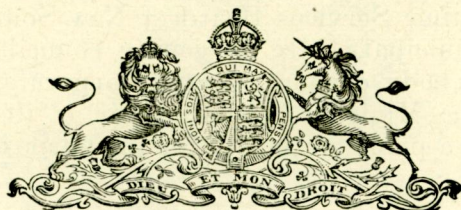


New South Wales.



ANNO QUINTO DECIMO

GEORGII VI REGIS.

Act No. 7, 1951.

An Act to provide for the control of fires, lights, signs, hoardings, awnings and similar structures which interfere with railway, tramway, waterway or road traffic signals, or are or are likely to be a danger to traffic; and for purposes connected therewith. [Assented to, 31st May, 1951.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Traffic Safety (Lights and Hoardings) Act, 1951," Short title.

Traffic Safety (Lights and Hoardings).

Interpre-
tation.

2. In this Act, unless the context or subject matter otherwise indicates or requires—

“Public authority” means The Commissioner for Railways, The Commissioner for Road Transport and Tramways, The Commissioner for Main Roads, the Commissioner of Police, the Metropolitan Water, Sewerage and Drainage Board, the Hunter District Water Board, the Maritime Services Board of New South Wales, a municipal, shire or county council and any other body, corporate or unincorporate, declared by the Minister by notification in the Gazette to be a public authority for the purposes of this Act.

Lights,
signs,
awnings,
etc.,
interfering
with traffic
safety.

3. (1) Where any fire, light, sign, hoarding, awning, blind affixed to an awning, or structure of the nature of a hoarding or an awning—

- (a) obscures or makes difficult of observation or is likely to obscure or make difficult of observation or to be mistaken for any light, signal, sign, standard, navigation aid, notice, mark, indicator, appliance or device provided or installed for controlling, regulating, directing or aiding traffic upon any railway vested in or under the control of The Commissioner for Railways or upon any tramway vested in or under the control of The Commissioner for Road Transport and Tramways or upon any road or waterway; or
- (b) causes or is likely to cause inconvenience, difficulty or danger in the use of any road,

the Minister may, upon the recommendation of a public authority, by notice in writing require any person, not being a public authority, by whom or on whose behalf or on whose land any such fire, light, sign, hoarding, awning, blind affixed to an awning, or structure of the nature of a hoarding or an awning, is made, burnt, shown or erected to extinguish, screen, move, remove, or alter such fire, light, sign, hoarding, awning, blind affixed to an awning,

or

Traffic Safety (Lights and Hoardings).

or structure of the nature of a hoarding or an awning, within the time specified in such notice and in accordance with such directions as may be set forth in such notice.

Any person aggrieved by the decision of the Minister under this subsection may appeal to a District Court which shall have power to vary the notice given by the Minister in such manner as it sees fit with regard to the time specified in such notice.

(2) For the purposes of subsection one of this section a light, sign, hoarding, awning, or structure of the nature of a hoarding or an awning attached to or forming part of a building or structure shall be deemed to be on the land upon which the building or structure is erected.

(3) Any person who fails to comply with the requirements of any notice given to him under subsection one of this section shall be liable upon summary conviction to a penalty not exceeding one hundred pounds and to a further penalty not exceeding ten pounds for each day during which such failure continues.

4. (1) Where any person fails, wholly or in part, to comply with the requirements of any notice given to him under subsection one of section three of this Act the public authority, upon whose recommendation such notice has been given, shall have power by its officers, employees or agents to do all things which that person by his failure has omitted to do.

Power of public authority to perform work.
cf. Act No. 44, 1946, s. 59.

(2) Anything done by such public authority in pursuance of this section shall, so far as necessary, be deemed to have been duly authorised by the person who failed to comply with the requirements of any notice given to him under subsection one of section three of this Act.

(3) The public authority may recover, in any court of competent jurisdiction, as a debt due to it, from the person who so failed to comply with such requirements, the cost incurred by it in doing anything in pursuance of this section.

Traffic Safety (Lights and Hoardings).

Difference between public authorities as to lights, signs, awnings, etc., interfering with traffic safety.

5. (1) If any difference arises between any public authorities with respect to any fire, light, sign, hoarding, awning, blind affixed to an awning, or structure of the nature of a hoarding or an awning, made, burnt, shown or erected by or on behalf of any such public authority, and such fire, light, sign, hoarding, awning, blind affixed to an awning or structure of the nature of a hoarding or an awning, is of the character referred to in paragraph (a) or (b) of subsection one of section three of this Act, any such public authority may submit such difference to the Minister.

(2) The Minister may thereupon give such directions as in the public interest and in the circumstances of the case seem to the Governor to be proper.

(3) Any directions under subsection two of this section shall be given effect to by the public authority to whom they are given.

Contracts adjustment.

6. (1) Where a District Court is satisfied, on application by any person, including a public authority, that, by reason of the operation of any provision of this Act, the performance or further performance of a contract or agreement in relation to any light, sign, hoarding, awning, blind affixed to an awning, or structure of the nature of a hoarding or an awning, and to which such person is a party, in accordance with the terms thereof, has become or is likely to become impossible or, so far as the applicant is concerned, has become or is likely to become inequitable or unduly onerous, such District Court may make an order cancelling or suspending the operation of the contract or agreement or may make such order as it thinks just varying the terms of the contract or agreement, or providing for the repayment, in whole or in part, of any amount paid in pursuance of the contract or agreement.

(2) The decision of the District Court upon any application under this section shall be final.

(3)

Traffic Safety (Lights and Hoardings).

(3) The District Court shall have jurisdiction to hear and decide any application under this section and the provisions of the District Courts Act, 1912, as amended by subsequent Acts, shall with such modifications as may be necessary to give effect to this subsection, apply to and in respect of any such application and order made thereupon.

7. (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which are necessary or convenient to be prescribed for carrying out or giving effect to this Act. Regulations.

(2) Without limiting the generality of the powers conferred by subsection one of this section the Governor may make regulations—

- (a) regulating or prohibiting lights or luminous or illuminated signs of or resembling any specified colour visible from any railway or tramway referred to in paragraph (a) of subsection one of section three of this Act or from any road or waterway;
- (b) prescribing the form of and the manner of service of notices under this Act.

(3) Any regulation may impose a penalty not exceeding fifty pounds for any breach thereof.

(4) A regulation may be made to apply or to have operation throughout the whole or any part of the State, may be of general or specially limited application according to time, place or circumstances, and may be general or restricted to any specified class or subject matter.

(5) The regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date to be specified in the regulations; and

(c)

Traffic Safety (Lights and Hoardings).

