

Version No. 010
Infringements (General) Regulations 2006
S.R. No. 76/2006

Version incorporating amendments as at 14 July 2008

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PART 1—PRELIMINARY

1 Objective

The objective of these Regulations is to prescribe—

- (a) lodgeable infringement offences for the purposes of the **Infringements Act 2006**;
- (b) fees, costs and charges payable under that Act;
- (c) details that must be included in a range of documents relating to the enforcement of infringement penalties under that Act;
- (d) procedural matters relating to oral examination, attachment of earnings orders and attachment of debts orders under that Act;
- (e) procedural and administrative matters relating to community work permits issued under that Act;
- (f) other matters required to be prescribed under that Act.

2 Authorising provision

These Regulations are made under section 168 of the **Infringements Act 2006**.

3 Commencement

These Regulations come into operation on 1 July 2006.

4 Revocation

- (1) Regulation 401 of the Magistrates' Court General Regulations 2000¹ is **revoked**.
- (2) Parts 10 and 12 of the Magistrates' Court General Regulations 2000 are **revoked**.
- (3) Schedules 6, 7, 9 and 11 to the Magistrates' Court General Regulations 2000 are **revoked**.
- (4) In the table to regulation 7 of the Magistrates' Court (Fees, Costs and Charges) Regulations 2001²—
 - (a) **omit** the heading "Fees and Costs for enforcement of infringement penalties"; and
 - (b) the items numbered 15, 16, 17 and 18 are **revoked**.

5 Definitions

In these Regulations—

the Act means the **Infringements Act 2006**;

drug of dependence has the same meaning as it has in section 4 of the **Drugs, Poisons and Controlled Substances Act 1981**;

Infringements Court has the same meaning as it has in section 3 of the **Magistrates' Court Act 1989**;

Regional Manager means Regional Manager appointed under Part 4 of the **Corrections Act 1986**.

**PART 2—DEFINED TERMS FOR THE PURPOSES OF
THE ACT**

6 Enforcement agencies

A person or body or class of person or body described or specified in Schedule 1 is a prescribed person or body or class of person or body (as the case requires) for the purposes of paragraph (c) of the definition of *enforcement agency* in section 3 of the Act.

7 Criteria for determining homelessness

For the purposes of paragraph (c) of the definition of *special circumstances* in section 3 of the Act, the prescribed criteria for determining that a person is homeless is that the person satisfies one or more of the following—

- (a) the person is living in crisis accommodation; or
- (b) the person is living in transitional accommodation; or
- (c) the person is living in any other accommodation provided under the Supported Accommodation Assistance Act 1994 of the Commonwealth; or
- (d) the person has inadequate access to safe and secure housing as defined in section 4 of the Supported Accommodation Assistance Act 1994 of the Commonwealth.

8 Specified agencies

For the purposes of section 164(1)(b) of the Act, a person or body described or specified in Schedule 2 is prescribed as a specified agency.

PART 3—FEES, COSTS AND CHARGES

9 Prescribed costs

For the purposes of the definition of *prescribed costs* in section 3 of the Act, the prescribed costs in respect of an infringement penalty are—

- (a) for the purposes of section 29(4) of the Act, when a penalty reminder notice is served in respect of an infringement penalty, 1·8 fee units; and
- (b) for the purposes of section 54(1) of the Act, when details of any outstanding amount of an infringement penalty are lodged in respect of a lodgeable infringement offence, 3·9 fee units; and
- (c) for the purposes of section 59(1) of the Act, when an enforcement order is made, 2·1 fee units.

10 Warrant issue fee

For the purposes of section 81(1) of the Act, the prescribed fee for the issue of an infringement warrant is 4·4 fee units.

11 Exemption from fees, costs and charges

- (1) The following persons are exempt from the fees, costs and charges specified in regulation 9—
 - (a) a police member acting in the course of his or her duty; and
 - (b) a person acting for or by authority of the Crown.

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Part 3—Fees, Costs and Charges

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- (2) Despite subregulation (1), any fee, cost or charge which is a prescribed cost that would otherwise be payable under regulation 9, is payable by the person who is liable to pay the infringement penalty to which the prescribed cost relates.
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PART 4—LODGEABLE INFRINGEMENT OFFENCES

12 Lodgeable infringement offences prescribed

An offence against an Act, regulation or other instrument listed in an item in Schedule 3 is a lodgeable infringement offence for the purposes of enforcement under the Act.

Note

See also section 207 of the Act.

PART 5—GOING TO COURT

13 Information to be lodged with the Court

For the purposes of section 40(1)(a) of the Act, the prescribed information that an enforcement agency must lodge with the Court is—

- (a) in respect of the offender, the offender's name and address; and
 - (b) in respect of the infringement offence alleged to have been committed—
 - (i) the date, approximate place and, if available, approximate time of the infringement offence; and
 - (ii) the relevant provision of the Act or other instrument that creates the infringement offence; and
 - (iii) a brief description of the infringement offence; and
 - (c) in respect of the enforcement agency—
 - (i) the name of the enforcement agency; and
 - (ii) either the name of the issuing officer or the agency identifying reference of the issuing officer (if any).
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**PART 6—LODGING INFRINGEMENT PENALTIES AND
ENFORCEMENT ORDERS**

**14 Prescribed minimum lodgeable infringement
penalty amount**

For the purposes of section 54(1)(a) of the Act, the prescribed minimum infringement penalty amount is \$10.

15 Enforcement order notice

For the purposes of section 60(3)(d) of the Act, the prescribed details which an enforcement order notice must contain are—

- (a) that it is an enforcement order notice;
- (b) the name and address of the person against whom the enforcement order is made, and
- (c) if the person—
 - (i) is a natural person, his or her date of birth (if known); or
 - (ii) is a body corporate, its ACN (if known);
- (d) the date of the enforcement order;
- (e) the Infringements Court case number;
- (f) the infringement notice number, constituting the agency identifying reference;
- (g) the date, approximate place and, if available, approximate time of the infringement offence alleged to have been committed;
- (h) the amount of the unpaid infringement penalty and any prescribed costs;
- (i) the manner in which the infringement penalty and prescribed costs may be paid;

- (j) that an additional fee will be incurred if an infringement warrant is issued;
- (k) a statement that if the person served with an enforcement order notice does not understand the document, that person should seek advice from a Registrar of the Court, a lawyer or Victoria Legal Aid.

