

Serial 131
Motor Vehicles (Private Car Parking) Amendment Bill 2015
Mr Chandler

A Bill for an Act to amend the *Motor Vehicles Act*

NORTHERN TERRITORY OF AUSTRALIA

MOTOR VEHICLES (PRIVATE CAR PARKING) AMENDMENT ACT 2015

Act No. [] of 2015

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2015

An Act to amend the *Motor Vehicles Act*

[Assented to [] 2015]
[Second reading [] 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.

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- (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.