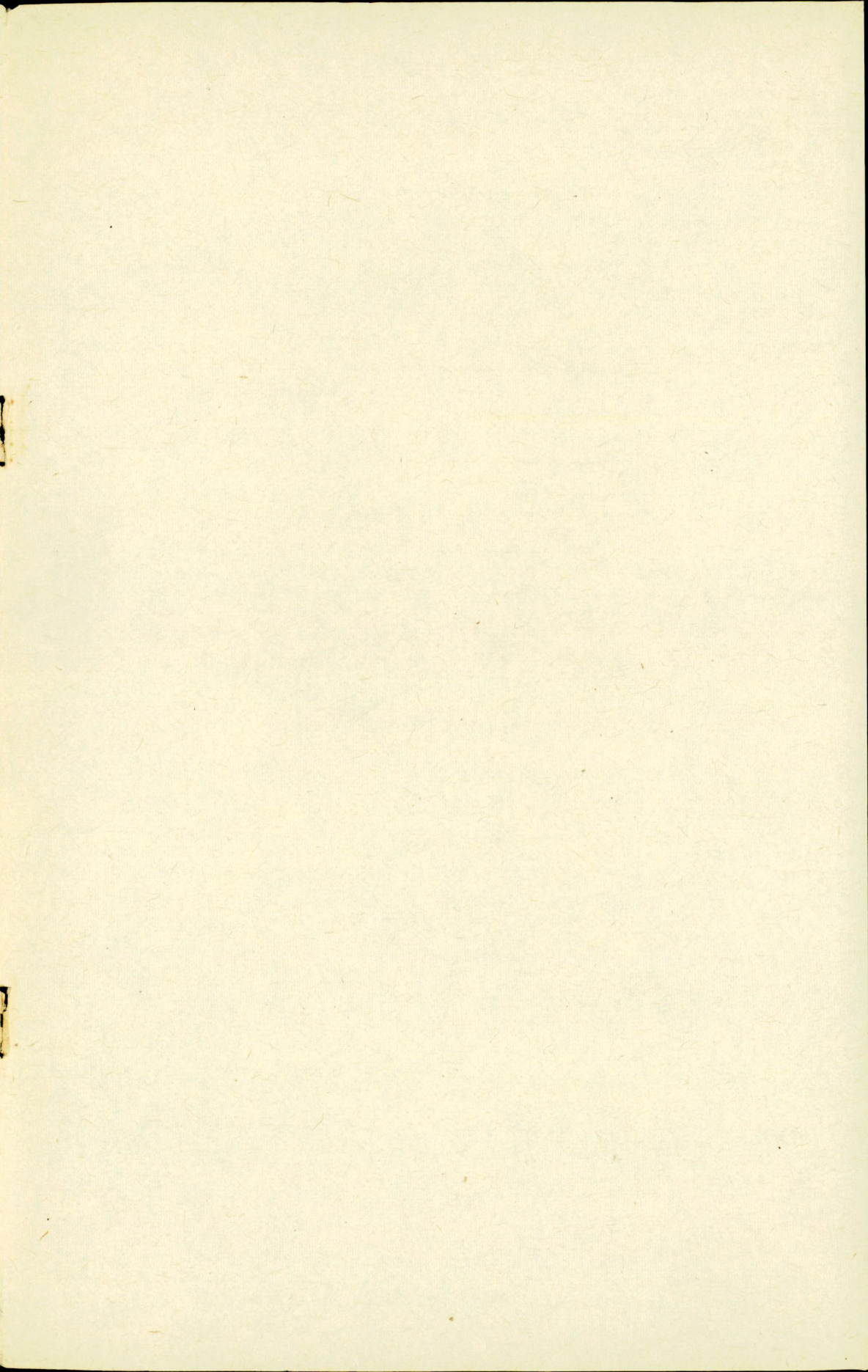
- (c) be laid before both Houses of Parliament within fourteen sitting days after the publication thereof if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

By Authority:

A. H. PETTIFER, Government Printer, Sydney, 1951

[4d.]

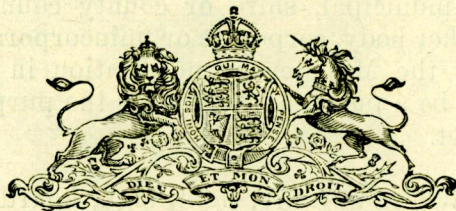


I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

H. ROBBINS,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 17 May, 1951.*

New South Wales.



ANNO QUINTO DECIMO

GEORGII VI REGIS.

Act No. 7, 1951.

An Act to provide for the control of fires, lights, signs, hoardings, awnings and similar structures which interfere with railway, tramway, waterway or road traffic signals, or are or are likely to be a danger to traffic; and for purposes connected therewith. [Assented to, 31st May, 1951.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Traffic Safety (Lights and Hoardings) Act, 1951." Short title.

2.

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

G. BOOTH,
Chairman of Committees of the Legislative Assembly.

Traffic Safety (Lights and Hoardings).

Interpre-
tation.

2. In this Act, unless the context or subject matter otherwise indicates or requires—

“Public authority” means The Commissioner for Railways, The Commissioner for Road Transport and Tramways, The Commissioner for Main Roads, the Commissioner of Police, the Metropolitan Water, Sewerage and Drainage Board, the Hunter District Water Board, the Maritime Services Board of New South Wales, a municipal, shire or county council and any other body, corporate or unincorporate, declared by the Minister by notification in the Gazette to be a public authority for the purposes of this Act.

Lights,
signs,
awnings,
etc.,
interfering
with traffic
safety.

3. (1) Where any fire, light, sign, hoarding, awning, blind affixed to an awning, or structure of the nature of a hoarding or an awning—

- (a) obscures or makes difficult of observation or is likely to obscure or make difficult of observation or to be mistaken for any light, signal, sign, standard, navigation aid, notice, mark, indicator, appliance or device provided or installed for controlling, regulating, directing or aiding traffic upon any railway vested in or under the control of The Commissioner for Railways or upon any tramway vested in or under the control of The Commissioner for Road Transport and Tramways or upon any road or waterway; or
- (b) causes or is likely to cause inconvenience, difficulty or danger in the use of any road,

the Minister may, upon the recommendation of a public authority, by notice in writing require any person, not being a public authority, by whom or on whose behalf or on whose land any such fire, light, sign, hoarding, awning, blind affixed to an awning, or structure of the nature of a hoarding or an awning, is made, burnt, shown or erected to extinguish, screen, move, remove, or alter such fire, light, sign, hoarding, awning, blind affixed to an awning,

or

Traffic Safety (Lights and Hoardings).

or structure of the nature of a hoarding or an awning, within the time specified in such notice and in accordance with such directions as may be set forth in such notice.

Any person aggrieved by the decision of the Minister under this subsection may appeal to a District Court which shall have power to vary the notice given by the Minister in such manner as it sees fit with regard to the time specified in such notice.

(2) For the purposes of subsection one of this section a light, sign, hoarding, awning, or structure of the nature of a hoarding or an awning attached to or forming part of a building or structure shall be deemed to be on the land upon which the building or structure is erected.

(3) Any person who fails to comply with the requirements of any notice given to him under subsection one of this section shall be liable upon summary conviction to a penalty not exceeding one hundred pounds and to a further penalty not exceeding ten pounds for each day during which such failure continues.

4. (1) Where any person fails, wholly or in part, to comply with the requirements of any notice given to him under subsection one of section three of this Act the public authority, upon whose recommendation such notice has been given, shall have power by its officers, employees or agents to do all things which that person by his failure has omitted to do.

Power of public authority to perform work.
cf. Act No. 44, 1946, s. 59.

(2) Anything done by such public authority in pursuance of this section shall, so far as necessary, be deemed to have been duly authorised by the person who failed to comply with the requirements of any notice given to him under subsection one of section three of this Act.

(3) The public authority may recover, in any court of competent jurisdiction, as a debt due to it, from the person who so failed to comply with such requirements, the cost incurred by it in doing anything in pursuance of this section.

Traffic Safety (Lights and Hoardings).

Difference
between
public
authorities
as to lights,
signs,
awnings
etc., inter-
fering with
traffic
safety.

5. (1) If any difference arises between any public authorities with respect to any fire, light, sign, hoarding, awning, blind affixed to an awning, or structure of the nature of a hoarding or an awning, made, burnt, shown or erected by or on behalf of any such public authority, and such fire, light, sign, hoarding, awning, blind affixed to an awning or structure of the nature of a hoarding or an awning, is of the character referred to in paragraph (a) or (b) of subsection one of section three of this Act, any such public authority may submit such difference to the Minister.

(2) The Minister may thereupon give such directions as in the public interest and in the circumstances of the case seem to the Governor to be proper.

(3) Any directions under subsection two of this section shall be given effect to by the public authority to whom they are given.

Contracts
adjustment.

6. (1) Where a District Court is satisfied, on application by any person, including a public authority, that, by reason of the operation of any provision of this Act, the performance or further performance of a contract or agreement in relation to any light, sign, hoarding, awning, blind affixed to an awning, or structure of the nature of a hoarding or an awning, and to which such person is a party, in accordance with the terms thereof, has become or is likely to become impossible or, so far as the applicant is concerned, has become or is likely to become inequitable or unduly onerous, such District Court may make an order cancelling or suspending the operation of the contract or agreement or may make such order as it thinks just varying the terms of the contract or agreement, or providing for the repayment, in whole or in part, of any amount paid in pursuance of the contract or agreement.

(2) The decision of the District Court upon any application under this section shall be final.

(3)

Traffic Safety (Lights and Hoardings).