Note

Section 60(3) of the Act sets out details of further information that the enforcement order notice must contain.

16 Prescribed information when matter referred to Court

For the purposes of section 71(1) of the Act, the prescribed information which an infringements registrar must lodge with the Court is—

- (a) in respect of the offender, the offender's name and address; and
- (b) in respect of the infringement offence alleged to have been committed—
 - (i) the date, approximate place and, if available, approximate time of the infringement offence; and
 - (ii) the relevant provision of the Act or other instrument that creates the infringement offence; and
 - (iii) a brief description of the infringement offence; and
- (c) in respect of the enforcement agency—
 - (i) the name of the enforcement agency; and
 - (ii) either the name of the issuing officer or the agency identifying reference of the issuing officer (if any).

PART 7—INFRINGEMENT WARRANTS

17 Electronic infringement warrant

For the purposes of section 84(3) of the Act, the prescribed particulars are the outstanding amount of the fine under the infringement warrant, including the lawful costs of execution.

18 Seven-day notice—prescribed details

For the purposes of section 88(1)(a) of the Act, the prescribed details which a seven-day notice must contain are—

- (a) that it is a seven-day notice;
- (b) the date of the seven-day notice;
- (c) the manner in which the outstanding amount of the fine may be paid;
- (d) the manner in which a natural person may apply for a payment order;
- (e) the manner in which a person may apply for revocation of the enforcement order;
- (f) a statement that if the person served with a seven-day notice does not understand the document, he or she should seek advice from a Registrar of the Court, a lawyer or Victoria Legal Aid.

Note

Section 88(3) of the Act sets out details of further information that the seven-day notice must contain.

19 Prescribed persons

For the purposes of section 91(1)(b)(ii) of the Act, a deputy sheriff is a prescribed person.

20 Consent to seizure of personal property

For the purposes of section 93(3)(a) of the Act, the prescribed details to be contained in a written statement are—

- (a) the name and address of the person against whom the infringement warrant is or infringement warrants are issued;
- (b) the infringement warrant number or numbers;
- (c) a summary of the prohibition under section 42 of the **Supreme Court Act 1986** against the seizure or taking of personal property used primarily as a means of transport;
- (d) a statement that, despite section 42 of the **Supreme Court Act 1986**, a person against whom an infringement warrant has, or infringement warrants have, been issued may consent to the seizure or taking of such property;
- (e) a statement that if consent is given, the personal property that is seized or taken will be sold at public auction, and the proceeds of such sale will be applied to the infringement warrant or infringement warrants and any lawful costs of execution;
- (f) a statement that if the proceeds of the sale are insufficient to discharge the infringement warrant or infringement warrants, a further demand for payment may be made on the person, and if payment is not made or additional personal property is not provided to satisfy the debt, the person may be imprisoned;

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- (g) a statement that if the proceeds of sale exceed the amount or amounts in the infringement warrant or infringement warrants and the lawful costs of execution, the remaining amount will be paid to the person;
 - (h) a statement that, should the person consent to the seizure or taking of personal property used primarily as a means of transport, the person consenting will be asked by a person authorised to execute the infringement warrant or infringement warrants to sign a consent in accordance with section 93(2) of the Act.

Note

Section 93(3) of that Act sets out the circumstances in which consent will be effective.

**PART 8—DETENTION, IMMOBILISATION AND SALE OF
MOTOR VEHICLES**

**21 Recovery and seizure and sale of detained or
immobilised vehicle**

For the purposes of sections 100(1) and 101(1) of
the Act, the prescribed period is 7 days.

PART 9—ORAL EXAMINATION

22 Statement of financial circumstances

- (1) For the purposes of section 120(2)(d) of the Act, the prescribed details to be included in a written statement setting out the financial circumstances of a natural person are—
- (a) the name and address and, if known, the date of birth of the person;
 - (b) whether the person is renting at the address stated;
 - (c) the number of dependants in that person's care (if any);
 - (d) any land or building which the person owns or is buying;
 - (e) any motor vehicle which the person owns or is buying;
 - (f) any money which the person is owed;
 - (g) the employment status of the person, including the name of the person's employer or of the person's previous employer;
 - (h) the income of the person after tax and compulsory superannuation is deducted, including any sources of income apart from that person's primary employment;
 - (i) details of any accounts held by the person at a financial institution;
 - (j) any cash money readily available to the person;
 - (k) details of any other property or assets held by the person;
 - (l) the weekly expenses of the person;

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- (m) whether there are any unpaid court orders or fines against the person;
 - (n) details of any other sums of money owed by the person;
 - (o) details of any business in which the person has an interest.
- (2) For the purposes of section 120(2)(d) of the Act, the prescribed details to be included in a written statement setting out the financial circumstances of a body corporate are—
- (a) the name and address of the officer of the body corporate being examined;
 - (b) the position held by the officer in the body corporate;
 - (c) the address of the registered office of the body corporate;
 - (d) whether the body corporate is registered at the Australian Securities and Investment Commission, and the ACN of the body corporate;
 - (e) whether the body corporate is still trading;
 - (f) the nature of the business of the body corporate;
 - (g) the address at which the body corporate conducts its business;
 - (h) the body corporate's average weekly turnover;
 - (i) any money owed to the body corporate;
 - (j) details of any accounts held by the body corporate at any financial institution;
 - (k) the most up to date balance sheet available for the body corporate;
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- (l) details of any other assets held by the body corporate;
 - (m) whether there is a registered debenture over the assets of the body corporate;
 - (n) whether there are any unpaid court orders or fines against the body corporate;
 - (o) details of any other sums of money owed by the body corporate;
 - (p) details of any profit and loss statement produced for the body corporate.
- (3) For the purposes of section 120(2)(e) of the Act, the prescribed details to be contained in a summons are—
- (a) the name and address of the person being summonsed;
 - (b) the infringement warrant number or numbers;
 - (c) the date of the enforcement order or enforcement orders, the infringement court number or numbers of the enforcement order or enforcement orders, and the amount of infringement penalty and prescribed costs ordered to be paid;
 - (d) a record of any amounts paid by the person since the enforcement order or enforcement orders were made, and the amount or amounts that remain outstanding under any enforcement order or enforcement orders made;
 - (e) a statement that the person is summonsed to attend before the Court to be orally examined about the person's financial circumstances;
 - (f) the date of issue of the summons.
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**PART 10—ATTACHMENT OF EARNINGS ORDERS AND
ATTACHMENT OF DEBTS ORDERS**

Division 1—Application of Part 10 of the Act

23 Application of Part 10

For the purposes of section 122 of the Act, the prescribed amount is \$1000.

