Australian War Memorial Amendment Regulations 2001 (No. 1)\textsuperscript{1}

Statutory Rules 2001 No. \textsuperscript{2} 229

I, PETER JOHN HOLLINGWORTH, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the Australian War Memorial Act 1980.

Dated 29 AUG 2001 2001


PETER HOLLINGWORTH
Governor-General

By His Excellency's Command

BRUCE SCOTT
Minister for Veterans’ Affairs
1 **Name of Regulations**
These Regulations are the *Australian War Memorial Amendment Regulations 2001* (No. 2).

2 **Commencement**
These Regulations commence on gazetted.

3 **Amendment of Australian War Memorial Regulations 1983**
Schedule 1 amends the *Australian War Memorial Regulations 1983*.

**Schedule 1**

**Amendments**
(regulation 3)

[1] **Regulation 7**

*substitute*

7 **Offences**

(1) A person must not, in the Memorial building or on Memorial land:

(a) fail to obey a direction of a security officer given in the exercise of the officer's powers under these Regulations; or

(b) fail to obey a notice displayed in the Memorial building or on Memorial land; or

(c) if the person is carrying a prescribed article when entering the Memorial building — fail to deposit the article at the counter, made available by the Council for the purpose, in the Memorial building; or
(d) cause or permit an animal (other than a guide dog) belonging to the person, or in the person's charge, to enter or remain in the Memorial building; or
(e) bring any liquid (other than medication) or food into the Memorial building; or
(f) consume any liquid or food in the Memorial building (other than in an area set aside by the Director for that purpose); or
(g) smoke in the Memorial building (other than in an area set aside by the Director for that purpose); or
(h) expose, or cause to be exposed, for show, sale or hire, an article for use or consumption by a member of the public.

Penalty: 2 penalty units.

(2) Paragraph (1) (b) does not apply if the person has the written consent of the Council (or of a person authorised in writing by the Council for the purposes of this subregulation) to not comply with a notice described in that paragraph.

(3) For paragraph (1) (c), a prescribed article is:
   (a) an overcoat, a bag (other than a handbag), case, parcel or other container; or
   (b) an umbrella, an aerosol container, or any other article that may be used to cause damage to Memorial material.

(4) Paragraphs (1) (c), (e) and (h) do not apply to an authorised liquor supplier who supplies liquor in accordance with an authority given under regulation 8B.

(5) Paragraph (1) (h) does not apply if the person has the written consent of the Council to do a thing mentioned in that paragraph.
(6) An offence against paragraph (1) (b), (c), (e), (f), (g) or (h) is an offence of strict liability.

Note A defendant bears an evidential burden in relation to the matters in subregulations (2), (4) and (5) (see subsection 13.3 (3) of the Criminal Code).

[2] Subregulation 8 (2), and the penalty

substitute

(2) A person to whom a direction under subregulation (1) is given must comply with the direction.

(3) Subregulation (2) does not apply to a person who has a reasonable excuse not to comply with the direction.

(4) An offence against subregulation (2) is an offence of strict liability.

Penalty: 1 penalty unit.

Note A defendant bears an evidential burden in relation to the matter in subregulation (3) (see subsection 13.3 (3) of the Criminal Code).

[3] Subregulation 8A (1), table, item 1, column 3

omit

$3

insert

$3.25

[4] Subregulation 8A (1), table, items 2, 3, 4, 5 and 6, column 3

omit

$2

insert

$2.15
[5] Subparagraph 8A (2) (a) (iv)

*substitute*

(iv) is taken to have been rendering operational service within the meaning of paragraph (b) of item 1 or paragraph (a) of item 2 of the table in subsection 6A (1) of the *Veterans' Entitlements Act 1986*;

Notes
