

2008

**THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY**

**ROAD TRANSPORT (OFFENCES) AMENDMENT
REGULATION 2008 (No 1)**

SL2008-23

EXPLANATORY STATEMENT

Circulated by authority of
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Minister for Territory and Municipal Services

AUSTRALIAN CAPITAL TERRITORY

ROAD TRANSPORT (OFFENCES) AMENDMENT REGULATION 2008 (No 1)

EXPLANATORY STATEMENT

Overview

The Road Transport (Offences) Amendment Regulation 2008 (No 1), Section 4 inserts a new Section 22 (1) and specifies the meaning of a holiday period for the purpose of the application of double and additional demerit points for driving offences committed against territory law.

New section 22(1)(a) specifies the exact dates to which double and additional demerit point apply during the Christmas and New Year holiday period regardless of the day on which 25 December (Christmas Day) occurs.

Former section 22(1)(a) to (f) is now new section 22(1)(b) and remains unchanged. It specifies the double demerit points periods applicable in any other case.

Details

Double demerit points were first introduced in the ACT in 1997 and apply to all speeding and seat belt offences. For any other demerit point offence (eg. not giving way, not stopping at a pedestrian crossing, overtaking when unsafe or using a hand held mobile phone while driving) a single additional demerit point is incurred. Double demerit points apply at Christmas/New Year, Easter and over long weekends. Double and additional demerit point offences are referred to under Section 21 (2)(a) and (b) of the *Road Transport (Offences) Regulation 2005*.

The days between the Christmas holiday period and the New Year holiday period are not currently regulated and require annual preparation of legal instruments for Ministerial approval.

This amendment regulation provides for automatic regulation of double demerit points when they are applied during the annual Christmas and New Year holiday period. ACT DDP periods mirror those in NSW and implementation of this amendment to the Regulation will align the ACT with the NSW double demerit point period for Christmas and New Year.