



New South Wales

Fines Amendment (Electronic Penalty Notices) 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* to allow penalty notices to be issued electronically. The Bill also includes other amendments to the *Fines Act 1996* to consolidate and standardise provisions relating to penalty notices.

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.

Schedule 1 Amendment of Fines Act 1996 No 99

Schedule 1 [6] allows a penalty notice to be issued electronically by sending it to an email address, or a phone number, voluntarily provided by the person to whom the penalty notice is to be issued. A penalty notice can only be issued electronically to a person aged 16 years or more and only by a police officer or by an officer authorised to do so by the agency in which the officer is employed. Schedule 1 [6] also revises the provision describing the nature of a penalty notice. **Schedule 1 [1], [2], [4], [7], [20] and [24]** make consequential amendments.

Schedule 1 [8] and [10] transfer to the *Fines Act 1996* the substance of provisions currently found in specific sections of other Acts providing for the issue of penalty notices. **Schedule 1 [9], [11], [13], [15] and [21]** make consequential amendments.

Schedule 1 [3] and [5] make minor clarifying amendments regarding the officer who may give an official caution instead of issuing a penalty notice.

Schedule 1 [12], [14], [16]–[19], [22] and [23] standardise terminology.