

*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.*

I. P. K. VIDLER,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 6 December, 1967.*

## New South Wales



ANNO SEXTO DECIMO

ELIZABETHÆ II REGINÆ

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Act No.           , 1967.

An Act to make further provisions with respect to the control of traffic upon public streets, the issue of drivers' licenses and the testing of drivers of motor vehicles; for these and other purposes, to amend the Motor Traffic Act, 1909, the Metropolitan Traffic Act, 1900, the Transport Act, 1930, and certain other Acts; and for purposes connected therewith.

BE

*Motor Traffic, Metropolitan Traffic and Transport (Amendment).*

**B**E it enacted by the Queen'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. (1) This Act may be cited as the "Motor Traffic, Metropolitan Traffic and Transport (Amendment) Act, 1967". Short title, citation and commencement.

(2) The Motor Traffic Act, 1909, as amended by subsequent Acts and by this Act, may be cited as the Motor Traffic Act, 1909–1967.

(3) The Metropolitan Traffic Act, 1900, as amended by subsequent Acts and by this Act, may be cited as the Metropolitan Traffic Act, 1900–1967.

(4) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930–1967.

(5) This section shall commence on the day upon which this Act receives the Royal assent and, subject to this subsection, the provisions of this Act shall commence upon such day, or upon such different days in respect of different provisions, as the Governor may appoint in that behalf and notify by proclamation published in the Gazette.

2. Nothing in this Act shall affect the liability of any person, incurred before the commencement of this Act, under the provisions of an Act amended by this Act or of the regulations made under an Act so amended, and those provisions shall, in respect of any liability so incurred, apply as if this Act had not been enacted. Saving as to prior liability.

3. The Motor Traffic Act, 1909, as amended by subsequent Acts, is amended by inserting next after section 4C the following new section :— Amendment of Act No. 5, 1909. New sec. 4D.

4D. (1) In this section "traffic control sign" means a standard, sign, notice or device in or similar to a form, or generally answering a description, prescribed for the purposes of this section. Traffic control signs.

(2)

*Motor Traffic, Metropolitan Traffic and Transport (Amendment).*

(2) The Commissioner of Police may give such a direction for the control of motor vehicles upon a public street as, in his opinion, may be necessary or desirable and any such direction—

- 5 (a) may be limited as to time, place or subject-matter; and  
(b) may be varied or revoked by the Commissioner of Police.

10 (3) A direction given pursuant to subsection two of this section shall have effect only while there is erected or displayed upon or near, or marked upon, the public street to which the direction relates a traffic control sign that is notice of the direction.

15 (4) The direction appearing upon, or prescribed as given by, a traffic control sign that is erected or displayed upon or near, or marked upon, a public street with the authority of the Commissioner of Police shall, whether the traffic control sign was so erected, displayed or marked before or after the commencement of section  
20 three of the Motor Traffic, Metropolitan Traffic and Transport (Amendment) Act, 1967, be deemed to be a direction, for the time being in force, given pursuant to subsection two of this section in relation to that public street and the traffic control sign shall, for the purposes  
25 of subsection three of this section, be deemed to be notice of that direction.

(5) Regulations may be made for and with respect to—

- 30 (a) the control of motor vehicles upon public streets by means of traffic control signs;  
(b) prescribing the form or description of traffic control signs;  
35 (c) the interpretation of words, figures, symbols or abbreviations appearing on a traffic control sign;  
(d)

(5)

*Motor Traffic, Metropolitan Traffic and Transport (Amendment).*

(d) the direction represented by a sign or device comprising, or partly comprising, a traffic control sign;

5 (e) the observance of a direction appearing on, or prescribed as being represented by, a traffic control sign.

(6) Any person who—

(a) without the authority of the Commissioner of Police—

10 (i) erects or displays upon or near, or marks upon, a public street any traffic control sign; or

15 (ii) interferes with, alters or removes any traffic control sign erected or displayed upon or near, or marked upon, a public street; or

20 (b) erects or displays upon or near, or marks upon, a public street any standard, sign, notice or device that might reasonably be mistaken to be a traffic control sign,

shall be guilty of an offence under this Act.

