



# Victoria Government Gazette

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## Road Safety Act 1986

### ORDER DECLARING OFFENCES AGAINST THE LAWS OF OTHER STATES AND TERRITORIES TO BE CORRESPONDING INTERSTATE DRINK-DRIVING OFFENCES

I, Ben Carroll, Minister for Roads and Road Safety, make the following Order under section 25(1) of the **Road Safety Act 1986**:

#### 1. Purpose

The purpose of this Order is to declare that offences against the laws of another State or a Territory correspond to Victorian drink-driving offences for the purpose of the **Road Safety Act 1986**.

#### 2. Background

- (1) Section 25(1) of the **Road Safety Act 1986** provides that the Minister administering that Act, by Order published in the Government Gazette, may declare that an offence against a law of another State or a Territory (a ‘corresponding interstate drink-driving offence’) corresponds to a Victorian drink-driving offence specified in the Order.
- (2) Section 25(2) of the **Road Safety Act 1986** provides that a ‘Victorian drink-driving offence’ –
  - (a) means –
    - (i) an offence under section 49(1) of the **Road Safety Act 1986**, other than an offence under section 49(1)(a) of the **Road Safety Act 1986** involving only a drug or an offence under section 49(1)(ba), (bb), (h) or (i) of the **Road Safety Act 1986**; or
    - (ii) an offence referred to in section 89(1) of the **Sentencing Act 1991** where the court makes a finding that the offence was committed while the person was under the influence of alcohol, or both alcohol and a drug which contributed to the offence; but
  - (b) does not include a supervising driver offence (which is an offence committed by a person who is taken to be in charge of a motor vehicle by reason of the operation of section 3AA(1)(d) of the **Road Safety Act 1986**).
- (3) Section 89(1) of the **Sentencing Act 1991** refers to a ‘serious motor vehicle offence’ which is defined in section 87P of that Act. Serious motor vehicle offences include the following offences –
  - (a) murder or attempted murder arising out of the driving of a motor vehicle;
  - (b) manslaughter arising out of the driving of a motor vehicle;
  - (c) an offence under section 24 of the **Crimes Act 1958** in respect of serious injury arising out of the driving of a motor vehicle (negligently causing serious injury);
  - (d) an offence under section 317AC, 317AD, 317AE or 317AF of the **Crimes Act 1958** arising out of the driving of a motor vehicle (intentionally or recklessly exposing an emergency worker, a custodial officer or a youth justice custodial worker to risk by driving);
  - (e) an offence under section 318 of the **Crimes Act 1958** arising out of the driving of a motor vehicle other than the operating of a vessel (culpable driving causing death);

**SPECIAL**

- (f) an offence under section 319 of the **Crimes Act 1958** arising out of the driving of a motor vehicle other than the operating of a vessel (dangerous driving causing death or serious injury);
- (g) any of the following offences, if arising out of the driving of a motor vehicle while under the influence of alcohol or alcohol and a drug –
  - (i) an offence under section 15A of the **Crimes Act 1958** (causing serious injury intentionally in circumstances of gross violence);
  - (ii) an offence under 15B of the **Crimes Act 1958** (causing serious injury recklessly in circumstances of gross violence);
  - (iii) an offence under section 16 of the **Crimes Act 1958** (causing serious injury intentionally);
  - (iv) an offence under section 17 of the **Crimes Act 1958** (causing serious injury recklessly);
  - (v) an offence under section 18 of the **Crimes Act 1958** (causing injury intentionally or recklessly);
  - (vi) an offence under section 22 of the **Crimes Act 1958** (conduct endangering life);
  - (vii) an offence under section 23 of the **Crimes Act 1958** (conduct endangering persons);
  - (viii) an offence under section 63A of the **Crimes Act 1958** (kidnapping);
  - (ix) the common law offence of kidnapping;
  - (x) an offence under section 79 of the **Crimes Act 1958** (carjacking);
  - (xi) an offence under section 79A of the **Crimes Act 1958** (aggravated carjacking).
- (4) Section 25(3) of the **Road Safety Act 1986** provides that, on being notified that a person who holds a Victorian driver licence or learner permit has been disqualified from driving or obtaining a licence or permit in another jurisdiction as a result of having been convicted or found guilty of a corresponding interstate drink-driving offence committed in that jurisdiction, the Secretary must –
  - (a) cancel that Victorian driver licence or learner permit; and
  - (b) disqualify the person from obtaining a Victorian driver licence or learner permit for the period determined in accordance with sections 25(4), (5), (6), (7) and (9).
- (5) Section 25(4) of the **Road Safety Act 1986** provides that, subject to subsections (5), (6), (7) and (9), the period of disqualification for a corresponding interstate drink-driving offence is the minimum period of disqualification that would apply had the person been convicted or found guilty of the Victorian drink-driving offence to which the corresponding interstate drink-driving offence corresponds.
- (6) Section 31KB(1) and (2) of the **Road Safety Act 1986** provide that a Victorian driver licence or learner permit granted by the Secretary to the following persons must be made subject to an alcohol interlock condition –
  - (a) a person who holds a current licence or permit authorising the person to drive a motor vehicle issued in another State or a Territory that is subject to an alcohol interlock condition and paragraph (c) does not apply to the person; or
  - (b) a person who –
    - (i) was prevented under section 23A of the Act from obtaining a Victorian driver licence or learner permit because the person was disqualified from driving in another State or a Territory in respect of a corresponding interstate drink-driving offence; and

