



NORTHERN TERRITORY OF AUSTRALIA

No. 89 of 1981

AN ACT

To amend the Motor Vehicles Act

[Assented to 21 September 1981]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the Motor Vehicles Amendment Act 1981.

2. COMMENCEMENT

This Act shall come into operation on a date to be fixed by the Administrator by notice in the Gazette.

3. PRINCIPAL ACT

The Motor Vehicles Act is in this Act referred to as the Principal Act.

4. REPEAL

Section 16 of the Principal Act is repealed and the following substituted:

"16. AFFIXING OF NUMBER PLATES

"(1) Subject to sub-section (3), the owner of a registered motor vehicle, other than a registered motor cycle or trailer, shall, upon the issue to him of 2 number plates of a design, type and material determined by instrument by the Registrar for such a motor vehicle, cause them to be affixed, one to the front and the other to the rear of the motor vehicle, in accordance with the requirements of Schedule 4.

"(2) Subject to sub-section (3), the owner of a registered motor cycle or trailer shall, upon the issue to him of a number plate of a design, type and material determined by instrument by the Registrar, cause it to be securely affixed to the rear of the motor cycle or trailer.

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"(3) The Registrar may, in his discretion, upon such conditions as he deems fit, by instrument exempt a person from the requirements of sub-section (1) or (2).

"(4) Notwithstanding anything contained in this Act, a reference in this Act to number plates shall, where applicable, include a reference to markings approved for the purposes of identification of a motor vehicle or class of motor vehicles."

5. CONDITIONS OF USE OF TRADER'S PLATES

Section 35 of the Principal Act is amended -

(a) by omitting from sub-section (1) "A" and substituting "Subject to sub-sections (2) and (4), a";

(b) by omitting "or" (second occurring) from sub-section (1)(f)(i);

(c) by omitting "trader." from sub-section (1)(f)(ii) and substituting "trader; or";

(d) by adding at the end of sub-section (1)(f) the following:

"(iii) a prospective purchaser of the vehicle or his employee or agent where the trader is licensed under the Motor Vehicle Dealers Act."; and

(e) by omitting sub-section (2) and substituting the following:

"(2) A trader referred to in sub-section (1)(f)(iii) shall not permit a prospective purchaser of a vehicle referred to in that sub-section to drive the vehicle except where, in addition to any other information required to be kept by any other law in force in the Territory, the name, driver's licence number, address and signature of the prospective purchaser has been recorded in a register kept by the trader for that purpose.

"(3) A trader referred to in sub-section (1)(f)(iii) shall, on demand at any reasonable time, produce the register required to be kept under sub-section (2) for inspection by the Registrar, an inspector or member of the Police Force.

"(4) The Registrar may, in his discretion, upon such conditions as he deems fit, by instrument exempt a person from the requirements of sub-section (1).

"(5) Where a motor vehicle bears a trader's plate in any of the circumstances specified in this section, the person driving the vehicle shall be deemed not to contravene section 107."

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6. PERSONS WHO MAY DRIVE VEHICLE WITH TRADER'S PLATE

Section 37 of the Principal Act is amended -

- (a) by omitting "A person shall not, upon any public street, drive a motor vehicle" and substituting the following:

"(1) Subject to this section, a person shall not, upon any public street, drive a motor vehicle, other than a motor cycle";

- (b) by omitting from paragraph (b)(i) "or" (third occurring);

- (c) by omitting from paragraph (b)(ii) "trader:" and substituting "trader; or";

- (d) by adding at the end of paragraph (b) the following:

"(iii) a prospective purchaser of the vehicle or his employee or agent where the trader to whom the plate was issued or transferred is licensed under the Motor Vehicle Dealers Act.";

- (e) by omitting "Provided that a" and substituting "(2) A"; and

- (f) by adding at the end thereof the following:

"(3) The Registrar may, in his discretion, upon such conditions as he deems fit, by instrument exempt a person from the requirements of sub-section (1)."

7. REPEAL

Section 41 of the Principal Act is repealed.

8. RECORD OF USE OF TRADER'S PLATE

Section 43 of the Principal Act is amended by omitting "form in the Fifth Schedule" and substituting "approved form".

9. REPEAL

Section 44 of the Principal Act is repealed.

10. REPEAL

The Third and Fifth Schedules of the Principal Act are repealed.

11. FURTHER AMENDMENT

The Principal Act is further amended as set out in the Schedule.

