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[1970

Crown Law Department,
Perth, 22nd June, 1970.

THE undermentioned Regulations made under the provisions of the Traffic Act, 1919, and amended from time to time up to and including the 10th February, 1970, are reprinted as so amended pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister for Justice.

W. J. ROBINSON,
Under Secretary for Law.

TRAFFIC ACT, 1919.

TRAFFIC (VEHICLE WEIGHTS) REGULATIONS, 1963.

Published in the *Government Gazette* on the 25th June, 1963, and incorporating the amendments thereto published in the *Government Gazette* on the 16th December, 1963; the 26th October, 1965, the 15th May, 1967; the 28th December, 1967, and the 22nd September, 1969; and reprinted pursuant to the Reprinting of Regulations Act, 1954.

Government Gazette (No. 68) contains—
Traffic (Vehicle Weights) Regulations, 1963.
Breath Analysis Regulations, 1966.
Blood Sampling and Analysis Regulations, 1966.

Reprinted pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister for Justice, dated 19th June, 1970.

TRAFFIC ACT, 1919.

TRAFFIC (VEHICLE WEIGHTS) REGULATIONS, 1963.

Citation. 1. These regulations may be cited as the Traffic (Vehicle Weights) Regulations, 1963.

Revocation. 2. Division 5 of Part IV of, and the Eighth and Tenth Schedules to, the Traffic Regulations, 1954, are revoked.

Interpretation. 3. (1) In these regulations, unless the context otherwise requires—

Reg. 3.
Amended
by G.G.
26/10/65,
p. 3756,
G.G. 22/9/69,
p. 2867.

“Act” means the Traffic Act, 1919, as amended; “aggregate weight”, in relation to a motor vehicle, means the permitted aggregate of the tare of, and the load borne by, the vehicle, calculated or determined in accordance with the provisions of, and permitted under, these regulations;

“axle” means the axis of rotation of wheels within two transverse, vertical, parallel planes less than forty inches apart, whether power driven or freely rotating and whether in one or more segments and regardless of the number of wheels carried thereon;

“axle load” means the total weight transmitted to the road by an axle;

“goods vehicle” means any motor vehicle constructed, equipped or fitted for the conveyance of goods or merchandise, and includes a tractor that is designed and used for drawing other vehicles, although not constructed or designed for carrying any load independently or for carrying any part of the load of the vehicle that it draws;

“laden weight”, in relation to a motor vehicle, means the aggregate of the tare and the load borne by the vehicle while on a road, as ascertained in accordance with the provisions of regulation 6 of these regulations;

“loadmeter” means a portable mechanical or electronic device capable of ascertaining the supported weight on portion of a motor vehicle;

“manufacturer’s gross vehicle weight” means the weight of a goods vehicle recorded by the Commissioner of Police as the maximum laden weight recommended by the manufacturer, by specification or otherwise, at which that vehicle, or a motor vehicle of the same make and class or series, or a similar class or series, should be operated;

“specification” includes any printed catalogue, handbook or other trade printed matter issued by the manufacturers of, and relating to, any motor vehicle, plant, machinery or equipment;

“supported weight” means the weight supported by an axle, tandem axle group, wheel or tyre of a motor vehicle and transmitted to the road by any wheels or tyres of which the centres are included between parallel, transverse, vertical planes, extending across the full width of the vehicle;

“tandem axle group” means a group of two or more consecutive axles, the centres of which are included between parallel, transverse, vertical planes spaced more than forty inches apart and not more than ninety-six inches apart, extending the full width of the vehicle, which axles are individually attached to and articulated from a common attachment to the vehicle, including a connecting mechanism designed to equalise the load between the axles;

“tare”, in relation to a motor vehicle means the net weight of the vehicle unloaded and includes the weight of any fuel contained in the fuel tanks of the vehicle and any tools ordinarily carried for the purpose of servicing the vehicle;

“tyre load” means the total weight transmitted to the road by a tyre.

(2) Unless the context otherwise requires, words and expressions used in these regulations have the same respective meanings as are given them in, and for the purposes of, the Act.

4. (1) A motor vehicle shall not be licensed to carry a load that, together with the tare of the vehicle, would cause the laden weight of the vehicle to exceed any of the weights mentioned in paragraphs (a) or (b) of subregulation (2) of this regulation.

Restrictions
on loading
of vehicles.
Cf. former
Reg. 170.
Reg. 4.

(2) A person shall not drive, use or suffer or permit any person in his employ to drive or use, a motor vehicle of which the laden weight exceeds—

Amended by
G.G.
26/10/65,
p.3756;
G.G.
28/12/67,
p.3571;
G.G. 22/9/69,
p. 2868.

(a) that prescribed as the aggregate weight of the vehicle, determined in accordance with this regulation;

(b) the aggregate weight prescribed for its class, calculated in accordance with Part II of the Table in Appendix “A” to these regulations for the appropriate vehicle configuration shown in Part I of that Table;

(c) the aggregate weight of the vehicle, as set out in the license issued for that vehicle.

(3) Without limiting the generality of subregulation (2) of this regulation, a person shall not drive, use, or suffer or permit any person in his employ to drive or use, a motor vehicle of which the supported weight exceeds—

(a) on any single tyre—5,000 lb.;

(b) on any single axle, fitted with single tyres—10,000 lb.;

(c) on any single axle, fitted with dual tyres—18,000 lb.;

(d) on any tandem axle group, fitted with single tyres—20,000 lb., in the aggregate, or 10,000 lb. on any one axle of the group;

or

(e) on any tandem axle group, fitted with dual tyres—29,000 lb., in the aggregate, or 18,000 lb. on any one axle of the group;

or, in any case, exceeds the carrying capacity of the tyre or rim, as prescribed by any regulation made under the Act.

(4) Without limiting the generality of subregulation (2) and (3) of this regulation, the aggregate weight of a goods vehicle may be determined in the case of—

(a) a vehicle, not being an articulated vehicle, by adding to the manufacturer's gross vehicle weight for that vehicle, if not exceeding 5,500 lb. (49 cwt.), 5 per centum thereof; and

- (b) a vehicle, not being an articulated vehicle, by adding to the manufacturer's gross vehicle weight for that vehicle, if exceeding 5,500 lb. (49 cwt.), 10 per centum thereof; and
- (c) an articulated vehicle, where the manufacturer's gross vehicle weight has been fixed for the tractor (prime mover type) for use as component of an articulated unit, by adding to that weight 10 per centum thereof; and
- (d) an articulated vehicle, where the manufacturer's gross vehicle weight is known for the tractor (prime mover type), as a standard table-top vehicle, only, by adding, to the sum of that weight and 10 per centum thereof, 66 $\frac{2}{3}$ per centum of that sum;

but, where any aggregate weight determined or calculated in accordance with this subregulation exceeds that determined or calculated as provided by paragraph (b) of subregulation (2) of this regulation, the latter shall be taken as the aggregate weight.

(5) Except as provided by subregulation (6) of this regulation, where the manufacturer's gross vehicle weight of a goods vehicle licensed for the first time after the commencement of these regulations is not recorded by the Commissioner of Police, the aggregate weight of that vehicle may be determined under subregulation (4) of this regulation, by taking the recorded manufacturer's gross vehicle weight of a vehicle of similar construction as being the manufacturer's gross vehicle weight of the vehicle first in this subregulation mentioned.

