

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.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 12 October, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. , 1977.

An Act to amend the Motor Traffic Act, 1909, so as to validate, if they are invalid, certain regulations purporting to have been made under that Act; and to clarify the power to make regulations under that Act.

BE

Motor Traffic (Regulations) Amendment.

BE 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 :—

5 **1.** This Act may be cited as the "Motor Traffic (Regulations) Amendment Act, 1977".

2. This Act contains the following Schedules :— Schedules.

**SCHEDULE 1.—AMENDMENTS TO THE MOTOR
 TRAFFIC ACT, 1909, RELATING TO POWERS TO
10 MAKE REGULATIONS.**

**SCHEDULE 2.—CONSEQUENTIAL AMENDMENTS TO
 THE MOTOR TRAFFIC ACT, 1909.**

3. The Motor Traffic Act, 1909, is amended in the manner set forth in Schedules 1 and 2. Amendment
of Act No.
5, 1909.

15 **4.** (1) Any regulation purporting to have been made under the Motor Traffic Act, 1909, before the date of assent to this Act shall, if it was not validly made, be, on and from that date, deemed to have been validly made and to be as valid and effectual as it would have been if the amendments
20 made by section 3 and Schedules 1 and 2 had been in force when it purported to be made. Pro tanto
validation
of certain
regulations.

 (2) In any proceedings in any court relating to an offence alleged to have been committed before the date of assent to this Act against any regulation referred to in sub-
25 section (1), the enactment of subsection (1) and of section 3 and Schedules 1 and 2 shall be disregarded by that court in determining whether any such regulation was validly made.

Motor Traffic (Regulations) Amendment.

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE MOTOR TRAFFIC ACT, 1909,
RELATING TO POWERS TO MAKE REGULATIONS.

(1) Section 3 (1) (u)—

5 After section 3 (1) (t), insert :—

- 10 (u) provide for the exemption of any class or description of persons or motor vehicles from any specified provision or provisions of the regulations in such circumstances, if any, and subject to such conditions, if any, as may be specified in the regulations or in any instrument granting the exemption.

(2) Section 3 (3)–(6)—

After section 3 (2), insert :—

15 (3) A provision of a regulation may—

- (a) apply generally or be limited in its application by reference to specified exceptions or factors; or
20 (b) apply differently according to different factors of a specified kind,

or may do any combination of those things.

(4) Subsection (3) is supplemental to and not in derogation of any other provision of this Act relating to the making of regulations.

SCHEDULE

Motor Traffic (Regulations) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE MOTOR TRAFFIC ACT, 1909,
RELATING TO POWERS TO MAKE REGULATIONS—*continued.*

5 (5) The Governor may make regulations, not
inconsistent with this Act, for or with respect to any
matter that by this Act is required or permitted to
be prescribed or that is necessary or convenient to
be prescribed for carrying out or giving effect to this
Act.

10 (6) The generality of subsection (5) is not
affected by any other provision of this Act relating
to the making of regulations.

SCHEDULE 2.

Sec. 3.

15 CONSEQUENTIAL AMENDMENTS TO THE
MOTOR TRAFFIC ACT, 1909.

(1) (a) Section 3 (1) (q)—

Omit “, and generally for carrying this Act into
effect”.

(b) Section 3 (1) (q2)—

20 Omit “, and prescribe any matter which may
be necessary or convenient, in relation to such
special number plates, or such records”.

SCHEDULE

Motor Traffic (Regulations) Amendment.

SCHEDULE 2—*continued.*

CONSEQUENTIAL AMENDMENTS TO THE
MOTOR TRAFFIC ACT, 1909—*continued.*

(c) Section 3 (1) (s)—

5 Omit “, subject to such exemptions as may be
specified.”.

(d) Section 3 (1) (t)—

Omit “year.”, insert instead “year;”.

(2) Section 8c (8) (c)—

10 Omit the paragraph.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

[8c]

Editorial (Revisions) Amendment.

SCHEDULE 2—continued.

CONSTITUTIONAL AMENDMENTS TO THE
ALABAMA TAXING ACT, 1902—continued.

(c) Section 3 (1) (2) —

Word "subject to such conditions as may be
specified,"

(4) Section 3 (1) (1) —

Word "year," insert instead "year";

(3) Section 8 (18) (c) —

to "and the person."

**MOTOR TRAFFIC (REGULATIONS)
AMENDMENT BILL, 1977**

No. , 1977.