Division 2—Attachment of earnings orders

24 Application for attachment of earnings order

An application for an attachment of earnings order under section 123(3)(b) of the Act must include the following details—

- (a) that it is an application for an attachment of earnings order;
- (b) the date of the application;
- (c) the name and address of the person making the application;
- (d) the name and address of the person in respect of whom the attachment of earnings order is sought;
- (e) the infringement warrant number or numbers;
- (f) the outstanding amounts of the fine;
- (g) a statement that—
 - (i) a seven-day notice has been served on the person in respect of whom the attachment of earnings order is sought; and
 - (ii) a period of 7 days after service of that notice has expired; and

- (iii) the person has not—
 - (A) paid the amount outstanding under the infringement warrant or infringement warrants; or
 - (B) applied for a payment order for the payment of the amount outstanding under the infringement warrant or infringement warrants; or
 - (C) applied for revocation of the enforcement order.

25 Discharge, variation or suspension of attachment of earnings order

- (1) For the purposes of section 126 of the Act, if an attachment of earnings order is in force, an infringements registrar may vary, discharge or suspend the order—
 - (a) on his or her own motion; or
 - (b) on the application of—
 - (i) the sheriff; or
 - (ii) an enforcement agency; or
 - (iii) the person against whom an infringement warrant has been issued.
- (2) An order made pursuant to section 126 of the Act suspending or varying an attachment of earnings order must be served on—
 - (a) the applicant; and
 - (b) the person in respect of whom the attachment of earnings order is made; and
 - (c) the person to whom the attachment of earnings order is directed.

26 Cessation of attachment of earnings order

- (1) An attachment of earnings order ceases to have effect—
 - (a) on being discharged under section 126 of the Act; or
 - (b) if the outstanding amount of the fine is paid in full.
- (2) If an attachment of earnings order ceases to have effect, the infringements registrar must as soon as possible, serve written notice on the person to whom the attachment of earnings order was directed.
- (3) If an attachment of earnings order ceases to have effect, the person to whom the attachment of earnings order is directed does not incur any liability in consequence of treating the order as still in force at any time before the expiration of 7 days after the day on which the notice required by subregulation (2) or a copy of the order discharging the attachment of earnings order, as the case requires, is served on that person.

Division 3—Attachment of debts orders

27 Application for attachment of debts order

An application for an attachment of debts order under section 129(3)(b) of the Act must include the following details—

- (a) that it is an application for an attachment of debts order;
- (b) the date of the application;
- (c) the name and address of the person making the application;
- (d) the name and address of the garnishee;

- (e) the infringement warrant number or numbers;
- (f) the outstanding amount of the fine;
- (g) a statement that a seven-day notice has been served on the person in respect of whom the attachment of debts order is sought, that a period of 7 days after service of the seven-day notice has expired and the person has not—
 - (i) paid the amount outstanding under the infringement warrant or warrants; or
 - (ii) applied for a payment order for the payment of the amount outstanding under the infringement warrant; or
 - (iii) applied for revocation of the enforcement order.

28 Variation, discharge or suspension of attachment of debts order

- (1) For the purposes of section 132 of the Act, if an attachment of debts order is in force, an infringements registrar may vary, discharge or suspend the order—
 - (a) on his or her own motion; or
 - (b) on the application of—
 - (i) the sheriff; or
 - (ii) an enforcement agency; or
 - (iii) the person against whom an infringement warrant has been issued.
- (2) If an infringements registrar makes an order pursuant to section 132 of the Act varying, discharging or suspending an attachment of debts order, the order to vary, discharge or suspend the attachment of debts order must be served on—

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- (a) the applicant; and
 - (b) the person in respect of whom the attachment of debts order is made; and
 - (c) the garnishee.

29 Discharge of garnishee

Any payment made by a garnishee in compliance with, and any execution levied against a garnishee under, an attachment of debts order is a valid discharge of the garnishee's liability to the person against whom an infringement warrant has been issued to the extent of the amount paid or levied even if subsequently the attachment of debts order is varied, suspended or discharged.

**PART 11—CHARGES OVER AND SALE OF REAL
PROPERTY**

**30 Prescribed amount for the purposes of Part 11 of
the Act**

For the purposes of section 134(a) of the Act, the prescribed amount is \$10 000.

31 Notice of intention to sell land

For the purposes of section 144(2)(a) of the Act, the prescribed particulars to be contained in a notice of intention to sell land are—

- (a) the name and address and, if known, the date of birth of the person whose interest in land is subject to a charge under Part 11 of the Act;
- (b) a statement that the Court has made an order permitting the sheriff to sell the land described in the notice under section 143(2) of the Act, and, in respect of that order—
 - (i) the date it was made;
 - (ii) the venue of the Court;
 - (iii) a summary of the order;
 - (iv) a description of the land to which the order relates;
- (c) the infringement warrant number or numbers.

Note

Section 144(2)(c) of the Act requires a notice of intention to sell land to state the amount owing at the date of the notice, that the sale will not proceed if payment is made within one month of the service of the notice, and the address where payment may be made.

32 Service of notice of intention to sell land

For the purposes of section 144(2)(b) of the Act, a notice of intention to sell land required under section 144(1) of the Act must be served personally.

