



Western Australia

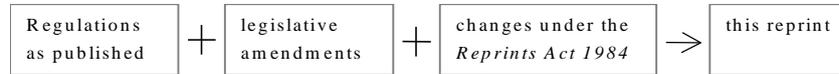
Road Traffic Act 1974

Road Traffic (Events on Roads) Regulations 1991

Reprint 2: The regulations as at 1 February 2007

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Reprinted under the
Reprints Act 1984 as
at 1 February 2007

Western Australia

Road Traffic (Events on Roads) Regulations 1991

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Western Australia

Road Traffic Act 1974

Road Traffic (Events on Roads) Regulations 1991

1. Citation

These regulations may be cited as the *Road Traffic (Events on Roads) Regulations 1991*¹.

2. Commencement

These regulations shall come into operation on the day on which the *Acts Amendment (Events on Roads) Act 1988* comes into operation¹.

3. Categories of events

- (1) When making an application for an order the applicant shall describe the nature of the event in respect of which the application is made and categorize the event a —
 - (a) a category 1 event — being an event which involves large public participation;
 - (b) a category 2 event — being an event which involves the racing of motor vehicles and does not involve large public participation;

r. 4

- (c) a category 3 event — being an event which involves the racing of non-motorized vehicles, an athletic event or any other event, other than a locality or street event, which does not involve large public participation; or
 - (d) a category 4 event — being a locality or street event which does not fall within categories 1, 2 or 3.
- (2) If the Board ² is of the opinion that an event has not been correctly categorized by the applicant it may —
- (a) refuse to grant an order in respect of that application; or
 - (b) subject to subregulation (3)(b) but notwithstanding any other provision of these regulations categorize the event as it considers appropriate and grant the order.

[Regulation 3 amended in Gazette 28 Nov 2006 p. 4913.]

4. Approvals

- (1) Before making an application for an order for a road closure the applicant shall obtain —
- (a) the approval of each local authority for the district within which the road is situated; and
 - (b) where the road is vested in the Commissioner of Main Roads, the approval of the Commissioner,
- for the closure of the road.
- (2) A local authority and the Commissioner of Main Roads may require the payment of an administrative fee before granting an approval under this regulation.

5. Occupier's consent

- (1) Before making an application for an order for a road closure for a category 4 event the applicant shall obtain and record the consent of not less than two-thirds of the occupiers of land immediately adjacent to the road it is proposed to close.

- (2) The record of consent shall be in the form described on the reverse of the application form.

6. Application for order

- (1) An application for an order shall —
- (a) be made by a person of not less than 18 years of age; or
 - (b) in the case of an application by a body, specify a person of not less than 18 years of age as the person nominated to be directly responsible for the conduct of the event.
- (2) An application for an order shall be —
- (a) made in the form of Form 1 in Schedule 1;
 - (b) lodged at the police station nearest to the place where the proposed event is to take place; and
 - (c) accompanied by —
 - (i) the appropriate application fee as prescribed in the *Road Traffic (Charges and Fees) Regulations 2006*;
 - (ii) the approval, or approvals, referred to in regulation 4; and
 - (iii) the record of consents, if any, required under regulation 5.

[Regulation 6 amended in Gazette 28 Nov 2006 p. 4913.]

7. Time for making application

- An application for an order in respect of —
- (a) a category 1 event shall be made not less than 6 months prior to the proposed date of the event;
 - (b) a category 2 event shall be made not less than 3 months prior to the proposed date of the event;
 - (c) a category 3 event shall be made not less than one month prior to the proposed date of the event;

(d) a category 4 event shall be made not less than one month prior to the proposed date of the event,

or such shorter period as may be agreed by the Board ².

8. Order

- (1) The Board ² shall not make an order for a road closure —
- (a) subject to regulation 3(2), if the application has not been made in accordance with these regulations;
 - (b) if it has reasonable ground for apprehending that the event proposed to be held on that road may —
 - (i) not be conducted in an orderly manner or may occasion damage to public or private property;
 - (ii) create a public nuisance;
 - (iii) give rise in any road to an obstruction that is too great or too prolonged in the circumstances; or
 - (iv) place the safety of any person in jeopardy;
- or
- (c) if it has reasonable ground for apprehending that the applicant or person nominated under regulation 6(1)(b) is not a person of good character.
- (2) An order shall be in the form of Form 2 in Schedule 1.
- (3) An order shall only be valid on the day, and between such times, as are specified in the order.
- (4) It is a condition of every order that the person who applied for the order, or who is specified in the order as being directly responsible for the conduct of the event, shall be present at the event at all times the order is in force.