(6) In the case of a trailer of which the manufacturer's gross vehicle weight is not recorded by the Commissioner of Police, the aggregate weight shall be determined by adding, to the sum of the tare of the trailer and the weight determined by the owner as the weight it is capable of carrying, 10 per centum of that sum; but the aggregate weight of a trailer shall not, in any case, exceed the aggregate weight, calculated in accordance with these regulations, of the motor vehicle by which it is drawn.

(7) Where a goods vehicle has been added to, altered or modified, at any time after manufacture, the owner thereof may apply to the Commissioner of Police for the determination of a greater aggregate weight than that determined in accordance with the provisions of this regulation; and the Commissioner of Police shall, upon being satisfied that, having regard to the component parts of the vehicle, the addition, alteration or modification is such as to increase the safe loading limits of the vehicle, determine and authorise a greater aggregate weight; and, where a greater aggregate weight is so authorised, that shall be the aggregate weight of the vehicle.

(8) A person shall not drive, use, or suffer or permit any person in his employ to drive or use, a goods vehicle, on and after the 1st January, 1966, unless the aggregate weight of the vehicle and the tare, distinguished, respectively, by the letters "A" and "T", are painted, on the right hand side of the vehicle, in block letters and numerals of at least two inches in height, and are maintained, so as to be clearly legible at a distance of 15 feet.

(9) A person who, in contravention of subregulation (2) of this regulation, drives a motor vehicle of a laden weight greater than the aggregate weight therein prescribed, or having a supported weight greater than that prescribed by subregulation (3) of this regulation, on a road, shall not, on being required by a member of the Police Force or a traffic inspector to remove the load, or as much of it, by which the aggregate weight is exceeded, continue to drive the vehicle on the road, until he has complied with that requirement.

(10) The provisions of subregulations (4) to (9) inclusive of this regulation do not apply to—

- (a) a trailer having a tare of less than 5 cwt.;
- (b) a caravan;
- (c) a station wagon or estate car; or
- (d) any motor vehicle comprising an excavator, road grader, road roller or bulldozer, or other machine or apparatus, which is not capable of carrying a load, other than its tools, spare parts, fuel, water, oil or other accessories for use in connection with that vehicle.

(11) Nothing in this regulation authorises a person to drive, use, or permit the driving or using of, a motor vehicle, on a road, in contravention of the provisions of any other regulation made under the Act.

5. (1) Notwithstanding any other provision of these regulations, the Minister may authorise the Commissioner of Police, or the Commissioner of Main Roads, to issue a permit, upon payment of the prescribed fee, permitting—

- (a) the laden weight of a vehicle to exceed the aggregate weight of the vehicle prescribed for its class, to the extent of such extra load, on such road or roads, and subject to such conditions, as may be specified in the permit; and
- (b) any maximum supported weight prescribed by subregulation (3) of regulation 4 of these regulations to be exceeded, to the extent of such extra weight, on such road or roads, and subject to such conditions, as may be specified in the permit;

Special permits to carry excess weights.
Cf. former regs. 170, 170A.
Reg. 5.
Amended by G.G. 26/10/65, p. 3756-7; G.G. 15/5/67, p. 1264; G.G. 22/9/69, p. 2868.

and the owner or driver of the vehicle may, thereupon, subject to any condition specified in the permit, convey by that vehicle the extra load or weight, on the road or roads specified in the permit.

(2) The fee payable for a permit issued pursuant to subregulation (1) of this regulation is—

- (a) an amount of \$1.50 per month, or portion thereof, for every ton or portion of a ton by which the aggregate weight is to be exceeded; and
- (b) for a specified journey only, an amount of one cent (calculated to the next amount of a whole cent) per ton mile or portion of a ton mile for the weight by which the aggregate weight is to be exceeded.

prescribed for that class of vehicle by paragraph (b) of subregulation (2) of regulation 4 of these regulations.

(3) A person shall not drive, or permit or suffer any person in his employ to drive, a vehicle on a road pursuant to a permit issued under the provisions of this regulation, unless the permit is carried on that vehicle; and the permit shall be produced by the person in charge of the vehicle for inspection by a member of the Police Force or traffic inspector, on demand.

(4) Every person who drives, or permits or suffers any person in his employ to drive, a vehicle, contrary to any conditions specified in a permit issued under this regulation, commits an offence and the Commissioner of Police or the Commissioner of Main Roads (as the case may be) may, thereupon, direct the permit to be cancelled.

Ascertainment of load weights. Cf former reg. 171.

6. (1) Without limiting any other provision of this regulation, the laden weight, or the tare, of a motor vehicle or the supported weight on part of a motor vehicle may be ascertained by weighing the vehicle, or part of the vehicle (as the case may require), on a registered public weighbridge, or on any weighbridge that has been verified under the provisions of the Weights and Measures Act, 1915.

(2) For the purpose of ascertaining the weight of the load carried by a motor vehicle, the quantities of the various goods set out in Appendix "B" to these regulations are deemed to be of the equivalent weight, in tons, as therein shown.

(3) The supported weight on any part of a motor vehicle may be ascertained by a loadometer known as the "Black and Decker Drive-on Loadometer," the "Hi-way Loadometer" or any loadometer approved for use by the Minister; and in every case a weight so ascertained, less 5 per centum thereof, shall be deemed to be the actual weight.

(4) Notwithstanding the provisions of subregulation (1) of this regulation, and in any event, the laden weight or (in the case of a motor vehicle not carrying a load) the tare, of a motor vehicle computed from an aggregation of the relevant supported weights, ascertained pursuant to the provisions of subregulation (3) of this regulation, shall be taken as being the laden weight or (as the case may be) the tare of the vehicle.

(5) Where the laden weight of, or the weight of the load carried by, or the supported weight on, a motor vehicle cannot be, or cannot conveniently be, ascertained by any other means provided by this regulation, if the load comprises assembled plant, machinery or equipment of any kind, the weight of that load may be ascertained by reference to the manufacturer's specification (if any) relating to that plant, machinery or equipment and the weight therein specified is deemed to be the weight of the plant, machinery or equipment.

(6) For the purposes of subregulation (5) of this regulation, there is a presumption that any printed matter purporting to be a specification is a specification, in the absence of proof to the contrary.

(7) The driver or person in charge of a motor vehicle shall comply with any reasonable direction, given by a member of the Police Force or a traffic inspector, for the purpose of ascertaining any of the weights in this regulation mentioned.

(8) The ascertainment of any weight by any means provided by this regulation is subject to a person's rights under section 43 of the Act.

Offences.
Reg. 7.
Amended by
G.G. 15/5/67,
p. 1264.

7. Every person who contravenes the provisions of these regulations commits an offence.

Penalty: For a first offence—one hundred dollars; and for any subsequent offence—two hundred dollars.

APPENDIX "A"
THE TABLE PART 1.
TYPE and CLASS of RIGID AND ARTICULATED VEHICLES
LICENSED UNDER THE TRAFFIC ACT, 1919-1965.
TRAFFIC (LICENSING AUTHORITIES) REGULATIONS, 1965, AS OF CLASS A.

