



Australian Capital Territory

Road Transport (Alcohol and Drugs) Regulation 2000

SL2000-8

made under the

Road Transport (Alcohol and Drugs) Act 1977

Republication No 5

Effective: 3 November 2004 – 30 November 2010

Republication date: 3 November 2004

Last amendment made by A2003-41
(republishing includes editorial amendments
under Legislation Act)

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Road Transport (Alcohol and Drugs) Regulation 2000*, made under the *Road Transport (Alcohol and Drugs) Act 1977* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 3 November 2004. It also includes any amendment, repeal or expiry affecting the republished law to 3 November 2004.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



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R5
03/11/04

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Australian Capital Territory

Road Transport (Alcohol and Drugs) Regulation 2000

made under the

Road Transport (Alcohol and Drugs) Act 1977

1 Name of regulation

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

4 Statements for the Act, s 12 (6)

A written statement mentioned in the Act, section 12 (6) (Breath analysis) must contain the particulars set out in schedule 1.

Schedule 1 Particulars for breath analysis carried out using a Dräger Alcotest 7110 or a Dräger Alcotest 7110 Mkv

(see s 4)

- 1 the type and serial number of the instrument used in carrying out the breath analysis and the sample number of the test
- 2 the date, start time and location where the test was carried out
- 3 the full name and date of birth of the person providing a sample of his or her breath for analysis
- 4 the full name of the police officer who has custody of the person under the Act, section 11 (who may be referred to in the statement as the *informant*)
- 5 the full name and rank of the approved operator
- 6 whether self-tests were conducted on the instrument before and after analysis and the time and the result of any such test
- 7 if the breath sample was tested on ‘override’ mode, that fact
- 8 the date and time when the sample of breath was analysed
- 9 the result of the breath analysis as shown by the instrument

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

| | |
|---|---|
| am = amended | ord = ordinance |
| amdt = amendment | orig = original |
| ch = chapter | par = paragraph/subparagraph |
| def = definition | pres = present |
| dict = dictionary | prev = previous |
| disallowed = disallowed by the Legislative Assembly | (prev...) = previously |
| div = division | pt = part |
| exp = expires/expired | r = rule/subrule |
| Gaz = gazette | renum = renumbered |
| hdg = heading | reloc = relocated |
| IA = Interpretation Act 1967 | R[X] = Republication No |
| ins = inserted/added | RI = reissue |
| LA = Legislation Act 2001 | s = section/subsection |
| LR = legislation register | sch = schedule |
| LRA = Legislation (Republication) Act 1996 | sdiv = subdivision |
| mod = modified/modification | sub = substituted |
| o = order | SL = Subordinate Law |
| om = omitted/repealed | <u>underlining</u> = whole or part not commenced or to be expired |

3 Legislation history

This regulation was originally the *Road Transport (Alcohol and Drugs) Regulations 2000*. It was renamed under the *Legislation Act 2001*.

Road Transport (Alcohol and Drugs) Regulation 2000 SL2000-8

notified 29 February 2000 (Gaz 2000 No S6)

s 1, s 2 commenced 29 February 2000 (IA s 10B)

remainder (s 3, s 4) commenced 1 March 2000 (Gaz 2000 No S5) (s 2)

as amended by

Road Transport Legislation Amendment Act 2001 A2001-27 sch 4

notified 24 May 2001 (Gaz 2001 No 21)

s 1, s 2 commenced 24 May 2001 (IA s 10B)

sch 4 commenced 24 May 2001 (s 2)

Legislation (Consequential Amendments) Act 2001 A2001-44 pt 335

notified 26 July 2001 (Gaz 2001 No 30)

s 1, s 2 commenced 26 July 2001 (IA s 10B)

pt 335 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

Statute Law Amendment Act 2003 A2003-41 sch 3 pt 3.18

notified LR 11 September 2003

s 1, s 2 commenced 11 September 2003 (LA s 75 (1))

sch 3 pt 3.18 commenced 9 October 2003 (s 2 (1))

4 Amendment history

Name of regulation

s 1 am R5 LA

Commencement

s 2 om Act 2001 No 27 amdt 4.1

Definition

s 3 om Act 2001 No 44 amdt 1.3691

Statements for the Act, s 12 (6)

s 4 hdg am A2003-41 amdt 3.373

s 4 am Act 2001 No 27 amdt 4.2; A2003-41 amdt 3.374

Regulation repealed

s 5 om R1 LRA

Endnotes

5 Earlier republications

Particulars for breath analysis carried out using a Dräger Alcotest 7110 or a Dräger Alcotest 7110 Mkv

sch 1 hdg (prev sch hdg) renum Act 2001 No 27 amdt 4.3

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

| Republication No | Amendments to | Republication date |
|------------------|---------------|--------------------|
| 1 | not amended | 1 March 2000 |
| 2 | A2001-27 | 1 July 2001 |
| 3 | A2001-44 | 12 September 2001 |
| 4 | A2003-41 | 9 October 2003 |

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