

JU301\*

Censorship Act 1996

## Censorship Amendment Regulations 2004

Made by the Governor in Executive Council.

### 1. Citation

These regulations may be cited as the *Censorship Amendment Regulations 2004*.

### 2. Commencement

These regulations come into operation on the day on which the *Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2004* come into operation.

### 3. The regulations amended

The amendments in these regulations are to the *Censorship Regulations 1996*\*.

[\* Reprint 1 as at 5 December 2003.]

### 4. Regulations 3, 4 and 5 inserted

After regulation 2 the following regulations are inserted —

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#### 3. Prescribed offences and modified penalties

- (1) The offences set out in Schedule 1 column 1 are prescribed for the purposes of section 117D of the Act.
- (2) For the purposes of section 117E(2) of the Act, the modified penalty set out in Schedule 1 column 2 opposite an offence referred to in Schedule 1 column 1 is the prescribed modified penalty for an individual for that offence.

- (3) For the purposes of section 117E(2) of the Act, the modified penalty set out in Schedule 1 column 3 opposite an offence referred to in Schedule 1 column 1 is the prescribed modified penalty for a body corporate for that offence.

**4. Form of an infringement notice**

Schedule 2 Form 1 is prescribed for the purposes of section 117E(1) of the Act.

**5. Form of notice of withdrawal of an infringement notice**

Schedule 2 Form 2 is prescribed for the purposes of section 117G(1) of the Act.

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**5. Schedules 1 and 2 inserted**

After regulation 10 the following Schedules are inserted —

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**Schedule 1 — Prescribed offences and modified penalties**

[r. 3]

<b>Offence</b>	<b>Modified penalty (individual)</b>	<b>Modified penalty (body corporate)</b>
s. 64(1)	\$200	\$1 000
s. 64(4)	\$200	\$1 000
s. 65(1)	\$500	\$2 500
s. 65(5)	\$500	\$2 500
s. 65(6)	\$500	\$2 500
s. 65A	\$500	\$2 500
s. 65B	\$200	\$1 000
s. 65C(1)	\$500	\$2 500
s. 65C(2)	\$500	\$2 500
s. 65D(5)	\$20	N/A
s. 67(1)	\$100	\$500
s. 70(1)(b)	\$200	\$1 000
s. 71(2)	\$20	N/A
s. 72(1)	\$200	\$1 000
s. 75(1)	\$100	\$500
s. 76(1)	\$500	\$2 500
s. 76(2)	\$500	\$2 500
s. 76(3)	\$500	\$2 500
s. 77(1)	\$500	\$2 500
s. 79(1)	\$500	\$2 500
s. 79(3)	\$20	N/A
s. 79(4)	\$200	\$1 000

Offence	Modified penalty (individual)	Modified penalty (body corporate)
s. 83(1)	\$100	\$500
s. 84(2)	\$20	N/A
s. 85(1)	\$500	\$2 500
s. 85(2)(b)	\$200	\$1 000
s. 85(3)(b)	\$200	\$1 000
s. 86(1)	\$500	\$2 500
s. 86(2)	\$500	\$2 500
s. 86(3)	\$500	\$2 500
s. 86(4)	\$500	\$2 500
s. 87(1)	\$500	\$2 500
s. 88(1)	\$500	\$2 500
s. 90(1)	\$500	\$2 500
s. 91(1)	\$500	\$2 500
s. 92	\$200	\$1 000
s. 93(1)	\$200	\$1 000
s. 94	\$200	\$1 000
s. 95	\$200	\$1 000
s. 96(1)	\$200	\$1 000
s. 97(1)	\$200	\$1 000
s. 97(2)	\$200	\$1 000
s. 97A(2)	\$500	\$2 500
s. 98	\$200	\$1 000
s. 113	\$100	N/A

## Schedule 2 — Forms

[r. 4 and 5]

### Form 1

<i>Censorship Act 1996 s. 117E(1)</i>			Notice No:	
<b>Infringement Notice</b>				
<b>Alleged offender</b>	Family name:			
	Other names:			
	Address:	No.:	Street name:	
		Suburb:		Postcode:
<b>Alleged offence</b>	Details of alleged offence:			
	Description of alleged offence:			
	Where and when:			
<b>Amount of modified penalty</b>	\$			
<b>Police officer who issued this notice</b>	Name:			
	Signature:			
	Date:			

<b>What you must do</b>	<ol style="list-style-type: none"> <li>1. You may elect to have this matter heard and determined by a court. To do this, complete the details in “<b>Electing action by a court</b>” on the reverse of this notice and return this notice to [details to be inserted here] within 28 days after the service of this notice.</li> <li>2. If you do not wish to have this matter heard and determined by a court you may dispose of this matter within 28 days after the service of this notice by paying the modified penalty (see “<b>Paying the modified penalty</b>” on the reverse of this notice).</li> </ol> <p>Should you not pursue either of the above options within 28 days, additional administrative charges may be incurred and action may be taken to suspend your Motor Driver’s Licence until you have paid in full the modified penalty and any additional charges OR you have elected to have this matter dealt with before a Court.</p>
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*Reverse of Form 1*

<b>Electing action by a court</b>	I elect to have the offence alleged in this notice dealt with by a court. I understand that I may receive a summons for the alleged offence.
	Signature:
	Date:
	Address for service:

<b>Paying the modified penalty</b>	You may pay the modified penalty — <ol style="list-style-type: none"> <li>1. BY POSTING a cheque or money order made payable to [details to be inserted here];</li> <li>OR</li> <li>2. IN PERSON to [details to be inserted here].</li> </ol>
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**Form 2**

<i>Censorship Act 1996 s. 117G(1)</i>		Notice No:	
<b>Withdrawal of Infringement Notice</b>			
<b>To</b> [Details of alleged offender]	Family name:		
	Other names:		
	Address:	No.:	Street name:
	Suburb:		Postcode:
<b>AN INFRINGEMENT NOTICE SERVED ON YOU HAS BEEN WITHDRAWN. ANY PAYMENT THAT HAS BEEN MADE WILL BE REFUNDED AND —</b> <ul style="list-style-type: none"> <li>• <b>NO FURTHER ACTION WILL BE TAKEN*</b></li> <li>• <b>A SUMMONS WILL BE ISSUED*</b></li> </ul> [* delete whichever is not applicable]			
<b>Details of withdrawn notice</b>	Date notice given:		
	Notice number:		
	Alleged offence:		
<b>Authorised person who issued this notice</b>	Name:		
	Signature:		
	Date:		

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.