

60. Regulations

- (1) The Governor may make regulations prescribing all matters that are necessary or convenient to be prescribed for giving effect to the purposes of this Act.
- (2) Without affecting the generality of subsection (1), the Governor may make regulations —
 - (a) requiring a reference in a transferred law to be read and construed in the manner specified in the regulations;
 - (b) containing such provisions as in the opinion of the Governor are necessary or convenient for the purpose of dealing with matters that are incidental to or consequential on the making of an order under section 58 and of a regulation made pursuant to paragraph (a), including provisions of a savings or transitional nature.
- (3) A provision of a regulation made under subsection (2) may take effect on and from a day that is earlier than the day on which the regulation is published in the *Government Gazette*.
- (4) To the extent to which a provision of a regulation made under this section takes effect on and from a day that is earlier than the day on which it is published in the *Government Gazette*, the provision does not operate —
 - (a) to affect, in a manner prejudicial to any person (other than the State or a public authority), the rights of that person existing before that day of publication; or
 - (b) to impose a liability on any person (other than the State or a public authority) in respect of anything done or omitted to be done before that day of publication.
- (5) Without affecting the generality of subsection (1) regulations may be made with respect to any of the matters specified in the Schedule.
- (6) Regulations made under this Act may provide that contravention of a regulation constitutes an offence and provide for penalties not exceeding —
 - (a) in the case of an offence committed by a person as an employee —
 - (i) for a first offence, a fine of \$5 000; and
 - (ii) for a subsequent offence, a fine of \$6 250;
 - (b) in the case of an offence committed by an individual where paragraph (a) does not apply —
 - (i) for a first offence, a fine of \$25 000; and
 - (ii) for a subsequent offence, a fine of \$31 250;or
 - (c) in the case of an offence committed by a body corporate —
 - (i) for a first offence, a fine of \$50 000; and
 - (ii) for a subsequent offence, a fine of \$62 500,and if the offence is a continuing one a further penalty not exceeding —
 - (d) \$200, in the case of an offence committed by a person as an employee;

(e) \$1 000, in the case of an offence committed by an individual where paragraph (d) does not apply; and

(f) \$2 000, in the case of an offence committed by a body corporate,

for each day or part of a day during which the offence continues after notice of the offence has been given by or on behalf of an inspector to the offender.

[Section 60: Section 21 renumbered as section 60 and amended by No. 43 of 1987 s.16; No. 30 of 1995 s.45; No. 51 of 2004 s. 37.]