

NORTHERN TERRITORY OF AUSTRALIA

**FINES AND PENALTIES (RECOVERY) AMENDMENT
REGULATIONS 2016**

Subordinate Legislation No. 25 of 2016

Table of provisions

| | | |
|---|---|---|
| 1 | Citation | 2 |
| 2 | Regulations amended..... | 2 |
| 3 | Regulation 14 amended | 2 |
| 4 | Schedule 1 amended..... | 2 |
| 5 | Schedule 2 replaced..... | 3 |
| | Schedule 2 Fines Recovery Unit – payment guidelines | |
| 6 | Schedule 4A inserted | 5 |
| | Schedule 4A Community work hours | |
| 7 | Schedule 5 amended..... | 5 |
| 8 | Regulations further amended | 9 |
| 9 | Expiry of Regulations..... | 9 |

Schedule Regulations further amended



NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 25 of 2016*

Fines and Penalties (Recovery) Amendment Regulations 2016

I, John Laurence Hardy, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Fines and Penalties (Recovery) Act*.

Dated 19 May 2016

J. L. HARDY
Administrator

By His Honour's Command

D. W. TOLLNER
Treasurer
acting for
Attorney-General and Minister for Justice

* Notified in the *Northern Territory Government Gazette* on 20 May 2016.

1 Citation

These Regulations may be cited as the *Fines and Penalties (Recovery) Amendment Regulations 2016*.

2 Regulations amended

These Regulations amend the *Fines and Penalties (Recovery) Regulations*.

3 Regulation 14 amended

- (1) Regulation 14, before "A"

insert

- (1)

- (2) Regulation 14, at the end

insert

- (2) The person ordered to perform community work for a specified number of hours must perform the work within the period specified in Schedule 4A opposite the relevant range of hours to be worked.
- (3) The period within which the work is to be performed begins on the day the Commissioner of Correctional Services assesses the person to be suitable to participate in an approved program.
- (4) The Director may approve an extension of the period mentioned in subsection (2) in special circumstances.

4 Schedule 1 amended

- (1) Schedule 1, list of Acts

insert (in alphabetical order)

Charles Darwin University Act

Control of Roads Act

Darwin Waterfront Corporation Act

Education Act

Fire and Emergency Act

Food Act

Marine Act

Meat Industries Act

Medical Services Act

Medicines, Poisons and Therapeutic Goods Act

Mining Management Act

Petroleum Act

Plant Health Act

Ports Management Act

Prostitution Regulation Act

Public and Environmental Health Act

Summary Offences Act

Waste Management and Pollution Control Act

(2) Schedule 1, lists of Regulations and By-laws

omit

5 Schedule 2 replaced

Schedule 2

repeal, insert

Schedule 2 Fines Recovery Unit – payment guidelines

regulation 9

| Amount of fine or penalty (\$) | Base Payment (weekly) |
|-----------------------------------|--------------------------|
| 1 – 100 | 10% of penalty unit |
| 101 – 180 | 12% of penalty unit |
| 181 – 280 | 14% of penalty unit |
| 281 – 400 | 16% of penalty unit |
| 401 – 540 | 18% of penalty unit |

| | |
|-----------------|----------------------|
| 541 – 700 | 20% of penalty unit |
| 701 – 880 | 22% of penalty unit |
| 881 – 1 080 | 24% of penalty unit |
| 1 081 – 1 300 | 26% of penalty unit |
| 1 301 – 1 540 | 28% of penalty unit |
| 1 541 – 1 800 | 30% of penalty unit |
| 1 801 – 2 080 | 32% of penalty unit |
| 2 081 – 2 380 | 34% of penalty unit |
| 2 381 – 2 700 | 36% of penalty unit |
| 2 701 – 3 040 | 38% of penalty unit |
| 3 041 – 3 400 | 40% of penalty unit |
| 3 401 – 3 780 | 42% of penalty unit |
| 3 781 – 4 180 | 44% of penalty unit |
| 4 181 – 4 600 | 46% of penalty unit |
| 4 601 – 5 040 | 48% of penalty unit |
| 5 041 – 5 500 | 50% of penalty unit |
| 5 501 – 5 980 | 52% of penalty unit |
| 5 981 – 6 480 | 54% of penalty unit |
| 6 481 – 7 000 | 56% of penalty unit |
| 7 001 – 8 000 | 64% of penalty unit |
| 8 001 – 9 000 | 72% of penalty unit |
| 9 001 – 10 000 | 80% of penalty unit |
| 10 001 – 11 000 | 88% of penalty unit |
| 11 001 – 12 000 | 96% of penalty unit |
| 12 001 – 13 000 | 104% of penalty unit |
| 13 001 – 14 000 | 112% of penalty unit |

