

TRANSPORT COMMISSION (No. 2).

No. 79 of 1976.

AN ACT to amend the Transport Commission Act,
1966-1976.

[Assented to 18th October, 1976.]

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:—

1. (1) This Act may be cited as the *Transport Commission Act Amendment Act (No. 2), 1976.*

Short title
and citation.

(2) In this Act the Transport Commission Act, 1966-1976 is referred to as the principal Act.

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approved for
reprint 20th
February,
1973 as
amended by
Acts Nos. 83
of 1973, 51 of
1975, and 24
of 1976.

(3) The principal Act as amended by this Act may be cited as the Transport Commission Act, 1966-1976.

Commence-
ment.

2. (1) Sections 1, 2, 3, 4 and 7 of this Act shall come into operation on the day on which it receives the Royal Assent.

(2) Sections 5 and 6 of this Act shall come into operation on the day on which the Transport Commission Act Amendment Act, 1976 comes into operation.

Section 47
amended.

3. Subsection (1) of section 47 of the principal Act is amended by deleting the passage "Commissioner.", at the end of the subsection, and inserting in lieu thereof a passage as follows—

Commissioner,

and may attach such other conditions as he thinks fit to impose, in the public interest.

Section 49
amended.

4. Section 49 of the principal Act is amended—

(a) as to subsection (1)—

(i) by deleting the words "the driver of a vehicle", in lines six and seven, and inserting in lieu thereof the words "the owner and the driver of a vehicle and any other person involved in its operation";

(ii) by inserting after the word "vehicle", being the last word in paragraph (a), the words "or carried on the vehicle"; and

(iii) by deleting the words "in respect to the load", in paragraph (d), and inserting in lieu thereof the passage "in respect of the load, including the identity of the person who hired the vehicle for the carriage of the load and the identity of the consignor and consignee of any of the goods which the load contains"; and

- (b) as to subsection (2), by deleting the words “in respect of the load carried”, in line eight, and inserting in lieu thereof the passage “as specified in paragraph (d) of that subsection”.

5. Subsection (1) of section 56A of the principal Act is amended— Section 56A amended.

- (a) by deleting the word “fourteen”, in line five, and inserting in lieu thereof, the word “twenty-eight”; and
- (b) by deleting the word “seven”, in line nine of paragraph (b), and inserting in lieu thereof, the word “twenty-one”.

6. Subsection (3) of section 56B of the principal Act is amended by inserting after the word “it”, being the last word in the subsection, a passage as follows— Section 56B amended.

, but the fact that a copy of the separate document was served on the defendant shall not be communicated to the Court or any member of the Court unless and until the defendant has been convicted of the offence alleged in that complaint, if the disclosure of the prior convictions alleged in the separate document is not admissible under the laws of evidence apart from this section .

7. Subsection (2) of section 60 of the principal Act is amended by adding after paragraph (m) a paragraph as follows— Section 60 amended.

- (ma) the carrying on public vehicles, in respect of loads thereon, of such documents or classes of documents as are specified in the regulations; .