



Western Australia

Road Traffic Act 1974

Road Traffic (Urine Sampling and Analysis) Regulations 1983

Reprint 2: The regulations as at 6 August 2010

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, modifying 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 - removed (because it was repealed or deleted from the law); or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.

Western Australia

Road Traffic (Urine Sampling and Analysis) Regulations 1983

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Defined Terms



Western Australia

Reprinted under the
Reprints Act 1984 as
at 6 August 2010

Road Traffic Act 1974

Road Traffic (Urine Sampling and Analysis) Regulations 1983

1. Citation

These regulations may be cited as the *Road Traffic (Urine Sampling and Analysis) Regulations 1983*¹.

2. Commencement

These regulations shall come into operation on 1 March 1983.

3. Terms used

In these regulations unless the contrary intention appears —

Form means one of the forms set out in the Schedule;

subject means a person required to submit himself and allow a sample of his urine to be collected for analysis pursuant to section 66 or 66B of the Act;

technologist means —

- (a) a person registered as an analyst under section 203 of the *Health Act 1911*; or

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- (b) a person approved, or belonging to a class of persons approved, by the Minister to prepare sampling equipment.

*[Regulation 3 amended in Gazette 30 Jan 2001 p. 626;
11 Oct 2007 p. 5481.]*

4. Application

These regulations apply whenever urine is collected for analysis for drugs for the purposes of the Act.

5. Urine sampling equipment to be provided by approved body

A urine sample shall be collected by means of equipment (in these regulations called the *urine sampling equipment*) provided for that purpose by a body approved by the Minister and by no other means.

*[Regulation 5 amended in Gazette 29 Jun 1984 p. 1795;
30 Jan 2001 p. 626.]*

6. Urine sampling equipment

The urine sampling equipment shall comprise —

- (a) 1 container for collecting urine;
- (b) 2 specimen containers; and
- (c) 1 pair of disposable gloves.

[Regulation 6 amended in Gazette 30 Jan 2001 p. 626.]

7. Preparation of urine sampling equipment

The urine sampling equipment shall be prepared by a technologist of a body approved by the Minister who shall —

- (a) complete and sign a certificate in the form of Form 1; and

- (b) seal the equipment in a serially numbered package by signing his name over the sealed portion or flap of the package.

*[Regulation 7 amended in Gazette 29 Jun 1984 p. 1795;
30 Jan 2001 p. 626.]*

8. Method of collecting urine

- (1) A urine sample shall be collected by a medical practitioner or registered nurse in the container for collecting urine provided in the urine sampling equipment and no other.
- (2) The medical practitioner or registered nurse shall —
 - (a) examine the package containing the urine sampling equipment produced to him, and in the presence of the person producing it, ensure that —
 - (i) the package is sealed and intact; and
 - (ii) the indicated expiry date for the use of the equipment has not passed;
 - (b) not use any urine sampling equipment contained in a package that is not sealed and intact or in respect of which the indicated expiry date has passed;
 - (c) collect a sample of urine from the subject;
 - (d) pour as much of the urine into the 2 specimen containers as is necessary to enable an analysis of the urine to be made;
 - (e) ensure that the cap on each specimen container is securely tightened.

[Regulation 8 amended in Gazette 30 Jan 2001 p. 626 and 627.]

9. Certification of urine samples

- (1) Upon a urine sample being collected and dealt with in accordance with the provisions of regulation 8 —
 - (a) the medical practitioner or registered nurse shall complete and sign Part 1; and

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- (b) a member of the Police Force who was present when the sample was collected shall complete and sign Part 2, of 2 copies of Form 2.
- (2) Upon the completion of 2 copies of Form 2, each of the specimen containers containing a portion of the urine sample shall be sealed in a separate package by the medical practitioner or registered nurse and the member of the Police Force mentioned in this regulation.

[Regulation 9 amended in Gazette 30 Jan 2001 p. 626 and 627; 31 Dec 2009 p. 5318.]

[10. Deleted in Gazette 28 Nov 2006 p. 4898.]

11. Certificates for purposes of Act s. 70(3b)

- (1) A certificate for the purposes of section 70(3b)(a) of the Act shall be in the form of Form 3.
- (2) The *Road Traffic (Drug Driving) Regulations 2007* Schedule 1 Form 1 is prescribed for the purposes of section 70(3b)(f) of the Act as the form to be used by a drugs analyst for either or both of the following —
 - (a) that an identified sample of urine provided by a named person was analysed for drugs;
 - (b) the analysis result obtained from the analysis.

[Regulation 11 amended in Gazette 11 Oct 2007 p. 5482.]

Schedule

Form 1

Western Australia

Road Traffic Act 1974

Road Traffic (Urine Sampling and Analysis) Regulations 1983

(Regulation 7)

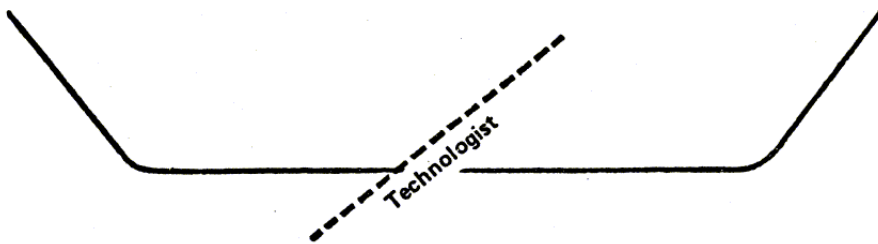
Serial No.

