

ROAD TRAFFIC LEGISLATION (AMENDMENT) BILL 2008

COMMITTEE STAGE

Amendments to be moved by the Secretary for
Transport and Housing

Clause

Amendment Proposed

- 3(3) By deleting the proposed definition of "approved pre-screening device" and substituting -
- "approved pre-screening device" (認可預檢設備)
- means a device -
- (a) of a type approved by the Commissioner of Police under section 39F; and
 - (b) for indicating whether or not the proportion of alcohol in a person's breath reaches such a level that it would be reasonable to suspect that such proportion is likely to exceed the prescribed limit;".
- 9(1) In the proposed section 39B(1A)(b), by deleting "person has any alcohol in his body" and substituting "proportion of alcohol in the person's breath reaches such a level that it would be reasonable to suspect that such proportion is likely to exceed the prescribed limit".

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11(b) In the proposed section 39F(1)(c), by deleting "the purpose of indicating whether a person has any alcohol in his body" and substituting "indicating whether or not the proportion of alcohol in a person's breath reaches such a level that it would be reasonable to suspect that such proportion is likely to exceed the prescribed limit".

20 By adding immediately before subclause (1) -

"(1A) The heading of section 72A is amended by adding "**or magistrate**" after "**court**".

(1B) Section 72A(1) is amended by adding "or magistrate" after "court".

(1C) Section 72A(1) is amended, in the English text, by repealing "it" and substituting "the court or magistrate".

20(1) (a) In the proposed section 72A(1A), by adding "or magistrate" after "court" where it twice appears.

(b) In the proposed section 72A(1A), in the English text, by deleting "it" and substituting "the court or magistrate".

20 By adding immediately after subclause (1) -

"(1AA) Section 72A(2) is amended by adding "or magistrate" after "court".

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(1AB) Section 72A(2) is amended by repealing "it" and substituting "the court or magistrate".

20(2) In the proposed section 72A(3B)(a), by adding "or magistrate" after "court".

20(9) (a) In the proposed section 72A(9A), by adding "or magistrate" after "court" wherever it appears.

(b) In the proposed section 72A(9C), by adding "or magistrate" after "court" wherever it appears.

20 By deleting subclause (10) and substituting -
"(10) Section 72A(11) is amended by repealing the definition of "court".

25(2) (a) In the proposed regulation 8(1A)(b)(ii), by deleting "regulation 11(1B)(a) or (1C)(a)" and substituting "regulation 11(1AA)(a) or (1AB)(a)".

(b) In the proposed regulation 8(1A)(b)(iii), by deleting "regulation 11(1B)(b) or (c), (1C)(b)" and substituting "regulation 11(1AA)(b) or (c), (1AB)(b)".

28(1) By deleting everything after "repealed" and substituting a full stop.

28(2) (a) By renumbering the proposed regulation 11(1B)

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as regulation 11(1AA).

(b) By renumbering the proposed regulation 11(1C) as regulation 11(1AB).

(c) In the proposed regulation 11(1AB) (d) (ii) (B) and (C), by deleting "(1B)" and substituting "(1AA)".

28(3) In the Chinese text, by deleting "申請人如" and substituting "申請關於".

28 By adding -

"(3A) Regulation 11(2A) is amended by repealing "The" and substituting "Subject to regulations 6, 7, 8 and 9, the"."

28 By deleting subclause (6).

29(2) (a) In the proposed regulation 12(5)(b)(ii), by deleting "regulation 11(1B)(a) or (1C)(a)" and substituting "regulation 11(1AA)(a) or (1AB)(a)".

(b) In the proposed regulation 12(5)(b)(iii), by deleting "regulation 11(1B)(b) or (c), (1C)(b)" and substituting "regulation 11(1AA)(b) or (c), (1AB)(b)".

34 In the proposed regulation 12I(1)(a)(iii), in the Chinese text, by deleting "扣" and substituting "記".

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- 37(2)
- (a) In the proposed regulation 12L(1)(a)(ii), in the Chinese text, by deleting “扣” and substituting “記”.
 - (b) In the proposed regulation 12L(1A)(b), by deleting “regulation 11(1C)(d)” and substituting “regulation 11(1AB)(d)”.
 - (c) In the proposed regulation 12L(1B)(b), by deleting “regulation 11(1)” and substituting “regulation 11(1B)”.
 - (d) In the proposed regulation 12L(1C)(b), by deleting “regulation 11(1)” and substituting “regulation 11(1B)”.
 - (e) In the proposed regulation 12L(1D)(b)(ii), by adding “or (2A)” after “regulation 11(2)”.

- 50
- (a) By renumbering the clause as clause 50(1).
 - (b) By adding -
 - “(2) The Twelfth Schedule is amended, in the Chinese text, in item 1, by repealing “扣” and substituting “記”.”.

- 59
- (a) In the proposed section 8AA(1), in the Chinese text, by deleting “扣” and substituting “記”.
 - (b) In the proposed section 8AA(2)(a)(i) and (ii), in the Chinese text, by deleting “扣” and substituting “記”.

- 60
- By adding -

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“(2A) Section 8A(1) is amended, in the Chinese text, by repealing “扣” where it twice appears and substituting “記”.”.

- 60(3)
- (a) In the proposed section 8A(2), in the Chinese text, by deleting “扣” and substituting “記”.
 - (b) In the proposed section 8A(3) (a) (i) and (b) (i), in the Chinese text, by deleting “扣” and substituting “記”.
 - (c) In the proposed section 8A(4), in the Chinese text, by deleting “扣” wherever it appears and substituting “記”.

New By adding immediately after clause 62 -

“62A. “記” substituted for “扣”

The following provisions are amended, in the Chinese text, by repealing “扣” wherever it appears and substituting “記” -

- (a) the definition of “分”、“分數” in section 2(1);
- (b) section 3(1) (a), (b), (c), (d), (e), (ea) and (eb) and (3);
- (c) section 4(1);
- (d) section 4A(2);
- (e) section 5(1), (2), (3) and (4);
- (f) section 6(1) and (2) (a) and (b);
- (g) section 6A(1), (2) (a) (i) and (ii) and (b) and (4) (b);

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- (h) section 7(1) and (3);
- (i) section 8(1) and (2);
- (j) section 9(1)(d) and (f).

62B. "扣減" substituted for "補回"

(1) The following provisions are amended, in the Chinese text, by repealing "補回" wherever it appears and substituting "扣減" -

- (a) section 3(1)(eb);
- (b) section 6A(1), (2), (3) and (4);
- (c) section 7(3);
- (d) section 8(4A);
- (e) section 9(1)(f).

(2) The heading of section 6A is amended, in the Chinese text, by repealing "補回" and substituting "扣減".

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