A BILL FOR

An Act to amend the Motor Traffic Act, 1909, so as to validate, if they are invalid, certain regulations purporting to have been made under that Act; and to clarify the power to make regulations under that Act.

[MR COX—12 October, 1977.]

Motor Traffic (Regulations) Amendment.

BE 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 :—

5 **1.** This Act may be cited as the “Motor Traffic (Regulations) Amendment Act, 1977”. Short title.

2. This Act contains the following Schedules :— Schedules.

10 **SCHEDULE 1.—AMENDMENTS TO THE MOTOR TRAFFIC ACT, 1909, RELATING TO POWERS TO MAKE REGULATIONS.**

SCHEDULE 2.—CONSEQUENTIAL AMENDMENTS TO THE MOTOR TRAFFIC ACT, 1909.

3. The Motor Traffic Act, 1909, is amended in the manner set forth in Schedules 1 and 2. Amendment of Act No. 5, 1909.

15 **4.** (1) Any regulation purporting to have been made under the Motor Traffic Act, 1909, before the date of assent to this Act shall, if it was not validly made, be, on and from that date, deemed to have been validly made and to be as valid and effectual as it would have been if the amendments made by section 3 and Schedules 1 and 2 had been in force when it purported to be made. Pro tanto validation of certain regulations.

20 (2) In any proceedings in any court relating to an offence alleged to have been committed before the date of assent to this Act against any regulation referred to in subsection (1), the enactment of subsection (1) and of section 3 and Schedules 1 and 2 shall be disregarded by that court in determining whether any such regulation was validly made.

SCHEDULE

Motor Traffic (Regulations) Amendment.

SCHEDULE 1. Sec. 3.

AMENDMENTS TO THE MOTOR TRAFFIC ACT, 1909,
RELATING TO POWERS TO MAKE REGULATIONS.

(1) Section 3 (1) (u)—

5 After section 3 (1) (t), insert :—

10 (u) provide for the exemption of any class or description of persons or motor vehicles from any specified provision or provisions of the regulations in such circumstances, if any, and subject to such conditions, if any, as may be specified in the regulations or in any instrument granting the exemption.

(2) Section 3 (3)–(6)—

After section 3 (2), insert :—

15 (3) A provision of a regulation may—

(a) apply generally or be limited in its application by reference to specified exceptions or factors; or

20 (b) apply differently according to different factors of a specified kind,

or may do any combination of those things.

(4) Subsection (3) is supplemental to and not in derogation of any other provision of this Act relating to the making of regulations.

Motor Traffic (Regulations) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE MOTOR TRAFFIC ACT, 1909,
RELATING TO POWERS TO MAKE REGULATIONS—*continued.*

5 (5) The Governor may make regulations, not
inconsistent with this Act, for or with respect to any
matter that by this Act is required or permitted to
be prescribed or that is necessary or convenient to
be prescribed for carrying out or giving effect to this
Act.

10 (6) The generality of subsection (5) is not
affected by any other provision of this Act relating
to the making of regulations.

SCHEDULE 2.

Sec. 3.

15 CONSEQUENTIAL AMENDMENTS TO THE
MOTOR TRAFFIC ACT, 1909.

(1) (a) Section 3 (1) (q)—

Omit “, and generally for carrying this Act into
effect”.

(b) Section 3 (1) (q2)—

20 Omit “, and prescribe any matter which may
be necessary or convenient, in relation to such
special number plates, or such records”.

SCHEDULE

Motor Traffic (Regulations) Amendment.

SCHEDULE 2—*continued.*

CONSEQUENTIAL AMENDMENTS TO THE
MOTOR TRAFFIC ACT, 1909—*continued.*

(c) Section 3 (1) (s)—

5 Omit “, subject to such exemptions as may be
specified.”.

(d) Section 3 (1) (t)—

Omit “year.”, insert instead “year;”.

(2) Section 8c (8) (c)—

10 Omit the paragraph.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977
[8c]

Motor Traffic (Resolutions) Amendment

SCHEDULE 2—continued

CONSEQUENTIAL AMENDMENTS TO THE
MOTOR TRAFFIC ACT, 1909—continued

(c) Section 3 (1) (a)—
Omit "subject to such exemptions as may be
specified."

(d) Section 3 (1) (i)—
Omit "year" insert instead "year".