- (ii) is no longer prevented from obtaining a Victorian driver licence or learner permit; and
  - (iii) does not hold a current licence or permit issued in another State or a Territory authorising the person to drive a motor vehicle; or
- (c) a person who –
  - (i) has been disqualified under section 25(3) of the Act from obtaining a Victorian driver licence or learner permit in respect of a corresponding interstate drink-driving offence; and
  - (ii) has ceased to be so disqualified.
- (7) Section 31KB(4) of the **Road Safety Act 1986** provides that a person granted a Victorian driver licence or learner permit on which an alcohol interlock condition is imposed under section 31KB cannot apply under section 50AAAB for the removal of the condition during the period (the ‘relevant period’), determined in accordance with section 31KB(5) or (6).
- (8) Section 31KB(8) of the **Road Safety Act 1986** provides that, in certain cases, the Secretary can impose a reduced alcohol interlock condition period or grant the licence or permit without an alcohol interlock condition if the person has complied with the requirements of an alcohol interlock condition imposed by another State or a Territory in respect of the corresponding interstate drink-driving offence.

### 3. Authorising Provision

This Order is made under section 25(1) of the **Road Safety Act 1986**.

### 4. Commencement

This Order comes into operation on 12 November 2020.

### 5. Revocation

The Order published in Victoria Government Gazette No. G16 (pp 741–757) on Thursday 19 April 2018 entitled ‘*Order declaring offences against the laws of other States and Territories to be corresponding interstate drink-driving offences*’ is revoked.

### 6. Definitions

In this Order and the Schedules to this Order –

‘CA’ means the **Crimes Act 1958**;

‘commercial driving instructor’ has the same meaning as in the **Road Safety Act 1986**;

‘RSA’ means the **Road Safety Act 1986**;

‘Secretary’ means the Secretary to the Department of Transport;

‘supervising driver’ has the same meaning as in the **Road Safety Act 1986**.

### 7. Interpretation

- (1) A reference to murder, attempted murder or manslaughter in Column 3 of Schedules 1 to 7 to this Order has the same meaning as in the **Sentencing Act 1991**.
- (2) Additionally, where an offence under the **Crimes Act 1958**, murder, attempted murder or manslaughter is specified in Column 3 of Schedules 1 to 7 to this Order, the reference to that offence means an offence of that type –
  - (a) arising out of the driving of a motor vehicle; and
  - (b) committed in circumstances where the court has made a finding that the offence was committed while the person was under the influence of alcohol, or both alcohol and a drug which contributed to the offence.
- (3) A reference to an offence under section 49(1)(a) of the **Road Safety Act 1986** in Column 3 of Schedules 1 to 7 to this Order, means an offence under that section other than an offence involving only a drug.

**8. Declaration of corresponding interstate drink-driving offences**

Subject to clause 10, the offences set out in Column 1 of Schedules 1 to 7 to this Order are declared to correspond to the Victorian drink-driving offences set out in Column 3 of Schedules 1 to 7 to this Order.

**9. Additional Information**

The information set out in Column 2 of Schedules 1 to 7 to this Order is provided for information only, and does not extend, limit or otherwise affect the operation of this Order.

**10. Exception – Supervising driver**

An offence set out in Column 1 of Schedules 1 to 7 to this Order is not a corresponding interstate drink-driving offence if the offence was committed by a supervising driver.

Dated 6 November 2020

HON. BEN CARROLL MP  
Minister for Roads and Road Safety

**SCHEDULE 1**  
**Corresponding Laws of New South Wales**

<b>Column 1</b> <b>Corresponding interstate</b> <b>drink-driving offence</b>	<b>Column 2</b> <b>Summary of corresponding</b> <b>interstate drink-driving offence</b>	<b>Column 3</b> <b>Corresponding</b> <b>Victorian</b> <b>drink-driving</b> <b>offence</b>
An offence under section 110(1)(a) or (b) of the <b>Road Transport Act 2013</b>	Drive or occupy driving seat and attempt to put motor vehicle in motion while there is present in driver's breath or blood the novice range prescribed concentration of alcohol (of more than zero but less than 0.02 grams of alcohol in 210 litres of breath or 100 millilitres of blood)	RSA 49(1)(b)
An offence under section 110(2)(a) or (b) of the <b>Road Transport Act 2013</b>	Drive or occupy driving seat and attempt to put motor vehicle in motion while there is present in driver's breath or blood the special range prescribed concentration of alcohol (of 0.02 or more but less than 0.05 grams of alcohol in 210 litres of breath or 100 millilitres of blood)	RSA 49(1)(b)
An offence under section 110(3)(a) or (b) of the <b>Road Transport Act 2013</b>	Drive or occupy driving seat and attempt to put motor vehicle in motion while there is present in driver's breath or blood the low range prescribed concentration of alcohol (of 0.05 or more but less than 0.08 grams of alcohol in 210 litres of breath or 100 millilitres of blood)	RSA 49(1)(b)