(3) The District Court shall have jurisdiction to hear and decide any application under this section and the provisions of the District Courts Act, 1912, as amended by subsequent Acts, shall with such modifications as may be necessary to give effect to this subsection, apply to and in respect of any such application and order made thereupon.

7. (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which are necessary or convenient to be prescribed for carrying out or giving effect to this Act. Regulations.

(2) Without limiting the generality of the powers conferred by subsection one of this section the Governor may make regulations—

- (a) regulating or prohibiting lights or luminous or illuminated signs of or resembling any specified colour visible from any railway or tramway referred to in paragraph (a) of subsection one of section three of this Act or from any road or waterway;
- (b) prescribing the form of and the manner of service of notices under this Act.

(3) Any regulation may impose a penalty not exceeding fifty pounds for any breach thereof.

(4) A regulation may be made to apply or to have operation throughout the whole or any part of the State, may be of general or specially limited application according to time, place or circumstances, and may be general or restricted to any specified class or subject matter.

(5) The regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date to be specified in the regulations; and

(c)

Traffic Safety (Lights and Hoardings).

- (c) be laid before both Houses of Parliament within fourteen sitting days after the publication thereof if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

In the name and on behalf of His Majesty I assent to this Act.

J. NORTHCOTT,
Governor.

*Government House,
Sydney, 31st May, 1951.*

TRAFFIC SAFETY (LIGHTS AND HOARDINGS) BILL.

*Schedule of an amendment referred to in Legislative Council's Message of
16th May, 1951.*

Page 3, clause 3. *After line 3 insert—*

Any person aggrieved by the decision of the Minister under this subsection may appeal to a District Court which shall have power to vary the notice given by the Minister in such manner as it sees fit with regard to the time specified in such notice.

TRAFFIC SAFETY (LIGHTS AND HOARDINGS) BILL

The Minister approved by the decision of the Minister under this subsection
may apply to a District Council which shall have power to vary the notice
given by the Minister in such manner as it sees fit with regard to the time
specified in such notice.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

H. ROBBINS,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 10 May, 1951.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with an Amendment.

W. K. CHARLTON,
Clerk of the Parliaments.
Legislative Council Chamber,
Sydney, 16th May, 1951.

New South Wales.



ANNO QUINTO DECIMO

GEORGII VI REGIS.

Act No. , 1951.

An Act to provide for the control of fires, lights, signs, hoardings, awnings and similar structures which interfere with railway, tramway, waterway or road traffic signals, or are or are likely to be a danger to traffic; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of
5 the same, as follows :—

1. This Act may be cited as the "Traffic Safety (Lights and Hoardings) Act, 1951." Short title.

76451 61—

2.

NOTE.—The words to be *inserted* are printed in black letter.

Traffic Safety (Lights and Hoardings).

2. In this Act, unless the context or subject matter otherwise indicates or requires— Interpre-
tation.

5 “Public authority” means The Commissioner for
Railways, The Commissioner for Road Trans-
port and Tramways, The Commissioner for
Main Roads, the Commissioner of Police, the
Metropolitan Water, Sewerage and Drainage
Board, the Hunter District Water Board, the
10 Maritime Services Board of New South Wales,
a municipal, shire or county council and any
other body, corporate or unincorporate, declared
by the Minister by notification in the Gazette
to be a public authority for the purposes of this
Act.

15 3. (1) Where any fire, light, sign, hoarding, awning,
blind affixed to an awning, or structure of the nature of a
hoarding or an awning— Lights,
signs,
awnings,
etc.,
interfering
with traffic
safety.

20 (a) obscures or makes difficult of observation or is
likely to obscure or make difficult of observation
or to be mistaken for any light, signal, sign,
standard, navigation aid, notice, mark, indicator,
appliance or device provided or installed for
controlling, regulating, directing or aiding traffic
upon any railway vested in or under the control
25 of The Commissioner for Railways or upon any
tramway vested in or under the control of The
Commissioner for Road Transport and
Tramways or upon any road or waterway; or

30 (b) causes or is likely to cause inconvenience,
difficulty or danger in the use of any road,

the Minister may, upon the recommendation of a public
authority, by notice in writing require any person, not
being a public authority, by whom or on whose behalf or
on whose land any such fire, light, sign, hoarding, awning,
35 blind affixed to an awning, or structure of the nature of a
hoarding or an awning, is made, burnt, shown or erected
to extinguish, screen, move, remove, or alter such fire,
light, sign, hoarding, awning, blind affixed to an awning,

OF

Traffic Safety (Lights and Hoardings).

or structure of the nature of a hoarding or an awning, within the time specified in such notice and in accordance with such directions as may be set forth in such notice.

Any person aggrieved by the decision of the Minister
5 under this subsection may appeal to a District Court which shall have power to vary the notice given by the Minister in such manner as it sees fit with regard to the time specified in such notice.

(2) For the purposes of subsection one of this
10 section a light, sign, hoarding, awning, or structure of the nature of a hoarding or an awning attached to or forming part of a building or structure shall be deemed to be on the land upon which the building or structure is erected.

(3) Any person who fails to comply with the
15 requirements of any notice given to him under subsection one of this section shall be liable upon summary conviction to a penalty not exceeding one hundred pounds and to a further penalty not exceeding ten pounds for each day during which such failure continues.

20 4. (1) Where any person fails, wholly or in part, to comply with the requirements of any notice given to him under subsection one of section three of this Act the public authority, upon whose recommendation such notice has been given, shall have power by its officers, employees
25 or agents to do all things which that person by his failure has omitted to do.

Power of public authority to perform work.
cf. Act No. 44, 1946, s. 59.

(2) Anything done by such public authority in
30 pursuance of this section shall, so far as necessary, be deemed to have been duly authorised by the person who failed to comply with the requirements of any notice given to him under subsection one of section three of this Act.

(3) The public authority may recover, in any court
35 of competent jurisdiction, as a debt due to it, from the person who so failed to comply with such requirements, the cost incurred by it in doing anything in pursuance of this section.

Traffic Safety (Lights and Hoardings).

5. (1) If any difference arises between any public authorities with respect to any fire, light, sign, hoarding, awning, blind affixed to an awning, or structure of the nature of a hoarding or an awning, made, burnt, shown or erected by or on behalf of any such public authority, and such fire, light, sign, hoarding, awning, blind affixed to an awning or structure of the nature of a hoarding or an awning, is of the character referred to in paragraph (a) or (b) of subsection one of section three of this Act, any such public authority may submit such difference to the Minister.

Difference between public authorities as to lights, signs, awnings etc., interfering with traffic safety.

(2) The Minister may thereupon give such directions as in the public interest and in the circumstances of the case seem to the Governor to be proper.

15 (3) Any directions under subsection two of this section shall be given effect to by the public authority to whom they are given.

6. (1) Where a District Court is satisfied, on application by any person, including a public authority, that, by reason of the operation of any provision of this Act, the performance or further performance of a contract or agreement in relation to any light, sign, hoarding, awning, blind affixed to an awning, or structure of the nature of a hoarding or an awning, and to which such person is a party, in accordance with the terms thereof, has become or is likely to become impossible or, so far as the applicant is concerned, has become or is likely to become inequitable or unduly onerous, such District Court may make an order cancelling or suspending the operation of the contract or agreement or may make such order as it thinks just varying the terms of the contract or agreement, or providing for the repayment, in whole or in part, of any amount paid in pursuance of the contract or agreement.

Contracts adjustment.

35 (2) The decision of the District Court upon any application under this section shall be final.

(3)

Traffic Safety (Lights and Hoardings).

(3) The District Court shall have jurisdiction to hear and decide any application under this section and the provisions of the District Courts Act, 1912, as amended by subsequent Acts, shall with such modifications as may be necessary to give effect to this subsection, apply to and in respect of any such application and order made thereupon.

7. (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which are necessary or convenient to be prescribed for carrying out or giving effect to this Act. Regulations.

