

2000

**THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY**

**ROAD TRANSPORT (OFFENCES) REGULATIONS 2000 AMENDMENT**

**Subordinate Law No. 57 of 2000**

**EXPLANATORY STATEMENT**

Circulated by authority of

Brendan Smyth MLA  
Minister for Urban Services

**AUSTRALIAN CAPITAL TERRITORY**  
**ROAD TRANSPORT (OFFENCES) REGULATIONS 2000 AMENDMENT**  
**SUBORDINATE LAW No. 57 OF 2000**  
**EXPLANATORY STATEMENT**

**Overview**

The amendments have been made to:

- (i) streamline the application of double demerit points during holiday weekends by removing the need for the declaration of a holiday period for each applicable weekend, and
- (ii) generally align the ACT with the NSW process for the application of double demerit points.

**Detail**

1. The double demerit points provisions commence on 28 December 2000 as a previous Declaration gazetted on 8 June 2000 provides for the Christmas 2000 holiday period (22/12/00 to 26/12/00 inclusive) to be a double demerit point period.
2. Substituted subregulation 17 (4) now applies double demerit points to offences committed during a 'holiday period', not a 'declared' holiday period as was the previous situation.
3. Substituted regulation 20 limits the double demerit point application to offences against a Territory law to clarify that offences incurred by ACT licensed drivers who are interstate during the same period do not incur additional demerit points. The regulation also adds flexibility to the application of double demerit points by allowing the Minister to declare the application of the regulation does not apply to all or part of a holiday period.
4. The new regulation 21 defines holiday period and public holiday (which is included in the definition of holiday period). It also allows the Minister to declare a period to be holiday period.
5. The dictionary is relocated at the end of the regulations, consistent with practice in other Road Transport regulations.
6. The short titles for red light offences in items 40, 41 and 43 of Part 2 of the offences schedule are reworded. This is a 'housekeeping' measure as the text was misleading.
7. The power to make these regulations amendments is found under section 14 of the *Road Transport (Driver Licensing) Act 1999*.