CLASS	TYPE OF VEHICLE
A	
B	
B ^A	
C	
D	
E	
F	
G	
G ^A	
I	
J	
K	
L	
M	
M ^A	

- NOTES: (see subregulation (3) of regulation 4 of these regulations):
- (1) No single tyre to carry more than 5,000 lb.
 - (2) No axle with two tyres to carry more than 10,000 lb.
 - (3) No axle load to exceed more than 18,000 lb.
 - (4) No tandem axle group with single wheels to carry more than 20,000 lb; or 10,000 lb. on any one axle of the group.
 - (5) No tandem axle group with dual wheels to carry more than 29,000 lb; or 18,000 lb. on any one axle of the group.
 - (6) Where group of three axles shown read two or more axles.
 - (7) All loadings subject to any regulation restricting weights on tyres and rims.

Appendix "A" substituted by G.G. 22/9/69, p. 2870-1.

APPENDIX "A"											
THE TABLE, PART 2.											
PERMISSIBLE GROSS LOADS FOR RIGID AND ARTICULATED VEHICLES LICENSED AS OF CLASS "A" MOTOR VEHICLES:											
Distance Between Extreme Axles		Gross Weight of Vehicle Including Load									
		2 Axles		3 Axles		4 Axles		5 Axles		6 Axles	
Exceed	Not exceed	T	Cwt	T	Cwt	T	Cwt	T	Cwt	T	Cwt
40'	8'	13	0								
	8'	15	9	17	14						
	9'	15	16	18	1						
	10'	16	0	18	7						
	11'			18	14	20	19				
	12'			19	0	21	5				
	13'			19	7	21	11				
	14'			19	13	21	17				
	15'			20	0	22	3	24	10		
	16'			20	6	22	9	24	15		
	17'			20	13	22	15	25	1		
	18'			20	19	23	1	25	6		
	19'			21	6	23	7	25	12		
	20'			21	12	23	13	25	17	27	17
	21'			21	19	23	19	26	3	28	3
	22'			22	5	24	5	26	8	28	8
	23'			22	12	24	11	26	14	28	13
	24'			22	18	24	17	26	19	28	18
	25'			23	5	25	3	27	5	29	3
	26'					25	9	27	10	29	8
	27'					25	15	27	16	29	13
	28'					26	1	28	1	29	18
	29'					26	7	28	7	30	3
	30'					26	13	28	12	30	8
	31'					26	19	28	18	30	13
	32'					27	5	29	3	30	18
	33'					27	11	29	9	31	3
	34'					27	17	29	14	31	8
	35'					28	3	30	0	31	13
	36'					28	9	30	5	31	18
	37'					28	15	30	11	32	3
	38'					29	1	30	16	32	8
	39'					29	7	31	2	32	13
	40'					29	13	31	7	32	18
	41'					29	19	31	13	33	3
	42'					30	5	31	18	33	8
	43'							32	4	33	13
	44'							32	9	33	18
	45'							32	15	34	3
	46'							33	0	34	8

APPENDIX "B"
BASIS FOR ASCERTAINING WEIGHT OF LOAD
BY MEASUREMENT

Appendix B.
Amended by
G.G.
16/12/63,
p. 3875;
G.G. 15/5/67,
p. 1264.

Produce			
Bananas	....	22 standard cases	= 1 ton
Barley	....	15 bags of 3 bushels	= 1 ton
Bran	....	20 standard bags	= 1 ton
Butter	....	40 boxes	= 1 ton
Chaff	....	24 standard bags	= 1 ton
Flour	....	15 bags of 150 lb. each	= 1 ton
		45 bags of 50 lb. each	= 1 ton
Fruit	....	40 one-bushel cases	= 1 ton
Hay (in sheaves)	....	300 c. ft.	= 1 ton
Hay (pressed)	....	135 c. ft.	= 1 ton
Milk and other liquids and cream	....	224 gallons	= 1 ton
Oats	....	18 bags of 3 bushels	= 1 ton
Onions	....	12 bags of 180 lb. each	= 1 ton
Pollard	....	20 standard bags	= 1 ton
Potatoes	....	15 bags of 140 lb. each	= 1 ton
Straw (loose)	....	450 c. ft.	= 1 ton
Straw (pressed)	....	200 c. ft.	= 1 ton
Wheat	....	12 bags of 3 bushels	= 1 ton
Wheat (in bulk)	....	48 c. ft.	= 1 ton
Wool (unwashed)	....	7 bales	= 1 ton
Wool (washed)	....	10 bales	= 1 ton
Road Metal and Materials, Stone, etc.			
Bitumen	....	5½ drums	= 1 ton
Bitumen emulsion (when carried in drums of 16 gauge (light) metal each of capacity 44 gal- lons (7.1/25 c. ft.))	....	6 drums when full	= 1.3 tons
Bricks—			
Pressed—250 dry or 235 wet	....		= 1 ton
Wire cuts—285 dry or 265 wet	....		= 1 ton
Sand lime—320 dry or 300 wet	....		= 1 ton
Tapestry—330 dry or 300 wet	....		= 1 ton
Light Weight insulation—440 dry or 405 wet	....		= 1 ton
Cement and sand—300 dry or 280 wet	....		= 1 ton
Cement	....	24 jute bags	= 1 ton
		24 paper bags	= 1 ton
Crushed granite or diorite	....	23 c. ft.	= 1 ton
Crushed quartzite	....	24 c. ft.	= 1 ton
Crushed slag	....	18 c. ft.	= 1 ton
Earth and sand	....	25 c. ft.	= 1 ton
Gravel	....	20 c. ft.	= 1 ton
Iron in all forms	....	4½ c. ft.	= 1 ton
Lime	....	18 bags	= 1 ton
Limestone (building)	....	32 c. ft.	= 1 ton
Spalls, granite or diorite	....	20 c. ft.	= 1 ton
Spalls, quartzite	....	21 c. ft.	= 1 ton
Spalls, gravel lumps, laterite or ironstone	....	27 c. ft.	= 1 ton
Spalls, limestone	....	29 c. ft.	= 1 ton
Fencing posts, split	....	35 c. ft.	= 1 ton
Firewood, jarrah, split, 6 ft. lengths	....	80 c. ft.	= 1 ton
Firewood, jarrah, 3 to 6 ft. lengths (branch timber)	....	95 c. ft.	= 1 ton
Firewood, jarrah, blocks (mill waste)	....	70 c. ft.	= 1 ton
Firewood, banksia, 6 ft. lengths	....	100 c. ft.	= 1 ton
Jarrah and karri (sawn) fitches and bauks	....	30 c. ft.	= 1 ton
Jarrah scantling	....	35 c. ft.	= 1 ton
Jarrah flooring	....	40 c. ft.	= 1 ton
Lining boards, Baltic, white, any thickness	....	85 c. ft.	= 1 ton

Appendix "B"—continued

BASIS FOR ASCERTAINING WEIGHT OF LOAD

BY MEASUREMENT—continued

Road Metal and Materials, Stone, etc.—continued

Lining Boards, Baltic, red, any thickness	80 c. ft.		= 1 ton
Oregon (sawn)	60 c. ft.		= 1 ton
Piles, logs and telegraph or electric light poles—rough—30 c. ft. = 1 ton; 50 c. ft.			= 33 cwt.
Piles, logs and telegraph or electric light poles—square, sawn or hewn—30 c. ft.			= 1 ton
Sandalwood and sandalwood pieces—110 c. ft. or 27 bags of 3 bushels			= 1 ton
Scaffold poles	40 c. ft.		= 1 ton
Sleepers, jarrah	30 c. ft.		= 1 ton
Sleepers, wandoo	28 c. ft.		= 1 ton

