



Western Australia

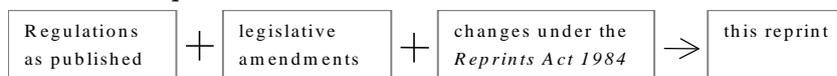
Road Traffic Act 1974

Road Traffic (Wardens) Regulations 1986

Reprint 2: The regulations as at 15 March 2013

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 - removed (because it was repealed or deleted from the law); or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 (Wardens) Regulations 1986

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Defined terms



Reprinted under the
Reprints Act 1984 as
at 15 March 2013

Western Australia

Road Traffic Act 1974

Road Traffic (Wardens) Regulations 1986

1. Citation

These regulations may be cited as the *Road Traffic (Wardens) Regulations 1986*¹.

1A. Term used: section

In these regulations —
section means a section of the Act.

[*Regulation 1A inserted in Gazette 31 Jan 1997 p. 687.*]

2. Transport wardens, prescribed powers of and certificate for etc. (Act s. 7)

- (1) For the purposes referred to in section 7(3), a warden appointed under section 7(2) as a transport warden has the powers conferred on a member of the Police Force or a police officer by the provisions of —
 - (a) sections 53 and 58; and
 - (b) regulation 272 of the *Road Traffic Code 2000*; and
 - (c) the *Road Traffic (Licensing) Regulations 1975*; and
 - (d) the *Road Traffic (Vehicle Standards) Regulations 2002*.

- (2) Subregulation (1) does not limit any power conferred by the Act on a warden appointed under section 7(2).
- (3) For the purposes referred to in section 7(3), a reference to a member of the Police Force in a provision referred to in subregulation (1) shall be read as including a reference to a transport warden.
- (4) The certificate of appointment of a transport warden shall be in the form of Form 1.

[Regulation 2 inserted in Gazette 31 Jan 1997 p. 687; amended in Gazette 1 Dec 2000 p. 6760; 1 Nov 2002 p. 5396.]

3. Crossing attendants, prescribed powers of and certificate for etc. (Act s. 7)

- (1) The certificate of appointment of a person as a warden appointed under section 7(1) to perform duties relating to the controlling of vehicles and pedestrians at children's crossings and pedestrian crossings shall be in the form of Form 2 and any warden so appointed has, for the purposes referred to in section 7(3), the powers to stop vehicles from proceeding through a children's crossing or a pedestrian crossing, to require vehicles to remain stationary and to prohibit persons from walking across or onto a children's crossing or a pedestrian crossing, and any warden so appointed may give such signals or directions to drivers of those vehicles and to those other persons as are necessary for that purpose.
- (1a) Subregulation (1) does not limit any power conferred by the Act on a warden appointed under section 7(1).
- (2) A warden appointed to perform duties relating to the controlling of vehicles pedestrians at children's crossings and pedestrian crossings shall at all times when he or she is performing those duties, wear a uniform approved by the Commissioner of Police.

[Regulation 3 amended in Gazette 31 Jan 1992 p. 516; 31 Jan 1997 p. 688.]

4. Parking wardens, prescribed powers of and certificate for etc. (Act s. 7)

- (1) The certificate of appointment of a person as a warden appointed under section 7(1) to perform duties relating to the parking and standing of vehicles shall be in the form of Form 3, and any warden so appointed has, for the purposes referred to in section 7(3), such of the powers of a member of the Police Force as are necessary for him to enforce the provisions of the Act and the *Road Traffic Code 2000*, relating to the parking and standing of vehicles, including the powers of demanding the name and address of the driver or person in charge of any vehicle and the powers of requiring the responsible person for a vehicle to disclose the identity of the driver of the vehicle at any relevant time.
- (2) Subregulation (1) does not limit any power conferred by the Act on a warden appointed under section 7(1).
- (3) For the purposes referred to in section 7(3), a reference to a member of the Police Force in a provision referred to in subregulation (1) shall be read as including a reference to a warden appointed under section 7(1) to perform the duties referred to in that subregulation.

