Control of Vehicles (Off-road Areas) Act 1978

Control of Vehicles (Off-road Areas) Amendment Regulations 2014

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Control of Vehicles (Off-road Areas) Amendment Regulations 2014*.

2. Commencement

These regulations come into operation as follows —

(a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;

(b) the rest of the regulations — on the day fixed under the *Road Traffic (Administration) Act 2008* section 2(b).

3. Regulations amended

These regulations amend the *Control of Vehicles (Off-road Areas) Regulations 1979*.

4. Regulation 2 amended

In regulation 2 in the definition of ***motor cycle*** delete "the *Road Traffic (Licensing) Regulations 1975* regulation 3(1);" and insert:

the *Road Traffic (Vehicles) Regulations 2014* regulation 3;

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5. Regulation 8 amended

In regulation 8(2) delete "it is".

6. Regulation 19 amended

In regulation 19(1), (2) and (3) delete "council" (each occurrence) and insert:

local government

7. Regulation 20 amended

(1) In regulation 20(1) delete "a council" and insert:

a local government

(2) In regulation 20(2):

(a) delete "a council" and insert:

a local government

(b) delete paragraph (b) and insert:

(b) in the case of a sale effected by a local government, be paid by the local government into its trust fund as defined in the *Local Government Act 1995* section 6.1,

(3) In regulation 20(3):

(a) delete "a council" and insert:

a local government

(b) delete paragraph (b)(ii) and insert:

(ii) in the case of a local government, into its municipal fund as defined in the *Local Government Act 1995* section 1.4.

8. Regulations 22A, 22B and 22C replaced

Delete regulations 22A, 22B and 22C and insert:

22A. Seat belts

For the purposes of section 9A, a vehicle to which that section applies —

(a) must be equipped with seat belts and seat belt anchorage points as required under the *Road Traffic (Vehicles) Regulations 2014* Part 10; or

(b) if the vehicle is not required under the *Road Traffic (Vehicles) Regulations 2014* Part 10 to be equipped with seat belts prescribed under those regulations and is not so equipped, must be equipped with —

(i) lap belts conforming to the standards and specifications in Australian/New Zealand Standard AS/NZS 2596 — 2003 *Seat-Belt Assemblies For Motor Vehicles*, jointly published by Standards

Australia and Standards New Zealand; and

(ii) seat belt anchorage points located so as to provide for the effective operation of the seat belt including adequate torso support and otherwise conforming to the standards and specifications in that Australian/New Zealand Standard.

22B. Protective helmets

For the purposes of section 9C, a protective helmet must be of a type and standard specified in Australian Standard 1698 — 1980 *Protective Helmets for Vehicle Users* published by Standards Australia.

9. Regulation 23 amended

(1) In regulation 23(1) in the definition of ***standard A*** delete "the Standards Association of Australia;" and insert:

Standards Australia;

(2) In regulation 23(1) in the definition of ***standard B*** delete "the Standards Association of Australia;" and insert:

Standards Australia.

10. Regulation 36 amended

In regulation 36 delete "municipality" and insert:

local government

11. First Schedule amended

(1) In the First Schedule Form 3:

(a) delete "Clerk" (each occurrence) and insert:

CEO

(b) delete "municipality" (each occurrence) and insert:

local government

(2) In the First Schedule Form 5:

(a) delete "Council" and insert:

local government

(b) delete "Clerk" (each occurrence) and insert:

CEO

R. KENNEDY, Clerk of the Executive Council.