(2) Without limiting the generality of the powers conferred by subsection one of this section the Governor may make regulations—

- 15 (a) regulating or prohibiting lights or luminous or illuminated signs of or resembling any specified colour visible from any railway or tramway referred to in paragraph (a) of subsection one of section three of this Act or from any road or
- 20 waterway;
- (b) prescribing the form of and the manner of service of notices under this Act.

(3) Any regulation may impose a penalty not exceeding fifty pounds for any breach thereof.

25 (4) A regulation may be made to apply or to have operation throughout the whole or any part of the State, may be of general or specially limited application according to time, place or circumstances, and may be general or restricted to any specified class or subject

30 matter.

(5) The regulations shall—

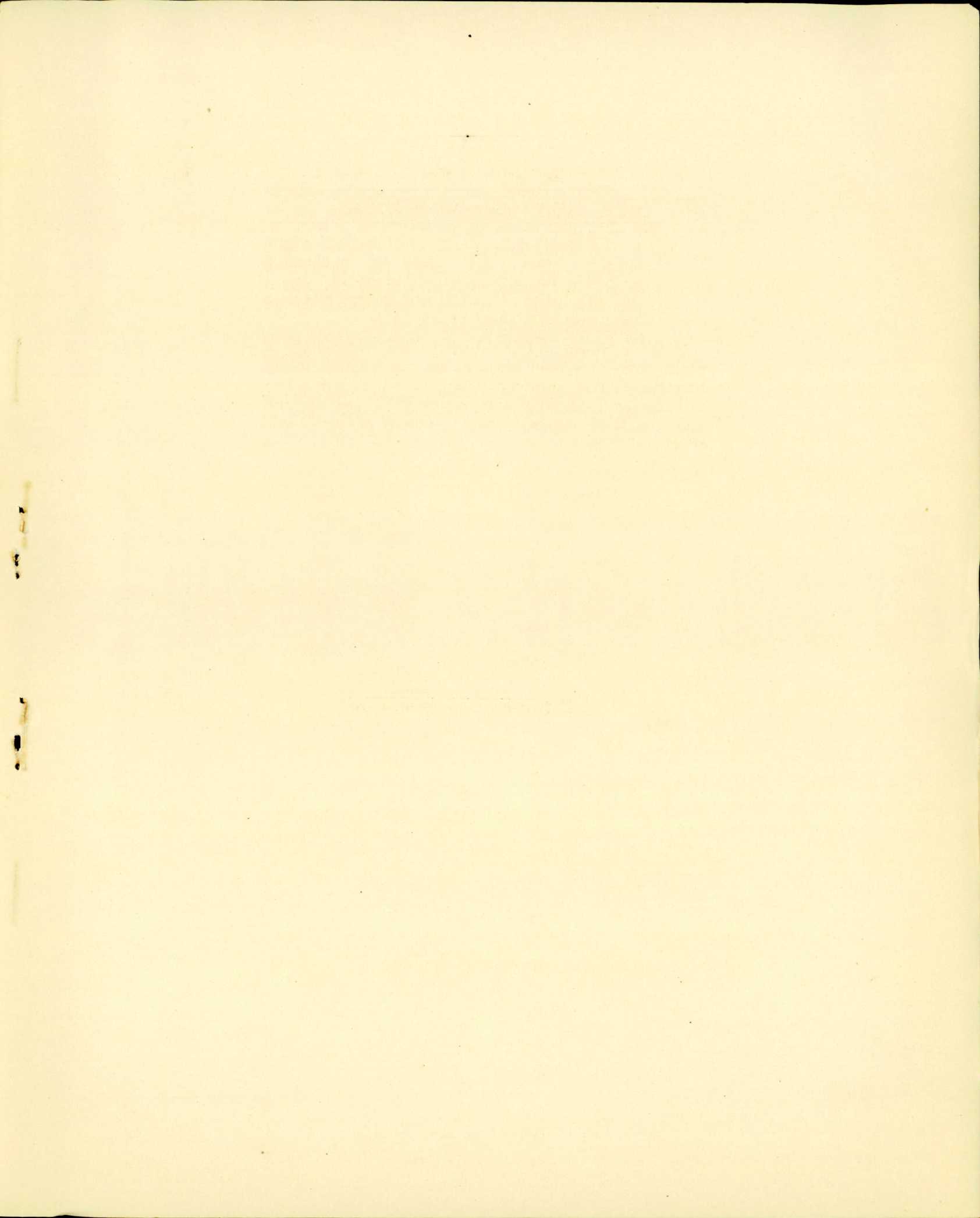
- (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date to be specified in the regulations; and
- 35

(c)

Traffic Safety (Lights and Hoardings).

5 (c) be laid before both Houses of Parliament within fourteen sitting days after the publication thereof if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

10 If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.



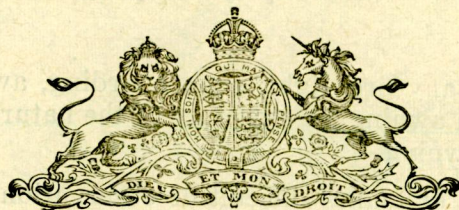
This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

H. ROBBINS,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 10 May, 1951.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with an Amendment.

Clerk of the Parliaments.
Legislative Council Chamber,
Sydney, May, 1951.

New South Wales.



ANNO QUINTO DECIMO

GEORGI VI REGIS.

Act No. , 1951.

An Act to provide for the control of fires, lights, signs, hoardings, awnings and similar structures which interfere with railway, tramway, waterway or road traffic signals, or are or are likely to be a danger to traffic; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Traffic Safety (Lights and Hoardings) Act, 1951." Short title.

76451 61—

2.

NOTE.—The words to be inserted are printed in black letter.

Traffic Safety (Lights and Hoardings).

2. In this Act, unless the context or subject matter otherwise indicates or requires— Interpretation.

5 “Public authority” means The Commissioner for Railways, The Commissioner for Road Transport and Tramways, The Commissioner for Main Roads, the Commissioner of Police, the Metropolitan Water, Sewerage and Drainage Board, the Hunter District Water Board, the Maritime Services Board of New South Wales, 10 a municipal, shire or county council and any other body, corporate or unincorporate, declared by the Minister by notification in the Gazette to be a public authority for the purposes of this Act.

15 3. (1) Where any fire, light, sign, hoarding, awning, blind affixed to an awning, or structure of the nature of a hoarding or an awning— Lights, signs, awnings, etc., interfering with traffic safety.

20 (a) obscures or makes difficult of observation or is likely to obscure or make difficult of observation or to be mistaken for any light, signal, sign, standard, navigation aid, notice, mark, indicator, appliance or device provided or installed for controlling, regulating, directing or aiding traffic upon any railway vested in or under the control of The Commissioner for Railways or upon any 25 tramway vested in or under the control of The Commissioner for Road Transport and Tramways or upon any road or waterway; or

30 (b) causes or is likely to cause inconvenience, difficulty or danger in the use of any road,

the Minister may, upon the recommendation of a public authority, by notice in writing require any person, not being a public authority, by whom or on whose behalf or on whose land any such fire, light, sign, hoarding, awning, 35 blind affixed to an awning, or structure of the nature of a hoarding or an awning, is made, burnt, shown or erected to extinguish, screen, move, remove, or alter such fire, light, sign, hoarding, awning, blind affixed to an awning,

Traffic Safety (Lights and Hoardings).

or structure of the nature of a hoarding or an awning, within the time specified in such notice and in accordance with such directions as may be set forth in such notice.

Any person aggrieved by the decision of the Minister under this subsection may appeal to a District Court which shall have power to vary the notice given by the Minister in such manner as it sees fit with regard to the time specified in such notice.

(2) For the purposes of subsection one of this section a light, sign, hoarding, awning, or structure of the nature of a hoarding or an awning attached to or forming part of a building or structure shall be deemed to be on the land upon which the building or structure is erected.

(3) Any person who fails to comply with the requirements of any notice given to him under subsection one of this section shall be liable upon summary conviction to a penalty not exceeding one hundred pounds and to a further penalty not exceeding ten pounds for each day during which such failure continues.

