

Australian Capital Territory

# Road Transport (General) (Demerit Point Suspension Notice) Exemption 2013 (No 1)

Disallowable instrument DI2013—197

made under the

*Road Transport (General) Act 1999*, s 13 (Power to exclude vehicles, persons or animals from road transport legislation)

## EXPLANATORY STATEMENT

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This instrument is made under section 13 of the *Road Transport (General) Act 1999* (the Act) that allows the Minister to exclude vehicles, persons or animals from the operation of the road transport legislation, or a provision of that legislation, by disallowable instrument. Under section 13(1) of the Act, an exclusion operates in the circumstances and/or places declared in the instrument.

**Clause 1** provides for the name of this instrument.

**Clause 2** indicates that the instrument is taken to commence retrospectively on 24 May 2013. The operative provisions of this instrument do not operate to the disadvantage of any person (other than the Territory).

**Clause 3** is the principal operative clause of the instrument. It provides that where a person enters into an infringement management plan, or is granted a waiver, and becomes liable for a demerit points suspension more than 1 year prior to entering into the infringement management plan their driver licence will not be disqualified.

However, if a person commits a further infringement notice offence and has not been fine default suspended for at least 1 year they may be disqualified.

**Clause 4** contains relevant definitions used in the instrument.