9. Erection of barriers, signs and other equipment

- (1) A road closure ordered by the Board ² under Part VA of the Act shall be effected by the erection and maintenance by the local

authority for the district within which the road concerned is situated of —

- (a) barriers, being free standing posts and rails, or other barriers which are substantial and uniform in construction;
 - (b) signs, being substantial and uniform in design, with the words “Road Closed” or similar, clearly printed on in black letters upon a reflective background; and
 - (c) such other equipment as the local authority considers is reasonably necessary to effect the road closure.
- (2) The costs of erecting, maintaining and removing barriers, signs and other equipment to effect a road closure are payable to the local authority by the person or body who applied for the order for that road closure.
- (3) A local authority may waive the payment of all or any of the costs referred to in subregulation (2).
- (4) Any costs payable to a local authority under subregulation (2) may be recovered as a debt due to that local authority in a court of competent jurisdiction.

10. Offences

A person who —

- (a) without lawful excuse removes or interferes with any barrier, sign or equipment erected under section 81D;
- (b) at an event conducted on a road closed pursuant to an order acts in a disorderly manner for the purpose of disrupting the event; or
- (c) incites other persons to commit an offence against paragraph (a) or (b),

commits an offence.

Penalty: Twenty penalty units (20 PU).

[Regulation 10 amended in Gazette 23 Dec 1997 p. 7440.]

Schedule 1

Form 1

ROAD TRAFFIC ACT 1974

APPLICATION FOR AN ORDER FOR A ROAD CLOSURE

(Reg. 6(2))

NOTE: Under section 97(b) of the *Road Traffic Act 1974* it is an offence to wilfully mislead a person in any particular likely to affect the discharge of that person's duty under the Act.

1. Full name of body on whose behalf the application is made
2. Full name of applicant or nominee making this application
3. Address
4. Date of birth:
5. Telephone Number: Home:..... Work:
6. Nature of event
7. Approximate number of participants
8. Date of event
9. Duration From:.....To:.....
10. Street/Locality event to be held at
11. Street/locality event (see also requirement E on reverse of this form)
 - (a) Total number of occupiers of land immediately adjacent to the nominated road or roads
 - (b) Number of occupiers who have consented to the road closure
 - (c) Number of occupiers who have opposed road closure

- 12. Roads/road to be closed
- 13. Extent to which roads will be used (half/full carriageway)
.....
- 14. Exact route that event will follow (including starting and finishing points)
.....
.....
- 15. Date of previous event, if any, conducted at the location/route
- 16. Date of previous event, if any, conducted by the applicant, club, group or organization.....
- 17. Race meetings and speed tests: specify any provisions of the *Road Traffic Act 1974*, or regulations made under that Act, (other than provisions or regulations relating to the movement of traffic and pedestrians or the obstruction of a street) requested to be suspended under section 83 of the Act —
.....
.....
.....
- 18. Any other relevant information
- 19. I have read the requirements on the reverse of this application. The information supplied by me is true and correct to the best of my knowledge.

Signature:.....Date:
- 20. LOCAL AUTHORITY APPROVAL: I.....
designation.....
approve/object to, this application on behalf of the City/Shire/Town of
.....
Signed:.....
Date:.....
Telephone:.....
Official Stamp or Crest:

21. COMMISSIONER OF MAIN ROADS APPROVAL:

I.....
designationapprove/object
to, this application on behalf of the Commissioner of Main Roads.
Signed:.....
Date:.....
Telephone:.....
Official Stamp or Crest:

22. LOCAL POLICE DECLARATION:

I.....
designation.....approve/object
to, this application.
Signed:.....
Date:.....
Police Station

23. RECEIPT DETAILS:

The prescribed fee of \$ received.
General Receipt Number issued.
Signed:.....
Date:.....
Police Station:.....