4. (1) Where any person fails, wholly or in part, to comply with the requirements of any notice given to him under subsection one of section three of this Act the public authority, upon whose recommendation such notice has been given, shall have power by its officers, employees or agents to do all things which that person by his failure has omitted to do.

Power of public authority to perform work.
cf. Act No. 44, 1946, s. 59.

(2) Anything done by such public authority in pursuance of this section shall, so far as necessary, be deemed to have been duly authorised by the person who failed to comply with the requirements of any notice given to him under subsection one of section three of this Act.

(3) The public authority may recover, in any court of competent jurisdiction, as a debt due to it, from the person who so failed to comply with such requirements, the cost incurred by it in doing anything in pursuance of this section.

Traffic Safety (Lights and Hoardings).

5. (1) If any difference arises between any public authorities with respect to any fire, light, sign, hoarding, awning, blind affixed to an awning, or structure of the nature of a hoarding or an awning, made, burnt, shown or erected by or on behalf of any such public authority, and such fire, light, sign, hoarding, awning, blind affixed to an awning or structure of the nature of a hoarding or an awning, is of the character referred to in paragraph (a) or (b) of subsection one of section three of this Act, any such public authority may submit such difference to the Minister.

Difference between public authorities as to lights, signs, awnings etc., interfering with traffic safety.

(2) The Minister may thereupon give such directions as in the public interest and in the circumstances of the case seem to the Governor to be proper.

15 (3) Any directions under subsection two of this section shall be given effect to by the public authority to whom they are given.

6. (1) Where a District Court is satisfied, on application by any person, including a public authority, that, by reason of the operation of any provision of this Act, the performance or further performance of a contract or agreement in relation to any light, sign, hoarding, awning, blind affixed to an awning, or structure of the nature of a hoarding or an awning, and to which such person is a party, in accordance with the terms thereof, has become or is likely to become impossible or, so far as the applicant is concerned, has become or is likely to become inequitable or unduly onerous, such District Court may make an order cancelling or suspending the operation of the contract or agreement or may make such order as it thinks just varying the terms of the contract or agreement, or providing for the repayment, in whole or in part, of any amount paid in pursuance of the contract or agreement.

Contracts adjustment.

35 (2) The decision of the District Court upon any application under this section shall be final.

(3)

Traffic Safety (Lights and Hoardings).

(3) The District Court shall have jurisdiction to hear and decide any application under this section and the provisions of the District Courts Act, 1912, as amended by subsequent Acts, shall with such modifications as may be necessary to give effect to this subsection, apply to and in respect of any such application and order made thereupon.

7. (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which are necessary or convenient to be prescribed for carrying out or giving effect to this Act. Regulations.

(2) Without limiting the generality of the powers conferred by subsection one of this section the Governor may make regulations—

(a) regulating or prohibiting lights or luminous or illuminated signs of or resembling any specified colour visible from any railway or tramway referred to in paragraph (a) of subsection one of section three of this Act or from any road or waterway;

(b) prescribing the form of and the manner of service of notices under this Act.

(3) Any regulation may impose a penalty not exceeding fifty pounds for any breach thereof.

(4) A regulation may be made to apply or to have operation throughout the whole or any part of the State, may be of general or specially limited application according to time, place or circumstances, and may be general or restricted to any specified class or subject matter.

(5) The regulations shall—

(a) be published in the Gazette;

(b) take effect from the date of such publication or from a later date to be specified in the regulations; and

(c)

Traffic Safety (Lights and Hoardings).

(c) be laid before both Houses of Parliament within
fourteen sitting days after the publication
thereof if Parliament is then in session, and if
not, then within fourteen sitting days after the
5 commencement of the next session.

If either House of Parliament passes a resolution of
which notice has been given at any time within fifteen
sitting days after such regulations have been laid before
such House disallowing any regulation or part thereof,
10 such regulation or part shall thereupon cease to have
effect.

Trusts, Estates, and Wills

(c) In the event both Houses of Parliament
 have passed a Bill, and the Bill has
 been passed by a majority of the
 members of each House, the Bill shall
 be deemed to have been passed by
 the Queen in Council.

5

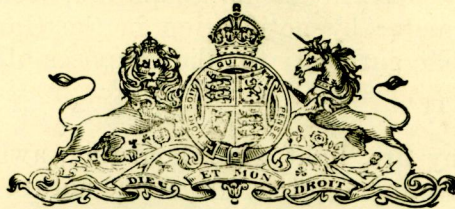
If either House of Parliament passes a Bill
 which is not passed by the other House,

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

H. ROBBINS,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 10 May, 1951.*

New South Wales.



ANNO QUINTO DECIMO

GEORGII VI REGIS.

Act No. , 1951.

An Act to provide for the control of fires, lights, signs, hoardings, awnings and similar structures which interfere with railway, tramway, waterway or road traffic signals, or are or are likely to be a danger to traffic; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of
5 the same, as follows:—

1. This Act may be cited as the "Traffic Safety (Lights and Hoardings) Act, 1951." Short title.

76451 61—

2.

Traffic Safety (Lights and Hoardings).

2. In this Act, unless the context or subject matter otherwise indicates or requires— Interpre-
tation.

5 “Public authority” means The Commissioner for
Railways, The Commissioner for Road Trans-
port and Tramways, The Commissioner for
Main Roads, the Commissioner of Police, the
Metropolitan Water, Sewerage and Drainage
Board, the Hunter District Water Board, the
10 Maritime Services Board of New South Wales,
a municipal, shire or county council and any
other body, corporate or unincorporate, declared
by the Minister by notification in the Gazette
to be a public authority for the purposes of this
Act.

15 **3.** (1) Where any fire, light, sign, hoarding, awning,
blind affixed to an awning, or structure of the nature of a
hoarding or an awning—

Lights,
signs,
awnings,
etc.,
interfering
with traffic
safety.

20 (a) obscures or makes difficult of observation or is
likely to obscure or make difficult of observation
or to be mistaken for any light, signal, sign,
standard, navigation aid, notice, mark, indicator,
appliance or device provided or installed for
controlling, regulating, directing or aiding traffic
upon any railway vested in or under the control
25 of The Commissioner for Railways or upon any
tramway vested in or under the control of The
Commissioner for Road Transport and
Tramways or upon any road or waterway; or

30 (b) causes or is likely to cause inconvenience,
difficulty or danger in the use of any road,

the Minister may, upon the recommendation of a public
authority, by notice in writing require any person, not
being a public authority, by whom or on whose behalf or
on whose land any such fire, light, sign, hoarding, awning,
35 blind affixed to an awning, or structure of the nature of a
hoarding or an awning, is made, burnt, shown or erected
to extinguish, screen, move, remove, or alter such fire,
light, sign, hoarding, awning, blind affixed to an awning,

Traffic Safety (Lights and Hoardings).

or structure of the nature of a hoarding or an awning, within the time specified in such notice and in accordance with such directions as may be set forth in such notice.

(2) For the purposes of subsection one of this section a light, sign, hoarding, awning, or structure of the nature of a hoarding or an awning attached to or forming part of a building or structure shall be deemed to be on the land upon which the building or structure is erected.

(3) Any person who fails to comply with the requirements of any notice given to him under subsection one of this section shall be liable upon summary conviction to a penalty not exceeding one hundred pounds and to a further penalty not exceeding ten pounds for each day during which such failure continues.

4. (1) Where any person fails, wholly or in part, to comply with the requirements of any notice given to him under subsection one of section three of this Act the public authority, upon whose recommendation such notice has been given, shall have power by its officers, employees or agents to do all things which that person by his failure has omitted to do.

Power of public authority to perform work.
cf. Act No. 44, 1946, s. 59.

(2) Anything done by such public authority in pursuance of this section shall, so far as necessary, be deemed to have been duly authorised by the person who failed to comply with the requirements of any notice given to him under subsection one of section three of this Act.

(3) The public authority may recover, in any court of competent jurisdiction, as a debt due to it, from the person who so failed to comply with such requirements, the cost incurred by it in doing anything in pursuance of this section.