| | |
|-----------------|----------------------|
| 14 001 – 15 000 | 120% of penalty unit |
| 15 001 – 16 000 | 128% of penalty unit |
| 16 001 – 17 000 | 136% of penalty unit |
| 17 001 – 18 000 | 144% of penalty unit |
| 18 001 – 19 000 | 152% of penalty unit |
| 19 001 – 20 000 | 160% of penalty unit |
| 20 001 and over | 168% of penalty unit |

6 Schedule 4A inserted

After Schedule 4

insert

Schedule 4A Community work hours

regulation 14

| Community Work Hours Ordered | Months to Complete |
|---------------------------------|--------------------|
| 50 or less | 3 |
| 51 – 125 | 6 |
| 126 – 300 | 12 |
| 301 – 375 | 18 |
| 376 – 480 | 24 |

7 Schedule 5 amended

(1) Schedule 5, Form 1

omit

Enforcement Order:

Enforcement Costs:

(2) Schedule 5, Form 1

omit

against you on_____

insert

against you

(3) Schedule 5, Form 1

omit

RCG Building 83-85 Smith Street, Darwin

insert

[*place*]

(4) Schedule 5, Form 1

omit

all words from "\$20 000" to "both"

insert

200 penalty units, being the equivalent of \$(*monetary amount*) or imprisonment for 12 months. See section 109A of the Act

(5) Schedule 5, Form 2

omit

Fine Defaulter Name:

Fine Defaulter Address:

(6) Schedule 5, Form 2

omit

Enforcement Order:

Enforcement Costs:

-
- (7) Schedule 5, Form 2
omit
all words from "**As *an**" to "**you are**"
insert
You or an authorised representative of the fine defaulter corporation are
- (8) Schedule 5, Form 2
omit
the corporation on _____
insert
the corporation
- (9) Schedule 5, Form 2
omit
You are required to produce
insert
You or the authorised representative are required to produce
- (10) Schedule 5, Form 2
omit
You **must attend**
insert
You or the authorised representative **must attend**
- (11) Schedule 5, Form 2
omit
RCG Building 83-85 Smith Street, Darwin
insert
[place]

(12) Schedule 5, Form 2

omit

all words from "**an officer/former officer**" to "**the officer/former officer**"

insert

an authorised representative of the fine defaulter corporation with this examination summons by delivering a true copy of the examination summons personally to the authorised representative

(13) Schedule 5, Form 6

omit

Enforcement Order:

Enforcement Costs:

(14) Schedule 5, Form 6

omit

all words from "The fine defaulter" to "outstanding."

(15) Schedule 5, Form 6

omit

\$2

insert

\$(*monetary amount*)

(16) Schedule 5, Form 7

omit

Enforcement Order:

Enforcement Costs:

(17) Schedule 5, Form 7

omit

by \$100

insert

at the rate of the monetary value of 2 penalty units, being the equivalent of \$(*monetary value*),

(18) Schedule 5, Form 7

omit

every \$100

insert

every \$(*monetary amount*), being the equivalent of 2 penalty units, owed

(19) Schedule 5, Form 8

omit

\$100

insert

\$(*monetary amount*), being the equivalent of 2 penalty units, owed

8 Regulations further amended

The Schedule has effect.

9 Expiry of Regulations

These Regulations expire on the day after they commence.