25 (7) The Commissioner of Police or any member of the police force authorised by him in that behalf may direct any person who contravenes subsection six of this section to remove, within a time specified by him when giving the direction, the standard, sign, notice or device in respect of which the contravention took place and any such person who fails to comply with such a direction within the time so specified shall be guilty of an offence under this Act.

30 (8) Without affecting any liability of any person under subsection six or seven of this section, the Commissioner of Police may remove, or cause to be removed,

*Motor Traffic, Metropolitan Traffic and Transport (Amendment).*

removed, a standard, sign, notice or device erected, displayed or marked in contravention of subsection six of this section.

5 (9) The allegation, in an information in respect of an offence under this Act or a breach of a regulation, that a standard, sign, notice or device was erected, displayed or marked with the authority of the Commissioner of Police, or that a standard, sign, notice or device was erected, displayed, marked, interfered with, altered or removed without the authority of the Commissioner of Police, shall be accepted by the court as evidence of the truth of the allegation, unless the contrary is proved.

15 (10) The provisions of this section shall be supplemental to, and not in derogation from, any other provision of this Act.

4. The Metropolitan Traffic Act, 1900, as amended by subsequent Acts, is amended by inserting next after section 13C the following new section :—

Amendment of Act No. 8, 1900.

New sec. 13D.

20 13D. (1) In this section "traffic control sign" means a standard, sign, notice or device in or similar to a form, or generally answering a description, prescribed for the purposes of this section.

Traffic control signs.

25 (2) The Commissioner of Police may give such a direction for the control of vehicles or horses upon a public street as, in his opinion, may be necessary or desirable and any such direction—

- 30 (a) may be limited as to time, place or subject-matter; and
- (b) may be varied or revoked by the Commissioner of Police.

(3)

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*Motor Traffic, Metropolitan Traffic and Transport (Amendment).*

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5 (3) A direction given pursuant to subsection two of this section shall have effect only while there is erected or displayed upon or near, or marked upon, the public street to which the direction relates a traffic control sign that is notice of the direction.

10 (4) The direction appearing upon, or prescribed as given by, a traffic control sign that is erected or displayed upon or near, or marked upon, a public street with the authority of the Commissioner of Police shall, whether the traffic control sign was so erected, displayed or marked before or after the commencement of section four of the Motor Traffic, Metropolitan Traffic and Transport (Amendment) Act, 1967, be deemed to be a direction, for the time being in force, given pursuant to 15 subsection two of this section in relation to that public street and the traffic control sign shall, for the purposes of subsection three of this section, be deemed to be notice of that direction.

20 (5) Regulations may be made for and with respect to—

- (a) the control of vehicles or horses upon a public street by means of traffic control signs;
- (b) prescribing the form or description of traffic control signs;
- 25 (c) the interpretation of words, figures, symbols or abbreviations appearing on a traffic control sign;
- (d) the direction represented by a sign or device comprising, or partly comprising, a traffic control sign;
- 30 (e) the observance of a direction appearing on, or prescribed as being represented by, a traffic control sign.

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*Motor Traffic, Metropolitan Traffic and Transport (Amendment).*

(6) Any person who—

(a) without the authority of the Commissioner of Police—

5 (i) erects or displays upon or near, or marks upon, a public street any traffic control sign; or

10 (ii) interferes with, alters or removes any traffic control sign erected or displayed upon or near, or marked upon, a public street; or

(b) erects or displays upon or near, or marks upon, a public street any standard, sign, notice or device that might reasonably be mistaken to be a traffic control sign,

15 shall be guilty of an offence against this Act.

20 (7) The Commissioner of Police or any member of the police force authorised by him in that behalf may direct any person who contravenes subsection six of this section to remove, within a time specified by him when giving the direction, the standard, sign, notice or device in respect of which the contravention took place and any such person who fails to comply with such a direction within the time so specified shall be guilty of an offence against this Act.

25 (8) Without affecting any liability of any person under subsection six or seven of this section, the Commissioner of Police may remove, or cause to be removed, a standard, sign, notice or device erected, displayed or marked in contravention of subsection six  
30 of this section.