Column 1 Corresponding interstate drink-driving offence	Column 2 Summary of corresponding interstate drink-driving offence	Column 3 Corresponding Victorian drink-driving offence
An offence under section 110(4)(a) or (b) of the <b>Road Transport Act 2013</b>	Drive or occupy driving seat and attempt to put motor vehicle in motion while there is present in driver's breath or blood the middle range prescribed concentration of alcohol (of 0.08 or more but less than 0.15 grams of alcohol in 210 litres of breath or 100 millilitres of blood)	RSA 49(1)(b)
An offence under section 110(5)(a) or (b) of the <b>Road Transport Act 2013</b>	Drive or occupy driving seat and attempt to put motor vehicle in motion while there is present in driver's breath or blood the high range prescribed concentration of alcohol (of 0.15 grams or more of alcohol in 210 litres of breath or 100 millilitres of blood)	RSA 49(1)(b)
An offence under section 112(1)(a) or (b) of the <b>Road Transport Act 2013</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Drive vehicle, or occupy driving seat of vehicle and attempt to put vehicle in motion while under influence of alcohol or both alcohol and any other drug	RSA 49(1)(a)
An offence under section 117(1)(a) or (b) of the <b>Road Transport Act 2013</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Negligent driving occasioning death or grievous bodily harm	CA 24
An offence under clause 3(4) of Schedule 3 to the <b>Road Transport Act 2013</b>	Fail to comply with request or signal of police officer to stop vehicle to undergo breath test	RSA 49(1)(c)
An offence under clause 16(1)(a) of Schedule 3 to the <b>Road Transport Act 2013</b>	Refusal or failure to submit to breath test	RSA 49(1)(c)
An offence under clause 16(1)(b) of Schedule 3 to the <b>Road Transport Act 2013</b>	Refusal or failure to submit to breath analysis	RSA 49(1)(e)
An offence under clause 17(1)(a1) of Schedule 3 to the <b>Road Transport Act 2013</b>	Refuse or fail to submit to the taking of a blood sample	RSA 49(1)(c)

Column 1 Corresponding interstate drink-driving offence	Column 2 Summary of corresponding interstate drink-driving offence	Column 3 Corresponding Victorian drink-driving offence
Murder (within the meaning of the <b>Crimes Act 1900</b> ), arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Murder	Murder
Attempt to murder (within the meaning of the <b>Crimes Act 1900</b> ), arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Attempt to murder	Attempted murder
Manslaughter (within the meaning of the <b>Crimes Act 1900</b> ), arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Manslaughter	Manslaughter
An offence under section 33(1) of the <b>Crimes Act 1900</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Intention to cause grievous bodily harm	CA 16
An offence under section 35(1) or (2) of the <b>Crimes Act 1900</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Reckless grievous bodily harm	CA 17
An offence under section 35(3) or (4) of the <b>Crimes Act 1900</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Reckless wounding	CA 18
An offence under section 52A(1) of the <b>Crimes Act 1900</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Dangerous driving occasioning death	CA 319(1)

Column 1 Corresponding interstate drink-driving offence	Column 2 Summary of corresponding interstate drink-driving offence	Column 3 Corresponding Victorian drink-driving offence
An offence under section 52A(2) of the <b>Crimes Act 1900</b> , where the offence was committed while under the influence of alcohol or both alcohol and a drug	Aggravated dangerous driving occasioning death	CA 318(1)
An offence under section 52A(3) of the <b>Crimes Act 1900</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Dangerous driving occasioning grievous bodily harm	CA 319(1A)
An offence under section 52A(4) of the <b>Crimes Act 1900</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Aggravated dangerous driving occasioning grievous bodily harm	CA 319(1A)
An offence under section 53 of the <b>Crimes Act 1900</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Wanton or furious riding, or driving, or racing, or other misconduct, or by wilful neglect, causing any person any bodily harm	CA 319(1A)
An offence under section 54 of the <b>Crimes Act 1900</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Cause grievous bodily harm	CA 24
An offence under section 86 of the <b>Crimes Act 1900</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Kidnapping	CA 63A

