

## **WEAPONS ACT**

As at 6 APRIL 2014

<b>SECTION</b>	<b>OFFENCE</b>	<b>FINE (\$)</b>	<b>IMPRISONMENT</b>	<b>REMARKS</b>
<b>6</b>	Bringing, sending, carrying, possessing, purchasing, selling, supplying, manufacturing prohibited weapon or attempting to do any of those things	36 000	3 years	Exceptions see ss6(2),(3) and 10
<b>7(1)</b>	Carries or possesses controlled weapon	24 000	2 years	Exception s 10
<b>7(2)</b>	Without lawful excuse carries, possesses controlled weapon in manner that could reasonably be expected to cause injury, disablement or fear of injury or disablement	24 000	2 years	Exception s 10
<b>8</b>	Carrying, possessing an article, not firearm, prohibited weapon or controlled weapon with intent to injure, disable or cause person to fear injury or disablement	24 000	2 years	Exceptions ss8(3),(5), 10
<b>8A(2)</b>	Selling controlled weapon to child	24 000	2 years	
<b>8A(3)</b>	Supplying controlled weapon to child	24 000	2 years	

### **NOTES:**

1. S 16(1) – Court may order forfeiture of weapon to Crown whether or not seized and retained by police
2. S 16(2) – Court may order delivery of weapon to another person if seized and retained by police
3. S 17 – Application to Court re: forfeiture and delivery of weapon other than on conviction

## RESTRAINING ORDERS ACT

As at 7 APRIL 2014

SECTION	OFFENCE	FINE (\$)	IMPRISONMENT	REMARKS
<b>61(1)</b>	Breach Violence Restraining Order  If convicted of at least 2 offences under s 61(1) or (2a) within 2 years before conviction imprisonment must be ordered unless imp. would be clearly unjust given the circs. of the offence and the person is unlikely to be a threat to the safety of a person protected or the community generally	6 000	2 years or both	Circ of aggravation if in front of child  See s 61A(2), (5) , (6)  Written reasons must be given if impris. not ordered
<b>61(2)</b>	Breach Misconduct Restraining Order	1 000		
<b>61(2a)</b>	Breach Police Order  See comments above s 61(1) – as to imprisonment	6 000	2 years or both	See above

### NOTES:

1. S61(4) sets out aggravating factors for purposes of s 7(1) Sentencing Act

## **CRIMINAL INVESTIGATION (IDENTIFYING PEOPLE) ACT**

As at 7 APRIL 2014

<b>SECTION</b>	<b>OFFENCE</b>	<b>FINE (\$)</b>	<b>IMPRISONMENT</b>	<b>REMARKS</b>
<b>16(6)</b>	Failing to comply with request of officer to supply personal details	12 000*	12 months	*See s67 Interpretation Act as applied by s41(6) Sentencing Act
<b>16(8)</b>	Giving false details	12 000*	12 months	*See s67 Interpretation Act as applied by s41(6) Sentencing Act

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## **CRIMINAL INVESTIGATION ACT**

As at 7 APRIL 2014

<b>SECTION</b>	<b>OFFENCE</b>	<b>FINE (\$)</b>	<b>IMPRISONMENT</b>	<b>REMARKS</b>
<b>38C(2)</b>	Failure to comply with order given under S 38B(1), (2) If aggravated (S 38C (1)) Otherwise	18 000 12 000	3 years 12 months	
<b>47(7)</b>	Unauthorised person entering protected forensic area	12 000	12 months or both	
<b>47(8)</b>	Unauthorised person disturbing forensic area	12 000	12 months or both	
<b>55(2)</b>	Failure to comply with order to produce	12 000	12 months or both	
<b>120(5)</b>	Unauthorised supply of video record of interview	5 000		
<b>120(6)</b>	Unauthorised copying of VRI	5 000		
<b>120(7)</b>	Unauthorised erasing of VRI	5 000		
<b>121</b>	Unauthorised broadcasting of VRI Individual Body corporate	12 000 100 000	12 months or both	
<b>153(1)</b>	Failure to comply with order given by police officer	12 000	12 months or both	

## **BAIL ACT**

As at 7 APRIL 2014

SECTION	OFFENCE	FINE (\$)	IMPRISONMENT	REMARKS
50	Indemnification of surety	1 000	12 months or both	
51(1), (2)	Failing to comply with bail requirement	10 000	3 years or both	
51(2a)	Failure to comply with protective bail conditions	10 000	3 years or both	
60	Accused or surety failing to notify court of change of address	1 000		CBO available. Prescribed offence under s 44 Sentencing Act
62	False statements for purpose of obtaining bail by accused or surety	1 000	12 months or both	

