

South Australia

# **Motor Vehicles (Disqualification) Amendment Act 2012**

An Act to amend the *Motor Vehicles Act 1959*.

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**The Parliament of South Australia enacts as follows:**

## **Part 1—Preliminary**

### **1—Short title**

This Act may be cited as the *Motor Vehicles (Disqualification) Amendment Act 2012*.

### **2—Commencement**

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

### **3—Amendment provisions**

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

## Part 2—Amendment of *Motor Vehicles Act 1959*

### 4—Insertion of section 94

After section 93 insert:

#### 94—Administrative errors and notices of disqualification

- (1) If, as a result of an administrative error, a notice of disqualification is not given to a person by the Registrar within 12 months after the person became liable to be given that notice of disqualification under this Act, the Registrar must not give the notice of disqualification to the person (despite any other provision of this Act).
- (2) For the purposes of subsection (1) (and despite section 139BD), the Registrar will be taken to have given a notice of disqualification to a person if the Registrar has sent such a notice to the person by post, even if the person has failed to comply with a requirement made under section 139BD(3) within the period specified in the notice.
- (3) In this section—  
*notice of disqualification* has the same meaning as in section 139BD.

## Schedule 1—Transitional provision

### 1—Application of section 94

Section 94 of the *Motor Vehicles Act 1959*, as enacted by this Act, applies in relation to a notice of disqualification that would (but for the provisions of section 94(1)) be given by the Registrar after the commencement of this Act.