

CRIMINAL CODE.

No. 24 of 1966.

AN ACT to amend the *Criminal Code*.

[20 July 1966.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—(1) This Act may be cited as the *Criminal Code Act 1966*. Short title and commencement.

(2) This Act shall commence on the day on which the *Traffic Act 1966* commences.

2 Section three hundred and ninety-one A of the *Criminal Code* is repealed and the following section is substituted therefor:—

“391A—(1) Where a person is convicted of a crime to which this section applies, the trial judge, in addition to imposing any other penalty to which that person is liable, may— Disqualification of motor driver on conviction for certain offences.

(a) order that that person be disqualified, either for a specified period or until further ordered by a judge, for obtaining or holding a driver's licence; and Cf. No. 50 of 1961 (S.A.), s. 168.

(b) if the trial judge thinks fit, order that that person shall not, at the expiration of the period of disqualification or upon the removal of the disqualification, be granted a driver's licence unless he passes, to the satisfaction of the Registrar of Motor Vehicles, such driving test as the Registrar may direct or approve.

“(2) A judge who makes an order under this section may, if he is satisfied that reasonable cause exists for doing so, order that the disqualification imposed by the order shall take effect from a day or hour subsequent to the time of the making of the order.

“(3) Where an order is made under this section requiring a person who is disqualified for obtaining or holding a driver's licence to pass a driving test, that person's disqualification continues until the expiration or removal of the disqualification or the passing of the test, whichever last occurs.

“(4) Section thirty-six B of the *Traffic Act 1925* applies in relation to a conviction for a crime to which this section applies as it applies to such a conviction as is referred to in subsection (1) of that section and as if a reference in that section to a court were a reference to the trial judge.

“(5) An order under this section may be made in relation to any person who is convicted of a crime to which this section applies, whether at the time of the commission of the crime that person was the driver or person in charge of a motor vehicle or was being carried in or was travelling in a motor vehicle driven or operated by some other person.

“(6) In this section—

‘crime to which this section applies’ means—

(a) any crime arising out of the driving, operation, or use of a motor vehicle, or in the commission of which a motor vehicle was used, or the commission of which was facilitated by the use of a motor vehicle; and

(b) an offence against section thirty-two of the *Traffic Act 1925* that is a crime by virtue of subsection (4) of that section;

‘driver’s licence’ means a driver’s licence issued under the provisions of the *Traffic Act 1925*;

‘motor vehicle’ means a motor vehicle as defined in the *Traffic Act 1925*.”.

EVIDENCE.

No. 25 of 1966.

AN ACT to amend the *Evidence Act 1910*.

[20 July 1966.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title,
citation, and
commence-
ment.

1—(1) This Act may be cited as the *Evidence Act 1966*.

(2) The *Evidence Act 1910*, as subsequently amended, is in this Act referred to as the Principal Act.

(3) This Act shall commence on the day on which the *Traffic Act 1966* commences.