

FIRST PRINT

MOTOR TRAFFIC (AMENDMENT) BILL, 1984

EXPLANATORY NOTE

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

This Bill is cognate with the Local Government (Amendment) Bill, 1984.

The object of this Bill is to amend section 18B of the Motor Traffic Act, 1909 (which provides for the service of penalty notices for certain traffic related offences), by extending the operation of that section to prescribed offences arising under Division 13 of Part IX of the Local Government Act, 1919, or any ordinance made for carrying that Division into effect. (Division 13 empowers the council of a local government area to control and regulate the use of vehicles on public roads within the area.)



MOTOR TRAFFIC (AMENDMENT) BILL, 1984

No. , 1984.

A BILL FOR

An Act to amend section 18B of the Motor Traffic Act, 1909, for the purpose of making provision with respect to penalty notices for offences arising under Division 13 of Part IX of the Local Government Act, 1919.

Motor Traffic (Amendment) 1984

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 Short title.

1. This Act may be cited as the "Motor Traffic (Amendment) Act, 1984".

Commencement.

2. (1) Sections 1 and 2 shall commence on the date of assent to this
10 Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Local Government (Amendment) Act, 1984, for the commencement of Schedule 3 to that Act.

15 Amendment of Act No. 5, 1909.

3. The Motor Traffic Act, 1909, is amended in the manner set forth in Schedule 1.

Saving.

4. Any regulation made pursuant to section 18B (6) (a) of the Motor
20 Traffic Act, 1909, and in force immediately before the commencement of this section, shall, on that commencement, be deemed to have been made pursuant to section 18B (6) (a) of the Motor Traffic Act, 1909, as amended by this Act.

Motor Traffic (Amendment) 1984

SCHEDULE 1.

(Sec. 3.)

AMENDMENTS TO THE MOTOR TRAFFIC ACT, 1909.

(1) Section 18B (1) (aa)—

5 After section 18B (1) (a), insert:—

(aa) has committed any prescribed offence under Division 13 of Part IX of the Local Government Act, 1919, or under any ordinance made for carrying that Division into effect;

(2) Section 18B (6) (a)—

10 Omit the paragraph, insert instead:—

(a) prescribe the offences which shall be prescribed offences for the purposes of this section—

(i) by setting out those offences;

(ii) by referring to the provisions creating those offences;

15 (iii) by providing that all offences under a specified Act, Part of an Act, or Division of a Part of an Act, or under specified regulations or a specified ordinance (being an Act, a Part or a Division, regulations or an ordinance referred to in subsection (1)), shall be prescribed offences for the purposes of this section;