# DOG ACT

As at 7 APRIL 2014

SECTION	OFFENCE	FINE (\$)	IMPRISONMENT	REMARKS
<b>7</b>	Unregistered dog (owner of dog and occupier of premises liable)  If dog dangerous Otherwise	10 000 5 000		S 33E – declaration of dangerous dog S 7(2) Court shall order payment of registration fee
<b>16A</b>	Failure to give notice of transfer If dog dangerous Otherwise	400 200		
<b>20(1)</b>	Dishonest conduct regarding registration If dog dangerous Otherwise	4 000 1 000		
<b>20(2)</b>	Unlawful tattooing of dog	1 000		
<b>26(4)</b>	Excess number of dogs on premises	1 000		Daily penalty of 100
<b>27(2)</b>	Excess number of dogs at kennel	1 000		Daily penalty of 100
<b>30(2)</b>	Failure to wear collar or tag in public If dog dangerous Otherwise	1 000 500		Defence available – S 33B
<b>31(3)</b>	Failure to control dog in public If dog dangerous Otherwise	4 000 1 000		Defence available – S 33B
<b>32(4)</b>	Failure to control dog in designated area If dog dangerous Otherwise	4 000 1 000		Defence available – S 33B
<b>33(3)</b>	Failure to muzzle greyhound	2 000		Defence available – S 33B
<b>33A(3)</b>	Failure to control in non-public place If dog dangerous Otherwise	4 000 1 000		Defence available – S 33B
<b>33D(1)</b>	Dog attacks or chases person or animal	10 000		Exceptions ss(2)
<b>(2)</b>	Urge dog to chase or attack	10 000	12 months or both	Dog may be destroyed Ss 39 & 40

SECTION	OFFENCE	FINE (\$)	IMPRISONMENT	REMARKS
<b>33L</b>	(i) Failure to comply with council notice under S33F requiring control of dog  (ii) Failure to comply with Court order made under S 40  (iii) Failure to notify under S 33K	4 000		Daily penalty 400  Defences S33L(2)
<b>34</b>	Unlawful baiting or poisoning	1 000		
<b>36</b>	Failure to control disease	500		
<b>38</b>	Creation of nuisance by dog If dog dangerous  Otherwise	4 000  2 000		Daily penalty 400 Daily penalty 200
<b>39(3)</b>	Failure by owner to enable destruction or pay costs of detention and/or destruction	4 000		Daily penalty 400
<b>43(1)</b>	Offences impeding/delaying etc enforcement If dangerous dog Otherwise	4 000 2 000		
<b>43(2)</b>	Failure to produce certificate If dangerous dog Otherwise	1 000 500		
<b>43A</b>	Failure to supply name and address	500		
<b>45A</b>	Modified penalty	2 000		
<b>47</b>	Killing or harming dogs	10 000	12 months or both	
<b>50(2)</b>	By-law penalties	2 000		
<b>53(4)</b>	Breach regs made under Act	5 000		

# ANIMAL WELFARE ACT

As at 7 AUGUST 2012

SECTION	OFFENCE	FINE (\$)	IMPRISONMENT	REMARKS
13	Licensee to ensure staff etc comply with licence	20 000	1 year or both	
14	Requirements of licensee as to licence	2 000		
31	Possession of things with intent to inflict cruelty	20 000	1 year or both	
40(2)	Failure to comply with direction of inspector under S 40(1)	20 000	1 year or both	
46(2)	Failure to provide personal details to inspector	2 000		
47(3)	Failing to comply with requirement or direction of inspector under S47	20 000	1 year or both	
76	Knowingly giving misleading information	20 000	1 year or both	
77	Obstruction of inspector	20 000	1 year or both	

## NOTES:

1. S 44(8) – Court can order seized property be forfeited to Crown
2. S 54 – Court may order post mortem
3. S 55 – Additional orders which can be made by Court upon conviction
4. S 56 – Court can order reimbursement of costs
5. S 57 – Court may order retention of property under seizure
6. S 79 – continuing offences - \$1000 daily penalty
7. S 80 – Vicarious liability of officers of body corporate or scientific establishment
8. S 81 – Vicarious liability of partner in a partnership
9. S 82 – Limitation period – 2 years
10. S 83 – Evidentiary provisions
11. S 88 – Penalties for body corporate:  
Minimum penalty = at least 5 X minimum penalty  
Maximum penalty = at least 5 X maximum penalty
12. S 94 – regulations – maximum penalty \$20,000