Miscellaneous

Beer—			
½ hogsheads	5.7		= 1 ton
Kilderkins :			
18 gallons (wood)	8.2		= 1 ton
18 gallons (steel)	9.1		= 1 ton
10 gallons (wood)	14		= 1 ton
10 gallons (steel)	15.5		= 1 ton
5 gallons (wood)	26.1		= 1 ton
Cases :			
4 dozen packed (wood)	11.9		= 1 ton
5 dozen without lids (wood)	10.1		= 1 ton
5 dozen with lids (wood)	9.9		= 1 ton
5 dozen (iron)	10.3		= 1 ton
Dieseline—diesel fuel (when carried in drums, 16 gauge (light) metal each of capacity 44 gallons (7.1/25 c. ft.))	6 drums, when full		= 1.1 tons
Fuel oils	250 gallons		= 1 ton
Gypsum	40 c. ft.		= 1 ton
Kerosene	280 gallons		= 1 ton
Lubricating oils	250 gallons		= 1 ton
Lubricating oil—(when carried in drums of 16 gauge (light) metal each of capacity of 44 gallons (7.1/25 c. ft.))	6 drums, when full		= 1.2 tons
Manures (Artificial)—Superphosphate	12 bags		= 1 ton
Manures (Artificial)—Potato	14 bags		= 1 ton
Merchandise (not otherwise enumerated)	50 c. ft.		= 1 ton
Motor spirit and petrol	320 gallons		= 1 ton
Motor spirit—aviation gasoline, lighting kerosene, white spirit, mineral turpentine (when carried in drums of 14 gauge (heavy) metal each of capacity 44 gallons (7.1/25 c. ft.))	6 drums, when full		= 1.1 tons
Motor spirit—lighting kerosene, white spirit, mineral turpentine, power kerosene (when carried in drums of 16 gauge (Light) metal each of capacity 44 gallons (7.1/25 c. ft.))	6 drums, when full		= 1 ton
Power kerosene—(when carried in drums of 14 gauge (heavy) metal each of capacity 44 gallons (7½ c. ft.))	6 drums, when full		= 1.2 tons
Tiles—Cement	358		= 1 ton
Tiles—Terracotta	320		= 1 ton

Crown Law Department,
Perth, 22nd June, 1970.

THE undermentioned Regulations made under the provisions of the Traffic Act, 1919, and amended from time to time up to and including the 27th January, 1970, are reprinted as so amended pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister for Justice.

W. J. ROBINSON,
Under Secretary for Law.

TRAFFIC ACT, 1919.

BREATH ANALYSIS REGULATIONS, 1966.

Published in the *Government Gazette* on the 26th September, 1966, and incorporating the amendments thereto published in the *Government Gazette* on the 3rd March, 1967, and the 28th May, 1969; and reprinted pursuant to the Reprinting of Regulations Act, 1954.

Reprinted pursuant to the Reprinting of Regulations Act, 1954 by authority of the Minister for Justice, dated 19th June, 1970.

TRAFFIC ACT, 1919.

BREATH ANALYSIS REGULATIONS, 1966.

- Citation. 1. These regulations may be cited as the Breath Analysis Regulations, 1966.
- Reg. 2. Interpretation. Amended by G.G. 28/5/69, p. 1553. 2. In these regulations, unless the context requires otherwise,—
 “Act” means the Traffic Act, 1919, as amended;
 “Form” means one of the forms set out in the Third Schedule;
 “member of the Police Force” includes an inspector appointed under the Act;
 “Schedule” means a Schedule to these regulations;
 “standard alcohol solution” means an alcohol solution supplied by the Director of the Government Chemical Laboratories for the testing of breath analysing equipment;
 “subject” means a person required, or electing, to submit himself for analysis of his breath, pursuant to section 32B of the Act.
- Application. 3. These regulations apply whenever a breath sample is taken for analysis for the purposes of the Act.
- Supply and custody of standard alcohol solution. 4. (1) The Director of the Government Chemical Laboratories shall cause a quantity of standard alcohol solution to be supplied, as the occasion may require, in an identifiable container, to each authorised person, personally.
 (2) An authorised person shall, at all times, keep the standard alcohol solution supplied to him pursuant to subregulation (1) of this regulation in a sealed container or containers and shall use none other than that so supplied to him.
- Certificates to be carried. 5. (1) Every authorised person shall carry with him the certificate of the Director of the Government Chemical Laboratories of his qualifications, and carry with any breath analysing equipment to be used by him the Minister's approval of its use, given under section 32D of the Act.
 (2) The certificate of the Director of the Government Chemical Laboratories shall be in accordance with Form 1.
- Reg. 6. Procedure prior to analysis. Amended by G.G. 28/5/69, p. 1553. 6. (1) The member of the Police Force requiring the analysis of a person's breath shall present that person, as the subject, to the authorised person attending for that purpose.
 (2) The authorised person shall, in the presence of the subject, ascertain from the member of the Police Force requiring the analysis the time of the occurrence giving rise to the requirement and shall record that time and the time of his attendance, together with any comment made by the subject.
 (3) The authorised person shall—
 (a) inform the subject—
 (i) that he (the authorised person) is a person authorised to operate breath analysing equipment; and
 (ii) that the breath analysing equipment then produced is apparatus approved by the Minister, under the Act, for the purpose of ascertaining the percentage of alcohol in a person's blood by analysis of his breath; and shall, if required by the subject, exhibit to him the certificate and approval establishing those facts; and

(b) inquire of the subject the time at which the subject consumed his latest drink containing alcohol; and shall record every comment or answer made by the subject.

7. Where a subject—

- (a) refuses to submit himself for analysis of his breath;
- (b) having submitted himself, refuses to co-operate in the analysis of his breath; or
- (c) appears to the authorised person to be incapable of submitting himself for, or of co-operating in, the analysis of his breath,

Behaviour of subject.

the authorised person shall not proceed with, or (as the case may require) shall discontinue, the analysis and shall record the reason for his action in that regard.

8. Every analysis of a person's breath shall be conducted in the manner prescribed by the instructions set out in the First Schedule.

Conduct of analysis.

9. For the purpose of ensuring that breath analysing equipment has given an accurate result, the authorised person operating it shall test the equipment, immediately after the result has been obtained, by obtaining a second result from the operation of the equipment in the manner prescribed by the instructions set out in the First Schedule using the standard alcohol solution and by comparing the second result with the range, set out in the Temperature-Concentration Table in the Second Schedule, that is applicable to the temperature of the solution at the time of the test and into which range the second result should, if the equipment is giving accurate results, fall.

Testing breath analysing equipment.

10. In order to calculate the percentage of alcohol that was present in the blood of a person at the time of the occurrence of an event prior to the taking of a sample of the person's breath, the authorised person shall apply the principle that the concentration of alcohol in the blood of a person increases at the rate of 0.016 per centum, per hour, for a period of two hours after his latest drink containing alcohol, and, after that period, the concentration decreases at the rate of 0.016 per centum, per hour, to such of the following factors as are known to him, namely—

Calculating percentage of alcohol in a person's blood at a time prior to breath sampling.

