

FACT SHEET

Monetary Penalties Enforcement Amendment Bill 2010

This Bill amends the *Monetary Penalties Enforcement Act 2005* (MPEA) to clarify and streamline its operation. The amendments are generally minor and ensure that the Act accurately reflects actual practice.

In addition the Bill makes a number of consequential amendments to other legislation to achieve consistency with the *Monetary Penalties Enforcement Act 2005* including:

- the *Crime (Confiscation of Profits) Act 1993* – to reflect the fact that a pecuniary penalty order is now included in the definition of a fine in the MPEA.
- the *Local Government (Highways) Act 1982* – so that a person other than the registered operator may be issued with an infringement notice where that person has been named in a statutory declaration as the driver or person in charge of a vehicle which was involved in an alleged offence; and
- the *Road Safety (Alcohol and Drugs) Act 1970* – to insert a provision to the effect that subsections 6(2) and (3) of the *Road Safety (Alcohol and Drugs) Act 1970* do not apply by reason only of the suspension of a driver licence for non-payment of a monetary penalty under Part 6 of MPEA; and
- the *Sentencing Act 1997* to reflect the current procedure of referring fines and compensation orders made by the Court of Petty Sessions to the Director, MPES for collection and enforcement (section 45).
- the *Annulled Convictions Act 2003*; *Inland Fisheries Act 1995*; *Living Marine Resources Management Act 1995*; *Radiation Protection Act 2005*; and *Trade Measurement (Tasmania) Administration Regulations 2000* - to make their language consistent with the *Monetary Penalties Enforcement Act 2005*.