

FIRST PRINT

**TRANSPORT (PENALTY DEFAULTS) AMENDMENT BILL
1987**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Motor Traffic (Penalty Defaults) Amendment Bill 1987.

The object of this Bill is to amend the Transport Act 1930 to enable the regulations under that Act to provide for the cancellation of a person's licence (under the Motor Traffic Act 1909) or vehicle registration (under the Transport Act 1930) if the person refuses to pay the penalty imposed by a penalty notice issued under those regulations or by a court for a minor offence against the Principal Act or the regulations. It is intended to make a regulation with provisions similar to those of proposed section 18c of the Motor Traffic Act 1909 (as amended by the proposed Motor Traffic (Penalty Defaults) Amendment Act 1987).

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on 1 January 1988.

Clause 3 inserts new subsections (3) and (4) into section 265 (minor traffic offences) of the Principal Act. The new provisions enable regulations to be made for or with respect to the cancellation of drivers' or riders' licences and vehicle registrations as a consequence of a failure to pay a penalty imposed by a penalty notice or by a court in respect of certain offences.

Clause 4 states that the regulations may be made so as to apply to penalties imposed before, as well as on or after, the date the relevant regulations take effect.

1875

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

REPORT OF THE PHYSICS DEPARTMENT

FOR THE YEAR 1875

BY

JOHN W. GIBBS

PROFESSOR OF PHYSICS

CHICAGO, ILL.

1876

TRANSPORT (PENALTY DEFAULTS) AMENDMENT BILL 1987

NEW SOUTH WALES



TABLE OF PROVISIONS

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**TRANSPORT (PENALTY DEFAULTS) AMENDMENT BILL
1987**

NEW SOUTH WALES



No. , 1987

A BILL FOR

An Act to amend the Transport Act 1930 to enable the regulations under that Act to provide for the cancellation of licences and vehicle registrations as a consequence of a failure to pay the penalty imposed by a penalty notice under those regulations or by a court in respect of certain offences.

Transport (Penalty Defaults) Amendment 1987

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Transport (Penalty Defaults) Amendment Act 1987.

5 Commencement

2. This Act shall commence on 1 January 1988.

Amendment of Act No. 18, 1930, s. 265 (minor traffic offences)

