

Passed by both Houses



New South Wales

Transport Administration Amendment (Community Road Safety Fund) Bill 2012

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I certify that this public bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney, , 2012*



New South Wales

Transport Administration Amendment (Community Road Safety Fund) Bill 2012

Act No , 2012

An Act to amend the *Transport Administration Act 1988* to establish the Community Road Safety Fund.

I have examined this bill and find it to correspond in all respects with the bill as finally passed by both Houses.

Assistant Speaker of the Legislative Assembly.

Clause 1 Transport Administration Amendment (Community Road Safety Fund)
 Bill 2012

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Transport Administration Amendment (Community Road Safety Fund) Act 2012*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

Schedule 1 Amendment of Transport Administration Act 1988 No 109

[1] Part 8, Division 3B

Insert after Division 3A:

Division 3B Community Road Safety Fund

80G Community Road Safety Fund

- (1) There is established in the Special Deposits Account a fund called the Community Road Safety Fund.
- (2) The Fund is to be administered by TfNSW.

80H Payments into Community Road Safety Fund

- (1) There is to be paid into the Community Road Safety Fund:
 - (a) all fines and penalties recovered for camera recorded speeding offences, camera recorded traffic light offences and other speeding and traffic light offences of a kind prescribed by the regulations, and
 - (b) the proceeds of the investment of money in the Fund, and
 - (c) all other money required by or under this or any other Act to be paid into the Fund.
- (2) There is also to be paid into the Fund from the TfNSW Fund such money as TfNSW determines is required to meet expenditure incurred in relation to the road safety functions of TfNSW.
- (3) A regulation cannot be made for the purposes of subsection (1) (a) without the concurrence of the Treasurer.
- (4) In this section:
camera recorded speeding offence means:
 - (a) a speeding offence in respect of which the penalty notice or the court attendance notice indicates that the offence was detected by an approved speed measuring device and recorded by an approved camera recording device (within the meaning of the *Road Transport (Safety and Traffic Management) Act 1999*), and

- (b) a speeding offence involving a heavy vehicle in respect of which the penalty notice or the court attendance notice indicates that the average speed of the vehicle was calculated from information recorded by approved average speed detection devices (within the meaning of the *Road Transport (Safety and Traffic Management) Act 1999*).

camera recorded traffic light offence means a traffic light offence as defined in section 57 of the *Road Transport (Safety and Traffic Management) Act 1999* in respect of which the penalty notice or the court attendance notice indicates that the offence was detected by an approved camera detection device (within the meaning of that Act).

80I Payments from Community Road Safety Fund

There is to be paid from the Community Road Safety Fund:

- (a) all payments required to meet expenditure incurred in relation to the road safety functions of TfNSW, and
- (b) all other payments required by or under this or any other Act to be paid from the Fund.

80J Meaning of “road safety functions” of TfNSW

For the purposes of this Division, the *road safety functions* of TfNSW are:

- (a) conducting testing, research and investigations in connection with promoting or improving road safety, and
- (b) developing and implementing programs (including capital and recurrent works programs), projects, strategies and campaigns for promoting or improving road safety, and
- (c) providing advice and assistance to public and local authorities for the promotion or improvement of road safety, and
- (d) such other functions relating to road safety as are prescribed by the regulations.

Transport Administration Amendment (Community Road Safety Fund)
Bill 2012

Amendment of Transport Administration Act 1988 No 109

Schedule 1

[2] Schedule 7 Savings, transitional and other provisions

Insert at the end of clause 2 (1):

*Transport Administration Amendment (Community Road Safety
Fund) Act 2012*