

AUSTRALIAN CAPITAL TERRITORY
MOTOR TRAFFIC (ALCOHOL AND DRUGS) (AMENDMENT)

ORDINANCE 1984

ORDINANCE NO. 63 OF 1984

EXPLANATORY STATEMENT

The Motor Traffic (Alcohol and Drugs) Ordinance 1977 (the existing Ordinance) establishes a framework for the breath analysis of persons suspected of driving with more than the prescribed level of alcohol in their blood in the Territory. Section 29 of the Ordinance allows the Court to discharge a person convicted of an offence against the Ordinance upon the person giving certain undertakings, including submission to treatment at a referral centre established under the Ordinance, provided that, on application by the convicted person, the court is satisfied that the person is suffering from alcohol or drug dependency.

In November 1982 the Criminal Law Consultative Committee for the ACT found that little use was being made of section 29 and recommended that the section should be amended so that the Court would not need to be satisfied that a convicted person was suffering from alcohol or drug dependency prior to making an order under section 29.

The Motor Traffic (Alcohol and Drugs) (Amendment) Ordinance 1984 amends the existing Ordinance to implement the recommendation of the Criminal Law Consultative Committee.

Section 1 cites the short title of the Ordinance as the Motor Traffic (Alcohol and Drugs) (Amendment) Ordinance 1984.

Section 2 removes the requirement that the Court be satisfied that the convicted person is suffering from alcohol or drug dependency from section 29.

Ord. No. 58/84