

Act 1992 No. 67

TRAFFIC (FINE DEFAULT) AMENDMENT BILL 1992

NEW SOUTH WALES



EXPLANATORY NOTE

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

The object of this Bill is to amend section 18B of the Traffic Act 1909 so that penalty notices may be issued under that section for parking offences committed in free council car parks. At present, penalty notices for offences of this type are issued under the Local Government Act 1919.

The significance of the Bill is that, as a result of the amendment of section 18B, the effective extent of section 18C of the Traffic Act 1909 is enlarged. Parking offences of the kind just mentioned will be eligible for inclusion in the penalty default cancellation scheme—that is, the scheme under which a failure to pay the penalty imposed by a penalty notice can result in cancellation of the offender's driver's licence or vehicle registration.

The Bill proposes to repeal the section of the Local Government Act 1919 under which penalty notices for the same offences are currently issued. The Bill makes other consequential amendments to that Act and to the Justices Act 1902.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a proclaimed day.

Clause 3 is a formal provision giving effect to amendments to section 18B of the Traffic Act 1909.

Clause 4 is a formal provision giving effect to a Schedule of consequential amendments to the Local Government Act 1919.

Clause 5 makes a consequential amendment to the Justices Act 1902.

Clause 6 is a saving of persons' rights in respect of offences committed by them before the commencement of the proposed Act. Default in payment of the fine imposed by a penalty notice for any such offence cannot result in cancellation of licence or registration.

Traffic (Fine Default) Amendment 1992 [Act 1992 No. 67]

Schedule 1 amends section 18B of the Traffic Act 1909, to permit penalty notices for the offences mentioned above to be issued under that Act.

Schedule 2 repeals section 270S of the Local Government Act 1919, under which penalty notices for the offences mentioned above are now issued, and makes other consequential amendments to that Act.