(9) The allegation, in an information in respect of an offence under this Act or a breach of a regulation, that a standard, sign, notice or device was erected,

displayed

*Motor Traffic, Metropolitan Traffic and Transport (Amendment).*

5 displayed or marked with the authority of the Commissioner of Police, or that a standard, sign, notice or device was erected, displayed, marked, interfered with, altered or removed without the authority of the Commissioner of Police, shall be accepted by the court as evidence of the truth of the allegation, unless the contrary is proved.

(10) The provisions of this section shall be supplemental to, and not in derogation from, any other provision of this Act.

10 5. The Motor Traffic Act, 1909, as amended by subsequent Acts, is further amended—

(a) (i) by omitting from section 2c the words “the testing of drivers of motor vehicles, and”;  
 (ii) by omitting from the same section the word “such”;

Further amendment of Act No. 5, 1909.

Sec. 2c. (Enforcement by police.)

15

(b) (i) by inserting in paragraph (m) of subsection one of section three after the word “licenses” the words “and the testing of applicants therefor”;

Sec. 3. (Regulations.)

20

(ii) by inserting next after paragraph (s) of the same subsection the following new paragraph :—

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(t) make provision for or with respect to the refund, or partial refund, of the fee paid for a driver’s license issued for a period in excess of one year.

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(iii) by inserting next after paragraph (d) of subsection two of the same section the following new paragraph :—

(e) Any regulation may fix alternative periods for the duration of drivers’ licenses.

(c)

*Motor Traffic, Metropolitan Traffic and Transport (Amendment).*

- (c) (i) by omitting from the Schedule the words "four dollars" where firstly occurring and by inserting in lieu thereof the words "at the rate of four dollars yearly";
- 5 (ii) by omitting from the Schedule the words "three dollars" where secondly occurring and by inserting in lieu thereof the words "at the rate of three dollars yearly".

6. The Transport Act, 1930, as amended by subsequent Acts, is amended—

Further amendment of Act No. 18, 1930.

(a) by inserting in paragraph (b) of subsection one of section two hundred and two next before the word "all" the words "subject to section 202A of this Act";

Sec. 202. (Fund to be established.)

15 (b) by inserting next after section two hundred and two the following new section :—

New sec. 202A.

20 202A. (1) There shall be established and kept in the Treasury a Road Transport and Traffic Fund Advance Payments Account into which shall be paid that part of any fee charged under the Motor Traffic Act, 1909, as amended by subsequent Acts, for a driver's license, that is in excess of the fee charged for such a license for a period of one year.

Road Transport and Traffic Fund Advance Payments Account.

25 (2) The amounts paid to the credit of the Road Transport and Traffic Fund Advance Payments Account shall be applied—

30 (a) in payment of the amounts expended in refunding fees for drivers' licenses as provided by the regulations made under the Motor Traffic Act, 1909, as amended by subsequent Acts; and

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*Motor Traffic, Metropolitan Traffic and Transport (Amendment).*

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- 5 (b) by paying, at the end of each financial year, to the credit of the Road Transport and Traffic Fund the amount of that part of the fees paid for drivers' licenses that is attributable to that year, less any amounts paid in that year under paragraph (a) of this subsection.

7. In the exercise of his powers, authorities, duties and functions relating to the testing of applicants for licenses under <sup>Testing of applicants for drivers' licenses.</sup> the Motor Traffic Act, 1909, as amended by subsequent Acts, 10 the Commissioner for Motor Transport may make use of the services of members of the police force in such circumstances, upon such terms and conditions and for such periods as may be arranged with the Commissioner of Police.

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BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967  
[10c]

No. , 1967.

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## A BILL

To make further provisions with respect to the control of traffic upon public streets, the issue of drivers' licenses and the testing of drivers of motor vehicles; for these and other purposes, to amend the Motor Traffic Act, 1909, the Metropolitan Traffic Act, 1900, the Transport Act, 1930, and certain other Acts; and for purposes connected therewith.

[MR MORRIS—5 *December*, 1967.]

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*Motor Traffic, Metropolitan Traffic and Transport (Amendment).*

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1. (1) This Act may be cited as the "Motor Traffic, Metropolitan Traffic and Transport (Amendment) Act, 1967". Short title, citation and commencement.