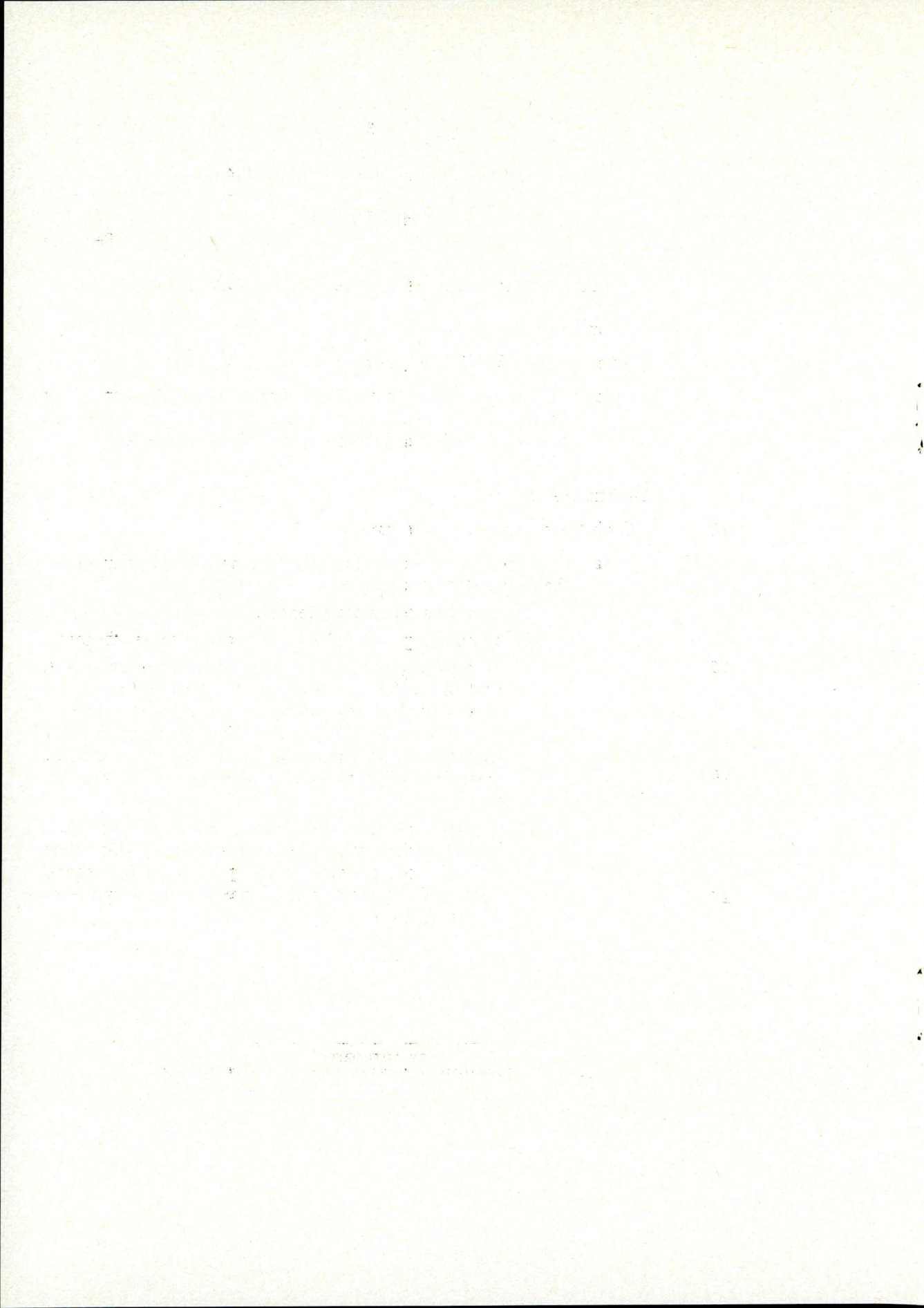
20 or

(iv) by providing that all offences under any such Act, Part, Division, regulations or ordinance, other than such of those offences as are specified in the regulations, shall be prescribed offences for the purposes of this section;

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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1984





MOTOR TRAFFIC (AMENDMENT) ACT, 1984, No. 128

New South Wales



ANNO TRICESIMO TERTIO

ELIZABETHÆ II REGINÆ

Act No. 128, 1984.

An Act to amend section 18B of the Motor Traffic Act, 1909, for the purpose of making provision with respect to penalty notices for offences arising under Division 13 of Part IX of the Local Government Act, 1919. [Assented to, 4th December, 1984.]

Motor Traffic (Amendment) 1984

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 (Amendment) Act, 1984".

Commencement.

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Local Government (Amendment) Act, 1984, for the commencement of Schedule 3 to that Act.

Amendment of Act No. 5, 1909.

3. The Motor Traffic Act, 1909, is amended in the manner set forth in Schedule 1.

Saving.

4. Any regulation made pursuant to section 18B (6) (a) of the Motor Traffic Act, 1909, and in force immediately before the commencement of this section, shall, on that commencement, be deemed to have been made pursuant to section 18B (6) (a) of the Motor Traffic Act, 1909, as amended by this Act.

Motor Traffic (Amendment) 1984

SCHEDULE 1.

(Sec. 3.)

AMENDMENTS TO THE MOTOR TRAFFIC ACT, 1909.

(1) Section 18B (1) (aa)—

After section 18B (1) (a), insert:—

- (aa) has committed any prescribed offence under Division 13 of Part IX of the Local Government Act, 1919, or under any ordinance made for carrying that Division into effect;

(2) Section 18B (6) (a)—

Omit the paragraph, insert instead:—

- (a) prescribe the offences which shall be prescribed offences for the purposes of this section—
- (i) by setting out those offences;
 - (ii) by referring to the provisions creating those offences;
 - (iii) by providing that all offences under a specified Act, Part of an Act, or Division of a Part of an Act, or under specified regulations or a specified ordinance (being an Act, a Part or a Division, regulations or an ordinance referred to in subsection (1)), shall be prescribed offences for the purposes of this section; or
 - (iv) by providing that all offences under any such Act, Part, Division, regulations or ordinance, other than such of those offences as are specified in the regulations, shall be prescribed offences for the purposes of this section;

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

J. A. ROWLAND,
Governor.

*Government House,
Sydney, 4th December, 1984.*

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1985