(2) Section 8c (8) (c)—
Omit the paragraph.

PROOF

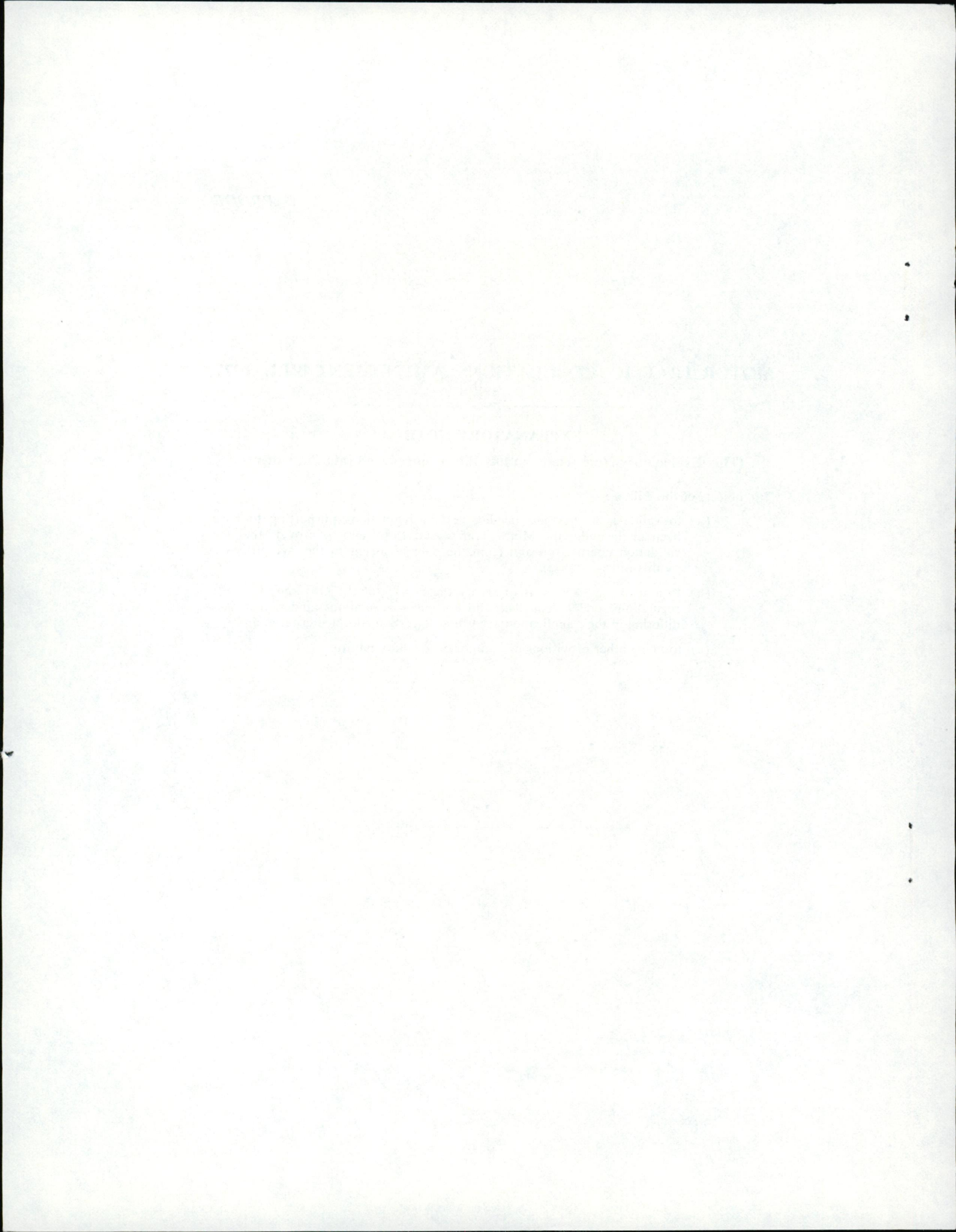
MOTOR TRAFFIC (REGULATIONS) AMENDMENT BILL, 1977

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

THE objects of this Bill are—

- (a) to validate, if they are invalid, certain regulations purporting to have been made under the Motor Traffic Act, 1909, and to provide that the validation operates on and from the date of assent to the Act proposed by this Bill;
 - (b) to amend that Act so as to clarify the powers of the Governor to make regulations under that Act and to make regulations under that Act differing in their application according to certain specified criteria; and
 - (c) to make other provisions of a minor or ancillary nature.
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PROOF

**MOTOR TRAFFIC (REGULATIONS)
AMENDMENT BILL, 1977**

No. , 1977.

