

ACTS AMENDMENT (MOTOR VEHICLE FEES).

No. 25 of 1982.

AN ACT to amend the Main Roads Act 1930-1981, the Road Traffic Act 1974-1981, and the Transport Act 1966-1981.

[Assented to 27 May 1982.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I—PRELIMINARY.

1. This Act may be cited as the *Acts Amendment (Motor Vehicle Fees) Act 1982*. Short title.
2. This Act shall come into operation on 1 July 1982. Commencement.

PART II—MAIN ROADS ACT 1930-1981.

Citation.
Reprinted as
approved 16
December
1976 and
amended
by Acts Nos.
54 of 1977,
9 of 1979,
21 of 1980
and
106 of 1981.

3. (1) In this Part the Main Roads Act 1930-1981 is referred to as the principal Act.

(2) The principal Act as amended by this Act may be cited as the Main Roads Act 1930-1982.

Section 16
amended.

4. Section 16 of the principal Act is amended in subsection (3) by deleting "Account" and substituting the following—

" Fund " .

Section 24
amended.

5. Section 24 of the principal Act is amended in subsection (8) by deleting "Account" and substituting the following—

" Fund " .

Headings.

6. The headings "*Protection to the Commissioner and Officers.*" and "*The Main Roads Trust Account.*" preceding section 31 are deleted and the following heading is substituted—

" *The Main Roads Trust Fund.* " .

Section 31
amended.

7. Section 31 of the principal Act is amended—

(a) after the section designation "31." by inserting the following subsection designation—

" (1) " ;

(b) by deleting "account" in both places where it occurs and in each case substituting the following—

" fund " ;

(c) by deleting "Account" and substituting the following—

" Fund " ; and

- (d) by inserting at the end of the section the following subsection—

“ (2) Subject to this Act there shall be maintained within the Main Roads Trust Fund such accounts as the Treasurer may from time to time approve. ” .

8. Section 32 of the principal Act is amended— Section 32
amended.

- (a) in subsection (1)—

- (i) by deleting “Trust Account” and substituting the following—

“ Trust Fund other than those standing to the credit of the Inner Metropolitan Councils’ Urban Road Account or the Outer Metropolitan Councils’ Urban Road Account maintained under subsection (5) (f) of this section or the Railway Crossing Protection Account maintained under section 32A of this Act ” ;

- (ii) in paragraph (b) (ii), by deleting “Commission Act,” and substituting the following—

“ Act ” ;

- (iii) by deleting paragraph (c);

- (iv) in paragraph (d), by deleting “fourthly” and substituting the following—

“ thirdly ” ; and

- (v) in paragraph (e), by deleting “fifthly” and substituting the following—

“ fourthly ” ;

- (b) in paragraph (b) of subsection (3), by deleting "Account" and substituting the following—

“ Fund ” ;

- (c) in subsection (5)—

- (i) in paragraph (b), by deleting "Account" and substituting the following—

“ Fund ” ;

- (ii) by deleting paragraph (f) and substituting the following paragraph—

“ (f) The prescribed amount shall be made available each year from the Main Roads Trust Fund and the prescribed portions thereof shall be allocated in that year to accounts to be maintained by the Commissioner within the Main Roads Trust Fund and to be known respectively as the Inner Metropolitan Councils' Urban Road Account and the Outer Metropolitan Councils' Urban Road Account. ” ; and

- (iii) in paragraphs (g) and (h), by deleting "Fund" wherever it occurs and in each case substituting the following—

“ Account ” ;

- (d) in subsection (9), by deleting paragraph (b) and substituting the following paragraph—

“ (b) Where moneys within the Inner Metropolitan Councils' Urban Road Account or the Outer Metropolitan Councils' Urban Road Account are not expended within the time specified in

the Commonwealth Act, the Commissioner may re-allocate those moneys to another account within the Main Roads Trust Fund. ” ; and

- (e) in subsections (11), (14), and (15), by deleting “Account” wherever it occurs and in each case substituting the following—

“ Fund ” .

9. Section 32A of the principal Act is amended— Section 32A amended.

- (a) by repealing subsection (1) and substituting the following subsection—

“ (1) There shall be maintained under this Act an account within the Main Roads Trust Fund to be known as the Railway Crossing Protection Account. ” ;

- (b) by inserting after subsection (1) the following subsection—

“ (1a) There shall be allocated to the Railway Crossing Protection Account—

(a) in the year ending on 30 June 1983—\$650 000; and

(b) in subsequent years—such amount as the Minister may, on the recommendation of the Commissioner, from time to time determine. ” ; and

- (c) in subsection (2)—

(i) by deleting “paid” and substituting the following—

“ standing ” ; and

(ii) by deleting “Fund”.

10. Moneys that, immediately before the coming into operation of this Act, stand to the credit of a fund or account referred to in column 1 of the table Transitional.

hereunder shall, upon the coming into operation of this Act, be credited to the corresponding account referred to in column 2 of that table.

TABLE.

<i>Column 1.</i>	<i>Column 2.</i>
<i>Previous fund or account.</i>	<i>New Account.</i>
Main Roads Trust Account	Such account in the Main Roads Trust Fund as the Treasurer approves.
Inner Metropolitan Councils' Urban Road Fund	Inner Metropolitan Councils' Urban Road Account
Outer Metropolitan Councils' Urban Road Fund	Outer Metropolitan Councils' Urban Road Account
Railway Crossing Protection Fund Account.	Railway Crossing Protection Account

PART III—ROAD TRAFFIC ACT 1974-1981.

Citation.
Reprinted as
approved
22 July 1980
and amended
by Acts Nos.
42, 48 and 81
of 1980 and
39, 71 and 105
of 1981.

11. (1) In this Part the Road Traffic Act 1974-1981 is referred to as the principal Act.

(2) The principal Act as amended by this Act may be cited as the Road Traffic Act 1974-1982.

Section 19
amended.

12. Section 19 of the principal Act is amended in subsection (12j) by deleting "Account" and substituting the following—

" Fund " .

Section 22
amended.

13. Section 22 of the principal Act is amended—

(a) in subsection (1)—

(i) by deleting "Account" and substituting the following—

" Fund " ; and

(ii) by deleting “, renewal and transfer” and substituting the following—

“ and renewal ” ;

(b) by repealing subsection (3); and

(c) in subsection (4), by deleting “Account” and substituting the following—

“ Fund ” .

14. Section 52 of the principal Act is amended by repealing subsection (2). Section 52 amended.

PART IV—TRANSPORT ACT 1966-1981.

15. (1) In this Part the Transport Act 1966-1981 is referred to as the principal Act. Citation. Reprinted as approved 21 June 1977 and amended by Acts Nos. 53 of 1977, 9 and 93 of 1979, 47 and 48 of 1980, 8, 56, and 106 of 1981.

(2) The principal Act as amended by this Act may be cited as the Transport Act 1966-1982.

16. Section 47W of the principal Act is amended by deleting “account called the “Main Roads Trust Account” ” and substituting the following— Section 47W amended.

“ fund called the “Main Roads Trust Fund” ” .

17. Section 62 of the principal Act is amended in subsections (4) and (6) by deleting “Account” in both places where it occurs and in each case substituting the following— Section 62 amended.

“ Fund ” .