5. (1) If any difference arises between any public authorities with respect to any fire, light, sign, hoarding, awning, blind affixed to an awning, or structure of the nature of a hoarding or an awning, made, burnt, shown or erected by or on behalf of any such public authority, and such fire, light, sign, hoarding, awning, blind affixed to an awning or structure of the nature of a hoarding or an awning, is of the character referred to in paragraph

Difference between public authorities as to lights, signs, awnings etc., interfering with traffic safety.

(a)

Traffic Safety (Lights and Hoardings).

(a) or (b) of subsection one of section three of this Act, any such public authority may submit such difference to the Minister.

(2) The Minister may thereupon give such directions as in the public interest and in the circumstances of the case seem to the Governor to be proper.

(3) Any directions under subsection two of this section shall be given effect to by the public authority to whom they are given.

10 **6.** (1) Where a District Court is satisfied, on application by any person, including a public authority, that, by reason of the operation of any provision of this Act, the performance or further performance of a contract or agreement in relation to any light, sign, hoarding, awning,
15 blind affixed to an awning, or structure of the nature of a hoarding or an awning, and to which such person is a party, in accordance with the terms thereof, has become or is likely to become impossible or, so far as the applicant is concerned, has become or is likely to become
20 inequitable or unduly onerous, such District Court may make an order cancelling or suspending the operation of the contract or agreement or may make such order as it thinks just varying the terms of the contract or agreement, or providing for the repayment, in whole or in
25 part, of any amount paid in pursuance of the contract or agreement.

Contracts
adjustment.

(2) The decision of the District Court upon any application under this section shall be final.

(3) The District Court shall have jurisdiction to
30 hear and decide any application under this section and the provisions of the District Courts Act, 1912, as amended by subsequent Acts, shall with such modifications as may be necessary to give effect to this subsection, apply to and in respect of any such application and order
35 made thereupon.

7. (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Regulations.

(2)

Traffic Safety (Lights and Hoardings).

(2) Without limiting the generality of the powers conferred by subsection one of this section the Governor may make regulations—

- 5 (a) regulating or prohibiting lights or luminous or illuminated signs of or resembling any specified colour visible from any railway or tramway referred to in paragraph (a) of subsection one of section three of this Act or from any road or waterway;
- 10 (b) prescribing the form of and the manner of service of notices under this Act.
- (3) Any regulation may impose a penalty not exceeding fifty pounds for any breach thereof.
- (4) A regulation may be made to apply or to have
15 operation throughout the whole or any part of the State, may be of general or specially limited application according to time, place or circumstances, and may be general or restricted to any specified class or subject matter.
- 20 (5) The regulations shall—
- (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date to be specified in the regulations; and
- 25 (c) be laid before both Houses of Parliament within fourteen sitting days after the publication thereof if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.
- 30 If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have
35 effect.

No. 11, 1951.

A BILL

To provide for the control of fires, lights, signs, hoardings, awnings and similar structures which interfere with railway, tramway, waterway or road traffic signals, or are or are likely to be a danger to traffic; and for purposes connected therewith.

[MR. SHEAHAN;—3 May, 1951, A.M.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Traffic Safety (Lights and Hoardings) Act, 1951." Short title.

Traffic Safety (Lights and Hoardings).

2. In this Act, unless the context or subject matter otherwise indicates or requires— Interpre-
tation.

5 “Public authority” means The Commissioner for
Railways, The Commissioner for Road Trans-
port and Tramways, The Commissioner for
Main Roads, the Commissioner of Police, the
10 Metropolitan Water, Sewerage and Drainage
Board, the Hunter District Water Board, the
Maritime Services Board of New South Wales,
a municipal, shire or county council and any
other body, corporate or unincorporate, declared
by the Minister by notification in the Gazette
to be a public authority for the purposes of this
Act.

15 3. (1) Where any fire, light, sign, hoarding, awning,
blind affixed to an awning, or structure of the nature of a
hoarding or an awning— Lights,
signs,
awnings,
etc.,
interfering
with traffic
safety.

20 (a) obscures or makes difficult of observation or is
likely to obscure or make difficult of observation
or to be mistaken for any light, signal, sign,
standard, navigation aid, notice, mark, indicator,
appliance or device provided or installed for
controlling, regulating, directing or aiding traffic
upon any railway vested in or under the control
25 of The Commissioner for Railways or upon any
tramway vested in or under the control of The
Commissioner for Road Transport and
Tramways or upon any road or waterway; or

30 (b) causes or is likely to cause inconvenience,
difficulty or danger in the use of any road,

the Minister may, upon the recommendation of a public
authority, by notice in writing require any person, not
being a public authority, by whom or on whose behalf or
on whose land any such fire, light, sign, hoarding, awning,
35 blind affixed to an awning, or structure of the nature of a
hoarding or an awning, is made, burnt, shown or erected
to extinguish, screen, move, remove, or alter such fire,
light, sign, hoarding, awning, blind affixed to an awning,

Traffic Safety (Lights and Hoardings).

or structure of the nature of a hoarding or an awning, within the time specified in such notice and in accordance with such directions as may be set forth in such notice.

(2) For the purposes of subsection one of this section a light, sign, hoarding, awning, or structure of the nature of a hoarding or an awning attached to or forming part of a building or structure shall be deemed to be on the land upon which the building or structure is erected.

(3) Any person who fails to comply with the requirements of any notice given to him under subsection one of this section shall be liable upon summary conviction to a penalty not exceeding one hundred pounds and to a further penalty not exceeding ten pounds for each day during which such failure continues.

4. (1) Where any person fails, wholly or in part, to comply with the requirements of any notice given to him under subsection one of section three of this Act the public authority, upon whose recommendation such notice has been given, shall have power by its officers, employees or agents to do all things which that person by his failure has omitted to do.

Power of public authority to perform work.

cf. Act No. 44, 1946, s. 59.

(2) Anything done by such public authority in pursuance of this section shall, so far as necessary, be deemed to have been duly authorised by the person who failed to comply with the requirements of any notice given to him under subsection one of section three of this Act.

(3) The public authority may recover, in any court of competent jurisdiction, as a debt due to it, from the person who so failed to comply with such requirements, the cost incurred by it in doing anything in pursuance of this section.

5. (1) If any difference arises between any public authorities with respect to any fire, light, sign, hoarding, awning, blind affixed to an awning, or structure of the nature of a hoarding or an awning, made, burnt, shown or erected by or on behalf of any such public authority, and such fire, light, sign, hoarding, awning, blind affixed to an awning or structure of the nature of a hoarding or an awning, is of the character referred to in paragraph

Difference between public authorities as to lights, signs, awnings etc., interfering with traffic safety.

(a)

Traffic Safety (Lights and Hoardings).

(a) or (b) of subsection one of section three of this Act, any such public authority may submit such difference to the Minister.

5 (2) The Minister may thereupon give such directions as in the public interest and in the circumstances of the case seem to the Governor to be proper.

(3) Any directions under subsection two of this section shall be given effect to by the public authority to whom they are given.

10 **6.** (1) Where a District Court is satisfied, on application by any person, including a public authority, that, by reason of the operation of any provision of this Act, the performance or further performance of a contract or agreement in relation to any light, sign, hoarding, awning,
15 blind affixed to an awning, or structure of the nature of a hoarding or an awning, and to which such person is a party, in accordance with the terms thereof, has become or is likely to become impossible or, so far as the applicant is concerned, has become or is likely to become
20 inequitable or unduly onerous, such District Court may make an order cancelling or suspending the operation of the contract or agreement or may make such order as it thinks just varying the terms of the contract or agreement, or providing for the repayment, in whole or in
25 part, of any amount paid in pursuance of the contract or agreement.

Contracts adjustment.

(2) The decision of the District Court upon any application under this section shall be final.

30 (3) The District Court shall have jurisdiction to hear and decide any application under this section and the provisions of the District Courts Act, 1912, as amended by subsequent Acts, shall with such modifications as may be necessary to give effect to this subsection, apply to and in respect of any such application and order
35 made thereupon.

7. (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Regulations.

(2)

Traffic Safety (Lights and Hoardings).

