

**2016**

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

**ROAD TRANSPORT (ALCOHOL AND DRUGS)  
AMENDMENT REGULATION 2016 (No 1)**

**SL2016-22**

**EXPLANATORY STATEMENT**

**Circulated by authority of  
Shane Rattenbury MLA  
Minister for Road Safety**

# ROAD TRANSPORT (ALCOHOL AND DRUGS) AMENDMENT REGULATION 2016 (No 1)

## Introduction

This explanatory statement relates to the *Road Transport (Alcohol and Drugs) Amendment Regulation 2016 (No 1)* (the regulation) as presented to the Legislative Assembly. It has been prepared in order to assist the reader of the regulation and to help inform debate on it. It does not form part of the regulation and has not been endorsed by the Assembly.

The Statement must be read in conjunction with the regulation. It is not, and is not meant to be, a comprehensive description of the regulation. What is said about a provision is not taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

## Outline

This regulation amends the *Road Transport (Alcohol and Drugs) Regulation 2000*.

This regulation is made under section 7 of the *Road Transport (Alcohol and Drugs) Act 1977* (Meaning of alcohol screening device), which provides for alcohol screening devices to be prescribed by regulation. An alcohol screening device is used to sample a person's breath to indicate if that person's blood or breath contains the presence of alcohol.

This regulation prescribes the Alcolizer LE 5 Series as an alcohol screening device for the purposes of section 7 of that Act. The Alcolizer LE 5 Series is a variant of the previously prescribed Alcolizer 5 Series, specifically designed for use by law enforcement. There is no substantive difference between the LE 5 Series and Alcolizer 5 Series.

It is not considered that there are any human rights implications associated with this amendment.

There are no climate change implications associated with this amendment.

## Notes on clauses

### **Clause 1**      **Name of regulation**

This is a formal provision that sets out the name of the regulation.

### **Clause 2**      **Commencement**

This is a formal provision that provides for the commencement of the regulation.

### **Clause 3**      **Legislation amended**

This clause lists the legislation to be amended by the regulation. This regulation will amend the *Road Transport (Alcohol and Drugs) Regulation 2000*.

### **Clause 4**      **New section 2 (d)**

This clause adds the Alcolizer LE 5 Series of alcohol screening devices to the list of alcohol screening devices permitted for use under section 7 of the *Road Transport (Alcohol and Drugs) Act 1977* (Meaning of alcohol screening device).