

LITTER AMENDMENT ACT

No. 18 of 1986

AN ACT to amend the *Litter Act 1979*.

[Assented to 25 July 1986.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title

1. This Act may be cited as the *Litter Amendment Act 1986*.

Commencement

2. (1) Subject to subsection (2), this Act shall come into operation on the 28th day after the day on which it receives the Royal Assent.

(2) Section 5 shall come into operation on such day as is fixed by proclamation.

Principal Act

3. In this Act the *Litter Act 1979** is referred to as the principal Act.

[*Reprinted as approved 20 July 1983.]

Section 5 amended

4. Section 5 of the principal Act is amended in subsection (1)—

(a) by deleting “possessor” in paragraph (b) of the definition of “litter” and substituting the following—

“ the person in possession ”;

(b) by deleting “waste” in the definition of “litter” and substituting the following—

“ like ”; and

(c) by deleting the definitions of “Schedule”, “section” and “subsection”.

Section 9 amended

5. (1) Section 9 of the principal Act is amended—

(a) in subsection (1)—

(i) by deleting “twelve” and substituting the following—

“ 15 ”;

(ii) by deleting paragraph (i) and substituting the following paragraph—

“ (i) one shall be appointed on the nomination of the Permanent Head of the Department through which the *Conservation and Land Management Act 1984* is administered; ”; and

(iii) by inserting after paragraph (k) the following paragraphs—

“ (ka) one shall be appointed on the nomination of the body known as the Trades and Labor Council of Western Australia;

- (kb) one shall be appointed on the nomination of the body known as The Conservation Council of Western Australia (Incorporated);
 - (kc) one shall be appointed to represent the interests of persons as consumers; ”; and
- (b) in subsection (2), by deleting “or (k)” and substituting the following—
- “ , (k), (ka) or (kb) ”.

(2) The member of the Council appointed under section 9 (1) (i) of the principal Act and holding office immediately before the coming into operation of this section ceases to hold office upon the coming into operation of this section.

Section 27 amended

6. Section 27 of the principal Act is amended by inserting after subsection (1) the following subsection—

- “ (1a) Any owner of a vehicle and any person to whom for the time being the possession or control of a vehicle may be entrusted shall, if required by an authorized officer, give any information which it is in his power to give, which may lead to the identification of any person who was driving or who was in charge or control of the vehicle at the time that, or at about the time that, an offence against this Act is alleged to have been committed.

Penalty: \$100 ”.

Section 30 amended

7. Section 30 of the principal Act is amended in subsection (2) by deleting “fourteen” and substituting the following—

“ 30 ”.
