

1998
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Urban Services)

**Motor Traffic (Alcohol and Drugs)
(Amendment) Bill 1998**

h (No. 2)

A BILL

FOR

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

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

1. Short title

5 This Act may be cited as the *Motor Traffic (Alcohol and Drugs)
(Amendment) Act 1998*. (No. 2)

2. Commencement

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

3. Principal Act

10 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

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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;

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

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- (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.