A BILL FOR

An Act to amend the Motor Traffic Act, 1909, so as to validate, if they are invalid, certain regulations purporting to have been made under that Act; and to clarify the power to make regulations under that Act.

[MR COX—12 October, 1977.]

BE

Motor Traffic (Regulations) Amendment.

BE 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 :—

5 **1.** This Act may be cited as the "Motor Traffic (Regulations) Amendment Act, 1977". Short title.

2. This Act contains the following Schedules :— Schedules.

10 **SCHEDULE 1.—AMENDMENTS TO THE MOTOR TRAFFIC ACT, 1909, RELATING TO POWERS TO MAKE REGULATIONS.**

SCHEDULE 2.—CONSEQUENTIAL AMENDMENTS TO THE MOTOR TRAFFIC ACT, 1909.

3. The Motor Traffic Act, 1909, is amended in the Amendment of Act No. 5, 1909. manner set forth in Schedules 1 and 2.

15 **4.** (1) Any regulation purporting to have been made Pro tanto validation of certain regulations. under the Motor Traffic Act, 1909, before the date of assent to this Act shall, if it was not validly made, be, on and from that date, deemed to have been validly made and to be as valid and effectual as it would have been if the amendments validation of certain regulations. made by section 3 and Schedules 1 and 2 had been in force when it purported to be made.

20 (2) In any proceedings in any court relating to an offence alleged to have been committed before the date of assent to this Act against any regulation referred to in subsection (1), the enactment of subsection (1) and of section 3 and Schedules 1 and 2 shall be disregarded by that court in determining whether any such regulation was validly made.

Motor Traffic (Regulations) Amendment.

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE MOTOR TRAFFIC ACT, 1909,
RELATING TO POWERS TO MAKE REGULATIONS.

(1) Section 3 (1) (u)—

5 After section 3 (1) (t), insert :—

(u) provide for the exemption of any class or
description of persons or motor vehicles from
any specified provision or provisions of the
regulations in such circumstances, if any, and
10 subject to such conditions, if any, as may be
specified in the regulations or in any
instrument granting the exemption.

(2) Section 3 (3)–(6)—

After section 3 (2), insert :—

15 (3) A provision of a regulation may—

(a) apply generally or be limited in its application
by reference to specified exceptions or factors;
or

(b) apply differently according to different factors
20 of a specified kind,

or may do any combination of those things.

(4) Subsection (3) is supplemental to and not in
derogation of any other provision of this Act relating
to the making of regulations.

SCHEDULE

Motor Traffic (Regulations) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE MOTOR TRAFFIC ACT, 1909,
RELATING TO POWERS TO MAKE REGULATIONS—*continued.*

5 (5) The Governor may make regulations, not
inconsistent with this Act, for or with respect to any
matter that by this Act is required or permitted to
be prescribed or that is necessary or convenient to
be prescribed for carrying out or giving effect to this
Act.

10 (6) The generality of subsection (5) is not
affected by any other provision of this Act relating
to the making of regulations.

SCHEDULE 2.

Sec. 3.

15 CONSEQUENTIAL AMENDMENTS TO THE
MOTOR TRAFFIC ACT, 1909.

(1) (a) Section 3 (1) (q)—

Omit “, and generally for carrying this Act into
effect”.

(b) Section 3 (1) (q2)—

20 Omit “, and prescribe any matter which may
be necessary or convenient, in relation to such
special number plates, or such records”.

SCHEDULE

Motor Traffic (Regulations) Amendment.

SCHEDULE 2—*continued.*

CONSEQUENTIAL AMENDMENTS TO THE
MOTOR TRAFFIC ACT, 1909—*continued.*

(c) Section 3 (1) (s)—

5 Omit “, subject to such exemptions as may be
specified,”.

(d) Section 3 (1) (t)—

Omit “year.”, insert instead “year;”.

(2) Section 8c (8) (c)—

10 Omit the paragraph.

Motor Traffic (Regulations) Amendment

SCHEDULE 2—continued

CONSEQUENTIAL AMENDMENTS TO THE
MOTOR TRAFFIC ACT, 1909—continued

(c) Section 3 (1) (a)—
Omit "subject to such exemptions as may be
specified,"

(d) Section 3 (1) (i)—
Omit "year," insert instead "year";

(2) Section 8c (1) (e)—
Omit the paragraph.