PART 12—COMMUNITY WORK PERMITS

33 Regional Manager to keep records

For the purposes of Part 12 of the Act, the Regional Manager of a region in which a community corrections centre is located must keep accurate records of—

- (a) the dates and hours on which each infringement offender who is subject to a community work permit—
 - (i) has satisfactorily performed unpaid community work; or
 - (ii) has not satisfactorily performed unpaid community work; and
- (b) the times at which each infringement offender who is subject to a community work permit attends at the community corrections centre or at other places that he or she is required by the Regional Manager to attend.

34 Lawful instructions and directions

- (1) Subject to subregulation (2), a lawful instruction or direction given to an infringement offender by a community corrections officer under section 149(f) of the Act must be—
 - (a) in writing; and
 - (b) signed by the community corrections officer.
- (2) A lawful instruction or direction may be given orally to an infringement offender in the presence and hearing of a witness if, due to the urgent need to give the instruction or direction or because of other exceptional circumstances, it is not possible for the instruction or direction to be given in writing.

35 Matters to be specified in community work permit

- (1) In addition to the matters required by section 148 of the Act, a community work permit must specify the following matters—
- (a) that it is a community work permit;
 - (b) the name and address of the infringement offender, and, if known—
 - (i) the infringement offender's date of birth; and
 - (ii) the infringement offender's driver licence number if the offender has a driver licence;
 - (c) the date on which, and place at which, the community work permit was issued;
 - (d) the date on which the community work permit commences;
 - (e) a statement to the effect that the community work permit was issued because the infringement offender consented to perform unpaid community work in respect of outstanding fines under one or more infringement warrants;
 - (f) that the infringement offender must report to the community corrections centre specified in the community work permit by the time and on the date specified in the work permit;
 - (g) the total number of outstanding infringement warrants to which the community work permit applies;
 - (h) a summary of the core conditions that apply to a community work permit under section 149 of the Act and of the program condition of a community work permit under section 150 of the Act;
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- (2) The infringement offender must sign the statement referred to in subregulation (1)(e) if he or she consents to perform unpaid community work in respect of the outstanding fines specified in the community work permit.

36 Commencement of community work permit

- (1) A community work permit commences on the day it is issued.
- (2) A copy of a community work permit must be given to the infringement offender at the time it is issued.

37 Application for variation or cancellation of community work permit

- (1) For the purposes of section 155(1)(b) of the Act a community corrections officer is a prescribed person.
- (2) An application for variation or cancellation of a community work permit under section 155 of the Act must specify the following matters—
- (a) the date of the application;
 - (b) the name of the applicant;
 - (c) the date on which the community work permit sought to be varied or cancelled was issued, and the date on which it ends;
 - (d) the reasons why the applicant wants the community work permit to be varied or cancelled, as the case may be;
 - (e) the signature of the applicant.
- (3) The community work permit must be attached to, and forms part of, an application for variation or cancellation.

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- (4) The applicant must serve a copy of the application and the details of the date and place of the hearing on the infringement offender or prescribed person (as the case may be) at least 14 days prior to the hearing.
 - (5) The applicant must serve a copy of the application on an infringements registrar before the hearing date.

37A Community corrections officer prescribed person for purposes of filing charge

For the purposes of section 156(1) of the Act, a community corrections officer is a prescribed person.

Reg. 37A
inserted by
S.R. No.
145/2006
reg. 3.

38 How fines on community work permit can be paid

- (1) A person may pay a fine in respect of which a community work permit is in force by payment—
 - (a) in person at a community corrections centre between 10.00 a.m. and 2.30 p.m. on any Monday to Friday other than on a public holiday; or
 - (b) by post to a community corrections centre.
- (2) Subject to subregulation (3), payment under subregulation (1) must be made—
 - (a) in cash; or
 - (b) by bank cheque (marked "not negotiable") made payable to the Department of Justice; or
 - (c) by money order made payable to the Department of Justice.
- (3) A payment by bank cheque is not made until the bank cheque is honoured on presentation to the relevant bank.

39 Copies of community work permits to be provided to Regional Manager

- (1) On the day a community work permit is issued in respect of an infringement offender under section 148 of the Act, the sheriff must cause a copy of the community work permit to be given to the Regional Manager of the community corrections centre where the infringement offender is to carry out the unpaid community work under the community work permit.
- (2) For the purposes of section 162(1)(c) of the Act, a document referred to in subregulation (1) may be given to the Regional Manager by facsimile or other form of electronic communication.

40 Nature of unpaid community work

- (1) An infringement offender may be required under a community work permit to perform unpaid community work—
 - (a) at a hospital, educational or charitable institution or for any other non-profit body; or
 - (b) at the home of any socially disadvantaged or disabled person or any institution for such persons; or
 - (c) on any Crown land or land occupied by the Crown; or
 - (d) on any land owned, leased or occupied for a public purpose by any person or body under any Act.
 - (2) An infringement offender must not be required to perform work of a nature that would normally be performed by paid labour.
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41 Obligations of infringement offender subject to community work permit

An infringement offender who is required under a community work permit to attend at a community corrections centre or other place or to perform unpaid community work must—

- (a) obey all lawful instructions and directions of the Regional Manager of the Community Corrections Centre; and
- (b) not consume any alcoholic substance or drug of dependence—
 - (i) for at least 8 hours before attending at the centre or other place; or
 - (ii) when attending at the centre or other place; or
 - (iii) when performing unpaid community work; and
- (c) not bring any alcoholic substance or drug of dependence to any place where an educational or other program is provided under the community work permit; and
- (d) not bring any alcoholic substance or drug of dependence to any place where unpaid community work is to be performed under the community work permit; and
- (e) not leave any place where he or she is performing unpaid community work under the community work permit without the permission of the Regional Manager or the community corrections officer to whom he or she is required to report under the community work permit; and

-
- (f) as soon as practicable, notify the Regional Manager or a community corrections officer at the community corrections centre concerned if he or she is unable to attend at the centre or as otherwise directed on any occasion required under the community work permit; and
 - (g) as soon as practicable, notify the Regional Manager or a community corrections officer at the community corrections centre concerned if he or she is delayed in attending at the centre or as otherwise directed on any occasion required under the community work permit; and
 - (h) when next attending at the community corrections centre, produce a medical certificate signed by a doctor if, as a result of illness, he or she does not attend at the centre or as otherwise directed on any occasion required under the community work permit; and
 - (i) not enter the administrative offices of a community corrections centre without first obtaining permission from the Regional Manager or a community corrections officer.
-

PART 13—GENERAL

42 Service

For the purposes of section 162(1)(c) of the Act, the prescribed manner by which a document required or permitted by the Act to be given or served may be served is by leaving it at the last or most usual place of residence or business of the person to be served, with a person—

- (a) who apparently resides at or works at the residence or business, as the case may be; and
- (b) who appears to be not less than 18 years of age.

