



ANNO TRICESIMO

ELIZABETHAE II REGINAE

A.D. 1981

No. 40 of 1981**An Act to amend the Motor Vehicles Act, 1959-1980.***[Assented to 19 March 1981]*

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short titles.

1. (1) This Act may be cited as the "Motor Vehicles Act Amendment Act, 1981".

(2) The Motor Vehicles Act, 1959-1980, is in this Act referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Motor Vehicles Act, 1959-1981".

Commencement.

2. This Act shall come into operation on a day to be fixed by proclamation.

Amendment of s. 81b—
Cancellation of learner's permits and driver's licences for breach of probationary conditions, etc.

3. Section 81b of the principal Act is amended—

(a) by striking out from paragraph (a) of subsection (2) the passage "is convicted of" and substituting the word "commits";

(b) by striking out from paragraph (b) of subsection (2) the passage "is convicted of" and substituting the word "commits";

and

(c) by inserting in subsection (2) after the passage "the Registrar shall" the passage " , upon receiving notice under section 93 of the conviction, or the expiation, of the offence,".

Amendment of s. 82—
Obligation upon Registrar to deal with learner's permits and driver's licences pursuant to recommendations of the consultative committee.

4. Section 82 of the principal Act is amended by inserting after subsection (1) the following subsection:

(1a) Where a person expiates, in accordance with the Police Offences Act, 1953-1981, an offence that attracts demerit points under this Act, he shall, for the purposes of subsection (1) (c), be deemed to have been convicted of that offence.

5. Section 93 of the principal Act is amended by inserting after subsection (3) the following subsections:

Amendment of
s. 93—
Notice to be
given to
Registrar.

(3a) Where a person expiates an offence to which a traffic infringement notice given under the Police Offences Act, 1953-1981, relates, and that offence—

(a) attracts demerit points under this Act;

or

(b) is an offence of contravening a probationary condition of a learner's permit or driver's licence,

the Commissioner of Police shall send to the Registrar notice in writing of the expiation.

(3b) Where the Commissioner of Police withdraws a traffic infringement notice in relation to which he has given notice under subsection (3a), he shall, by further notice in writing, advise the Registrar forthwith of the withdrawal and the grounds upon which the withdrawal was made.

6.¹ Section 98b of the principal Act is amended—

Amendment of
s. 98b—
Points demerit
scheme.

(a) by inserting after subsection (1) the following subsection:

(1a) Where a person expiates an offence to which a traffic infringement notice given under the Police Offences Act, 1953-1981, relates, he shall, for the purposes of this section, be deemed to have been convicted of that offence on the day upon which he expiated the offence.;

and

(b) by striking out from subsection (10) the passage "If a court is satisfied by evidence given on oath forthwith upon conviction that an offence" and substituting the passage "If a court by which a person is convicted of an offence is satisfied by evidence given on oath forthwith upon conviction that the offence".

7. Section 98f of the principal Act is amended by inserting after subsection (2) the following subsection:

Amendment of
s. 98f—
Cancellation or
suspension of
certificate.

(2a) Where a person expiates, in accordance with the Police Offences Act, 1953-1981, an offence that attracts demerit points under this Act, he shall, for the purposes of subsections (1) (b) and (2), be deemed to have been convicted of that offence.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

K. D. SEAMAN, Governor