(2) Without limiting the generality of the powers conferred by subsection one of this section the Governor may make regulations—

5 (a) regulating or prohibiting lights or luminous or illuminated signs of or resembling any specified colour visible from any railway or tramway referred to in paragraph (a) of subsection one of section three of this Act or from any road or waterway;

10 (b) prescribing the form of and the manner of service of notices under this Act.

(3) Any regulation may impose a penalty not exceeding fifty pounds for any breach thereof.

15 (4) A regulation may be made to apply or to have operation throughout the whole or any part of the State, may be of general or specially limited application according to time, place or circumstances, and may be general or restricted to any specified class or subject matter.

20 (5) The regulations shall—

(a) be published in the Gazette;

(b) take effect from the date of such publication or from a later date to be specified in the regulations; and

25 (c) be laid before both Houses of Parliament within fourteen sitting days after the publication thereof if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

30 If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have
35 effect.

Traffic Safety (Lights and Flowings)

(2) Without limiting the generality of the powers conferred by subsection one of this section the Governor may make regulations—

(a) regulating or prohibiting lights or luminous or illuminated signs or reflecting any specified colour visible from any railway or tramway referred to in paragraph (a) of subsection one of section three of this Act or from any road or

(b) prescribing the form of and the manner of issue of notices under this Act.

(3) Any regulation may impose a penalty not exceeding fifty pounds for any breach thereof.

(4) A regulation may be made to apply or to have effect throughout the State or any part of the State and may be made to apply to any person or class of persons or to any vehicle or class of vehicles or to any specified class or subject matter.

(5) The regulations shall—

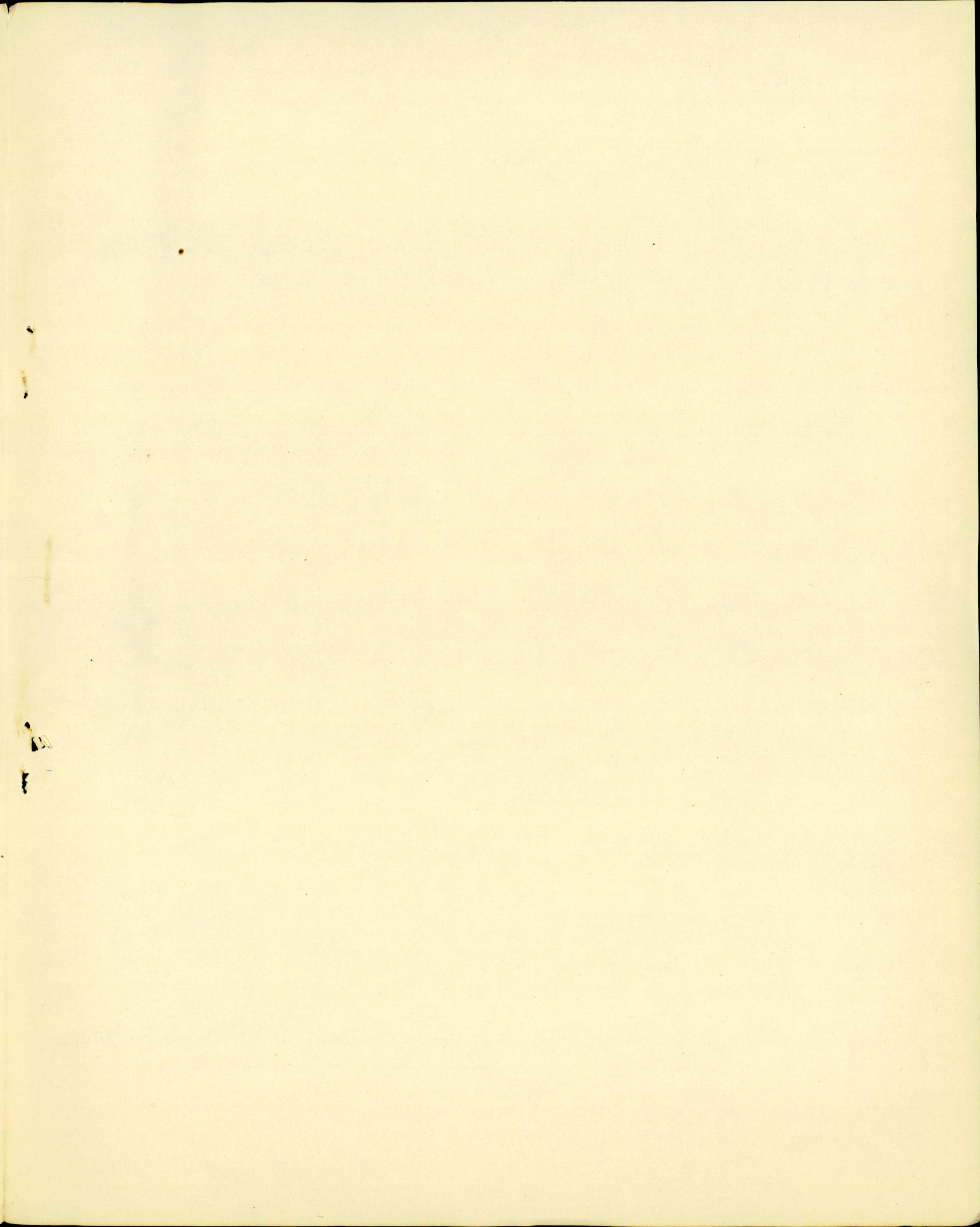
(a) be published in the Gazette;

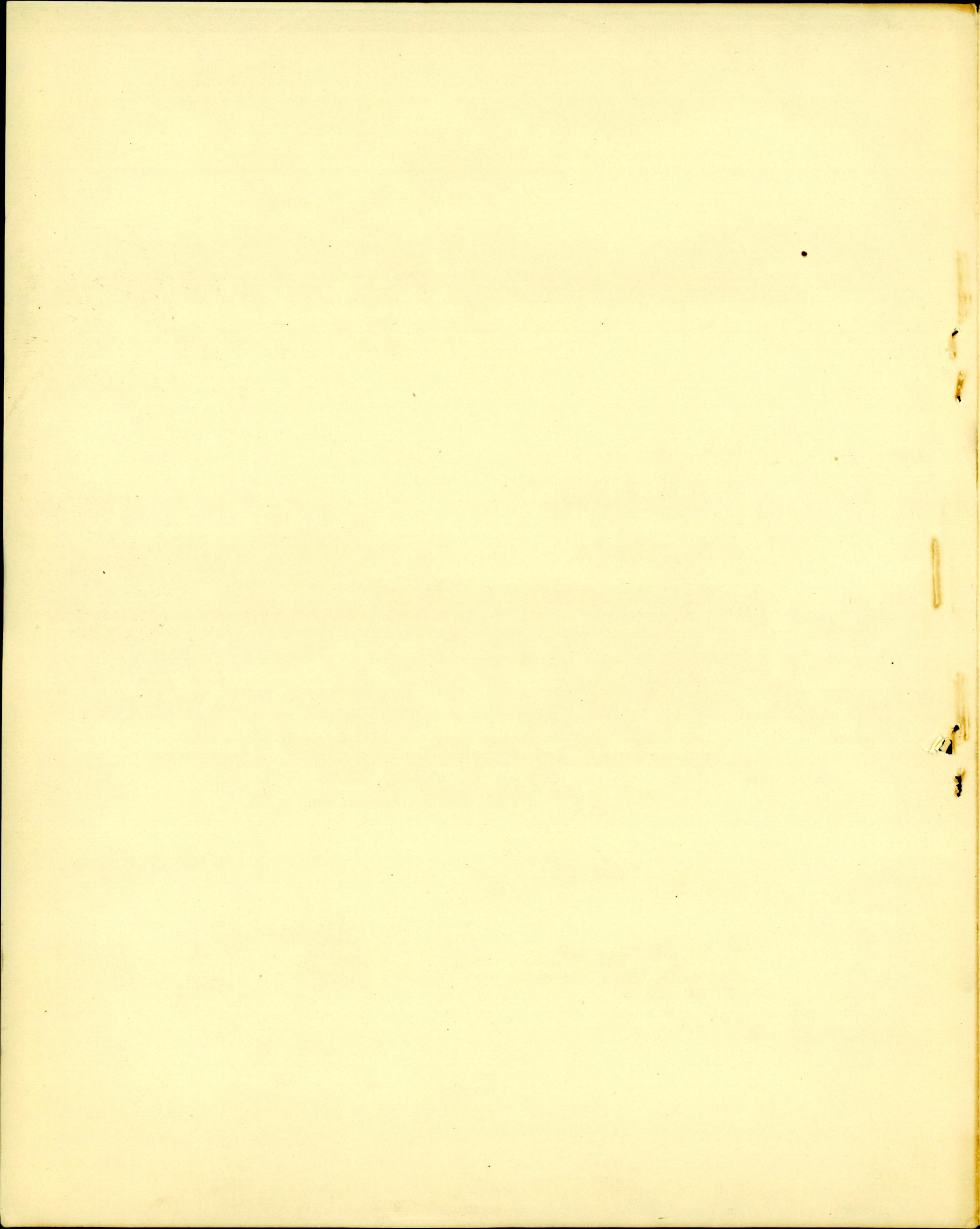
(b) take effect from the date of such publication or from a later date to be specified in the regulations; and

