

AUSTRALIAN CAPITAL TERRITORY
MOTOR TRAFFIC (AMENDMENT) ORDINANCE 1984, No. 1
TRAFFIC (AMENDMENT) ORDINANCE 1984, No. 2
EXPLANATORY STATEMENT

The Motor Traffic (Amendment) Ordinance 1984 and the Traffic (Amendment) Ordinance 1984 (the amending Ordinances) amend the Motor Traffic Ordinance 1936 and the Traffic Ordinance 1937 (the principal Ordinances) respectively to increase penalties for offences against the principal Ordinances.

Details of the amending Ordinances are set out in Attachments A and B.

Ord. 76/83
Ord. 77/83

ATTACHMENT A

MOTOR TRAFFIC (AMENDMENT) ORDINANCE 1984, No. 1

Sections 1 and 2 deal with interpretation.

Section 3 amends section 51 of the principal Ordinance to increase the penalty for driving a motor vehicle without a third party insurance policy from \$200 to \$500 for a first offence and from \$400 to \$1,000 or 6 months imprisonment, or both for subsequent offences.

Section 4 amends section 52(5) of the principal Ordinance to increase the penalty for making a false or misleading statement or omitting a material fact in a proposal for a third party insurance policy from \$40 to \$100.

Section 5 amends section 60 of the principal Ordinance to increase the penalty for pretending to be a third party insurer from \$1,000 to \$5,000 for a corporation and \$1,000 or 6 months imprisonment or both for a natural person respectively.

Section 6 amends section 89 of the principal Ordinance to increase the penalty for using a motor vehicle, when the third party premium has not been paid, from \$20 per day to \$500.

Section 7 amends section 100 of the principal Ordinance to increase the penalty for failing to return a registration certificate after the cancellation of registration or the destruction of the vehicle, from \$40 to \$80.

Section 8 amends section 168 of the principal Ordinance to increase the penalty for the unauthorized use of a vehicle as a taxi or hire vehicle from \$100 to \$200 for the first offence and from \$200 to \$500 for any subsequent offence.

Section 9 substitutes a new section 169 in the principal Ordinance which has the effect of increasing the penalty for the improper use of a tractor or lorry registered for farming purposes from \$100 to \$200 for a first offence and \$200 to \$500 for subsequent offences.

Section 10 amends section 192 of the principal Ordinance to change the penalty for offences under the Ordinance which do not specify a particular penalty, from \$200 or 6 months imprisonment, to \$500.

Section 11 amends section 218 of the principal Ordinance to increase the maximum penalty that may be imposed under the regulations from \$100 to \$200.

Section 12 further amends provisions of the principal Ordinance to provide for the increase of certain penalties as follows:

Section	Subject Matter of Section	Previous Penalty \$	Increased Penalty \$
22	failure of former owner to comply with certain requirements upon the sale or disposal of a motor vehicle or trailer;	40.00	100.00
43	failure to return traders plates upon the sale of the business;	40.00	100.00
45	failure to return traders plates on request;	40.00	100.00
54	issuing a policy of insurance containing prohibited terms;	200.00	1,000.00
90	failing to produce a third party insurance policy on request;	100.00	200.00
147D	tampering with an amphotometer;	500.00	1,000.00
150(2)	wrongfully using, or attempting to obtain, a registration label; and	50.00	80.00
150(4)	wrongfully failing to destroy a registration label.	50.00	80.00

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