6) In this section, “owner”, in relation to a motor vehicle, has the meaning assigned to that expression by section 3 (1) of the *Traffic Act* 1925.

9—A person who, immediately before the commencement of section 4 of this Act, was an authorized officer appointed under section 3 (1A) of the Principal Act shall be deemed to be an authorized officer appointed under section 3 (2A) of the Principal Act, as in force immediately after that commencement.

Savings.

