

TASMANIA

**PENALTY UNITS AND OTHER PENALTIES
AMENDMENT BILL 2007**

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**PENALTY UNITS AND OTHER PENALTIES
AMENDMENT BILL 2007**

*(Brought in by the Minister for Justice and Workplace
Relations, the Honourable Steven Kons)*

A BILL FOR

**An Act to amend the *Penalty Units and Other Penalties Act
1987***

Be it enacted by His Excellency the Governor of Tasmania, by
and with the advice and consent of the Legislative Council and
House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the *Penalty Units and
Other Penalties Amendment Act 2007*.

2. Commencement

This Act commences on the day on which this
Act receives the Royal Assent.

3. Principal Act

In this Act, the *Penalty Units and Other
Penalties Act 1987** is referred to as the
Principal Act.

*No. 13 of 1987

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4. Section 4 amended (Penalty units)

Section 4 of the Principal Act is amended by omitting “\$100” and substituting “\$120, or such other amount as is specified in an order under section 4A(3),”.

5. Section 4A inserted

After section 4 of the Principal Act, the following section is inserted:

4A. Indexation of penalty units

- (1) The value of a penalty unit for the financial year commencing on **1 July 2008**, and for each subsequent financial year, is to be calculated in accordance with the following formula and rounded off in accordance with subsection (2):

$$A = B \times \frac{C}{D}$$

where –

“**A**” is the value in dollars of a penalty unit for the relevant financial year;

“**B**” is \$120;

“**C**” is the value of the CPI figure for Hobart for the December quarter immediately preceding the

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financial year in which the value of the penalty unit is to apply;

“**D**” is the value of the CPI figure for Hobart for the December quarter 2006.

- (2) If the value of a penalty unit, calculated in accordance with the formula specified in subsection (1), is not a multiple of \$10, the amount is to be rounded down to the nearest multiple of \$10.
- (3) When, after rounding down, the value of a penalty unit reaches an amount of \$130, or any subsequent multiple of \$10, the Minister is to make an order declaring the value of a penalty unit to be that amount.
- (4) An increase in the value of a penalty unit is of no effect until the making of an order under subsection (3).
- (5) On or before **1 July 2008** and on or before 1 July in each subsequent year, the Minister is to publish a notice in the *Gazette* specifying the value of a penalty unit for the financial year commencing on that 1 July, whether or not the value is to be increased.
- (6) Publication under subsection (5) is for public information only and a failure to publish or a delay or error in publication does not affect the value of a penalty unit for the year concerned.

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(7) In this section –

“CPI figure for Hobart” means the Consumer Price Index: All Groups Index Number for Hobart published by the Australian Statistician under the authority of the *Census and Statistics Act 1905* of the Commonwealth.