(2) The Motor Traffic Act, 1909, as amended by subsequent Acts and by this Act, may be cited as the Motor Traffic Act, 1909–1967.

(3) The Metropolitan Traffic Act, 1900, as amended by subsequent Acts and by this Act, may be cited as the Metropolitan Traffic Act, 1900–1967.

15 (4) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930–1967.

(5) This section shall commence on the day upon which this Act receives the Royal assent and, subject to this subsection, the provisions of this Act shall commence upon such day, or upon such different days in respect of different provisions, as the Governor may appoint in that behalf and notify by proclamation published in the Gazette.

2. Nothing in this Act shall affect the liability of any person, incurred before the commencement of this Act, under the provisions of an Act amended by this Act or of the regulations made under an Act so amended, and those provisions shall, in respect of any liability so incurred, apply as if this Act had not been enacted. Saving as to prior liability.

3. The Motor Traffic Act, 1909, as amended by subsequent Acts, is amended by inserting next after section 4C the following new section :— Amendment of Act No. 5, 1909. New sec. 4D.

35 4D. (1) In this section "traffic control sign" means a standard, sign, notice or device in or similar to a form, or generally answering a description, prescribed for the purposes of this section. Traffic control signs.

(2)



*Motor Traffic, Metropolitan Traffic and Transport (Amendment).*

- (d) the direction represented by a sign or device comprising, or partly comprising, a traffic control sign;
- 5 (e) the observance of a direction appearing on, or prescribed as being represented by, a traffic control sign.
  
- (6) Any person who—
  - (a) without the authority of the Commissioner of Police—
    - 10 (i) erects or displays upon or near, or marks upon, a public street any traffic control sign; or
    - (ii) interferes with, alters or removes any traffic control sign erected or displayed upon or near, or marked upon, a public street; or
    - 15
  - (b) erects or displays upon or near, or marks upon, a public street any standard, sign, notice or device that might reasonably be mistaken to be a traffic control sign,
  - 20

shall be guilty of an offence under this Act.

(7) The Commissioner of Police or any member of the police force authorised by him in that behalf may direct any person who contravenes subsection six of this section to remove, within a time specified by him when giving the direction, the standard, sign, notice or device in respect of which the contravention took place and any such person who fails to comply with such a direction within the time so specified shall be guilty of an offence under this Act.

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(8) Without affecting any liability of any person under subsection six or seven of this section, the Commissioner of Police may remove, or cause to be removed,

*Motor Traffic, Metropolitan Traffic and Transport (Amendment).*

removed, a standard, sign, notice or device erected, displayed or marked in contravention of subsection six of this section.

5 (9) The allegation, in an information in respect of an offence under this Act or a breach of a regulation, that a standard, sign, notice or device was erected, displayed or marked with the authority of the Commissioner of Police, or that a standard, sign, notice or device was erected, displayed, marked, interfered with, altered or removed without the authority of the Commissioner of Police, shall be accepted by the court as evidence of the truth of the allegation, unless the contrary is proved.

10 (10) The provisions of this section shall be supplemental to, and not in derogation from, any other provision of this Act.

4. The Metropolitan Traffic Act, 1900, as amended by subsequent Acts, is amended by inserting next after section 13C the following new section :—

Amendment of Act No. 8, 1900.  
New sec. 13D.

20 13D. (1) In this section "traffic control sign" means a standard, sign, notice or device in or similar to a form, or generally answering a description, prescribed for the purposes of this section.

Traffic control signs.

25 (2) The Commissioner of Police may give such a direction for the control of vehicles or horses upon a public street as, in his opinion, may be necessary or desirable and any such direction—

- (a) may be limited as to time, place or subject-matter; and
- (b) may be varied or revoked by the Commissioner of Police.

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*Motor Traffic, Metropolitan Traffic and Transport (Amendment).*

5 (3) A direction given pursuant to subsection two of this section shall have effect only while there is erected or displayed upon or near, or marked upon, the public street to which the direction relates a traffic control sign that is notice of the direction.