**SCHEDULE 2**  
**Corresponding Laws of Queensland**

<p style="text-align: center;"><b>Column 1</b> <b>Corresponding interstate</b> <b>drink-driving offence</b></p>	<p style="text-align: center;"><b>Column 2</b> <b>Summary of corresponding</b> <b>interstate drink-driving offence</b></p>	<p style="text-align: center;"><b>Column 3</b> <b>Corresponding</b> <b>Victorian</b> <b>drink-driving</b> <b>offence</b></p>
<p>An offence under section 79(1) of the <b>Transport Operations (Road Use Management) Act 1995</b>, in circumstances where the offence related to driving a motor vehicle, attempting to put in motion a motor vehicle or being in charge of a motor vehicle and the offence was committed while under the influence of alcohol or both alcohol and a drug</p>	<p>Drive motor vehicle, attempt to put in motion motor vehicle, or be in charge of motor vehicle while under influence of alcohol or both alcohol and drug</p>	<p>RSA 49(1)(a)</p>
<p>An offence under section 79(1F) of the <b>Transport Operations (Road Use Management) Act 1995</b>, in circumstances where the offence related to driving a motor vehicle, attempting to put in motion a motor vehicle or being in charge of a motor vehicle</p>	<p>Drive motor vehicle, attempt to put in motion motor vehicle, or be in charge of motor vehicle while over middle alcohol limit (of 0.10 grams of alcohol in 210 litres of breath or 100 millilitres of blood) but not over high alcohol limit (of 0.15 grams of alcohol in 210 litres of breath or 100 millilitres of blood)</p>	<p>RSA 49(1)(b)</p>
<p>An offence under section 79(2) of the <b>Transport Operations (Road Use Management) Act 1995</b>, in circumstances where the offence related to driving a motor vehicle, attempting to put in motion a motor vehicle or being in charge of a motor vehicle</p>	<p>Drive motor vehicle, attempt to put in motion motor vehicle, or be in charge of motor vehicle while over general alcohol limit (of 0.05 grams of alcohol in 210 litres of breath or 100 millilitres of blood) but not over middle alcohol limit (of 0.10 grams of alcohol in 210 litres of breath or 100 millilitres of blood)</p>	<p>RSA 49(1)(b)</p>
<p>An offence under section 79(2A), (2B), (2J), (2K) or (2L) of the <b>Transport Operations (Road Use Management) Act 1995</b>, in circumstances where the offence related to driving a motor vehicle, attempting to put in motion a motor vehicle or being in charge of a motor vehicle</p>	<p>Drive motor vehicle, attempt to put in motion motor vehicle, or be in charge of motor vehicle while over no alcohol limit (of zero grams of alcohol in 210 litres of breath or 100 millilitres of blood) but not over general alcohol limit (of 0.05 grams of alcohol in 210 litres of breath or 100 millilitres of blood)</p>	<p>RSA 49(1)(b)</p>

Column 1 Corresponding interstate drink-driving offence	Column 2 Summary of corresponding interstate drink-driving offence	Column 3 Corresponding Victorian drink-driving offence
An offence under section 80(5A) of the <b>Transport Operations (Road Use Management) Act 1995</b> , in circumstances where the offence related to a person who drove a motor vehicle, attempted to put in motion a motor vehicle, was in charge of a motor vehicle or otherwise operated a motor vehicle and who failed to provide a specimen of the person's breath or failed to provide the specimen in the manner directed	Fail to provide specimen of breath or fail to provide specimen in manner directed by police officer	RSA 49(1)(c)
An offence under section 80(11) of the <b>Transport Operations (Road Use Management) Act 1995</b> , in circumstances where the offence related to a person who drove a motor vehicle, attempted to put in motion a motor vehicle or was in charge of a motor vehicle and who failed to provide a specimen of the person's breath or blood	Fail to provide specimen of breath or blood	RSA 49(1)(e)
An offence under section 60(2) of the <b>Police Powers and Responsibilities Act 2000</b> , in the case where the prescribed purpose for stopping the vehicle was to conduct a breath test	Fail to stop vehicle for breath test when required by police	RSA 49(1)(c)
Murder (within the meaning of the <b>Criminal Code</b> ), arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Murder	Murder
Attempt to murder (within the meaning of the <b>Criminal Code</b> ), arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Attempt to murder	Attempted murder
Manslaughter (within the meaning of the <b>Criminal Code</b> ), arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Manslaughter	Manslaughter

Column 1 Corresponding interstate drink-driving offence	Column 2 Summary of corresponding interstate drink-driving offence	Column 3 Corresponding Victorian drink-driving offence
An offence under section 317(1)(a) or (b) of the <b>Criminal Code</b> (where section 317(1)(e) or (f) of the <b>Criminal Code</b> apply), arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Commit acts intended to cause grievous bodily harm and other malicious acts	CA 16
An offence under section 320 of the <b>Criminal Code</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Grievous bodily harm	CA 24
An offence under section 328 of the <b>Criminal Code</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Negligent act causing harm	CA 24
An offence under section 328A(1) or (2) of the <b>Criminal Code</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Operate vehicle dangerously	RSA 49(1)(a)
An offence under section 328A(4) of the <b>Criminal Code</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Operate vehicle dangerously and cause death of or grievous bodily harm to another person	CA 319(1A)
An offence under section 354 of the <b>Criminal Code</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Kidnapping	CA 63A
An offence under section 354A of the <b>Criminal Code</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Kidnapping for ransom	CA 63A