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SCHEDULE

Section 11

Provision	Amendment	
	omit	substitute
Section 3(2) and (3)	"this Ordinance" (wherever occurring)	"this Act"
Section 3(3)	"the provisions of"	
Section 4	the whole section	
Section 5(1)	"this Ordinance" (wherever occurring)	"this Act"
- definition of "public street"	<u>"Special Purposes Leases Ordinance"</u>	<u>"Special Purposes Leases Act"</u>
- definition of "the public"	<u>"Social Welfare Ordinance"</u> "that Ordinance"	<u>"Social Welfare Act"</u> "that Act"
- definition of "this Ordinance"	the whole definition	
Section 5(3)	the whole sub-section	
Section 8	"the Fourth Schedule"	"Schedule 4"
Sections 9(1A) and 10(1A)	"the provisions of"	
Sections 9(1A) and 10(1A)(d)	"the Director of Education for the Northern Territory of the Department of Education"	"the Secretary of the Department of Education"
Section 10A(3) (a)	"50 miles"	"80 kilometres"
Sections 10A(5), 11A(2) and 13(1)	<u>"Traffic Ordinance"</u>	<u>"Traffic Act"</u>

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Provision	Amendment	
	omit	substitute
Section 13A(3)	"The provisions of sub-paragraph (i) of paragraph (c) of section 114"	"Section 114(c)(i)"
Section 14(5)	"10 dollars"	"\$10"
Section 20(1)	"the provisions of"	
	"40 dollars"	"\$40"
Section 20(2)	"the provision of sub-section (1) are"	"sub-section (1) is"
Section 20(4)	"40 dollars"	"\$40"
Section 20(6)	"the provisions of"	
Section 25B(1)(c)	"Northern"	
Section 25G(1)	" <u>Traffic Ordinance</u> "	" <u>Traffic Act</u> "
Section 25K	"the provisions of"	
Section 27A(4)	"Northern"	
Section 27C(9)	"The provisions of this Act are"	"This Act is"
Section 28A(3) (b)	"2,000 dollars"	"\$2,000"
Section 32(3)	"Northern Territory Government Account"	"Consolidated Fund"
Section 42(a)	"the Fourth Schedule"	"Schedule 4"
Section 45	"the Second Schedule"	"Schedule 2"
Section 98(1)	"100 dollars"	"\$100"
Section 102(2) (c)	"the Fourth Schedule"	"Schedule 4"

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Provision	Amendment	
	omit	substitute
Section 102(7)	"Northern Territory of Australia"	"Territory"
Section 103(1) and (1A)	"sub-section (1) of section 10"	"section 10(1)"
Section 103(1A)	"years or for a period of"	"or"
Section 103(1C)	"sub-section (1) of section 10"	"section 10(1)"
Section 108A	"the Fourth Schedule"	"Schedule 4"
Section 110(d)	"the provisions of this Ordinance"	"this Act"
Section 110	"100 dollars"	"\$100"
	"200 dollars"	"\$200"
Section 114	"the provision of sub-paragraph (i) of paragraph (c)"	"paragraph (c)(i)"
	"the provisions of"	
Section 117(1)	"200 dollars"	"\$200"
Section 117(6) and (7)	"the provisions of this Ordinance"	"this Act"
Section 128A(1)	"the Fourth Schedule"	"Schedule 4"
Section 132(3)	"paragraph (b) or (d) of sub-section (2)"	"sub-section (2)(b) or (d)"
Section 133	"10 dollars"	"\$10"
Section 138(ae)	"100 dollars"	"\$100"
THE SCHEDULES	"THE SCHEDULES"	

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Provision	Amendment	
	omit	substitute
SECOND SCHEDULE	"SECOND SCHEDULE"	"SCHEDULE 2"
THE FOURTH SCHEDULE	"THE FOURTH SCHEDULE"	"SCHEDULE 4"
- clause 7(6)	"the provisions of"	
- clause 10	" <u>Traffic Ordinance</u> "	" <u>Traffic Act</u> "
- clause 11	"trailer" (wherever occurring)	"motor cycle or trailer"
Long title and sections 1, 2, 6, 7(2), 8, 9(3), (3A), 10(4), 10A(5), 11(A)(2), 13A(1)(a), (c), (1A), 14(1), 20(2), (5), 23(2), 25B(1)(b), 25D, 27A(2)(c) (iii), 27B(5)(c) (iii), 28(1), 30(1), 34(1), 38(3), 42(b), 97, 102(1), 103(2), (4), 105(1), (3), 106, 110, 111, 115(a), (b), (c), 116, 117(1), (6), (7), 119(b), 120(1), 121, 122, 123, 124(1), 125, 126(1), 127(1), 128, 129, 130, 132(1), (2)(a), 133(2), 134, 135(4), 136(1), 137 and 138	"Ordinance" (wherever occurring)	"Act"