- (a) the interval between the time when the latest drink was consumed by the person and the time of the occurrence of the event; and
- (b) the interval between the time of the occurrence of the event and the time of the taking of the breath sample.

11. (1) After completing the analysis of a person's breath, the authorised person shall complete, sign and hand to the member of the Police Force requiring the analysis a statement in accordance with Form 2.

Record of results.

(2) A member of the Police Force receiving a statement pursuant to subregulation (1) of this regulation shall indorse it with the date and time of its receipt and add his signature to the indorsement.

FIRST SCHEDULE.

Regs 8 and 9.

Instructions for Operating Breath Analysing Equipment.

1. Connect the EQUIPMENT to power.
2. Turn on the ON-OFF SWITCH and allow the instrument to warm up until the SAMPLE CHAMBER THERMOMETER reads 45-55°C. (*This should require about 20 minutes. This time has intentionally been kept long to ensure even heating of the sample chamber. Do not use the instrument until*

Item.

it is thoroughly warmed up or sticking of the piston in the sample chamber will result, due to condensation of moisture from the breath. If this occurs the piston can be freed by flushing out with air after it is properly warmed up. No damage results, but the test will be lost.)

3. Record in your notebook the time that the instrument was switched on.
4. Centre the pointer of the NULL METER on the line by turning the top of the meter (*this is seldom necessary unless the meter has been moved*).
5. Take two ampoules and test them in the gauge. (*The diameter of the small end of the gauge is .625" and of the large end is .650" If the ampoule goes into the large end easily but will not go in the small end, it is correct.*) Read the bottom of the meniscus while the ampoule is in the large end of the gauge. If the bottom of the meniscus is not on, or slightly above, the edge of the gauge or if either ampoule is not of the correct size, discard it and test another in the same way until two correct ones are obtained.
6. Wipe one of the tested ampoules free of finger marks and place it in the LEFT HAND HOLDER (*comparison ampoule*), with the batch number to the front of the instrument.
7. Break the top from the second ampoule. (*Hold in a cloth for safety.*)
8. Insert the narrow end of a glass BUBBLER in the solution in the open ampoule so that it extends to within $\frac{1}{8}$ " of the bottom of the ampoule, but does not touch the bottom (*if it touches the bottom, the flow might be restricted. There should be space around the bubbler at the neck of the ampoule so that the air can vent freely*).
9. Wipe the open ampoule free of finger marks and place it in the RIGHT HOLDER, with the batch number to the front.
10. Insert the wide end of the glass BUBBLER in the end of the rubber sleeve on the end of the DELIVERY TUBE.
11. Turn the CONTROL KNOB to the TAKE position.
12. Connect the ATOMISER BULB to the SAMPLE TUBE.
13. Pump the ATOMISER BULB, until the green FULL INDICATOR LAMP is alight (*showing that the sample chamber is full*) and then pump 6 more times.
14. Remove the ATOMISER BULB from the SAMPLE TUBE.
15. Turn the CONTROL KNOB to ANALYSE and wait for the red EMPTY SIGNAL LIGHT to come on (*at which stage the bubbling noise will cease*).
16. Turn the CONTROL KNOB to OFF.
17. Wait for about a minute and a half. (*This time is not critical. Fifteen seconds less or a minute or so more makes no difference.*)
18. Pull back on the LIGHT SWITCH and adjust the LIGHT BALANCE KNOB until the pointer of the NULL METER is centred on the line. If the blood alcohol percentage pointer moves off its scale change the position of this pointer by pulling back and turning the POINTER ADJUSTMENT KNOB.
19. Release the LIGHT SWITCH.

Item.

20. Pull back the POINTER ADJUSTMENT KNOB and turn it to place the head of the POINTER over the INK PAD and release the KNOB.
21. Place a PAPER SCALE on the BLOOD ALCOHOL SCALE.
22. Press the POINTER on to the INK PAD and release.
23. Pull back the POINTER ADJUSTMENT KNOB and turn it to place the pointer over the scale, and release the KNOB.
24. Press BUTTON to raise the STOP PIN.
25. Pull back on the POINTER ADJUSTMENT KNOB and set the pointer accurately on the start line of the scale, touching the STOP PIN, and release the KNOB.
26. Release BUTTON.
27. Press the head of SCALE POINTER on to the paper scale to print the starting point and release.
28. Take a spare mouthpiece and show the subject what you want him to do by yourself blowing into the mouthpiece (*not attached to the instrument*). Show him that he should blow as hard and as long as possible. (*Taking a deep breath will do no harm, but will make the blowing period longer. He should blow vigorously as long as possible, but he need not completely empty his lungs*).
29. Insert an unused mouthpiece in the SAMPLE TUBE. (*The tube is kept inside the heated chamber to prevent condensation*).
30. Turn the CONTROL KNOB to TAKE.
31. Pull out the SAMPLE TUBE and have the subject blow as hard and as long as possible—not less than 10 seconds—even after the green FULL SIGNAL LIGHT comes on. If the sample is unsatisfactory have him blow again. (*Irrespective of how long he blows, only the predetermined amount of breath is retained in the sample chamber*).
32. Remove the MOUTHPIECE from the SAMPLE TUBE.
33. Record in your notebook the time at which the sample was taken.
34. Turn the CONTROL KNOB to ANALYSE and wait for the red EMPTY SIGNAL LIGHT to come on (*at which stage the bubbling noise will cease*).
35. Wait for about a minute and a half. (*This time is not critical. Fifteen seconds less or a minute or so more makes no difference*).
36. Turn the CONTROL KNOB to OFF.
37. Pull back on the LIGHT SWITCH and again adjust the LIGHT BALANCE KNOB, until the pointer of the NULL METER is centred on the line.
38. Release the LIGHT SWITCH.
39. Record in your notebook the percentage of alcohol in the blood of the subject shown by the position of the pointer on the scale.
40. Press down on the head of the POINTER to print the arrow on the paper scale, and release.
41. Proceed at once to check the accuracy of the instrument with the standard solution of alcohol by the procedures that follow.

Item.

