

No. 12 of 1974

AN ORDINANCE

Relating to Motor Traffic.

I, THE GOVERNOR-GENERAL of Australia, acting with the advice of the Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910-1973*.

Dated this tenth day of April, 1974.

PAUL HASLUCK
Governor-General.

By His Excellency's Command,

GORDON BRYANT
Minister of State for the Capital Territory.

MOTOR TRAFFIC ORDINANCE (No. 2) 1974

1. (1) This Ordinance may be cited as the *Motor Traffic Ordinance (No. 2) 1974*.^{*} Short title and citation.

(2) The *Motor Traffic Ordinance 1936-1973*,[†] as amended by the *Motor Traffic Ordinance 1974*,[‡] is in this Ordinance referred to as the Principal Ordinance.

(3) Section 1 of the *Motor Traffic Ordinance 1974* is amended by omitting sub-section (3).

(4) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Motor Traffic Ordinance 1936-1974*.

2. Section 52 of the Principal Ordinance is amended by inserting, after sub-section (1), the following sub-sections:— Motor vehicle not to be registered, &c., without evidence of insurance.

“(1A) Notwithstanding sub-section (1) but subject to section 7, the Registrar may grant or renew the registration of a motor vehicle if—

- (a) the appropriate amount of insurance premium in respect of the insurance of the motor vehicle has been paid to the Registrar; and
- (b) there has been lodged with the Registrar a nomination in writing of an authorized insurer in relation to the motor vehicle.

^{*} Notified in the *Australian Government Gazette* on 11 April 1974.

[†] Ordinance No. 45, 1936, as amended by Nos. 25 and 41, 1938; No. 16, 1941; No. 14, 1942; Nos. 2 and 13, 1943; No. 3, 1945; Nos. 6 and 13, 1947; No. 7, 1950; No. 17, 1951; Nos. 1 and 7, 1955; No. 6, 1956; No. 19, 1957; Nos. 10 and 15, 1958; Nos. 7 and 21, 1959; No. 11, 1960; Nos. 16 and 17, 1962; No. 21, 1963; No. 8, 1964; Nos. 9 and 13, 1965; No. 19, 1966; No. 2, 1968; Nos. 27 and 29, 1969; No. 27, 1970; Nos. 13, 17, 37 and 39, 1971; Nos. 3 and 10, 1972; and Nos. 1, 32, 38, 41, 42 and 57, 1973.

[‡] Ordinance No. 4, 1974.

“(1B) Where—

- (a) the appropriate amount of insurance premium in respect of the insurance of a motor vehicle has been paid to the Registrar; and
- (b) there has been lodged with the Registrar a nomination in writing of an authorized insurer in relation to the motor vehicle,

this Ordinance applies, and the rights, liabilities and obligations of the authorized insurer and of the owner and any driver of the motor vehicle are the same, as if the authorized insurer had issued a third-party policy in relation to that motor vehicle, being a policy—

- (c) that is in accordance with the prescribed form;
- (d) that is expressed to commence—
 - (i) where a licence is granted under section 216 in respect of the motor vehicle—on the date on which that licence is granted; and
 - (ii) in any other case—on the date of the registration, or the renewal of the registration, as the case may be, of the motor vehicle; and
- (e) that is expressed to terminate—
 - (i) where a licence has been granted under section 216 in respect of the motor vehicle and the Registrar has not granted or renewed the registration of the motor vehicle before the expiration of that licence—on the expiration of that licence; and
 - (ii) in any other case—on the date of expiration of the registration, or the renewal of the registration, as the case may be, of the motor vehicle.

“(1C) A reference in sub-section (1A) or (1B) to an authorized insurer is a reference to an authorized insurer approved by the Minister for the purposes of those sub-sections.

“(1D) The Minister shall not approve an authorized insurer for the purposes of sub-sections (1A) and (1B) except upon the request in writing of that authorized insurer.”.