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AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY

MOTOR TRAFFIC (ALCOHOL AND DRUGS) ACT 1977

MOTOR TRAFFIC (ALCOHOL AND DRUGS) REGULATIONS (AMENDMENT)

EXPLANATORY MEMORANDUM

Circulated by the authority of

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MOTOR TRAFFIC (ALCOHOL AND DRUGS) REGULATIONS (AMENDMENT)

Outline

Section 52 of the Motor Traffic (Alcohol and Drugs) Act 1977 ("the Act") provides that the Minister may make regulations, not inconsistent with the Act, prescribing all matters that are required or permitted to be prescribed by the Act. The Motor Traffic (Alcohol and Drugs) Regulations ("the Principal Regulations") provide for the procedures to be followed before, during and after a breath test and the particulars to be contained in a written statement to be issued to the person breath tested.

The Motor Traffic (Alcohol and Drugs) Regulations (Amendment) ("the Amending Regulations") make amendments to the Principal Regulations to provide for the particulars to be included in the written statement to be issued when breath analysis is carried out by means of an approved breathalyser instrument of the type known as the Drager Alcotest 7110.

Financial implications

The Amending Regulations have no effect on revenue.

Regulation 1 refers to the Motor Traffic (Alcohol and Drugs) Regulations as the "Principal Regulations".

Regulation 2 amends Regulation 9 of the Principal Regulations by omitting "Part 1 or Part 2" and inserts "Part 1, Part 2 or Part 3".

Regulation 3 amends Schedule 4 of the Principal Regulations by adding Part 3 which sets out the particulars to be included in a written statement when breath analysis is carried out by means of an instrument of the type known as the Drager Alcotest 7110.