42. If the percentage of alcohol in the blood of the subject, as shown on the PAPER SCALE, is less than 0.25 per cent. and the temperature is less than 25°C proceed with items 44 to 77, inclusive.
43. If the percentage of alcohol in the blood of the subject, as shown on the PAPER SCALE, is—
 - (a) less than 0.25 per cent. and the temperature is more than 25°C; or
 - (b) more than 0.25 per cent.,then proceed with items 68 to 71 and 78 to 86, inclusive.
44. Turn the CONTROL KNOB to TAKE.
45. Attach the ATOMISER BULB to the SAMPLE TUBE.
46. Pump with the ATOMISER BULB till the green FULL INDICATOR LAMP is alight and then pump 6 more times (*to flush out the sample chamber*).
47. Remove the ATOMISER BULB from the SAMPLE TUBE and attach it to the inlet tube of the EQUILIBRATOR.
48. Turn the CONTROL KNOB to ANALYSE and wait for the EMPTY LIGHT SIGNAL to come on (*at which stage the bubbling noise will cease*).
49. Wait for about a minute and a half. (*This time is not critical. Fifteen seconds less or a minute or so more makes no difference*).
50. Turn the CONTROL KNOB to OFF.
51. Pull back on the LIGHT SWITCH and again adjust the LIGHT BALANCE KNOB until the pointer of the NULL METER is centred on the line.
52. Release the LIGHT SWITCH.
53. Read the pointer on the blood alcohol scale and record this in your notebook.
54. Press down on the head of the POINTER to print the arrow on the paper scale, and release. (*This will normally coincide with the position obtained for the blood alcohol content of the subject, under item 40*).
55. Turn the CONTROL KNOB to TAKE.
56. Attach the outlet of EQUILIBRATOR to the SAMPLE TUBE.
57. Read the TEMPERATURE on the thermometer in EQUILIBRATOR and record it in your notebook.
58. Pump the atomiser bulb until the green FULL INDICATOR LAMP is alight and then pump 6 more times.
59. Read the TEMPERATURE on the thermometer in the EQUILIBRATOR and record it in your notebook.
60. Remove the outlet tube of the EQUILIBRATOR from the SAMPLE TUBE.
61. Turn the CONTROL KNOB to ANALYSE and wait for the red EMPTY SIGNAL LIGHT to come on (*at which stage the bubbling noise will cease*).
62. Wait for about a minute and a half. (*This time is not critical. Fifteen seconds less or a minute or so more makes no difference.*)
63. Pull back on the LIGHT SWITCH and adjust the LIGHT BALANCE KNOB until the pointer of the NULL METER is centred on the line.
64. Release LIGHT SWITCH.

Item.

65. Turn CONTROL KNOB to OFF.
66. Read the POINTER on the BLOOD ALCOHOL SCALE and record this in your notebook.
67. Press down on the head of the pointer to print the arrow on the paper scale, and release. (*The difference between this reading and the previous reading obtained and recorded under items 53 and 54 is the check of the instrument*).
68. Pull back the POINTER ADJUSTMENT KNOB and turn it to place the head of the POINTER over the INK PAD and release the KNOB.
69. Remove the test PAPER SCALE from the blood alcohol scale of the instrument.
70. Mark the test PAPER SCALE so as to indicate which of the readings are those of the subject, fill in the name of the subject, the date and the time the test sample of breath was taken and sign it.
71. Check the recordings on the test PAPER SCALE against those in your notebook.
72. Hand the test PAPER SCALE to the subject or his representative.
73. If the two temperatures read under items 57 and 59 are different calculate the average and use this to determine from the Temperature-Concentration Table what the instrument reading should be.
74. Calculate the difference in the readings obtained under items 53 and 54 and under items 66 and 67. (*If this is within the acceptable limits given in the Temperature-Concentration Table the instrument is satisfactory*).
75. Calculate the percentage of alcohol in the blood of the subject at the time of the occurrence that gave rise to the test according to regulation 10 of these regulations.
76. Disconnect the BUBBLER from the rubber sleeve on the DELIVERY TUBE.
77. Remove the open test ampoule and bubbler from the RIGHT HOLDER and discard them. (*Caution—the liquid is corrosive*).
78. Proceed with items 11 to 27, inclusive.
79. Attach the atomiser bulb to the inlet of the EQUILIBRATOR.
80. Proceed with items 55 to 66, inclusive.
81. Press down on the head of the pointer to print the arrow on the paper scale and release. (*This is the check test reading*).
82. Pull back the POINTER ADJUSTMENT KNOB and turn it to place the head of the POINTER over the INK PAD and release the KNOB.
83. Remove the PAPER SCALE from the blood alcohol scale of the instrument, fill in the name of the subject, the date and time of the check test and sign it.
84. Check the recording on the paper scale against that in your notebook.
85. If the two temperatures read under items 57 and 59 are different calculate the average and use this to determine from the Temperature-Concentration Table what the instrument reading should be. (*If the instrument reading obtained in items 66 and 81 is within the limits given in the Temperature-Concentration Table the instrument is satisfactory*).
86. Proceed with items 72 and 76 to 77, inclusive.

Second
Schedule.
Amended by
G.G. 3/3/67,
p. 615

SECOND SCHEDULE.

Temperature-Concentration Table.

Reg. 9.

Temperature °C.	Scale Reading should be— %	Acceptable limits:	
		Minimum. %	Maximum. %
10	0.050	0.045	0.055
10.5	0.052	0.047	0.057
11	0.054	0.049	0.059
11.5	0.056	0.050	0.062
12	0.058	0.052	0.064
12.5	0.060	0.054	0.066
13	0.063	0.057	0.069
13.5	0.066	0.059	0.073
14	0.068	0.061	0.075
14.5	0.071	0.064	0.078
15	0.074	0.067	0.081
15.5	0.077	0.069	0.085
16	0.080	0.072	0.088
16.5	0.083	0.075	0.091
17	0.086	0.077	0.095
17.5	0.089	0.080	0.098
18	0.093	0.084	0.102
18.5	0.097	0.087	0.107
19	0.100	0.090	0.110
19.5	0.104	0.094	0.114
20	0.107	0.096	0.118
20.5	0.111	0.100	0.122
21	0.115	0.104	0.126
21.5	0.119	0.107	0.131
22	0.123	0.111	0.135
22.5	0.127	0.114	0.140
23	0.132	0.119	0.145
23.5	0.136	0.122	0.150
24	0.141	0.127	0.155
24.5	0.145	0.130	0.160
25	0.150	0.135	0.165
25.5	0.155	0.140	0.170
26	0.161	0.145	0.177
26.5	0.167	0.150	0.184
27	0.173	0.156	0.190
27.5	0.179	0.161	0.197
28	0.186	0.167	0.205
28.5	0.193	0.174	0.213
29	0.200	0.180	0.220
29.5	0.207	0.186	0.228
30	0.214	0.193	0.235
30.5	0.221	0.199	0.243
31	0.228	0.205	0.251
31.5	0.235	0.212	0.258
32	0.242	0.218	0.266
32.5	0.249	0.224	0.274
33	0.257	0.231	0.283
33.5	0.265	0.238	0.292
34	0.273	0.246	0.300
34.5	0.281	0.253	0.309
35	0.289	0.260	0.318
35.5	0.298	0.268	0.328
36	0.307	0.276	0.338
36.5	0.316	0.284	0.348
37	0.325	0.292	0.358
37.5	0.335	0.301	0.368
38	0.345	0.310	0.380
38.5	0.356	0.320	0.392
39	0.367	0.330	0.404
39.5	0.378	0.340	0.416
40	0.389	0.350	0.428

THIRD SCHEDULE.

Forms.

Form 1.

Western Australia.

TRAFFIC ACT, 1919.

Reg. 5.

I,
the Director of the Government Chemical Laboratories, pursuant
to the power conferred on me by subsection (3) of section 32D of
the Traffic Act, 1919, HEREBY CERTIFY that
..... is competent to
operate breath analysing equipment.

Dated at Perth this day of 19.....

.....
Director of the Government
Chemical Laboratories.

Form 2.

Western Australia.

TRAFFIC ACT, 1919.

Reg. 12.