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.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 12 October, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 88, 1977.

An Act to amend the Motor Traffic Act, 1909, so as to validate, if they are invalid, certain regulations purporting to have been made under that Act; and to clarify the power to make regulations under that Act. [Assented to, 20th October, 1977.]

BE

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

T. J. CAHILL,
Chairman of Committees of the Legislative Assembly.

Motor Traffic (Regulations) Amendment.

BE 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 :—

Short title. **1.** This Act may be cited as the "Motor Traffic (Regulations) Amendment Act, 1977".

Schedules. **2.** This Act contains the following Schedules :—

SCHEDULE 1.—AMENDMENTS TO THE MOTOR
TRAFFIC ACT, 1909, RELATING TO POWERS TO
MAKE REGULATIONS.

SCHEDULE 2.—CONSEQUENTIAL AMENDMENTS TO
THE MOTOR TRAFFIC ACT, 1909.

Amendment of Act No. 5, 1909. **3.** The Motor Traffic Act, 1909, is amended in the manner set forth in Schedules 1 and 2.

Pro tanto validation of certain regulations. **4.** (1) Any regulation purporting to have been made under the Motor Traffic Act, 1909, before the date of assent to this Act shall, if it was not validly made, be, on and from that date, deemed to have been validly made and to be as valid and effectual as it would have been if the amendments made by section 3 and Schedules 1 and 2 had been in force when it purported to be made.

(2) In any proceedings in any court relating to an offence alleged to have been committed before the date of assent to this Act against any regulation referred to in subsection (1), the enactment of subsection (1) and of section 3 and Schedules 1 and 2 shall be disregarded by that court in determining whether any such regulation was validly made.

SCHEDULE

Motor Traffic (Regulations) Amendment.

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE MOTOR TRAFFIC ACT, 1909,
RELATING TO POWERS TO MAKE REGULATIONS.

(1) Section 3 (1) (u)—

After section 3 (1) (t), insert :—

- (u) provide for the exemption of any class or description of persons or motor vehicles from any specified provision or provisions of the regulations in such circumstances, if any, and subject to such conditions, if any, as may be specified in the regulations or in any instrument granting the exemption.

(2) Section 3 (3)–(6)—

After section 3 (2), insert :—

- (3) A provision of a regulation may—

- (a) apply generally or be limited in its application by reference to specified exceptions or factors;
or

- (b) apply differently according to different factors of a specified kind,

or may do any combination of those things.

- (4) Subsection (3) is supplemental to and not in derogation of any other provision of this Act relating to the making of regulations.

SCHEDULE

Motor Traffic (Regulations) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS TO THE MOTOR TRAFFIC ACT, 1909,
RELATING TO POWERS TO MAKE REGULATIONS—*continued.*

(5) The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(6) The generality of subsection (5) is not affected by any other provision of this Act relating to the making of regulations.

Sec. 3.

SCHEDULE 2.

CONSEQUENTIAL AMENDMENTS TO THE
MOTOR TRAFFIC ACT, 1909.

(1) (a) Section 3 (1) (q)—

Omit “, and generally for carrying this Act into effect”.

(b) Section 3 (1) (q2)—

Omit “, and prescribe any matter which may be necessary or convenient, in relation to such special number plates, or such records”.

SCHEDULE

Motor Traffic (Regulations) Amendment.

SCHEDULE 2—*continued.*

CONSEQUENTIAL AMENDMENTS TO THE
MOTOR TRAFFIC ACT, 1909—*continued.*

(c) Section 3 (1) (s)—

Omit “, subject to such exemptions as may be specified,”.

(d) Section 3 (1) (t)—

Omit “year.”, insert instead “year;”.

(2) Section 8c (8) (c)—

Omit the paragraph.

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 20th October, 1977.*

Act No. 11, 1977

Act of the Legislature of the State of Florida

to amend the Constitution of the State of Florida

and to amend the Florida Constitution to provide for

the election of judges

and to amend the Florida Constitution to provide for

the election of judges

and to amend the Florida Constitution to provide for

the election of judges

and to amend the Florida Constitution to provide for

and to amend the Florida Constitution to provide for

A. R. C. H. R.

Government

Act No. 11, 1977