I,
..... of
Technologist, do hereby certify that the urine sampling equipment contained in
the package Serial No. comprises the items set
forth in regulation 6 of the *Road Traffic (Urine Sampling and Analysis)*
Regulations 1983 and that those items were prepared by me and are sterile and
fit for the purpose of collecting a urine sample for analysis if used not later than
.....

Dated this day of 20.....

.....
Signature

(Reverse Side)



Note: This package should be opened by cutting along this fold.

*[Form 1 amended in Gazette 29 Jun 1984 p. 1795; 30 Jan 2001
p. 627.]*

Form 2
Western Australia
Road Traffic Act 1974
Road Traffic (Urine Sampling and Analysis) Regulations 1983
(Regulation 9)

PART 1.

By Medical Practitioner or Registered Nurse:

I,
duly qualified medical practitioner or registered nurse, hereby certify that —

1. At the hour of m.
on the day of
20..... I collected a sample of the urine of
of portion of
which sample is now contained in the enclosed specimen container
numbered.....

2. The equipment used for the purpose of collecting that urine sample was
contained in a package serially numbered handed
to me by and
that package was sealed and intact prior to being opened by me.

3. In collecting the urine sample I complied with regulation 8 of the *Road
Traffic (Urine Sampling and Analysis) Regulations 1983*.

.....
Signature and qualification.

PART 2.

By a member of the Police Force:

Name of subject:

Medical practitioner or registered nurse:

Time and date of collecting urine sample:m. on

Time of occurrence of driving or incident giving rise to requirement of urine
sample:m. on the of20

.....
Signature, rank and number.

The diagram shows two signature lines. The left line is solid and labeled 'Medical Practitioner or Registered Nurse' in a dashed font. The right line is solid and labeled 'Member of the Police Force' in a dashed font. A horizontal solid line connects the two lines.

*[Form 2 amended in Gazette 30 Jan 2001 p. 627; 31 Dec 2009
p. 5318.]*

Form 3

Road Traffic Act 1974

Road Traffic (Urine Sampling and Analysis) Regulations 1983

(Regulation 11(a))

....., chief executive officer of the Chemistry
Centre (WA), hereby certify that
of* is a drugs analyst/* was as
at a drugs analyst.

.....
chief executive officer,
Chemistry Centre (WA).

*Delete whichever does not apply.

*[Form 3 amended in Gazette 9 Aug 1991 p. 4233; 14 Mar 2008
p. 834.]*

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Notes

- ¹ This reprint is a compilation as at 6 August 2010 of the *Road Traffic (Urine Sampling and Analysis) Regulations 1983* 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 (Urine Sampling and Analysis) Regulations 1983</i>	25 Feb 1983 p. 651-3	1 Mar 1983 (see r. 2)
<i>Road Traffic (Urine Sampling and Analysis) Amendment Regulations 1984</i>	29 Jun 1984 p. 1795	1 Jul 1984 (see r. 2)
<i>Road Traffic (Urine Sampling and Analysis) Amendment Regulations 1987</i>	18 Dec 1987 p. 4458-9	18 Dec 1987
<i>Road Traffic Amendment Regulations 1991 Pt. 4</i>	9 Aug 1991 p. 4232-3	9 Aug 1991 (see r. 2 and <i>Gazette</i> 9 Aug 1991 p. 4101)
<i>Road Traffic (Urine Sampling and Analysis) Amendment Regulations 2001</i>	30 Jan 2001 p. 625-7	30 Jan 2001
Reprint of the Road Traffic (Urine Sampling and Analysis) Regulations 1983 as at 14 Jun 2002 (includes amendments listed above)		
<i>Road Traffic (Urine Sampling and Analysis) Amendment Regulations 2006</i>	28 Nov 2006 p. 4897-8	4 Dec 2006 (see r. 2 and <i>Gazette</i> 28 Nov 2006 p. 4889)
<i>Road Traffic (Urine Sampling and Analysis) Amendment Regulations 2007</i>	11 Oct 2007 p. 5481-2	r. 1 and 2: 11 Oct 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 12 Oct 2007 (see r. 2(b) and <i>Gazette</i> 11 Oct 2007 p. 5475)
<i>Road Traffic Legislation Amendment Regulations 2008 Pt. 6</i>	14 Mar 2008 p. 832-4	15 Mar 2008 (see r. 2(b) and <i>Gazette</i> 14 Mar 2008 p. 829)
<i>Road Traffic (Urine Sampling and Analysis) Amendment Regulations 2009</i>	31 Dec 2009 p. 5317-18	r. 1 and 2: 31 Dec 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2010 (see r. 2(b))
Reprint 2: The Road Traffic (Urine Sampling and Analysis) Regulations 1983 as at 6 Aug 2010 (includes amendments listed above)		

Defined Terms

Defined Terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined Term	Provision(s)
Form.....	3
subject.....	3
technologist.....	3