



New South Wales

Fines Amendment Bill 2016

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 *Fines Act 1996* and provisions of other Acts and a regulation relating to liability for parking and other vehicle offences as follows:

- (a) to recognise that owners of vehicles or vessels who have been issued a penalty notice for an offence committed by another person who was in charge of the vehicle or vessel may nominate that person as the person actually in charge of the vehicle or vessel even though the relevant fine has been paid, and to provide for the consequences of that nomination in particular circumstances,
- (b) to extend the time within which such a nomination may be made to 90 days in a case where the fine is paid,
- (c) to enable civil debt recovery measures to be taken against a fine defaulter before all available action has been taken under driver licence or vehicle registration measures,
- (d) to enable additional fines to be added to existing time to pay arrangements for fine defaulters, subject to a right to request that the extension be discontinued,
- (e) to permit penalty reminder notices and notices of fine enforcement orders to be served at any address that a fine defaulter has provided for other applications related to fine enforcement,
- (f) to make it clear that the Commissioner of Fines Administration may withdraw a penalty notice enforcement order if the penalty notice for the fine is withdrawn under an arrangement with an agency that issues penalty notices,

- (g) to authorise credit reporting bodies to disclose identification and account details about a fine defaulter and to update related terminology in line with Commonwealth legislation,
- (h) to make other minor and consequential amendments, including savings and transitional provisions consequent on the proposed amendments.

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 or days to be appointed by proclamation.

Clause 3 makes it clear that the explanatory notes contained in the Schedules do not form part of the proposed Act.

Schedule 1 Amendment of Fines Act 1996 No 99

Schedule 1 amends the *Fines Act 1996*. The amendments are explained in the explanatory notes relating to the amendments set out in the Schedule.

Schedule 2 Amendment of other Acts and regulation

Schedule 2 amends the *Centennial Park and Moore Park Trust Act 1983*, the *Crown Lands Act 1989*, the *Forestry Act 2012*, the *Impounding Act 1993*, the *Local Government Act 1993*, the *National Parks and Wildlife Act 1974*, the *Parramatta Park Trust Act 2001*, the *Protection of the Environment Operations Act 1997*, the *Protection of the Environment Operations (Noise Control) Regulation 2008*, the *Road Transport Act 2013*, the *Roads Act 1993*, the *Royal Botanic Gardens and Domain Trust Act 1980*, the *Sydney Olympic Park Authority Act 2001* and the *Transport Administration Act 1988* in relation to the matters referred to in paragraph (a) of the Overview. The amendments to each Act and regulation are explained in the explanatory notes relating to the amendments set out in the Schedule.