

Serial 80

Traffic Amendment (Suspension of Licence) Bill 2006

Ms Carney

**A BILL  
for  
AN ACT**

to amend the *Traffic Act* for the suspension of a licence in certain circumstances,  
and for other purposes

NORTHERN TERRITORY OF AUSTRALIA  
TRAFFIC AMENDMENT (SUSPENSION OF LICENCE) ACT 2006

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Act No. [    ] of 2006

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# NORTHERN TERRITORY OF AUSTRALIA

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Act No. [ ] of 2006

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## AN ACT

to amend the *Traffic Act* for the suspension of a licence in certain circumstances,  
and for other purposes

[Assented to [ ] 2006]  
[Second reading [ ] 2006]

The Legislative Assembly of the Northern Territory enacts as follows:

### PART 1 – PRELIMINARY MATTERS

**1. Short title**

This Act may be cited as the *Traffic Amendment (Suspension of Licence) Act 2006*.

### PART 2 – AMENDMENT OF *TRAFFIC ACT*

**2. Act amended**

This Part amends the *Traffic Act*.

**3. New section 52A**

After section 52

*insert*

**52A. Suspension of licence as additional penalty for repeated offenders**

- (1) This section applies to a person (the "offender") if:
  - (a) the offender is found guilty of any of the following offences (the "last offence"):
    - (i) an offence against regulation 5 or 6 of the *Traffic Regulations*;
    - (ii) an offence against a law of the Territory that is one of a kind specified in Schedule 1, column 1, item 3 to the *Traffic Regulations*; and
  - (b) the offender has been found guilty of at least 2 other offences that are covered by subparagraph (a)(i) or (ii) during the preceding 12 months.

*Notes for subsection (1)*

- 1. *Regulations 5 and 6 provide for the prohibitions in relation to driving or travelling without being restrained by a seat belt.*
- 2. *The offence specified in the item mentioned in subsection (1)(a)(ii) relates to a failure to obey traffic lights.*

(2) The court sentencing the offender for the last offence must make an order specifying that the offender is disqualified from driving a motor vehicle for 3 months from the date of the order.

- (3) The court must make the order:
  - (a) in addition to any other penalty that may be imposed on the offender for the last offence; and
  - (b) whether or not any other penalty is imposed on the offender for the last offence.
- (4) On the making of the order:
  - (a) a clerk of the court must notify the Registrar of the making of the order; and
  - (b) the offender is disqualified from driving a motor vehicle for 3 months from the date of the order; and
  - (c) any licence held by the offender is suspended until the end of the 3 months; and
  - (d) the offender must surrender any licence held by the offender to a police officer; and

- (e) the offender must not hold, apply for or obtain any licence during the 3 months.

**PART 3 – AMENDMENT OF *TRAFFIC REGULATIONS***

**4. Regulations amended**

This Part amends the *Traffic Regulations*.

**5. Amendment of regulation 5 (Child must be restrained)**

- (1) Regulation 5(1)

*omit*

(1)

- (2) Regulation 5(2)

*omit*

**6. Amendment of regulation 6 (Seat belts)**

Regulation 6(4)

*omit*

is fitted

*substitute*

has been fitted by the manufacturer of the vehicle

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