43 Expiry

These Regulations expire and cease to have any force or effect on 17 July 2011.

SCHEDULES

SCHEDULE 1

Regulation 6

ENFORCEMENT AGENCIES

1. The police force of Victoria.
 2. Each of the following administrative units or groups within the police force of Victoria—
 - (a) Firearms Licensing Service;
 - (b) Toll Enforcement Office;
 - (c) Traffic Camera Office.
 3. A Council within the meaning of the **Local Government Act 1989**.
 4. An Administrative Office within the meaning of the **Public Administration Act 2004**.
 5. An Administrative Office Head within the meaning of the **Public Administration Act 2004**.
 6. A Department within the meaning of the **Public Administration Act 2004**.
 7. A Department Head within the meaning of the **Public Administration Act 2004**.
 8. Each of the following within the Department of Infrastructure—
 - (a) Marine Safety Victoria;
 - (b) Victorian Taxi Directorate.
 9. Each of the following within the Department of Justice—
 - (a) Consumer Affairs Victoria;
 - (b) Liquor Licensing Victoria;
 - (c) Trade Measurement Victoria.
-

-
10. An institution specified in Schedule 1 to the **Tertiary Education Act 1993**.
 11. The college affiliated to the University of Melbourne known as Queen's College.
 12. A body that is a TAFE college within the meaning of the **Vocational Education and Training Act 1990** or an administrative unit that is the TAFE division of a university with a TAFE division within the meaning of that Act.
 13. A Board within the meaning of the **Alpine Resorts (Management) Act 1997**.
 14. The Alpine Resorts Co-ordinating Council established under Part 3 of the **Alpine Resorts (Management) Act 1997**.
 15. A port corporation within the meaning of the **Port Services Act 1995**.
 16. The local authority within the meaning of the **Marine Act 1988** known as Gippsland Ports.
 17. VicUrban.
 18. Melbourne Market Authority.
 19. Energy Safe Victoria.
 20. Parks Victoria.
 21. Roads Corporation.
 22. The House Committee within the meaning of the **Parliamentary Committees Act 2003**.
 23. Victorian Arts Centre Trust.
 24. Victorian College of the Arts.
 25. Victorian WorkCover Authority.
 26. A hospital listed in Schedule 1, 2 or 3 to the **Health Services Act 1988**.
-

Sch. 1

27. The Public Transport Division of the Department of
Infrastructure.

SCHEDULE 2

Regulation 8

**SPECIFIED AGENCIES FOR THE PURPOSES OF
SECTION 164**

Sch. 2
amended by
S.R. No.
145/2006
reg. 4.

<i>No.</i>	<i>Agency name</i>
1.	Baw Baw Shire Council
2.	Banyule City Council
3.	Bayside City Council
4.	Borough of Queenscliffe
5.	Brimbank City Council
6.	Buloke Shire Council
7.	Campaspe Shire Council
8.	Central Goldfields Shire Council
9.	City of Ballarat
10.	City of Boroondara
11.	City of Darebin
12.	City of Greater Dandenong
13.	City of Hobsons Bay
14.	City of Melbourne
15.	City of Monash
16.	City of Moonee Valley
17.	City of Port Phillip
18.	City of Whitehorse
19.	City of Whittlesea
20.	City of Wodonga
21.	Colac–Otway Shire
22.	Consumer Affairs Victoria
23.	Corangamite Shire
24.	Delatite Shire
25.	Department of Primary Industries

Infringements (General) Regulations 2006
S.R. No. 76/2006

Sch. 2

<i>No.</i>	<i>Agency name</i>
26.	Department of Sustainability and Environment
27.	East Gippsland Shire Council
28.	Environment Protection Authority
29.	Frankston City Council
30.	Gannawarra Shire Council
31.	Gippsland Ports Committee of Management
32.	Glen Eira City Council
33.	Glenelg Shire Council
34.	Golden Plains Shire
35.	Greater Bendigo City Council
36.	Greater Dandenong City Council
36A.	Greater Geelong City Council
37.	Greater Shepparton City Council
38.	Hepburn Shire Council
39.	Horsham Rural City Council
40.	Hume City Council
41.	Indigo Shire Council
42.	Kingston City Council
43.	Knox City Council
44.	La Trobe City Council
45.	Loddon Shire Council
46.	Macedon Ranges Shire Council
47.	Manningham City Council
48.	Maribyrnong City Council
49.	Maroondah Shire Council
50.	Marine Board of Victoria
51.	Melbourne City Council
52.	Mildura Rural City Council
53.	Moira Shire
54.	Monash City Council

Infringements (General) Regulations 2006
S.R. No. 76/2006

Sch. 2

<i>No.</i>	<i>Agency name</i>
55.	Moorabool Shire Council
56.	Mount Alexander Shire Council
57.	Mornington Peninsula Shire Council
58.	Moyne Shire Council
59.	Nillumbik Shire Council
60.	Northern Grampians Shire Council
61.	Office of Housing
62.	Pyrenees Shire Council
63.	Rural City of Ararat
64.	Rural City of Wangaratta
65.	Shire of Strathbogie
66.	Shire of Yarra Ranges
67.	South Gippsland Shire Council
68.	Southern Grampians Shire Council
69.	Stonnington City Council
70.	Surf Coast Shire
71.	Swan Hill Rural City Council
72.	Towong Shire
73.	Victorian Taxi Directorate
74.	Warrnambool City Council
75.	Wellington Shire Council
76.	West Wimmera Shire Council
77.	Wodonga Institute of TAFE
78.	Wyndham City Council
79.	Yarra City Council
80.	Yarriambiack Shire Council

Sch.3

Sch. 3
amended by
S.R. No.
103/2006
reg. 4(1)(2),
substituted by
S.R. No.
145/2006
reg. 5.

