

NORTHERN TERRITORY OF AUSTRALIA

MOTOR VEHICLES (PRIVATE CAR PARKING) AMENDMENT ACT 2015

Act No. 21 of 2015

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NORTHERN TERRITORY OF AUSTRALIA

Act No. 21 of 2015

An Act to amend the *Motor Vehicles Act*

[Assented to 6 July 2015]
[Second reading 17 June 2015]

The Legislative Assembly of the Northern Territory enacts as follows:

1 Short title

This Act may be cited as the *Motor Vehicles (Private Car Parking) Amendment Act 2015*.

2 Commencement

This Act is taken to have commenced on 1 June 2015.

3 Act amended

This Act amends the *Motor Vehicles Act*.

4 Section 137D inserted

After section 137C

insert

137D Discovery for purpose of recovery of debts under car parking contracts

- (1) Any entitlement that a person (the ***applicant***) might otherwise have to a preliminary discovery order against the Registrar in relation to the recovery by the applicant of a car parking debt is abrogated by this section.

(2) A **preliminary discovery order in relation to the recovery of a car parking debt** means an order of a court or tribunal sought to assist the applicant to obtain information about a person for the purpose of enabling the applicant to commence civil proceedings against the person for the recovery of a car parking debt alleged to be owed by the person to the applicant under a contract.

(3) In this section:

contract includes an arrangement or understanding, but does not include a contract that is in writing and signed or executed by the parties to it.

car parking debt means an amount payable by a person under a contract in relation to the use by the person of a car park (whether as a fee to use the car park, an amount payable for breaching the contract or otherwise).

5 Part X inserted

After section 139

insert

Part X Transitional matter for Motor Vehicles (Private Car Parking) Amendment Act 2015

140 Certain orders taken never to have been made

(1) Any existing preliminary discovery order is taken never to have been made.

(2) In this section:

existing preliminary discovery order means a preliminary discovery order in relation to the recovery of a car parking debt (as defined in section 137D(3)) that was made:

(a) on or after 1 June 2015; but

(b) before the day on which the Administrator's assent to the *Motor Vehicles (Private Car Parking) Amendment Act 2015* is declared.

6 Expiry of Act

This Act expires on the day after the day on which the Administrator's assent to this Act is declared.