[Regulation 4 amended in Gazette 31 Jan 1997 p. 688; 1 Dec 2000 p. 6760; 23 Dec 2005 p. 6281.]

5. Wardens for inspecting motor vehicles, prescribed powers of and certificate for etc. (Act s. 7)

- (1) Where a person has been appointed a warden under section 7(2) to perform duties relating to the inspection of motor vehicles —
 - (a) the certificate of appointment of the person as such a warden shall be in the form of Form 4; and
 - (b) any warden so appointed has, for the purposes referred to in section 7(3), the powers —
 - (i) to examine any vehicle at a place provided for the examination of vehicles and may for that

purpose do all such things as are necessary for him to ascertain whether any such vehicle complies with the provisions of the Vehicle Standards; and

- (ii) conferred on a police officer by regulation 18 and Part 7 of the *Road Traffic (Vehicle Standards) Regulations 2002*; and
 - (iii) conferred on a member of the Police Force by the provisions of regulations 25(2) and 26C(5) of the *Road Traffic (Licensing) Regulations 1975*.
- (2) Subregulation (1) does not limit any power conferred by the Act on a warden appointed under section 7(2).
- (3) For the purposes referred to in section 7(3), a reference to a member of the Police Force in a provision referred to in subregulation (1)(b)(ii) or (iii) shall be read as including a reference to a warden appointed under section 7(2) to perform the duties referred to in that subregulation.
- (4) In subregulation (1) —
- Vehicle Standards** means —
- (a) the *Road Traffic (Vehicle Standards) Regulations 2002*; and
 - (b) the *Road Traffic (Vehicle Standards) Rules 2002*; and
 - (c) the *Road Traffic (Bicycles) Regulations 2002*; and
 - (d) the *Road Traffic (Animal Drawn Vehicles) Regulations 2002*.

[Regulation 5 amended in Gazette 28 Sep 1990 p. 5073; 31 Jan 1997 p. 688-9; 1 Nov 2002 p. 5396-7.]

6. Traffic escort wardens, prescribed powers of and certificate for etc. (Act s. 7)

- (1) For the purposes referred to in section 7(3), a warden appointed under section 7(1)(c) as a traffic escort warden has the powers

conferred on a member of the Police Force or a police officer by the provisions of —

- (a) section 53; and
 - (b) the *Road Traffic Code 2000* regulations 272(1)(d) and 282(1); and
 - (c) the *Road Traffic (Vehicle Standards) Regulations 2002* regulation 61.
- (2) Subregulation (1) does not limit any power conferred by the Act on a warden appointed under section 7(1)(c).
- (3) For the purposes referred to in section 7(3), a reference to a member of the Police Force or a police officer in a provision referred to in subregulation (1) is to be read as including a reference to a traffic escort warden.
- (4) The certificate of appointment of a traffic escort warden is to be in the form of Form 5.

[Regulation 6 inserted in Gazette 13 Jun 2006 p. 2065.]

Schedule

Road Traffic Act 1974

Reg. 2

Form 1

CERTIFICATE OF APPOINTMENT OF TRANSPORT WARDEN

This is to certify that
of
is duly appointed a warden under section 7(2) of the *Road Traffic Act 1974* to
perform duties relating to the licensing provisions of the Act and has such
powers as are conferred on such wardens by the Act and regulation 2 of the
Road Traffic (Wardens) Regulations 1986.

Dated this 20

.....
Director General

*[Form 1 inserted in Gazette 31 Jan 1997 p. 689; amended in Gazette
28 Feb 2003 p. 681.]*

Road Traffic Act 1974

Reg. 3

Form 2

**CERTIFICATE OF APPOINTMENT OF WARDEN TO CONTROL
VEHICLES AND PEDESTRIANS AT CROSSINGS**

This is to certify that
.....
is duly appointed under section 7(1) of the *Road Traffic Act 1974*, to perform
the duties of controlling vehicles and pedestrians at children's crossings, and
pedestrian crossings, in respect of roads in the
.....
and has such powers as are conferred on such wardens by the Act and
regulation 3 of the *Road Traffic (Wardens) Regulations 1986*.