SCHEDULE 3

Regulation 12

LODGEABLE INFRINGEMENT OFFENCES

1 Casino Control Act 1991

1.1 Section 77(1).

2 Estate Agents Act 1980

2.1 Section 70B.

Sch. 3 item 2.2
amended by
S.R. No.
105/2007
reg. 4(1).

2.2 Regulations 23(1), 26, 27(1), 29, 32, 36 and 37 of
the Estate Agents (General, Accounts and Audit)
Regulations 1997³.

3 Extractive Industries Development Act 1995

3.1 Sections 8(a), 8(b), 9(2), 44(1)(b), 52(1)
and 52(2).

Sch. 3 item 3.2
inserted by
S.R. No.
105/2007
reg. 4(2).

3.2 Regulation 11 of the Extractive Industries
Development Regulations 2007⁴.

3A Firearms Act 1996

Sch. 3 item 3A
inserted by
S.R. No.
85/2008
reg. 4(1).

3A.1 Sections 40(2), 75(3), 87(5), 87(6), 88, 97, 124(1),
124(2), 124(3), 139.

4 Fisheries Act 1995

4.1 Section 53(1) being an offence to which
paragraph (c) of section 53(1) applies constituted
by a failure to comply with a licence condition
imposed by regulation 301(2)(a) of the Fisheries
Regulations 1998⁵.

-
- 4.2 Section 53(1) being an offence to which paragraph (c) of section 53(1) applies constituted by a failure to comply with a licence condition imposed by regulation 301(2)(b) of the Fisheries Regulations 1998.
- 4.3 Section 53(1) being an offence to which paragraph (c) of section 53(1) applies constituted by a failure to comply with a licence condition imposed by regulation 301(2)(d) of the Fisheries Regulations 1998.
- 4.4 Section 53(1) being an offence to which paragraph (c) of section 53(1) applies constituted by a failure to comply with a licence condition imposed by regulation 302(2)(a) of the Fisheries Regulations 1998.
- 4.5 Section 53(1) being an offence to which paragraph (c) of section 53(1) applies constituted by a failure to comply with a licence condition imposed by regulation 302(2)(b) of the Fisheries Regulations 1998.
- 4.6 Section 53(1) being an offence to which paragraph (c) of section 53(1) applies constituted by a failure to comply with a licence condition imposed by regulation 302(2)(c) of the Fisheries Regulations 1998.
- 4.7 Section 53(1) being an offence to which paragraph (c) of section 53(1) applies constituted by a failure to comply with a licence condition imposed by regulation 302(2)(f) of the Fisheries Regulations 1998.
- 4.8 Section 53(1) being an offence to which paragraph (c) of section 53(1) applies constituted by a failure to comply with a licence condition imposed by regulation 302(2)(g) of the Fisheries Regulations 1998.
-

- 4.9 Section 53(1) being an offence to which paragraph (c) of section 53(1) applies constituted by a failure to comply with a licence condition imposed by regulation 302(2)(h) of the Fisheries Regulations 1998.
 - 4.10 Section 53(1) being an offence to which paragraph (c) of section 53(1) applies constituted by a failure to comply with a licence condition imposed by regulation 302(2)(i) of the Fisheries Regulations 1998.
 - 4.11 Section 53(1) being an offence to which paragraph (c) of section 53(1) applies constituted by a failure to comply with a licence condition imposed by regulation 314(2)(d)(i) of the Fisheries Regulations 1998.
 - 4.12 Section 53(1) being an offence to which paragraph (c) of section 53(1) applies constituted by a failure to comply with a licence condition imposed by regulation 314(2)(d)(ii) of the Fisheries Regulations 1998.
 - 4.13 Section 53(1) being an offence to which paragraph (c) of section 53(1) applies constituted by a failure to comply with a licence condition imposed by regulation 314(2)(e)(i) of the Fisheries Regulations 1998.
 - 4.14 Section 53(1) being an offence to which paragraph (c) of section 53(1) applies constituted by a failure to comply with a licence condition imposed by regulation 314(2)(e)(ii) of the Fisheries Regulations 1998.
 - 4.15 Section 53(1) being an offence to which paragraph (c) of section 53(1) applies constituted by a failure to comply with a licence condition imposed by regulation 314(2)(j) of the Fisheries Regulations 1998.
-

- 4.16 Section 53(1) being an offence to which paragraph (c) of section 53(1) applies constituted by a failure to comply with a licence condition imposed by regulation 314(2)(k) of the Fisheries Regulations 1998.
- 4.17 Section 53(1) being an offence to which paragraph (c) of section 53(1) applies constituted by a failure to comply with a licence condition imposed by regulation 335(2)(f) of the Fisheries Regulations 1998.
- 4.18 Section 67(3) constituted by a contravention of regulation 506(2) of the Fisheries Regulations 1998.
- 4.19 Section 114(3) constituted by a contravention of regulation 507(1)(e) of the Fisheries Regulations 1998.
- 4.20 Section 114(3) constituted by a contravention of regulation 507(1)(t) of the Fisheries Regulations 1998.
- 4.21 Sections 118A, 118B(1), 118B(2), 120A(4), 120AA(2), 120AA(3), 120AB(2), 120AC(2), 120AC(3), 120B and 120C(2).
- 4.22 Regulations 522(2A), 533(5)(a), 533(5)(b), 533(5)(c), 533(6)(a), 533(6)(b), 533(6)(c) and 543(1) of the Fisheries Regulations 1998.

5 Gambling Regulation Act 2003

- 5.1 Sections 3.8.1(1) and 8.6.3(2).

