

EXPLANATORY STATEMENT

AUSTRALIAN CAPITAL TERRITORY

MOTOR TRAFFIC (AMENDMENT) ORDINANCE (NO.6) 1986

No 78, 1986

Section 129 of the Motor Traffic Ordinance 1936 ("the Principal Ordinance") prohibits dangerous and reckless driving. Previously, a maximum penalty of \$2,000 was provided for this offence. Sections 52A and 53 of the NSW Crimes Act, as it applies in the Territory, provide for periods of imprisonment for culpably driving a motor vehicle causing death or grievous bodily injury. However, where no one was killed or seriously injured by the dangerous or reckless driving there was no provision for a penalty of imprisonment, regardless of how dangerous or reckless the driving was.

It is considered that the penalty of imprisonment for serious driving offences should be available also in relation to reckless or dangerous driving in circumstances where that driving has not resulted in injury or death.

The Motor Traffic (Amendment) Ordinance (No.6) 1986 amends the Principal Ordinance in order to provide a maximum penalty of \$2000 and/or imprisonment for a period of 12 months for a breach of Section 129(1).

Authorised by the Minister of State for Territories