**SCHEDULE 3**  
**Corresponding Laws of South Australia**

<b>Column 1</b> <b>Corresponding interstate</b> <b>drink-driving offence</b>	<b>Column 2</b> <b>Summary of corresponding</b> <b>interstate drink-driving offence</b>	<b>Column 3</b> <b>Corresponding</b> <b>Victorian</b> <b>drink-driving</b> <b>offence</b>
An offence under section 43(1)(b) of the <b>Road Traffic Act 1961</b>	Fail to submit to blood or oral fluid test after accident	RSA 49(1)(ea)
An offence under section 45(1) of the <b>Road Traffic Act 1961</b> , where the offence is an aggravated offence within the meaning of section 45(3)(a) of that Act in circumstances where the offence was committed under the influence of alcohol or both alcohol and a drug	Aggravated careless driving causing death or serious harm	CA 24
An offence under section 45(1) of the <b>Road Traffic Act 1961</b> , where the offence is an aggravated offence within the meaning of section 45(3)(b)(iii) of that Act	Aggravated careless driving with blood or breath alcohol content of or above 0.08 grams in 100 millilitres of blood or 210 litres of breath	RSA 49(1)(b)
An offence under section 45(1) of the <b>Road Traffic Act 1961</b> , where the offence is an aggravated offence within the meaning of section 45(3)(b)(iv) of that Act in circumstances where the offender was, at the time of the offence, driving a vehicle in contravention of section 47 of that Act and the offence was committed under the influence of alcohol or both alcohol and a drug	Aggravated careless driving while under the influence of alcohol or drugs so as to be incapable of exercising effective control of vehicle	RSA 49(1)(a)
An offence under section 47(1) or (1a) of the <b>Road Traffic Act 1961</b> , where the vehicle concerned was a motor vehicle, and in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Drive under influence of alcohol or both alcohol and drugs so as to be incapable of exercising effective control of vehicle	RSA 49(1)(a)
An offence under section 47B(1) or (1a) of the <b>Road Traffic Act 1961</b>	Drive with prescribed concentration of alcohol in blood or breath	RSA 49(1)(b)
An offence under section 47E(2a) of the <b>Road Traffic Act 1961</b>	Fail to comply with direction to stop motor vehicle or other directions to facilitate alcotest or breath analysis	RSA 49(1)(d)
An offence under section 47E(3) or (3a) of the <b>Road Traffic Act 1961</b>	Refuse to provide breath sample for analysis	RSA 49(1)(c)

Column 1 Corresponding interstate drink-driving offence	Column 2 Summary of corresponding interstate drink-driving offence	Column 3 Corresponding Victorian drink-driving offence
An offence under section 47I(7) of the <b>Road Traffic Act 1961</b>	Refuse to provide blood sample after accident and where a child was present in or on the vehicle	RSA 49(1)(ea)
Murder (within the meaning of the <b>Criminal Law Consolidation Act 1935</b> ), arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Murder	Murder
Attempted murder (within the meaning of the <b>Criminal Law Consolidation Act 1935</b> ), arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Attempted murder	Attempted murder
Manslaughter (within the meaning of the <b>Criminal Law Consolidation Act 1935</b> ), arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Manslaughter	Manslaughter
An offence under section 19A(1) of the <b>Criminal Law Consolidation Act 1935</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Cause death by driving vehicle in culpably negligent manner, recklessly, or at speed or in manner dangerous to any person	CA 318(1)
An offence under section 19A(3) of the <b>Criminal Law Consolidation Act 1935</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Cause harm to another by driving vehicle in culpably negligent manner, recklessly, or at speed or in manner dangerous to any person	CA 319(1A)

Column 1 Corresponding interstate drink-driving offence	Column 2 Summary of corresponding interstate drink-driving offence	Column 3 Corresponding Victorian drink-driving offence
An offence under section 23(1) of the <b>Criminal Law Consolidation Act 1935</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Cause serious harm intentionally	CA 16
An offence under section 23(3) of the <b>Criminal Law Consolidation Act 1935</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Cause serious harm recklessly	CA 17
An offence under section 24(1) of the <b>Criminal Law Consolidation Act 1935</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Cause harm intentionally	CA 18
An offence under section 24(2) of the <b>Criminal Law Consolidation Act 1935</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Cause harm recklessly	CA 18
An offence under section 29(1) of the <b>Criminal Law Consolidation Act 1935</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Acts endangering life	CA 22
An offence under section 29(2) of the <b>Criminal Law Consolidation Act 1935</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Acts creating risk of serious harm	CA 23

Column 1 Corresponding interstate drink-driving offence	Column 2 Summary of corresponding interstate drink-driving offence	Column 3 Corresponding Victorian drink-driving offence
An offence under section 39 of the <b>Criminal Law Consolidation Act 1935</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Kidnapping	CA 63A
An offence under section 268(5) of the <b>Criminal Law Consolidation Act 1935</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Cause serious harm by criminal negligence	CA 24

#### SCHEDULE 4

#### Corresponding Laws of Tasmania

Column 1 Corresponding interstate drink-driving offence	Column 2 Summary of corresponding interstate drink-driving offence	Column 3 Corresponding Victorian drink-driving offence
An offence under section 4 of the <b>Road Safety (Alcohol and Drugs) Act 1970</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Drive under influence of alcohol or both alcohol and drug	RSA 49(1)(a)
An offence under section 6(1) of the <b>Road Safety (Alcohol and Drugs) Act 1970</b>	Drive with more than prescribed concentration of alcohol in blood or breath	RSA 49(1)(b)
An offence under section 6(2) of the <b>Road Safety (Alcohol and Drugs) Act 1970</b>	Drive with alcohol in blood or breath	RSA 49(1)(b)
An offence under section 14(1)(a) of the <b>Road Safety (Alcohol and Drugs) Act 1970</b> , in the case of a failure or refusal to comply with a requirement to undergo a breath test made under section 7A(1) or 8(6) of that Act	Fail to comply with requirement to undergo breath test	RSA 49(1)(c)

