

Serial 69  
Traffic Amendment Bill (No. 2) 2009  
Mr Giles

A Bill for an Act to amend the *Traffic Act*

**NORTHERN TERRITORY OF AUSTRALIA**

**TRAFFIC AMENDMENT ACT (NO. 2) 2009**

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**Act No. [ ] of 2009**

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# NORTHERN TERRITORY OF AUSTRALIA

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Act No. [ ] of 2009

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An Act to amend the *Traffic Act*

[Assented to [ ] 2009]  
[Second reading [ ] 2009]

The Legislative Assembly of the Northern Territory enacts as follows:

**1 Short title**

This Act may be cited as the *Traffic Amendment Act (No. 2) 2009*.

**2 Commencement**

This Act commences on the date fixed by the Administrator by *Gazette* notice.

**3 Act amended**

This Act amends the *Traffic Act*.

**4 Amendment of section 23 (Low range blood alcohol content)**

After section 23(5)

*insert*

- (5A) This section does not apply in relation to a person of a class mentioned in section 24(1).

*Note for subsection (5A)*

*If an offence committed by a person is covered by this section and section 24 (because of section 24(1)), the person must be charged under section 24 rather than this section.*

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**5            Amendment of section 24 (Some drivers to be zero alcohol)**

(1)        After section 24(1)

*insert*

- (1A) This section also applies, for a period of 3 months, to a person who has been found guilty of an offence against section 23, which is not a second or subsequent offence for that section.

*Note for subsection (1A)*

*See section 57 for the date after which this subsection applies in relation to an offence.*

(1B) The period for subsection (1A) begins:

- (a) on a finding of guilt by a court for the offence; or
- (b) if the person is served with an infringement notice for the offence and the infringement notice is not withdrawn:
  - (i) when the infringement notice penalty is paid in full or in part; or
  - (ii) when the Fines Recovery Unit enters into a scheme with the person allowing further time to pay, or payment by instalments; or
  - (iii) when the period for payment of the infringement notice penalty expires without the person electing to have the matter heard by a court.

(2)        Section 24(2)

*omit*

The person

*substitute*

A person to whom this section applies

(3)        After section 24(6)

*insert*

(7) If this section applies to a person because of subsection (1A):

- (a) subsections (5) and (6) do not apply to the person; and

- 
- (b) the person's licence is automatically cancelled and the person is disqualified from obtaining a licence for a minimum period of 3 months.

(8) In this section:

***Fines Recovery Unit*** means the Fines Recovery Unit established by section 27 of the *Fines and Penalties (Recovery) Act*.

**6        New section 57**

After section 56

*insert*

**57        Transitional matters for *Traffic Amendment Act (No. 2) 2009***

The amendments to this Act made by the *Traffic Amendment Act (No. 2) 2009* apply only in relation to offences committed after the commencement of this section.