REQUIREMENTS

- (A) Applications are to be lodged at the police station nearest to where the proposed event will be held. The prescribed application fee is to be paid at the time of lodgement.
- (B) To permit the relevant authorities adequate time to assess applications and organize resources, applications shall be lodged within the following prescribed periods —
 - (i) events involving large public participation e.g. City to Surf Fun Run, pageants, not less than 6 calendar months prior to the proposed event;
 - (ii) events involving the racing of motor vehicles but not large public participation, not less than 3 calendar months prior to the proposed event;

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- (F) Where insufficient space is provided relevant details are to be included on a separate sheet and submitted with the application.

[Form 1 inserted in Gazette 22 Feb 1991 p. 909-11.]

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6. The extent the event will occupy the road/roads (a) full carriageway, (b) half carriageway, (c) other, describe.....
.....
.....
7. This Order must be produced upon request of a police officer, officer of the local authority or Main Roads Department.
8. Other conditions and limitations applying —
.....
.....
.....

- NOTE: (a) This Order does not permit liquor to be consumed in any public place whilst this event is in progress.
- (b) No person shall obstruct the free passage of any ambulance, fire brigade vehicle or police vehicle during the progress of this event. Section 81F(1)(a) Road Traffic Act.

SIGNATURE:DESIGNATION
(Authorised Officer)

TIME OF ISSUE:

DATE OF ISSUE:

[Schedule 2 repealed in Gazette 28 Nov 2006 p. 4913.]



Notes

- ¹ This reprint is a compilation as at 1 February 2007 of the *Road Traffic (Events on Roads) Regulations 1991* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Road Traffic (Events on Roads) Regulations 1991</i>	1 Feb 1991 p. 549-54	1 Feb 1991 (see r. 2 and <i>Gazette</i> 1 Feb 1991 p. 511)
<i>Road Traffic (Events on Roads) Amendment Regulations 1991</i>	22 Feb 1991 p. 909-11	22 Feb 1991
<i>Road Traffic (Events on Roads) Amendment Regulations 1997</i>	23 Dec 1997 p. 7440	1 Jan 1998 (see r. 2 and <i>Gazette</i> 23 Dec 1997 p. 7400)
<i>Road Traffic (Events on Roads) Amendment Regulations 1998</i>	23 Jun 1998 p. 3344-5	1 Jul 1998 (see r. 2)
<i>Road Traffic (Events on Roads) Amendment Regulations 2000</i>	20 Jun 2000 p. 3075-6	1 Jul 2000 (see r. 2)
<i>Road Traffic (Events on Roads) Amendment Regulations 2001</i>	31 Aug 2001 p. 4887	31 Aug 2001
Reprint of the Road Traffic (Events on Roads) Regulations 1991 as at 1 Feb 2002 (includes amendments listed above)		
<i>Road Traffic (Events on Roads) Amendment Regulations 2002</i>	28 Jun 2002 p. 3112-13	1 Jul 2002 (see r. 2)
<i>Road Traffic (Events on Roads) Amendment Regulations 2003</i>	27 Jun 2003 p. 2527	1 Jul 2003 (see r. 2)
<i>Road Traffic (Events on Roads) Amendment Regulations 2004</i>	25 Jun 2004 p. 2249-50	1 Jul 2004 (see r. 2)
<i>Road Traffic (Events on Roads) Amendment Regulations 2005</i>	30 Aug 2005 p. 4056	30 Aug 2005
<i>Road Traffic (Events on Roads) Amendment Regulations (No. 2) 2006</i>	23 Jun 2006 p. 2224-5	1 Jul 2006 (see r. 2)
<i>Road Traffic (Events on Roads) Amendment Regulations 2006</i>	28 Nov 2006 p. 4912-13	4 Dec 2006 (see r. 2 and <i>Gazette</i> 28 Nov 2006 p. 4889)
Reprint 2: The Road Traffic (Events on Roads) Regulations 1991 as at 2 Feb 2007 (includes amendments listed above)		

Road Traffic (Events on Roads) Regulations 1991

- ² On commencement of the *Road Traffic Amendment Act 1996* the Traffic Board ceased to exist. Under the *Road Traffic Act 1974* Part VA, the responsibility for road closure orders rests with the Commissioner of Police.