I,
a person certified as competent to operate breath analysing equip-
ment, state that:

1. At the hour of m. on the
..... day of 19... ..,
I analysed the breath of
..... of
in accordance with the Breath Analysis Regulations, 1966, using
breath analysing equipment serially numbered

2. The analysis showed that concentration of alcohol in
the blood of the abovenamed was per
centum, at that time.

3. From the foregoing and from the information—

(a) that the occurrence giving rise to the requirement
of the analysis was, (as I was informed by
.....) at
m. on the day of,
19.....; and

(b) that the time of the latest drink containing alcohol
consumed by the subject was (as I was informed by
.....), at
m. on the day of,
19.....,

I have calculated that the concentration of alcohol in the blood
of the said
would have been per centum at
m. on 19.....

.....
Authorised Person.

Crown Law Department,
Perth, 22nd June, 1970.

THE undermentioned Regulations made under the provisions of the Traffic Act, 1919, and amended from time to time up to and including the 27th January, 1970, are reprinted as so amended pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister for Justice.

W. J. ROBINSON,
Under Secretary for Law.

TRAFFIC ACT, 1919.

**BLOOD SAMPLING AND ANALYSIS
REGULATIONS, 1966.**

Published in the *Government Gazette* on the 26th September, 1966, and incorporating the amendments thereto published in the *Government Gazette* on the 6th September, 1967, and the 28th May, 1969; and reprinted pursuant to the Reprinting of Regulations Act, 1954.

Reprinted pursuant to the Reprinting of Regulations Act, 1954 by authority of the Minister for Justice, dated 19th June, 1970.

TRAFFIC ACT, 1919.

**BLOOD SAMPLING AND ANALYSIS
REGULATIONS, 1966.**

1. These regulations may be cited as the Blood Sampling and Analysis Regulations, 1966. Citation.
2. In these regulations unless the context otherwise requires—
 - “Act” means the Traffic Act, 1919, as amended; Reg. 2.
Interpre-
tation.
 - “analyst” has the same meaning as the term “properly qualified analyst” has in, and for the purposes of, the Act; Amended by
G.G. 28/5/69,
p. 1553.
 - “Form” means one of the forms set out in the Schedule to these regulations;
 - “member of the Police Force” includes inspector appointed under the Traffic Act, 1919;
 - “regulation” means one of these regulations;
 - “subject” means a person required, or electing, to submit himself and allow a sample of his blood to be taken or from whom a sample of blood is caused to be taken, for analysis for alcohol, pursuant to section 32B of the Act.
3. These regulations apply whenever a blood sample is taken for the purposes of the Act. Application.
4. A blood sample taken in pursuance of these regulations shall be taken by means of equipment (in these regulations called “the sampling equipment”) provided for that purpose by the Public Health Department of Western Australia and by no other means. Sampling.
5. The sampling equipment shall comprise— Sampling
equipment.
 - (a) a dry syringe, sterilised by autoclaving, boiling or dry sterilising;
 - (b) two sterile bottles, each numbered with the serial number of the package mentioned in paragraph (c) of regulation 6 and containing approximately 25 milligrams of potassium oxalate and approximately 10 milligrams of sodium fluoride and closed with a cork, stopper, plug or cap and rubber disc;
 - (c) one bottle or other receptacle containing a quantity of mercury bichloride solution, 1 : 1,000; and
 - (d) two swabs of cotton wool.
6. The sampling equipment shall be prepared by a technologist of the Public Health Department who shall— Preparation
of sampling
equipment.
 - (a) indicate the latest date at which the equipment may be used, having regard to the continuance of its sterility;
 - (b) complete and sign a certificate in the form of Form A; and
 - (c) seal the equipment in a serially numbered package by signing his name over the sealed portion or flap of the package.
7. A certificate issued under regulation 6, if admitted in evidence, is *prima facie* evidence of the matters stated with regard to the sampling equipment to which it relates; and evidence that a package containing sampling equipment was sealed in conformity Evidence as
to sampling
equipment.

with that regulation and intact is, unless the indicated expiry date has passed, *prima facie* evidence that the equipment contained in the package was, when the package was opened, in the same condition as that in which it was when prepared.

Method of sampling.

8. (1) A blood sample shall be taken by a medical practitioner by veni-puncture, with the syringe provided in the sampling equipment and no other.

(2) The medical practitioner shall—

- (a) examine the package containing the 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 sampling equipment contained in a package that is not sealed and intact or in respect of which the indicated expiry date has passed;
- (c) cleanse the proposed site of the veni-puncture by means of the mercury bichloride solution and cottonwool contained in the sampling equipment and by no other means;
- (d) withdraw as much as possible up to 15 millilitres of blood;
- (e) discharge approximately one-half of the blood withdrawn into one of the two bottles supplied in the sampling equipment and the balance of the blood into the second of those bottles;
- (f) securely close each bottle by means of the cork, stopper or plug supplied, or, where the bottle is sealed by a cap and rubber disc seal, by withdrawing the syringe needle from the rubber disc seal; and
- (g) shake each bottle thoroughly and in so doing invert it at least thirty times, to mix the contents.

Certification of blood samples.

9. (1) Upon a blood sample being taken and dealt with in accordance with the provisions of regulation 8—

- (a) the medical practitioner shall complete and sign Part I; and
- (b) a member of the Police Force who was present when the sample was taken shall complete and sign Part II,

of two copies of Form B.

(2) Upon the completion of two copies of Form B, each of the bottles containing a portion of the blood sample shall be sealed in a separate package (the cover of which comprises that form) by the medical practitioner and the member of the Police Force in this regulation mentioned, each signing his name over the sealed portion or flap of the package.

(3) Evidence that a package containing a portion of a blood sample was sealed in conformity with this regulation and intact is *prima facie* evidence that the contents were, when the package was opened, in the same condition, for the purposes of these regulations, as when the package was sealed.

Disposal of blood samples.

10. (1) When a blood sample has been dealt with in accordance with regulation 9, a member of the Police Force shall cause one of the packages referred to in that regulation to be delivered, as soon as may be practicable, to an analyst at the Government Chemical Laboratories.

(2) The second of the packages referred to in regulation 9 shall—

- (a) where the subject is not in custody and is capable of receiving it, be handed to the subject; or
- (b) where the subject is held in custody or is not capable of receiving it, be handed to some person acting in his behalf or, failing that, be kept in a cool, safe place, until such time as it can be handed to the subject, on his release from custody or, if he is not in custody, on his being capable of receiving it.

11. The analytical method by which blood samples shall be analysed for alcohol by an analyst is—

- (a) by ascertaining the change in concentration of a solution of a dichromate; or
- (b) by gas chromatography.

Analytical method.
Reg. 11.
Amended by G.G. 6/9/67, p. 2214.

12. (1) The analyst shall be guided in his assessment of the percentage of alcohol in the blood of a subject, at a time prior to the taking of the blood sample, by the factors set out in subregulation (2) of this regulation and he shall apply such of those factors as are known to him in making his finding of the percentage of alcohol present in the blood of a suspected person at the time in question.

Method of assessing percentages of alcohol in blood, at a time prior to sampling.

(2) The factors referred to in subregulation (1) of this regulation are—

- (a) the time that the subject consumed his last drink containing alcohol;
- (b) that the variation of concentration of alcohol in the blood is to increase at the rate of 0.016 per centum per hour for the period of two hours after the last drink containing alcohol was consumed by the subject, and after that period of two hours the variation of concentration of alcohol in the blood is to decrease at the rate of 0.016 per centum per hour; and
- (c) the time that elapsed between the time of the occurrence of the event giving rise to the requirement and the time that the blood sample was taken by a medical practitioner.