10 (4) The direction appearing upon, or prescribed as given by, a traffic control sign that is erected or displayed upon or near, or marked upon, a public street with the authority of the Commissioner of Police shall, whether the traffic control sign was so erected, displayed or marked before or after the commencement of section 15 four of the Motor Traffic, Metropolitan Traffic and Transport (Amendment) Act, 1967, be deemed to be a direction, for the time being in force, given pursuant to subsection two of this section in relation to that public street and the traffic control sign shall, for the purposes of subsection three of this section, be deemed to be notice of that direction.

20 (5) Regulations may be made for and with respect to—

- (a) the control of vehicles or horses upon a public street by means of traffic control signs;
- (b) prescribing the form or description of traffic control signs;
- 25 (c) the interpretation of words, figures, symbols or abbreviations appearing on a traffic control sign;
- (d) the direction represented by a sign or device comprising, or partly comprising, a traffic control sign;
- 30 (e) the observance of a direction appearing on, or prescribed as being represented by, a traffic control sign.

(6)

*Motor Traffic, Metropolitan Traffic and Transport (Amendment).*

(6) Any person who—

(a) without the authority of the Commissioner of Police—

5 (i) erects or displays upon or near, or marks upon, a public street any traffic control sign; or

10 (ii) interferes with, alters or removes any traffic control sign erected or displayed upon or near, or marked upon, a public street; or

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15 shall be guilty of an offence against this Act.

(7) The Commissioner of Police or any member of the police force authorised by him in that behalf may direct any person who contravenes subsection six of this section to remove, within a time specified by him when giving the direction, the standard, sign, notice or device in respect of which the contravention took place and any such person who fails to comply with such a direction within the time so specified shall be guilty of an offence against this Act.

25 (8) Without affecting any liability of any person under subsection six or seven of this section, the Commissioner of Police may remove, or cause to be removed, a standard, sign, notice or device erected, displayed or marked in contravention of subsection six of this section.

(9) The allegation, in an information in respect of an offence under this Act or a breach of a regulation, that a standard, sign, notice or device was erected,

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Motor Traffic, Metropolitan Traffic and Transport (Amendment).

5 displayed or marked with the authority of the Commissioner of Police, or that a standard, sign, notice or device was erected, displayed, marked, interfered with, altered or removed without the authority of the Commissioner of Police, shall be accepted by the court as evidence of the truth of the allegation, unless the contrary is proved.

(10) The provisions of this section shall be supplemental to, and not in derogation from, any other provision of this Act.

10 5. The Motor Traffic Act, 1909, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 5, 1909.

(a) (i) by omitting from section 2c the words “the testing of drivers of motor vehicles, and”;

Sec. 2c. (Enforcement by police.)

15 (ii) by omitting from the same section the word “such”;

(b) (i) by inserting in paragraph (m) of subsection one of section three after the word “licenses” the words “and the testing of applicants therefor”;

Sec. 3. (Regulations.)

20 (ii) by inserting next after paragraph (s) of the same subsection the following new paragraph :—

25 (t) make provision for or with respect to the refund, or partial refund, of the fee paid for a driver's license issued for a period in excess of one year.

(iii) by inserting next after paragraph (d) of subsection two of the same section the following new paragraph :—

30 (e) Any regulation may fix alternative periods for the duration of drivers' licenses.

(c)

*Motor Traffic, Metropolitan Traffic and Transport (Amendment).*

- (c) (i) by omitting from the Schedule the words "four dollars" where firstly occurring and by inserting in lieu thereof the words "at the rate of four dollars yearly";
- 5 (ii) by omitting from the Schedule the words "three dollars" where secondly occurring and by inserting in lieu thereof the words "at the rate of three dollars yearly".

6. The Transport Act, 1930, as amended by subsequent Acts, is amended—

Further amendment of Act No. 18, 1930.

(a) by inserting in paragraph (b) of subsection one of section two hundred and two next before the word "all" the words "subject to section 202A of this Act";

Sec. 202. (Fund to be established.)

15 (b) by inserting next after section two hundred and two the following new section :—

New sec. 202A.