Column 1 Corresponding interstate drink-driving offence	Column 2 Summary of corresponding interstate drink-driving offence	Column 3 Corresponding Victorian drink-driving offence
An offence under section 14(1)(b) of the <b>Road Safety (Alcohol and Drugs) Act 1970</b> , in the case of a failure or refusal to comply with a direction to stop a motor vehicle under section 7A(1) or 8(5) of that Act	Fail to comply with requirement to stop motor vehicle	RSA 49(1)(d)
An offence under section 14(1)(c) of the <b>Road Safety (Alcohol and Drugs) Act 1970</b>	Fail to comply with requirement to undergo breath test in presence of police officers or fail to undergo breath test in accordance with directions given	RSA 49(1)(e)
An offence under section 14(1A) of the <b>Road Safety (Alcohol and Drugs) Act 1970</b> , in the case of a failure or refusal to comply with a requirement made by a police officer under section 10(1) of that Act	Fail to proceed to place to submit to taking of blood or breath sample	RSA 49(1)(e)
An offence under section 14(1A) of the <b>Road Safety (Alcohol and Drugs) Act 1970</b> , in the case of a failure or refusal to comply with a requirement made by a police officer under section 10A(1) or (1A) of that Act	Fail to submit to taking of sample of blood for analysis after accident	RSA 49(1)(ea)
An offence under section 14(1B) of the <b>Road Safety (Alcohol and Drugs) Act 1970</b>	Avoid provision of sample for analysis by escaping or attempting to escape from custody or by obstructing or hindering conveyance to appropriate place	RSA 49(1)(e)
An offence under section 14(2) of the <b>Road Safety (Alcohol and Drugs) Act 1970</b>	Fail or refuse to submit to breath analysis	RSA 49(1)(e)
An offence under section 14(4) of the <b>Road Safety (Alcohol and Drugs) Act 1970</b> , in the case of a failure or refusal to comply with a direction made by a police officer under section 10(6) of that Act	Fail or refuse to submit to taking of sample of blood for analysis	RSA 49(1)(e)
An offence under section 14(5) of the <b>Road Safety (Alcohol and Drugs) Act 1970</b>	Object to sample being analysed	RSA 49(1)(e)

Column 1 Corresponding interstate drink-driving offence	Column 2 Summary of corresponding interstate drink-driving offence	Column 3 Corresponding Victorian drink-driving offence
An offence under section 32(2A) of the <b>Traffic Act 1925</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Cause death of another person by driving motor vehicle on public street negligently	CA 319(1)
An offence under section 32(2B) of the <b>Traffic Act 1925</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Cause grievous bodily harm to another person by driving motor vehicle on public street negligently	CA 24
Murder within the meaning of the <b>Criminal Code</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Murder	Murder
Attempted murder within the meaning of the <b>Criminal Code</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Attempted murder	Attempted murder
Manslaughter within the meaning of the <b>Criminal Code</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Manslaughter	Manslaughter
An offence under section 167A of the <b>Criminal Code</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Cause death by dangerous driving	CA 319(1)
An offence under section 167B of the <b>Criminal Code</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Dangerous driving causing grievous bodily harm	CA 319(1A)
An offence under section 170(1)(a) or (b) of the <b>Criminal Code</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Acts intended to cause grievous bodily harm or prevent apprehension	CA 23

Column 1 Corresponding interstate drink-driving offence	Column 2 Summary of corresponding interstate drink-driving offence	Column 3 Corresponding Victorian drink-driving offence
An offence under section 172 of the <b>Criminal Code</b> , involving grievous bodily harm, arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Cause grievous bodily harm	CA 24
An offence under section 191A of the <b>Criminal Code</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Kidnapping	CA 63A
An offence under section 240A(1) of the <b>Criminal Code</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Carjacking	CA 79
An offence under section 240A(2) of the <b>Criminal Code</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Aggravated carjacking	CA 79A

#### SCHEDULE 5

#### Corresponding Laws of Western Australia

Column 1 Corresponding interstate drink-driving offence	Column 2 Summary of corresponding interstate drink-driving offence	Column 3 Corresponding Victorian drink-driving offence
An offence under section 59 of the <b>Road Traffic Act 1974</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and drugs	Dangerous driving causing death or grievous bodily harm	CA 319(1A)
An offence under section 59A of the <b>Road Traffic Act 1974</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and drugs	Dangerous driving causing bodily harm	CA 319(1A)

