



Australian Capital Territory

Road Transport (General) Amendment Act 2004

A2004-24

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Australian Capital Territory

Road Transport (General) Amendment Act 2004

A2004-24

An Act to amend the *Road Transport (General) Act 1999*

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

1 Name of Act

This Act is the *Road Transport (General) Amendment Act 2004*.

2 Commencement

This Act commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Legislation amended

This Act amends the *Road Transport (General) Act 1999*.

**4 Revocation of suspension on court order
Section 48 (2) (b)**

omit

if the offence involved a vehicle—

5 Section 48 (3) (a)

substitute

(a) that an offence was committed; and

6 New section 48 (4A) and (4B)

insert

(4A) However, the court may make the declaration only if—

(a) the administering authority fails to prove that an offence was committed; or

(b) the person establishes one of the grounds mentioned in subsection (4B).

- (4B) For subsection (4A) (b) the grounds are—
- (a) that the vehicle was stolen, or illegally taken or used, at the time of the offence; or
 - (b) that the person made and gave to the administering authority a known user declaration in accordance with section 39 (Known user declarations) for the offence and, if the person is an individual, that someone else was the driver of the vehicle at the time of the offence; or
 - (c) that the vehicle (or all of the person's interest in the vehicle) had been sold or disposed of by the person before the time of the offence, and that at that time the person did not have an interest in the vehicle; or
 - (d) that—
 - (i) the person was not the driver of the vehicle at the time of the offence; and
 - (ii) the person does not know, and could not with reasonable diligence have found out, the name and address of the driver of the vehicle at that time.

7 Section 48

renumber subsections when Act next republished under Legislation Act

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 11 December 2003.

2 Notification

Notified under the Legislation Act on 19 May 2004.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

I certify that the above is a true copy of the Road Transport (General) Amendment Bill 2004, which originated in the Legislative Assembly as the Road Transport (General) Amendment Bill 2003 and was passed by the Assembly on 14 May 2004.

Clerk of the Legislative Assembly

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