(c) be laid before both Houses of Parliament within fourteen sitting days after the publication thereof if Parliament is then in session, and if not then within fourteen sitting days after the commencement of the next session.

30 If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have

35 effect.





Traffic Safety (Lights and Hoardings) Bill, 1951.

EXPLANATORY NOTE.

THE object of this Bill is to control fires, lights, signs, hoardings, awnings and similar structures which interfere with traffic upon any road or waterway or the safety of railway and tramway operations.

The Minister is to be empowered to require the extinguishing, screening, removal or alteration of any such fires, lights, signs, hoardings, awnings and similar structures.

Disputes between public authorities in respect of any such fires, lights, signs, hoardings, awnings and similar structures are to be referred to the Minister.

The Bill also contains other ancillary provisions.

PROOF.

No. , 1951.

A BILL

To provide for the control of fires, lights, signs, hoardings, awnings and similar structures which interfere with railway, tramway, waterway or road traffic signals, or are or are likely to be a danger to traffic; and for purposes connected therewith.

[MR. SHEAHAN;—3 *May*, 1951, A.M.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Traffic Safety (Lights and Hoardings) Act, 1951." Short title.

Traffic Safety (Lights and Hoardings).

2. In this Act, unless the context or subject matter otherwise indicates or requires— Interpre-
tation.

5 “Public authority” means The Commissioner for
Railways, The Commissioner for Road Trans-
port and Tramways, The Commissioner for
Main Roads, the Commissioner of Police, the
Metropolitan Water, Sewerage and Drainage
Board, the Hunter District Water Board, the
10 Maritime Services Board of New South Wales,
a municipal, shire or county council and any
other body, corporate or unincorporate, declared
by the Minister by notification in the Gazette
to be a public authority for the purposes of this
Act.

15 3. (1) Where any fire, light, sign, hoarding, awning,
blind affixed to an awning, or structure of the nature of a
hoarding or an awning— Lights,
signs,
awnings,
etc.,
interfering
with traffic
safety.

20 (a) obscures or makes difficult of observation or is
likely to obscure or make difficult of observation
or to be mistaken for any light, signal, sign,
standard, navigation aid, notice, mark, indicator,
appliance or device provided or installed for
controlling, regulating, directing or aiding traffic
upon any railway vested in or under the control
25 of The Commissioner for Railways or upon any
tramway vested in or under the control of The
Commissioner for Road Transport and
Tramways or upon any road or waterway; or

30 (b) causes or is likely to cause inconvenience,
difficulty or danger in the use of any road,

the Minister may, upon the recommendation of a public
authority, by notice in writing require any person, not
being a public authority, by whom or on whose behalf or
on whose land any such fire, light, sign, hoarding, awning,
35 blind affixed to an awning, or structure of the nature of a
hoarding or an awning, is made, burnt, shown or erected
to extinguish, screen, move, remove, or alter such fire,
light, sign, hoarding, awning, blind affixed to an awning,

Traffic Safety (Lights and Hoardings).

or structure of the nature of a hoarding or an awning, within the time specified in such notice and in accordance with such directions as may be set forth in such notice.

(2) For the purposes of subsection one of this section a light, sign, hoarding, awning, or structure of the nature of a hoarding or an awning attached to or forming part of a building or structure shall be deemed to be on the land upon which the building or structure is erected.

(3) Any person who fails to comply with the requirements of any notice given to him under subsection one of this section shall be liable upon summary conviction to a penalty not exceeding one hundred pounds and to a further penalty not exceeding ten pounds for each day during which such failure continues.

4. (1) Where any person fails, wholly or in part, to comply with the requirements of any notice given to him under subsection one of section three of this Act the public authority, upon whose recommendation such notice has been given, shall have power by its officers, employees or agents to do all things which that person by his failure has omitted to do.

Power of public authority to perform work.

cf. Act No. 44, 1946, s. 59.

(2) Anything done by such public authority in pursuance of this section shall, so far as necessary, be deemed to have been duly authorised by the person who failed to comply with the requirements of any notice given to him under subsection one of section three of this Act.

(3) The public authority may recover, in any court of competent jurisdiction, as a debt due to it, from the person who so failed to comply with such requirements, the cost incurred by it in doing anything in pursuance of this section.

5. (1) If any difference arises between any public authorities with respect to any fire, light, sign, hoarding, awning, blind affixed to an awning, or structure of the nature of a hoarding or an awning, made, burnt, shown or erected by or on behalf of any such public authority, and such fire, light, sign, hoarding, awning, blind affixed to an awning or structure of the nature of a hoarding or an awning, is of the character referred to in paragraph

Difference between public authorities as to lights, signs, awnings etc., interfering with traffic safety.

(a)

Traffic Safety (Lights and Hoardings).

(a) or (b) of subsection one of section three of this Act, any such public authority may submit such difference to the Minister.

5 (2) The Minister may thereupon give such directions as in the public interest and in the circumstances of the case seem to the Governor to be proper.

(3) Any directions under subsection two of this section shall be given effect to by the public authority to whom they are given.

10 **6.** (1) Where a District Court is satisfied, on application by any person, including a public authority, that, by reason of the operation of any provision of this Act, the performance or further performance of a contract or agreement in relation to any light, sign, hoarding, awning,
15 blind affixed to an awning, or structure of the nature of a hoarding or an awning, and to which such person is a party, in accordance with the terms thereof, has become or is likely to become impossible or, so far as the applicant is concerned, has become or is likely to become
20 inequitable or unduly onerous, such District Court may make an order cancelling or suspending the operation of the contract or agreement or may make such order as it thinks just varying the terms of the contract or agreement, or providing for the repayment, in whole or in
25 part, of any amount paid in pursuance of the contract or agreement.

Contracts
adjustment.

(2) The decision of the District Court upon any application under this section shall be final.

30 (3) The District Court shall have jurisdiction to hear and decide any application under this section and the provisions of the District Courts Act, 1912, as amended by subsequent Acts, shall with such modifications as may be necessary to give effect to this subsection, apply to and in respect of any such application and order
35 made thereupon.

7. (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Regulations.

(2)

Traffic Safety (Lights and Hoardings).

(2) Without limiting the generality of the powers conferred by subsection one of this section the Governor may make regulations—

- 5 (a) regulating or prohibiting lights or luminous or illuminated signs of or resembling any specified colour visible from any railway or tramway referred to in paragraph (a) of subsection one of section three of this Act or from any road or waterway;
- 10 (b) prescribing the form of and the manner of service of notices under this Act.

(3) Any regulation may impose a penalty not exceeding fifty pounds for any breach thereof.

15 (4) A regulation may be made to apply or to have operation throughout the whole or any part of the State, may be of general or specially limited application according to time, place or circumstances, and may be general or restricted to any specified class or subject matter.

20 (5) The regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date to be specified in the regulations; and
- 25 (c) be laid before both Houses of Parliament within fourteen sitting days after the publication thereof if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

30 If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have
35 effect.