5A Graffiti Prevention Act 2007

- 5A.1 Sections 7(1) and 10(2).

Sch. 3 item 5A
inserted by
S.R. No.
85/2008
reg. 4(2).

6 Heritage Act 1995

- 6.1 Section 36(13) constituted by a failure to comply with section 36(3) within the time limits set out in section 36(4) and in accordance with section 36(12).
- 6.2 Section 36(13) constituted by a failure to comply with section 36(9) within the time limits set out in section 36(10) and in accordance with section 36(12).
- 6.3 Section 36(13) constituted by a failure to comply with section 36(11).
- 6.4 Regulations 6(1)(a), 6(1)(b) and 6(1)(c) of the Heritage (Historic Shipwrecks) (General) Regulations 1996⁶.

7 Liquor Control Reform Act 1998

Sch. 3 item 7.2
inserted by
S.R. No.
105/2007
reg. 4(3).

- 7.1 Sections 103A(2) and 106(1).
- 7.2 Sections 98, 99, 100(a), 100(b), 100(c), 100(e), 101, 101B(2), 102(1), 102(2), 103(1), 103(2) and 105(1).

Sch. 3 item 7.3
inserted by
S.R. No.
105/2007
reg. 4(3).

- 7.3 Sections 108(1)(a), 108(1)(b), 108(1)(c), 108(1)(d), 108(1)(e), 108A(2), 108B(1), 108B(2), 109(1), 111(a), 114(a), 114(b), 114(c), 115(1), 116(a), 116(b), 118A(a) and 118A(b).

Sch. 3 item 7.4
inserted by
S.R. No.
105/2007
reg. 4(3),
amended by
S.R. No.
85/2008 reg. 5.

- 7.4 Sections 119(1), 119(2), 119(3), 119(4), 120(1), 121, 122(1), 123(1), 123(4), 124(1), 124(2), 124(3), 125(1), 125(2), 126(4), 130(3)(a) 130(3)(b), 148F(1), 148F(2), 148J(1) and 148J(2).

Sch. 3 item 7.5
inserted by
S.R. No.
105/2007
reg. 4(3).

- 7.5 Regulations 5(1), 5(2) and 6 of the Liquor Control Reform (Prohibited Supply) Regulations 2005⁷.

8 National Parks Act 1975

8.1 Section 45A(2A).

8A Private Security Act 2004

8A.1 Sections 59(1), 62(1), 114(1), 117(1), 128(3), 129(2), 129(4), 133, 134(1), 134(2), 138, 141(1), 176(1) and 176(2).

8A.2 Regulations 57(1), 67(a) and 67(b) of the Private Security Regulations 2005⁸.

9 Residential Tenancies Act 1997

9.1 Sections 26(2), 29(1), 29(2), 34, 35(1), 41, 43(1), 43(2), 43(2A), 49, 51(1), 51(2), 51(3), 56, 66(1), 66(2), 66(3) and 66(4).

9.2 Sections 96, 97(1), 99, 100(1), 100(2), 100(2A), 107, 124, 125(1), 125(2), 125(3) and 127(1).

9.3 Sections 145, 146(3), 147, 148(1), 150(1), 150(2), 151(1), 151(2), 151(2A), 160, 166, 182, 183(1), 183(2), 184(1), 184(2), 184(3), 186(1), 198(1) and 198(2).

9.4 Sections 264, 287, 295, 298(1) and 298(2).

9.5 Sections 358(1) and 358(2).

9.6 Sections 369, 372, 373, 377(1), 377(2) and 377(3).

9.7 Section 382(2).

9.8 Sections 405(1), 405(4), 406, 424(1), 424(3), 425 and 428.

9AA Road Management Act 2004

9AA.1 Sections 60(1), 60(2), 60(3), 60(4), 63, 64, 66(1) and 69(1).

Sch. 3 item 8A
inserted by
S.R. No.
105/2007
reg. 4(4).

Sch. 3
item 9AA
inserted by
S.R. No.
85/2008
reg. 4(3).

Sch. 3

Sch. 3 item 9A
inserted by
S.R. No.
105/2007
reg. 4(5).

9A Road Safety Act 1986

9A.1 Sections 19(8), 22(6), 60 and 60A.

Sch. 3
item 9A.2
amended by
S.R. No.
85/2008
reg. 6(1).

9A.2 Rules 121, 122, 123, 217(1), 300(1)(a) and 300(1)(b) of the Road Rules, as incorporated by the Road Safety (Road Rules) Regulations 1999⁹.

9A.3 Regulation 211A(1) of the Road Safety (Drivers) Regulations 1999¹⁰.

Sch. 3
item 9A.4
inserted by
S.R. No.
85/2008
reg. 6(2).

9A.4 Subject to regulation 702 of the Road Safety (Drivers) Regulations 1999¹¹, regulation 211(1) of the Road Safety (Drivers) Regulations 1999, as in force immediately before 1 July 2007.

10 Second-Hand Dealers and Pawnbrokers Act 1989

10.1 Sections 20, 21(1), 21A, 23(2), 23(3), 23A(3) and 24B.

Sch. 3
item 10A
inserted by
S.R. No.
105/2007
reg. 4(6).

10A Tobacco Act 1987

10A.1 Sections 5C(1), 5D(1) and 5E(1).

Sch. 3
item 10B
inserted by
S.R. No.
105/2007
reg. 4(6).

10B Trade Measurement Act 1995

10B.1 Sections 7(1), 7(2), 7A, 7B, 8(1), 8(2), 9(2), 18(2), 22(3) and 24.

10B.2 Section 28(1) constituted by a contravention of regulation 59(1) or 61(1) of the Trade Measurement Regulations 2007¹².

10B.3 Section 28(2) constituted by a contravention of regulation 59(1) or 61(1) of the Trade Measurement Regulations 2007.

10B.4 Sections 31(1), 32(1)(a), 32(1)(b), 42(1), 43(1) and 65(b).