13. When the analyst at the Government Chemical Laboratories has made his analysis, assessment, and finding, in relation to a blood sample, in accordance with these regulations, he shall give his certificate in the form of Form C and cause the form together with the Form B that was delivered to him in accordance with the provisions of subregulation (1) of regulation 10 of these regulations to be delivered to the Commissioner of Police or to the shire clerk or town clerk of the local authority concerned, as the case may require.

Certificate of analyst.

14. (1) The fees prescribed for the attendance of a medical practitioner for the purposes of these regulations are—

- (a) on any public holiday, or a Sunday or at any time between 1 p.m. and midnight on a Saturday, or during the period between 8 p.m. and 8 a.m. commencing on any day—\$7; and
- (b) at any other time—\$5.

Fees payable to medical practitioners and analysts.

(2) The fee for an analysis of a blood sample for alcohol by an analyst at the Government Chemical Laboratories is \$5.

(3) The fees payable under subregulation (1) of this regulation shall be paid, as the case may require, by the Commissioner of Police or the local authority concerned to the medical practitioner.

(4) Where a person is convicted of an offence under section 32 of the Act and the payment of a fee provided by subregulation (1) or (2) of this regulation has been incurred for the purposes of section 32B of the Act, by reason of the occurrence of an event concomitant with the offence, the court convicting that person shall order him to pay the amount of the fee and that amount may, thereupon, be recovered as if it were a penalty imposed under the Act.

15. Where a sample of a person's blood is required to be taken, for the purposes of the Act, and that person is incapable of submitting himself and allowing the sample to be taken, the member of the Police Force requiring the sample shall make his request for it to be taken in writing, addressed to a medical practitioner, in accordance with Form D.

Request for taking of blood sample.

16. The Director of the Government Chemical Laboratories may certify by Form E that the person named in the form has the qualifications necessary for the determination of the amount of alcohol contained in bodily substances.

Certificate of qualification of analysts.

Schedule.
Amended by
G.G. 28/5/69,
p. 1554.

SCHEDULE.

Serial No.....

Western Australia.

TRAFFIC ACT, 1919.

Regulation 6: Blood Sampling and Analysis Regulations, 1966.

FORM A.

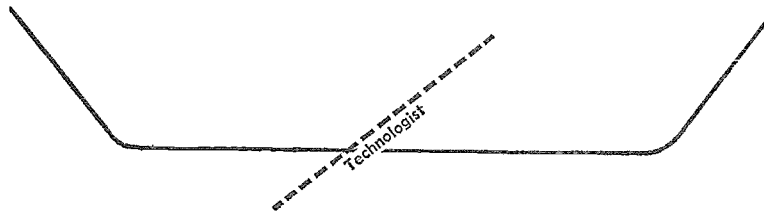
I of Laboratory Services, Public Health Department, Perth, in the State of Western Australia, Technologist, do hereby certify that the sampling equipment contained in package Serial No..... comprises the items set forth in regulation 5 of the Blood Sampling and Analysis Regulations, 1966, and that those items were prepared by me, are sterile and fit for the purpose of taking a blood sample.

The said equipment should not be used for blood sampling later than

Dated at Perth this day of 19.....

Signature.

(Reverse Side.)



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

Western Australia.

TRAFFIC ACT, 1919.

Regulation 9: Blood Sampling and Analysis Regulations, 1966.

FORM B.

Part I.

By Medical Practitioner:

I of a duly qualified medical practitioner hereby certify that:

1. At the hour of m. on the day of 19..... I took a sample of the blood of of portion of which sample is now contained in the enclosed bottle numbered.....

2. The equipment used for the purpose of taking that blood 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 taking the blood sample I complied with regulation 8 of the Blood Sampling and Analysis Regulations, 1966.

Signature and Qualifications.

(Reverse Side.)

Part II.

By a member of Police Force:

Name of subject

Doctor

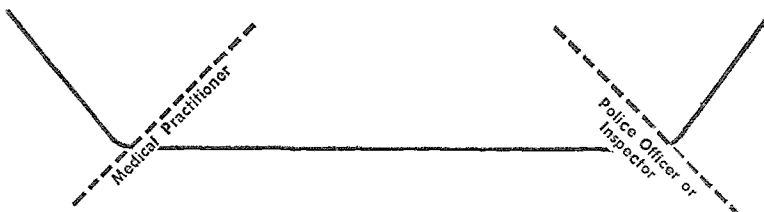
Time and date of taking blood sample m. on

Time of occurrence of event giving rise to requirement of blood sample: m. on the

Alleged time of last drink containing alcohol consumed by subject: m. on

.....

Signature*



Note: Open by cutting along this edge, leaving signatures intact.
 *Where signed by a member of the Police Force add rank and number.

Western Australia.

TRAFFIC ACT, 1919.

Regulation 13: Blood Sampling and Analysis Regulations, 1966.

FORM C.

I of the Government Chemical Laboratories, Perth, a properly qualified analyst within the meaning of section 32A of the Traffic Act, 1919 (as amended), hereby certify that:

1. On the day of 19..... I received a sealed package, comprising Form B of the Blood Sampling and Analysis Regulations, 1966, then intact from containing a sample of blood in a bottle numbered

2. The certificate (Form B) appearing on the cover of the said package was indorsed (inter alia) as follows:—
 Name of subject

Doctor

Time and date of taking blood sample

3. I have analysed that sample and have found it to contain per centum of alcohol.

4. From the information supplied, namely—
 Time and date of taking blood sample m. on

Time of occurrence of event giving rise to requirement of blood sample: m. on the

Alleged time of last drink containing alcohol consumed by subject: m. on

I have estimated, and my finding is, that the alcohol content of the blood of the said would have been per centum at m. on

Analyst.

Western Australia.

TRAFFIC ACT, 1919.

Regulation 15: Blood Sampling and Analysis Regulations, 1966.

FORM D.

To: ¹.....
at ².....

Acting pursuant to the provisions of section 32B(4) of the Traffic Act, 1919, as amended. I, the undersigned member of the Police Force/Inspector appointed under that Act*, hereby request you the said ¹..... to take a sample of the blood of ³..... presently at ⁴....., in accordance with the abovementioned regulations.

Dated at this day of 19.....

.....
Signature⁵

¹ Insert name of medical practitioner or the words Medical Superintendent, Medical Officer in Charge or Medical Registrar, as the case may require.

² Address or name of hospital, as the case may require.

³ Name of subject.

⁴ Place where subject is then to be found.

⁵ Where signed by a member of the Police Force add rank and number.

* Delete whichever is inapplicable.

Western Australia.

TRAFFIC ACT, 1919.

Regulation 16: Blood Sampling and Analysis Regulations, 1966.

FORM E.

I,, Director of the Government Chemical Laboratories, pursuant to the power conferred on me by subsection (3) of section 32D of the Traffic Act, 1919, as amended, hereby certify that of, has the qualifications necessary for the determination of the amount of alcohol contained in bodily substances.

.....
Director,
Government Chemical Laboratories.