

# AUSTRALIAN CAPITAL TERRITORY

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## Motor Traffic (Amendment) Ordinance 1984

### No. 1 of 1984

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 31 January 1984.

N. M. STEPHEN  
Governor-General

By His Excellency's Command,

TOM UREN  
Minister of State for Territories and Local Government

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An Ordinance to amend the *Motor Traffic Ordinance 1936*

#### Short title

1. This Ordinance may be cited as the *Motor Traffic (Amendment) Ordinance 1984*.<sup>1</sup>

#### Principal Ordinance

2. In this Ordinance, "Principal Ordinance" means the *Motor Traffic Ordinance 1936*.<sup>2</sup>

#### Use of motor vehicle without third-party insurance

3. Section 51 of the Principal Ordinance is amended by omitting the penalty set out at the foot of sub-section (1) and substituting the following penalty:

“Penalty—

- (a) for a first offence—\$500; or
- (b) for any subsequent offence—\$1,000 or imprisonment for 6 months, or both.”.

#### **Registration, &c., without evidence of third-party insurance**

4. Section 52 of the Principal Ordinance is amended by omitting sub-section (5) and the penalty set out at the foot of the section and substituting the following sub-section:

“(5) A person who, in or with respect to a proposal for a third-party policy—

- (a) knowingly makes a statement or representation that is false or misleading in a material particular; or
- (b) fails to disclose a material fact of which he has knowledge,

is guilty of an offence punishable, on conviction, by a fine not exceeding \$200.”.

#### **Holding out as authorized insurer**

5. Section 60 of the Principal Ordinance is amended by omitting the penalty and substituting the following penalty:

“Penalty—

- (a) if the offender is a body corporate—\$5,000; or
- (b) if the offender is a natural person—\$1,000 or imprisonment for 6 months, or both.”.

#### **Use of motor vehicle where appropriate insurance premium not paid**

6. Section 89 of the Principal Ordinance is amended by omitting from sub-section (1) “Twenty dollars for every day on which the motor vehicle is so used” and substituting “\$500”.

#### **Return of certificates, &c., after cancellation, &c.**

7. Section 100 of the Principal Ordinance is amended—

- (a) by omitting the penalty set out at the foot of sub-section (1); and
- (b) by omitting the penalty set out at the foot of the section and substituting the following penalty:

“Penalty: \$80.”.

**Unauthorized use of motor vehicles as taxis, &c.**

**8.** Section 168 of the Principal Ordinance is amended by omitting the penalty and substituting the following penalty:

“Penalty—

- (a) for a first offence—\$200; or
- (b) for any subsequent offence (whether committed in respect of the same or another motor vehicle)—\$500.”.

**9.** Section 169 of the Principal Ordinance is repealed and the following section substituted:

**Unauthorized use of motor lorries, &c., by farmers**

“169. Where a farmer has paid the determined fee in respect of a motor tractor or motor lorry owned by him, he shall not, except in pursuance of a licence granted under section 216—

- (a) use, or cause, permit or suffer to be used, otherwise than solely for the carting of his own produce; or
- (b) let out on hire,

that motor tractor or motor lorry.

Penalty—

- (a) for a first offence—\$200; or
- (b) for any subsequent offence (whether committed in respect of the same or another motor vehicle)—\$500.”.

**General offence**

**10.** Section 192 of the Principal Ordinance is amended by omitting from sub-section (2) “Two hundred dollars or imprisonment for six months” and substituting “\$500”.

**Regulations**

**11.** Section 218 of the Principal Ordinance is amended by omitting from paragraph (af) “One hundred dollars” and substituting “\$200”.

**Further amendments**

**12.** The Principal Ordinance is further amended by omitting the penalty set out at the foot of each of the provisions specified in Column 1 of the Schedule and substituting the penalty specified in Column 2 of the Schedule opposite to that provision.

**SCHEDULE**

Section 12

Column 1	Column 2
Provision	Substituted penalty
Sub-section 22 (1) .....	Penalty: \$100.
Sub-section 43 (1) .....	Penalty: \$100.
Section 45 .....	Penalty: \$100.
Sub-section 54 (4) .....	Penalty: \$1,000.
Section 90 .....	Penalty: \$200.
Section 147D .....	Penalty: \$1,000.
Sub-section 150 (2) .....	Penalty: \$80.
Sub-section 150 (4) .....	Penalty: \$80.

**NOTES**

1. Notified in the *Commonwealth of Australia Gazette* on 8 February 1984.
2. No. 45, 1936 as amended by Nos. 25 and 41, 1938; No. 16, 1941; No. 14, 1942; Nos. 2 and 13, 1943; No. 3, 1945; Nos. 6 and 13, 1947; No. 7, 1950; No. 17, 1951; Nos. 1 and 7, 1955; No. 6, 1956; No. 19, 1957; Nos. 10 and 15, 1958; Nos. 7 and 21, 1959; No. 11, 1960; Nos. 16 and 17, 1962; No. 21, 1963; No. 8, 1964; Nos. 9 and 13, 1965; No. 19, 1966 (as amended by No. 36, 1967); No. 2, 1968; Nos. 27 and 29, 1969; No. 27, 1970; Nos. 13, 17, 37 and 39, 1971; Nos. 3 and 10, 1972; Nos. 1, 32, 38, 41, 42 and 57, 1973; Nos. 4, 12, 23, 37, 48 and 49, 1974; Nos. 3, 16, 23, 31, 52, and 54, 1976; Nos. 16, 23, 30, 37, 51 and 59, 1977; Nos. 2, 31 and 46, 1978; No. 32, 1979; No. 33, 1980; Nos. 3, 8, 30, 31 and 33, 1981; No. 40, 1981 (as amended by no. 43, 1981); Nos. 6, 49, 50, 64 and 96, 1982; Nos. 14, 18 and 21, 1983.