



AUSTRALIAN CAPITAL TERRITORY

Motor Traffic (Alcohol and Drugs) (Amendment) Act (No. 2) 1999

No. 18 of 1999

An Act to amend the *Motor Traffic (Alcohol and Drugs) Act 1977*

[Notified in ACT Gazette S16: 14 April 1999]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1. Short title

This Act may be cited as the *Motor Traffic (Alcohol and Drugs) (Amendment) Act (No. 2) 1999*.

2. Commencement

This Act commences on the day on which it is notified in the *Gazette*.

3. Principal Act

In this Act, “Principal Act” means the *Motor Traffic (Alcohol and Drugs) Act 1977*.¹

4. Insertion

Before section 29 of the Principal Act the following section is inserted:

“27. Imprisonment—ss. 22, 23 and 24 offences

Where—

- (a) a person is convicted of an offence against section 22, 23 or 24; and
- (b) the Court considers that, in all the circumstances and having regard to the antecedents of the person (including convictions for offences against this Act, against the *Motor Traffic Act 1936* or for corresponding offences), that it is appropriate to do so;

the Court may, in addition to, or in substitution of, a pecuniary penalty, sentence the person to a term of imprisonment not exceeding—

- (c) in the case of an offence by a first offender—6 months; or
- (d) in the case of an offence by a repeat offender—12 months.”.

NOTE

Principal Act

1. Reprinted as at 2 March 1998. See also Act No. 11, 1999.

[Presentation speech made in Assembly on 26 November 1998]