20 202A. (1) There shall be established and kept in the Treasury a Road Transport and Traffic Fund Advance Payments Account into which shall be paid that part of any fee charged under the Motor Traffic Act, 1909, as amended by subsequent Acts, for a driver's license, that is in excess of the fee charged for such a license for a period of one year.

Road Transport and Traffic Fund Advance Payments Account.

25 (2) The amounts paid to the credit of the Road Transport and Traffic Fund Advance Payments Account shall be applied—

(a) in payment of the amounts expended in refunding fees for drivers' licenses as provided by the regulations made under the Motor Traffic Act, 1909, as amended by subsequent Acts; and

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*Motor Traffic, Metropolitan Traffic and Transport (Amendment).*

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5 (b) by paying, at the end of each financial year, to the credit of the Road Transport and Traffic Fund the amount of that part of the fees paid for drivers' licenses that is attributable to that year, less any amounts paid in that year under paragraph (a) of this subsection.

7. In the exercise of his powers, authorities, duties and functions relating to the testing of applicants for licenses under the Motor Traffic Act, 1909, as amended by subsequent Acts, the Commissioner for Motor Transport may make use of the services of members of the police force in such circumstances, upon such terms and conditions and for such periods as may be arranged with the Commissioner of Police.

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BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967  
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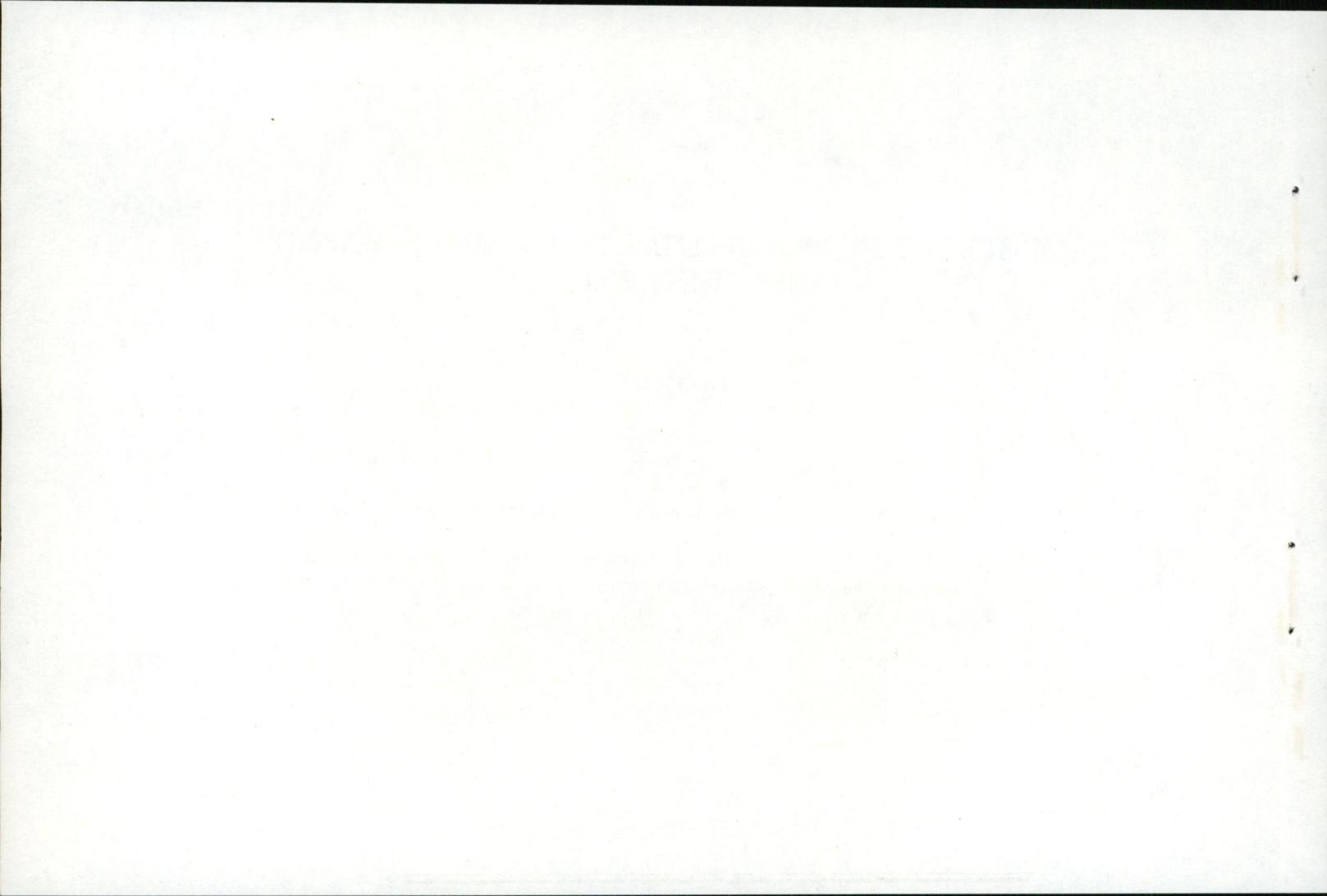
# **MOTOR TRAFFIC, METROPOLITAN TRAFFIC AND TRANSPORT (AMENDMENT) BILL, 1967**

