

Australian Capital Territory

Road Transport (Offences) (Declaration of Holiday Period) Determination 2010 (No 1)

Disallowable instrument DI2010–281

Made under the

Road Transport (Offences) Regulation 2005, subsection 22(1)(b)(v) Meaning of holiday period.

EXPLANATORY STATEMENT

The Easter and ANZAC Day holidays for 2011 are coinciding holiday periods for the purpose of Section 22 (1) (b) (vi) of the *Road Transport (Offences) Regulation 2005* (the Regulation).

Easter Monday and ANZAC Day are to be observed on Monday 25 April 2011. An additional public holiday has been declared under the *Holidays Act 1958* for Tuesday 26 April 2011 in Notifiable Instrument 2010-358.

Section 22 of the Regulation provides that a holiday declared under the *Public Holidays Act 1958* is an excluded public holiday for the purposes of the application of double and additional demerit points under the Regulation and must be declared to be a holiday period by the Minister for double and additional demerit points to be applied on that date.

Subsection 22(1)(b)(v) of the Regulation, provides for the Minister to declare a period to be a holiday period.

This instrument specifies that Tuesday 26 April 2011 is a holiday period for the purpose of the application of double and additional demerit points. Double and additional demerit points apply to an offence against a territory law for which demerit points are prescribed and that is committed during a holiday period. Accordingly, for this period, double and additional demerit points, as specified in subsection 21(2) of the Regulation, will apply.

The declaration will extend the existing legislated holiday period from Thursday 21 April until Tuesday 26 April 2011 inclusive and will be consistent with the double demerit points period in NSW.

This declaration is a disallowable instrument, and must be presented to the Legislative Assembly within 6 sitting days after its notification in pursuance of section 64 of the *Legislation Act 2001*.