

**MOTOR TRAFFIC (ALCOHOL AND DRUGS)  
(AMENDMENT) BILL 1998**

Presented by John Hargreaves MLA

**EXPLANATORY MEMORANDUM**

**OUTLINE**

The purpose of this legislation is to repeal Section 10A of the Motor Traffic (Alcohol and Drugs) Act 1977. Currently police issue a section 10A certificate when a Random Breath Test returns positive and the driver is to be taken to the police station for further testing.

The information complied at the police station includes:

- Alcotest print out
- Summons/VATAC cover (voluntary agreement to attend court)
- Statement of Informant/Operator Report
- Brief Statement of Facts to Court
- AFP RBT Statistics Sheet
- AFP RBT Vehicle Record

In addition to this information, the officer's notebook entry is provided to the court if requested and the communications centre report of alleged offender being brought to the station is also available.

The information on the Statement of Informant/Operator Report contains the same information as the section 10A certificate and, in fact provides greater detail.

The provision of more scientifically accurate information to both the driver and the court, and the duplication of initial indicative information render the Section 10A certificate redundant.

**CLAUSE NOTES**

**Clauses 1, 2 and 3** are formal requirements. They refer to the short title of the Bill; specify that the Bill will commence upon being notified in the Gazette; and identify the title of the Act being amended.

**Clause 4** repeals section 10A of the Principal Act.

This Bill has no financial implication for the Territory.