

EXPLANATORY STATEMENT

AUSTRALIAN CAPITAL TERRITORY

Court of Petty Sessions (Amendment) Ordinance (No. 2) 1984 No.10

The purpose of this Ordinance is to amend the definition of 'prescribed offence' in section 116A of the Court of Petty Sessions Ordinance 1930 ('the Principal Ordinance') to refer to an offence against the Motor Traffic Ordinance 1936 and the Traffic Ordinance 1937 carrying a penalty not exceeding \$500. The previous figure was \$200.

The Principal Ordinance provides procedures for service of a summons and entering a plea by post in relation to certain offences under the Motor Traffic Ordinance 1936 and the Traffic Ordinance 1937. The offences to which the procedure are applicable are defined (in section 116A of the Principal Ordinance) by reference to the maximum penalty that can be imposed.

The Motor Traffic (Amendment) Ordinance 1984 and the Traffic (Amendment) Ordinance 1984 by increasing, inter alia, several relevant penalties took a number of these offences outside the definition. The need for a corresponding amendment to the Principal Ordinance was inadvertently overlooked.

Details of the Ordinance are as follows:

Section 1 provides that the Ordinance may be cited as the Court of Petty Sessions (Amendment) Ordinance (No. 2) 1984.

Section 2 substitutes '\$500' for '\$200' in the definition of 'prescribed offence' in sub-section 116A(1) of the Principal Ordinance.

Ord. No. 16/84

Authorised by the Attorney-General