

## **Summary Offences Amendment (Display of Spray Paint Cans) Bill 2006**

### **Explanatory note**

This explanatory note relates to this Bill as introduced into Parliament.

#### Overview of Bill

The object of this Bill is to amend the *Summary Offences Act 1988* to require retailers who sell spray paint cans to properly secure them if they are displayed in areas to which members of the public are permitted access.

Under the new section to be inserted by the proposed Act, a spray paint can is properly secured if it is displayed:

- (a) in a locked cabinet, or
- (b) in or behind a counter so that customers cannot gain access to them without the assistance of shop staff, or
- (c) in any other manner prescribed by the regulations.

The regulations will be able to exempt certain kinds of spray paint cans from the new section and the operation of the new section will be reviewed after 2 years following the commencement of the proposed Act.

#### Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on a day to be appointed by proclamation.

**Clause 3** is a formal provision that gives effect to the amendment to the *Summary Offences Act 1988* set out in Schedule 1.

**Clause 4** provides for the repeal of the proposed Act after it commences. Once the amendment has commenced the proposed Act will be spent and section 30 of the *Interpretation Act 1987* provides that the repeal of an amending Act does not affect any amendments made by that Act.

**Schedule 1** amends the *Summary Offences Act 1988* in the manner described in the above overview.