Sch. 3

10B.5 Regulations 20, 26(1)(c), 26(1)(d), 30(1), 47(3), 50(1)(f), 50(3)(b), 50(3)(c), 53, 91(2), 92 and 93(2) of the Trade Measurement Regulations 2007.

11 Transport Act 1983

Sch. 3 item 11 substituted by S.R. No. 173/2006 reg. 4.

11.1AA Sections 165(1)(a), 165(1)(b), 169B, 169R, 169S, 169T(1), 169T(2), 169U, 169V, 169W and 169X.

Sch. 3 item 11.1AA inserted by S.R. No. 105/2007 reg. 4(7).

11.1 Sections 221X(1)(a), 221X(1)(b), 221X(1)(c), 221X(2)(a), 221X(2)(b), 221X(2)(c), 221ZD(1), 221ZD(2), 221ZE(1), 221ZF(a), 221ZG and 221ZH.

11.2 Regulations 36(4), 37, 38(1), 40(1), 40(2)(a), 40(2)(b), 40(2)(c), 40(2)(f), 42(1), 42(2)(a), 42(2)(b), 42(2)(c) and 42(2)(f) of the Transport (Conduct) Regulations 2005¹³.

11.3 Regulations 6(2), 8, 15(1), 15(2), 17(1), 17(2), 20(3), 26(2), 26(4), 27(3), 28(1), 32(2), 33(2), 41(4), 43(2), 43(3), 43(5), 44(8), 45(3) and 45(6)(b) of the Transport (Taxi-Cabs) Regulations 2005¹⁴.

Sch. 3 item 11.3 amended by S.R. No. 105/2007 reg. 4(8).

11.4 Regulations 6(1), 6(2), 7(2), 8(2), 9(3), 10(3) and 17(1) of the Transport (Ticketing) Regulations 2006¹⁵.

12 Water Act 1989

12.1 Section 170F.

Sch. 3 item 12 inserted by S.R. No. 173/2006 reg. 4.

Sch. 3

Sch. 3 item 13
inserted by
S.R. No.
173/2006
reg. 4.

13 Water Industry Act 1994

13.1 Sections 78H(1), 78H(2), 78H(3), 78H(4)
and 78O.

ENDNOTES

1. General Information

The Infringements (General) Regulations 2006, S.R. No. 76/2006 were made on 27 June 2006 by the Governor in Council under section 168 of the **Infringements Act 2006**, No. 12/2006 and came into operation on 1 July 2006: regulation 3.

The Infringements (General) Regulations 2006 will sunset on 17 July 2011: regulation 43.

Infringements (General) Regulations 2006
S.R. No. 76/2006

Endnotes

2. Table of Amendments

This Version incorporates amendments made to the Infringements (General) Regulations 2006 by statutory rules, subordinate instruments and Acts.

Infringements (General) (Amendment) Regulations 2006, S.R. No. 103/2006

Date of Making: 15.8.06

Date of Commencement: 15.8.06: reg. 3

Infringements (General) (Further Amendment) Regulations 2006, S.R. No. 145/2006

Date of Making: 24.10.06

Date of Commencement: 24.10.06

Infringements (General) (Miscellaneous Amendment) Regulations 2006,
S.R. No. 173/2006

Date of Making: 19.12.06

Date of Commencement: 1.1.07: reg. 3

Infringements (General) (Amendment) Regulations 2007, S.R. No. 105/2007

Date of Making: 2.10.07

Date of Commencement: 2.10.07: reg. 3

Infringements (General) (Amendment) Regulations 2008, S.R. No. 85/2008

Date of Making: 1.7.08

Date of Commencement: Regs 4–6 on 2.7.08: reg. 3(1)

3. Explanatory Details

¹ Reg. 4(1): S.R. No. 69/2000. Reprint No. 2 as at 16 March 2005. Reprinted to S.R. No. 10/2005. Subsequently amended by S.R. Nos 99/2005, 6/2006, 18/2006, 25/2006, 26/2006, 31/2006, 46/2006 and 48/2006.

² Reg. 4(4): S.R. No. 68/2001 as amended by S.R. Nos 54/2003, 88/2004 and 104/2005.

³ Sch. 3 item 2.2: S.R. No. 41/1997. Reprint No. 1 as at 19 February 2004. Reprinted to S.R. No. 4/2004. Subsequently amended by S.R. Nos 108/2005 and 105/2006.

⁴ Sch. 3 item 3.2: S.R. No. 37/2007.

⁵ Sch. 3 item 4.1: S.R. No. 23/1998. Reprint No. 6 as at 1 April 2006. Reprinted to S.R. No. 28/2006 and subsequently amended by S.R. Nos 63/2006, 109/2006 and 122/2006.

⁶ Sch. 3 item 6.4: S.R. No. 87/1996 as extended in operation by S.R. No. 92/2006.

⁷ Sch. 3 item 7.5: S.R. No. 171/2005.

⁸ Sch. 3 item 8A.2: S.R. No. 77/2005.

⁹ Sch. 3 item 9A.2: S.R. No. 120/1999. Reprint No. 1 as at 15 December 2002. Reprinted to S.R. No. 116/2002. Subsequently amended by S.R. Nos 83/2004, 178/2004, 129/2005, 176/2005, 22/2006, 1/2007 and 74/2007.

¹⁰ Sch. 3 item 9A.3: S.R. No. 26/1999. Reprint No. 3 as at 1 July 2006. Reprinted to S.R. No. 52/2006. Subsequently amended by S.R. Nos 38/2007 and 72/2007.

¹¹ Sch. 3 item 9A.4: S.R. No. 26/1999. Reprint No. 3 as at 1 July 2006. Reprinted to S.R. No. 52/2006. Subsequently amended by S.R. Nos 38/2007, 72/2007, 152/2007 and 27/2008.

¹² Sch. 3 item 10B.2: S.R. No. 48/2007.

¹³ Sch. 3 item 11.2: S.R. No. 69/2005 as amended by S.R. Nos 144/2005 and 86/2006.

¹⁴ Sch. 3 item 11.3: S.R. No. 67/2005.

¹⁵ Sch. 3 item 11.4: S.R. No. 86/2006.

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