Column 1 Corresponding interstate drink-driving offence	Column 2 Summary of corresponding interstate drink-driving offence	Column 3 Corresponding Victorian drink-driving offence
An offence under section 59BA of the <b>Road Traffic Act 1974</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and drugs	Careless driving causing death, grievous bodily harm or bodily harm	CA 24
An offence under section 63(1)(a) or (c) of the <b>Road Traffic Act 1974</b>	Drive motor vehicle while under influence of alcohol or alcohol and drug	RSA 49(1)(a)
An offence under section 64(1) of the <b>Road Traffic Act 1974</b>	Drive motor vehicle with blood or breath alcohol content of or above 0.08 grams of alcohol per 100 millilitres of blood or 210 litres of breath	RSA 49(1)(b)
An offence under section 64AA(1) of the <b>Road Traffic Act 1974</b>	Drive motor vehicle with blood or breath alcohol content of or above 0.05 grams of alcohol per 100 millilitres of blood or 210 litres of breath	RSA 49(1)(b)
An offence under section 64A(1) of the <b>Road Traffic Act 1974</b>	Drive motor vehicle with blood or breath alcohol content of or above 0.02 grams of alcohol per 100 millilitres of blood or 210 litres of breath	RSA 49(1)(b)
An offence under section 64AAA(1) or (2) of the <b>Road Traffic Act 1974</b>	Drive motor vehicle with any alcohol content in blood or breath – certain persons	RSA 49(1)(b)
An offence under section 67 of the <b>Road Traffic Act 1974</b>	Fail to comply with requirement to provide breath, blood or urine sample for analysis or to accompany police officer	RSA 49(1)(e)
An offence under section 67A(1) of the <b>Road Traffic Act 1974</b> , in circumstances where the requirement of a police officer was made pursuant to section 66 of that Act	Fail to comply with requirement of police officer made pursuant to section 66 of the <b>Road Traffic Act 1974</b> to provide breath, blood, urine sample for analysis or to wait, leave vehicle or to accompany police officer	RSA 49(1)(e)
Murder (within the meaning of the <b>Criminal Code</b> ), arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Murder	Murder

Column 1 Corresponding interstate drink-driving offence	Column 2 Summary of corresponding interstate drink-driving offence	Column 3 Corresponding Victorian drink-driving offence
Attempt to unlawfully kill (within the meaning of the <b>Criminal Code</b> ), arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Attempt to unlawfully kill	Attempted murder
Manslaughter (within the meaning of the <b>Criminal Code</b> ), arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Manslaughter	Manslaughter
An offence under section 294(1)(a) or (b) of the <b>Criminal Code</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Act intended to cause grievous bodily harm or prevent arrest	CA 23
An offence under section 297(1) of the <b>Criminal Code</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Grievous bodily harm	CA 24
An offence under section 304(2)(a) of the <b>Criminal Code</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Intentionally cause bodily harm	CA 18
An offence under section 304(2)(b) of the <b>Criminal Code</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Intentionally endanger the life, health or safety of any person	CA 23
An offence under section 332(2) of the <b>Criminal Code</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Kidnapping	CA 63A

## SCHEDULE 6

## Corresponding Laws of the Australian Capital Territory

Column 1 Corresponding interstate drink-driving offence	Column 2 Summary of corresponding interstate drink-driving offence	Column 3 Corresponding Victorian drink-driving offence
An offence under section 19(1) of the <b>Road Transport (Alcohol and Drugs) Act 1977</b>	Have prescribed concentration of alcohol in blood or breath in relevant period after being driver of motor vehicle	RSA 49(1)(b)
An offence under section 22 of the <b>Road Transport (Alcohol and Drugs) Act 1977</b>	Refuse to provide breath sample	RSA 49(1)(c)
An offence under section 22B(1)(a) (i) and (b) of the <b>Road Transport (Alcohol and Drugs) Act 1977</b>	Fail to remain in place where alcohol screening test is being carried out	RSA 49(1)(c)
An offence under section 22C(1)(a) (i) and (b) of the <b>Road Transport (Alcohol and Drugs) Act 1977</b>	Fail to undergo alcohol screening test in accordance with instructions of police officer	RSA 49(1)(c)
An offence under section 23(1) of the <b>Road Transport (Alcohol and Drugs) Act 1977</b>	Fail or refuse to permit blood sample to be taken	RSA 49(1)(e)
An offence under section 23(2)(b) of the <b>Road Transport (Alcohol and Drugs) Act 1977</b>	Fail or refuse to give or permit the taking of a bodily sample for analysis	RSA 49(1)(e)
An offence under section 24(1) of the <b>Road Transport (Alcohol and Drugs) Act 1977</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Drive motor vehicle under influence of alcohol or alcohol and drug	RSA 49(1)(a)
Murder (within the meaning of the <b>Crimes Act 1900</b> ), arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Murder	Murder
Attempt to commit murder (within the meaning of the <b>Crimes Act 1900</b> ), arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Attempt to commit murder	Attempted murder

Column 1 Corresponding interstate drink-driving offence	Column 2 Summary of corresponding interstate drink-driving offence	Column 3 Corresponding Victorian drink-driving offence
Manslaughter (within the meaning of the <b>Crimes Act 1900</b> ), arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Manslaughter	Manslaughter
An offence under section 19 of the <b>Crimes Act 1900</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Intentionally inflicting grievous bodily harm	CA 16
An offence under section 20 of the <b>Crimes Act 1900</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Recklessly inflicting grievous bodily harm	CA 17
An offence under section 21 of the <b>Crimes Act 1900</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Wounding	CA 18
An offence under section 23 of the <b>Crimes Act 1900</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Inflicting actual bodily harm	CA 18
An offence under section 25 of the <b>Crimes Act 1900</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Cause grievous bodily harm	CA 24
An offence under section 29(2) of the <b>Crimes Act 1900</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Culpable driving of motor vehicle causing death	CA 318(1)