Dated this 20

.....
Commissioner of Police

[Form 2 amended in Gazette 31 Jan 1997 p. 689-90.]

Road Traffic Act 1974

Reg. 4

Form 3

CERTIFICATE OF APPOINTMENT OF WARDEN TO PERFORM
PARKING DUTIES

This is to certify that
of
is duly appointed under section 7(1) of the *Road Traffic Act 1974*, to perform
duties relating to the parking and standing of vehicles and has such powers as
are conferred on such wardens by the Act and regulation 4 of the *Road Traffic*
(Wardens) Regulations 1986.

Dated this 20

.....
Commissioner of Police

[Form 3 amended in Gazette 31 Jan 1997 p. 690.]

Road Traffic Act 1974

Reg. 5

Form 4

CERTIFICATE OF APPOINTMENT OF WARDEN TO INSPECT
MOTOR VEHICLES

This is to certify that
of
is duly appointed under section 7(2) of the *Road Traffic Act 1974*, to perform
the duties of the inspection of motor vehicles, and has such powers as are
conferred on such wardens by the Act and regulation 5 of the *Road Traffic*
(Wardens) Regulations 1986.

Dated this 20

.....
Director General

[Form 4 amended in Gazette 31 Jan 1997 p. 690; 28 Feb 2003
p. 681.]

Road Traffic Act 1974

Reg. 6

Form 5

**CERTIFICATE OF APPOINTMENT OF TRAFFIC ESCORT
WARDEN**

This is to certify that
of
is duly appointed a warden under section 7(1)(c) of the *Road Traffic Act 1974* to
perform duties relating to the traffic regulation provisions of the Act and has
such powers as are conferred on such wardens by the Act and regulation 6 of
the *Road Traffic (Wardens) Regulations 1986*.

Dated this 20

.....
Commissioner of Police

[Form 5 inserted in Gazette 13 Jun 2006 p. 2065-6.]



Notes

- ¹ This reprint is a compilation as at 15 March 2013 of the *Road Traffic (Wardens) Regulations 1986* 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 (Wardens) Regulations 1986</i>	28 Nov 1986 p. 4382-4	28 Nov 1986
<i>Regulations Amendment (Towed Agricultural Implements) Regulations 1990 Pt. 6</i>	28 Sep 1990 p. 5071-3	1 Nov 1990 (see r. 2 and <i>Gazette</i> 28 Sep 1990 p. 5073)
<i>Road Traffic (Wardens) Amendment Regulations 1991</i>	31 Jan 1992 p. 515-16	31 Jan 1992
<i>Road Traffic (Wardens) Amendment Regulations 1994</i>	30 Sep 1994 p. 5020-1	30 Sep 1994
<i>Road Traffic (Wardens) Amendment Regulations 1997</i>	31 Jan 1997 p. 687-90	1 Feb 1997 (see r. 2 and <i>Gazette</i> 31 Jan 1997 p. 613)
<i>Road Traffic (Wardens) Amendment Regulations (No. 2) 2000</i>	1 Dec 2000 p. 6760	1 Dec 2000 (see r. 2)
Reprint of the <i>Road Traffic (Wardens) Regulations 1986</i> as at 16 Nov 2001 (includes amendments listed above)		
<i>Road Traffic (Vehicle Standards) (Consequential Provisions) Regulations 2002 Pt. 6</i>	1 Nov 2002 p. 5388-400	1 Nov 2002 (see r. 2)
<i>Road Traffic (Wardens) Amendment Regulations 2003</i>	28 Feb 2003 p. 680-1	28 Feb 2003
<i>Road Traffic (Wardens) Amendment Regulations 2005</i>	23 Dec 2005 p. 6280-1	1 Jan 2006 (see r. 2 and <i>Gazette</i> 23 Dec 2005 p. 6244-5)
<i>Road Traffic (Wardens) Amendment Regulations (No. 2) 2006</i>	13 Jun 2006 p. 2064-6	13 Jun 2006
Reprint 2: The <i>Road Traffic (Wardens) Regulations 1986</i> as at 15 Mar 2013 (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)
section	1A
Vehicle Standards	5(4)