

LEGISLATIVE COUNCIL

ROAD LEGISLATION AMENDMENT (USE AND DISCLOSURE OF
INFORMATION AND OTHER MATTERS) BILL 2013

(Amendment to be proposed in Committee by MR TEE)

Clause 7, page 19, after line 16 insert—

**"90R Discovery of documents for purpose of recovery of private car
park fees**

- (1) A preliminary discovery order does not operate to require the Corporation to produce any document that contains relevant information if the order is made for the purpose of the recovery of private car park fees.
- (2) A preliminary discovery order is considered to be for the purpose of the recovery of private car park fees if the order is in connection with ascertaining the identity or whereabouts of a person for the purpose of commencing proceedings against the person for the recovery of private car park fees or is otherwise in connection with the commencement of proceedings for the recovery of private car park fees.
- (3) In this section—

preliminary discovery order means an order made by a court requiring a person to make discovery of documents to assist the applicant for the order to ascertain the description of another person sufficient for the purpose of commencing a proceeding in the court against that other person;

private car park fee means any amount alleged to be payable under the terms and conditions of a contract, arrangement or understanding in relation to the use of a car park (such as an amount payable for the use of the car park and including an amount payable for breaching those terms and conditions), but does not include an amount alleged to be payable under the terms and conditions of a contract that is in writing and signed by the relevant parties."