

EXPLANATORY STATEMENT

AUSTRALIAN CAPITAL TERRITORY

MOTOR TRAFFIC (AMENDMENT) ORDINANCE (NO. 2) 1987 No. 63, 1987

ROADS AND PUBLIC PLACES (AMENDMENT) ORDINANCE 1987 No. 64, 1987

The Motor Traffic Ordinance 1936 is an Ordinance relating to Motor Vehicles and Motor Traffic.

The Roads and Public Places Ordinance 1937 is an Ordinance relating to Roads and Public Places in the Territory.

The Motor Traffic (Amendment) Ordinance (No. 2) 1987 amends the Motor Traffic Ordinance 1936 ("the Principal Ordinance") to introduce a new system for the Registrar of Motor Vehicles to impose terms and conditions on the issue of Certified Goods Vehicle certificates and labels so as to regulate and enforce the proper use of loading facilities. In particular, new provisions are included for granting or refusing a certificate, appeal mechanisms and prohibiting the parking of a certified goods vehicle in a loading zone except in accordance with a certificate and unless a label has been attached to the vehicle.

The Roads and Public Places (Amendment) Ordinance 1987 amends the Roads and Public Places Ordinance 1937 so that it is an offence for an object, as defined, to be placed in a loading zone. The provisions of the Motor Traffic Ordinance 1936 relating to parking infringement notices will apply to such an offence.

Details of the Motor Traffic (Amendment) Ordinance 1987 are set out in Attachment A.

Details of the Roads and Public Places (Amendment) Ordinance 1987 are set out in Attachment B.

Attachment B

Section 1 deals with the citation of the Roads and Public Places (Amendment) Ordinance 1987.

Section 2 cites the Roads and Public Places Ordinance 1987 as the Principal Ordinance.

Section 3 inserts after section 15R of the Principal Ordinance the following sections:

New subsection 15S(1) provides that "loading zone", "trailer" and "vehicle" have the same meanings as in the Motor Traffic Ordinance 1936 and that an "object" does not include a vehicle or a trailer.

New subsection 15S(2) provides that a person shall not, except in accordance with a permit, place an object in a loading zone in such a position, in such condition or in such circumstances as to be likely to cause danger, obstruction or unreasonable inconvenience to other persons using or intending to use the loading zone. A penalty of \$200 is provided for.

New subsection 15T(1) provides that the provisions of sections 159, 160 and 162 of the Motor Traffic Ordinance 1936 apply in relation to a contravention of new subsection 15S(2) as if:

- the contravention were a parking infringement under subsection 158(1) of the Motor Traffic Ordinance 1936;
- a reference in any of those sections to a parking infringement were a reference to that contravention;
- a reference in any of those sections to a motor vehicle were a reference to the object in respect of which that contravention occurred; and
- a reference in any of those sections to any of the provisions of those sections were a reference to those provisions in their application in relation to that contravention.

Authorised by the Minister for the Environment and the Arts for and on behalf of the Minister of State for the Arts, Sport, the Environment, Tourism and Territories.