



## NORTHERN TERRITORY OF AUSTRALIA

# A BILL for AN ACT

to amend the *Brands Act*

**B**E it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Brands Amendment Act 1996*.

2. COMMENCEMENT

This Act shall come into operation on a date fixed by the Administrator by notice in the *Gazette*.

3. REGULATORY OFFENCES

Section 58A of the *Brands Act* is amended -

(a) by omitting "An offence" and substituting "(1) An offence"; and

(b) by adding at the end the following:

"(2) The Regulations may designate an offence against the Regulations to be a regulatory offence."

*Brands Amendment Act*

4. NEW SECTION

The *Brands Act* is amended by inserting after section 58A the following:

"58B. INFRINGEMENT OFFENCES AND NOTICES

"(1) An inspector may serve an infringement notice on a person if it appears to the inspector that the person has committed an offence against this Act or the Regulations, being an offence prescribed as an infringement offence.

"(2) An infringement notice is a notice to the effect that, if the person served does not wish to have the matter determined by a court, the person may, within the time and to the person specified in the notice, pay the prescribed penalty for the offence.

"(3) If the person served with an infringement notice pays the prescribed penalty for the alleged offence, the person is not liable to any further proceedings for the alleged offence.

"(4) Payment under this section is not to be regarded as an admission of liability for the purposes of, nor in any way to affect or prejudice, any civil claim, action or proceeding arising out of the same occurrence.

"(5) Subject to this section, Division 2A of Part IV of the *Justices Act* applies to an infringement notice under this section as if this section is a prescribed provision for the purposes of the definition of "infringement notice" in section 60A of that Act."

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