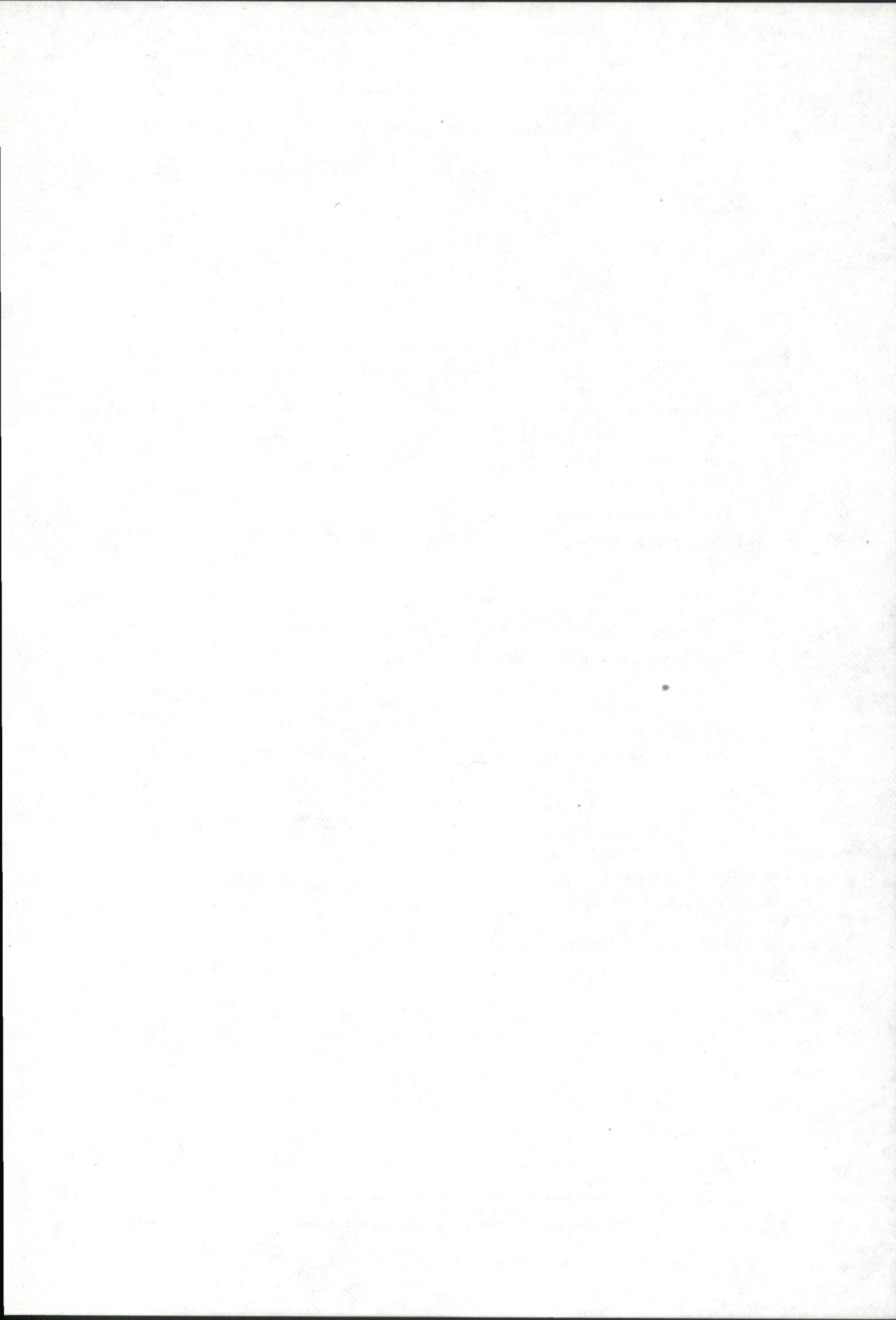
3. The Transport Act 1930 is amended by inserting after section 265 (2) the following subsections:

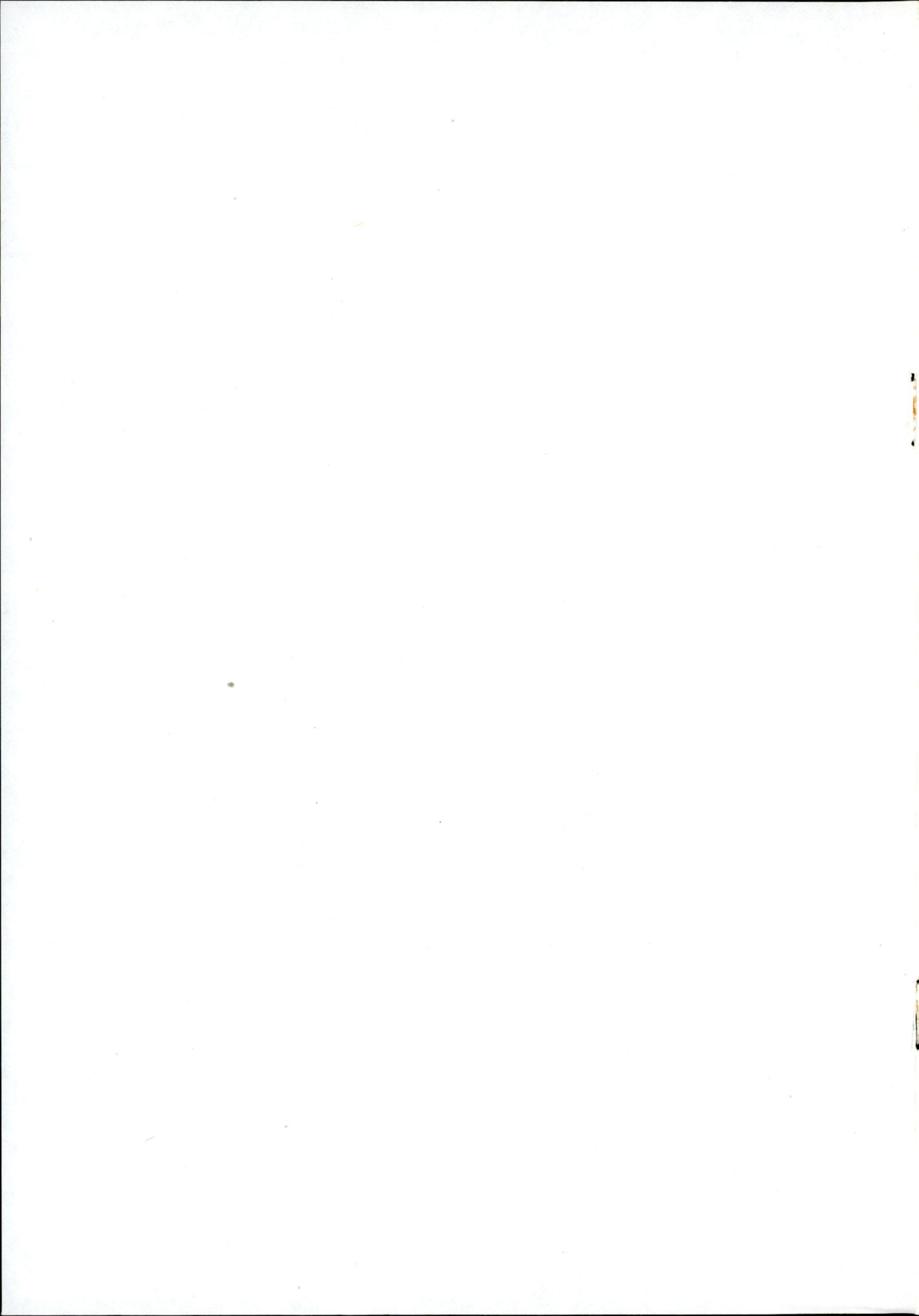
- 10 (3) The regulations may make provision for or with respect to—
- (a) the cancellation of any licence under the Motor Traffic Act 1909 held by a person who fails to pay—
- 15 (i) a penalty in respect of an offence under this Act or the regulations or an offence prescribed for the purposes of this section; and
- (ii) any other determined charges;
- (b) the cancellation of the registration under this Act of a vehicle owned by such a person; and
- 20 (c) the restoration, upon payment of such a penalty and charges and any other determined fee, of a registration cancelled in accordance with the regulations.

(4) Sections 169 and 169A do not apply to the cancellation, under regulations made for the purposes of this section, of a licence or registration.

Transitional provision

- 25 4. Regulations made for the purposes of section 265 (3) of the Transport Act 1930, as amended by this Act, may be made so as to apply in relation to penalties imposed before, as well as on or after, the date on which the regulations so made take effect.





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The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Transport (Penalty Defaults) Amendment Act 1987.

5 Commencement

2. This Act shall commence on 1 January 1988.

Amendment of Act No. 18, 1930, s. 265 (minor traffic offences)

3. The Transport Act 1930 is amended by inserting after section 265 (2) the following subsections:

- 10 (3) The regulations may make provision for or with respect to—
- (a) the cancellation of any licence under the Motor Traffic Act 1909 held by a person who fails to pay—
- 15 (i) a penalty in respect of an offence under this Act or the regulations or an offence prescribed for the purposes of this section; and
- (ii) any other determined charges;
- (b) the cancellation of the registration under this Act of a vehicle owned by such a person; and
- 20 (c) the restoration, upon payment of such a penalty and charges and any other determined fee, of a registration cancelled in accordance with the regulations.
- (4) Sections 169 and 169A do not apply to the cancellation, under regulations made for the purposes of this section, of a licence or registration.

Transitional provision

- 25 4. Regulations made for the purposes of section 265 (3) of the Transport Act 1930, as amended by this Act, may be made so as to apply in relation to penalties imposed before, as well as on or after, the date on which the regulations so made take effect.