<b>Column 1 Corresponding interstate drink-driving offence</b>	<b>Column 2 Summary of corresponding interstate drink-driving offence</b>	<b>Column 3 Corresponding Victorian drink-driving offence</b>
An offence under section 29(4) of the <b>Crimes Act 1900</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Culpable driving of motor vehicle causing grievous bodily harm	CA 319(1A)
An offence under section 29A of the <b>Crimes Act 1900</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Driving motor vehicle at police	CA 317AE
An offence under section 38 of the <b>Crimes Act 1900</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Kidnapping	CA 63A

**SCHEDULE 7****Corresponding Laws of the Northern Territory**

<b>Column 1 Corresponding interstate drink-driving offence</b>	<b>Column 2 Summary of corresponding interstate drink-driving offence</b>	<b>Column 3 Corresponding Victorian drink-driving offence</b>
An offence under section 21(1) of the <b>Traffic Act 1987</b>	Drive motor vehicle with high range breath or blood alcohol content (of 0.15 or more grams of alcohol in 100 millilitres of blood or 210 litres of breath)	RSA 49(1)(b)
An offence under section 22(1) of the <b>Traffic Act 1987</b>	Drive motor vehicle with medium range breath or blood alcohol content (of 0.08 or more but less than 0.15 grams of alcohol in 100 millilitres of blood or 210 litres of breath)	RSA 49(1)(b)
An offence under section 23(1) of the <b>Traffic Act 1987</b>	Drive motor vehicle with low range breath or blood alcohol content (of 0.05 or more but less than 0.08 grams of alcohol in 100 millilitres of blood or 210 litres of breath)	RSA 49(1)(b)

Column 1 Corresponding interstate drink-driving offence	Column 2 Summary of corresponding interstate drink-driving offence	Column 3 Corresponding Victorian drink-driving offence
An offence under section 24(2) of the <b>Traffic Act 1987</b>	Drive motor vehicle with any breath or blood alcohol content – certain persons	RSA 49(1)(b)
An offence under section 25(3) of the <b>Traffic Act 1987</b>	Drive motor vehicle with any breath or blood alcohol content – certain vehicles	RSA 49(1)(b)
An offence under section 29AAA(1) (a) of the <b>Traffic Act 1987</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Drive under influence of alcohol or alcohol and drug so as to be incapable of having proper control of vehicle	RSA 49(1)(a)
An offence under section 29AAB(2) of the <b>Traffic Act 1987</b> , where the failure to comply with a direction relates to a direction made under section 29AAB(1) (a) of that Act	Fail to comply with direction to pull over for breath test	RSA 49(1)(d)
An offence under section 29AAE(1) of the <b>Traffic Act 1987</b>	Fail to submit to breath analysis	RSA 49(1)(e)
An offence under section 29AAH(1) of the <b>Traffic Act 1987</b>	Fail to provide sample of blood	RSA 49(1)(e)
Murder (within the meaning of the <b>Criminal Code</b> as set out in Schedule I to the <b>Criminal Code Act 1983</b> ), arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Murder	Murder
Attempt to murder (within the meaning of the <b>Criminal Code</b> as set out in Schedule I to the <b>Criminal Code Act 1983</b> ), arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Attempt to murder	Attempted murder
Manslaughter (within the meaning of the <b>Criminal Code</b> as set out in Schedule I to the <b>Criminal Code Act 1983</b> ), arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Manslaughter	Manslaughter

Column 1 Corresponding interstate drink-driving offence	Column 2 Summary of corresponding interstate drink-driving offence	Column 3 Corresponding Victorian drink-driving offence
An offence under section 174C of the <b>Criminal Code</b> as set out in Schedule I to the <b>Criminal Code Act 1983</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Recklessly endangering life	CA 22
An offence under section 174D of the <b>Criminal Code</b> as set out in Schedule I to the <b>Criminal Code Act 1983</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Recklessly endangering serious harm	CA 23
An offence under section 174E of the <b>Criminal Code</b> as set out in Schedule I to the <b>Criminal Code Act 1983</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Negligently causing serious harm	CA 24
An offence under section 174F(1) of the <b>Criminal Code</b> as set out in Schedule I to the <b>Criminal Code Act 1983</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Driving motor vehicle causing death	CA 319(1)
An offence under section 174F(2) of the <b>Criminal Code</b> as set out in Schedule I to the <b>Criminal Code Act 1983</b> , in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Driving motor vehicle causing serious harm	CA 319(1A)
An offence under section 181 of the <b>Criminal Code</b> as set out in Schedule I to the <b>Criminal Code Act 1983</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Cause serious harm	CA 24

<b>Column 1</b> <b>Corresponding interstate</b> <b>drink-driving offence</b>	<b>Column 2</b> <b>Summary of corresponding</b> <b>interstate drink-driving offence</b>	<b>Column 3</b> <b>Corresponding</b> <b>Victorian</b> <b>drink-driving</b> <b>offence</b>
An offence under section 194 of the <b>Criminal Code</b> as set out in Schedule I to the <b>Criminal Code Act 1983</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Kidnapping for ransom	CA 63A
An offence under section 195 of the <b>Criminal Code</b> as set out in Schedule I to the <b>Criminal Code Act 1983</b> , arising out of the driving of a motor vehicle, in circumstances where the offence was committed while under the influence of alcohol or both alcohol and a drug	Kidnapping	CA 63A

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