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## **EXPLANATORY NOTE**

THE objects of this Bill are—

- (a) to facilitate the giving of directions for the control of traffic upon public streets;
- (b) to provide for the licensing of motor vehicle drivers for a period in excess of one year;
- (c) to transfer from the Commissioner of Police to the Commissioner for Motor Transport the responsibility for the testing of applicants for drivers' licenses;
- (d) to make provisions consequential upon or ancillary to the foregoing.



PROOF

No. , 1967.

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## A BILL

To make further provisions with respect to the control of traffic upon public streets, the issue of drivers' licenses and the testing of drivers of motor vehicles; for these and other purposes, to amend the Motor Traffic Act, 1909, the Metropolitan Traffic Act, 1900, the Transport Act, 1930, and certain other Acts; and for purposes connected therewith.

[MR MORRIS—5 December, 1967.]

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(3) The Metropolitan Traffic Act, 1900, as amended by subsequent Acts and by this Act, may be cited as the Metropolitan Traffic Act, 1900–1967.

15 (4) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930–1967.

(5) This section shall commence on the day upon which this Act receives the Royal assent and, subject to this subsection, the provisions of this Act shall commence upon such day, or upon such different days in respect of different provisions, as the Governor may appoint in that behalf and notify by proclamation published in the Gazette.

2. Nothing in this Act shall affect the liability of any person, incurred before the commencement of this Act, under the provisions of an Act amended by this Act or of the regulations made under an Act so amended, and those provisions shall, in respect of any liability so incurred, apply as if this Act had not been enacted. Saving as to prior liability.

30 3. The Motor Traffic Act, 1909, as amended by subsequent Acts, is amended by inserting next after section 4C the following new section :— Amendment of Act No. 5, 1909. New sec. 4D.

35 4D. (1) In this section "traffic control sign" means a standard, sign, notice or device in or similar to a form, or generally answering a description, prescribed for the purposes of this section. Traffic control signs.

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*Motor Traffic, Metropolitan Traffic and Transport (Amendment).*

- (d) the direction represented by a sign or device comprising, or partly comprising, a traffic control sign;
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  - (a) without the authority of the Commissioner of Police—
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Traffic control signs.

25 (2) The Commissioner of Police may give such a direction for the control of vehicles or horses upon a public street as, in his opinion, may be necessary or desirable and any such direction—

- (a) may be limited as to time, place or subject-matter; and
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- (a) the control of vehicles or horses upon a public street by means of traffic control signs;
- (b) prescribing the form or description of traffic control signs;
- 25 (c) the interpretation of words, figures, symbols or abbreviations appearing on a traffic control sign;
- (d) the direction represented by a sign or device comprising, or partly comprising, a traffic control sign;
- 30 (e) the observance of a direction appearing on, or prescribed as being represented by, a traffic control sign.

