

Motor Traffic (Amendment) Ordinance (No. 4) 1981

No. 31 of 1981

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act* 1910.

Dated 16 September 1981.

ZELMAN COWEN
Governor-General

By His Excellency's Command,

MICHAEL HODGMAN
Minister of State for the Capital Territory

An Ordinance to amend the *Motor Traffic Ordinance* 1936

Short title

1. This Ordinance may be cited as the *Motor Traffic (Amendment) Ordinance* (No. 4) 1981.¹

Cancellation and suspension of licences by court

2. Section 192A of the *Motor Traffic Ordinance* 1936² is amended by omitting sub-section (1) and substituting the following sub-section:

“(1) Where a person is convicted of an offence of culpable driving arising out of the driving of a motor vehicle recklessly or negligently, the court by which he is convicted shall—

- (a) if the person is the holder of a driving licence—suspend the driving licence for such period, being a period of not less than 3 months, as the court directs or, if the court considers the circumstances so warrant, cancel the licence and direct that the person be disqualified from holding a driving licence until such time as the court otherwise orders; or
- (b) if the person is not the holder of a driving licence (whether or not the person is to be deemed to be licenced to drive a motor vehicle under section 107 or 108)—disqualify the person from holding a driving licence for such period, being a period of not less than 3

months, as the court directs or, if the court considers the circumstances so warrant, disqualify the person from holding a driving licence until such time as the court otherwise orders.”.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 24 September 1981.
2. No. 45, 1936 as amended to date. For previous amendments see Note 2 to No. 3, 1981 and see also Nos. 3, 8 and 30, 1981.