(6)

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(6) Any person who—

(a) without the authority of the Commissioner of Police—

5 (i) erects or displays upon or near, or marks upon, a public street any traffic control sign; or

10 (ii) interferes with, alters or removes any traffic control sign erected or displayed upon or near, or marked upon, a public street; or

(b) erects or displays upon or near, or marks upon, a public street any standard, sign, notice or device that might reasonably be mistaken to be a traffic control sign,

15 shall be guilty of an offence against this Act.

20 (7) The Commissioner of Police or any member of the police force authorised by him in that behalf may direct any person who contravenes subsection six of this section to remove, within a time specified by him when giving the direction, the standard, sign, notice or device in respect of which the contravention took place and any such person who fails to comply with such a direction within the time so specified shall be guilty of an offence against this Act.

25 (8) Without affecting any liability of any person under subsection six or seven of this section, the Commissioner of Police may remove, or cause to be removed, a standard, sign, notice or device erected, displayed or marked in contravention of subsection six  
30 of this section.

(9) The allegation, in an information in respect of an offence under this Act or a breach of a regulation, that a standard, sign, notice or device was erected,

displayed

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5 displayed or marked with the authority of the Commissioner of Police, or that a standard, sign, notice or device was erected, displayed, marked, interfered with, altered or removed without the authority of the Commissioner of Police, shall be accepted by the court as evidence of the truth of the allegation, unless the contrary is proved.

(10) The provisions of this section shall be supplemental to, and not in derogation from, any other provision of this Act.

10 **5.** The Motor Traffic Act, 1909, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 5, 1909.

- (a) (i) by omitting from section 2c the words “the testing of drivers of motor vehicles, and”; Sec. 2c. (Enforcement by police.)
- 15 (ii) by omitting from the same section the word “such”;
- (b) (i) by inserting in paragraph (m) of subsection one of section three after the word “licenses” the words “and the testing of applicants therefor”; Sec. 3. (Regulations.)
- 20 (ii) by inserting next after paragraph (s) of the same subsection the following new paragraph :—
- 25 (t) make provision for or with respect to the refund, or partial refund, of the fee paid for a driver’s license issued for a period in excess of one year.
- (iii) by inserting next after paragraph (d) of subsection two of the same section the following new paragraph :—
- 30 (e) Any regulation may fix alternative periods for the duration of drivers’ licenses.

(c)

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- (c) (i) by omitting from the Schedule the words "four dollars" where firstly occurring and by inserting in lieu thereof the words "at the rate of four dollars yearly";
- 5 (ii) by omitting from the Schedule the words "three dollars" where secondly occurring and by inserting in lieu thereof the words "at the rate of three dollars yearly".

6. The Transport Act, 1930, as amended by subsequent Acts, is amended—

Further amendment of Act No. 18, 1930.

- (a) by inserting in paragraph (b) of subsection one of section two hundred and two next before the word "all" the words "subject to section 202A of this Act";
- Sec. 202. (Fund to be established.)

- 15 (b) by inserting next after section two hundred and two the following new section : —
- New sec. 202A.

20 202A. (1) There shall be established and kept in the Treasury a Road Transport and Traffic Fund Advance Payments Account into which shall be paid that part of any fee charged under the Motor Traffic Act, 1909, as amended by subsequent Acts, for a driver's license, that is in excess of the fee charged for such a license for a period of one year.

Road Transport and Traffic Fund Advance Payments Account.

25 (2) The amounts paid to the credit of the Road Transport and Traffic Fund Advance Payments Account shall be applied—

- 30 (a) in payment of the amounts expended in refunding fees for drivers' licenses as provided by the regulations made under the Motor Traffic Act, 1909, as amended by subsequent Acts; and

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5 (b) by paying, at the end of each financial year, to the credit of the Road Transport and Traffic Fund the amount of that part of the fees paid for drivers' licenses that is attributable to that year, less any amounts paid in that year under paragraph (a) of this subsection.

10 7. In the exercise of his powers, authorities, duties and functions relating to the testing of applicants for licenses under the Motor Traffic Act, 1909, as amended by subsequent Acts, the Commissioner for Motor Transport may make use of the services of members of the police force in such circumstances, upon such terms and conditions and for such periods as may be arranged with the Commissioner of Police.

Testing of applicants for drivers' licenses.

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BY AUTHORITY:

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