



Government Gazette

OF

WESTERN AUSTRALIA

(Published by Authority at 3.45 p.m.)

No. 30

PERTH : THURSDAY, 24th MAY

[1979

Crown Law Department,
Perth, 21st May, 1979.

THE undermentioned Regulations made under the provisions of the Motor Vehicle Drivers Instructors Act, 1963, and amended from time to time up to and including the 30th June, 1978, are reprinted as so amended pursuant to the Reprinting of Regulations Act, 1954, by authority of the Attorney General.

R. M. CHRISTIE,
Under Secretary for Law.

MOTOR VEHICLE DRIVERS INSTRUCTORS ACT, 1963-1974.

MOTOR VEHICLE DRIVERS INSTRUCTORS REGULATIONS, 1964.

Published in the *Government Gazette* on the 10th March, 1964, and now reprinted incorporating all amendments thereto published in the *Government Gazette* on the 5th April, 1965; 5th September, 1968; 9th February, 1970; 28th June, 1973; 30th May, 1975; 9th July, 1976; 29th October, 1976 and the 30th June, 1978, pursuant to the Reprinting of Regulations Act, 1954.

Reprinted pursuant to the Reprinting of Regulations Act, 1954, by authority of the Attorney General, dated 21st May, 1979.

MOTOR VEHICLE DRIVERS INSTRUCTORS ACT, 1963-1974.

MOTOR VEHICLE DRIVERS INSTRUCTORS REGULATIONS, 1964.

1. These regulations may be cited as the Motor Vehicle Drivers Instructors Regulations, 1964.

2. In these regulations, "the Act" means the Motor Vehicle Drivers Instructors Act, 1963, and, 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.

3. Every application for a licence shall be made in the form of Form 1 in the schedule to these regulations.

4. A licence shall be in the form of Form 2 in the schedule to these regulations.

Substituted
by G.G.
9/7/76,
p. 2367.

5. (1) In any case where the Authority requires an applicant for, or the holder of, a licence to undergo a medical test, the licence shall not issue or, as the case may require, the licence is inoperative, until the applicant or holder produces the certificate of a legally qualified medical practitioner, nominated by the Authority certifying that, in the opinion of the medical practitioner, the applicant or holder is physically fit to act as a motor vehicle driving instructor.

Amended by
G.G. 30/5/75,
p. 1604.

(2) Every medical certificate obtained pursuant to this regulation shall—

- (a) be in a form required or supplied by the Authority; and
- (b) speak as to the visual acuity of the applicant for, or holder of, the licence.

6. The holder of a licence or permit shall, within three days after its expiration, suspension or cancellation, deliver up the licence or permit to the Authority.

Amended by
G.G. 30/5/75,
p. 1604.

7. Where, subsequent to the issue of the licence or permit, the holder changes his address, he shall notify the Authority of that fact, within seven days after the change.

Amended by
G.G. 30/5/75,
p. 1604.

8. The holder of a licence or permit shall produce it for inspection, at the request of a patrolman, officer of the Authority, Traffic Inspector or a person wishing to receive, or who has received, driving instructions from the holder.

Amended by
G.G. 30/5/75,
p. 1604;
G.G. 9/7/76,
p. 2367.

9. Where the Authority is satisfied that a licence or permit has been lost, mutilated, or destroyed, he may, on payment of the fee prescribed by these regulations, cause a replacement licence or permit to be issued; and the original licence or permit is, thereupon, of no force or effect.

Amended by
G.G. 30/5/75,
p. 1605.

10. Unless exempted by the Authority, every motor car, motor wagon and articulated vehicle provided by a driving instructor for the purposes of instruction shall be fitted with—

Substituted
by G.G.
29/10/76,
p. 4120.

- (a) duplicate controls that—
 - (i) are located directly in front of the seat beside the driver;
 - (ii) readily enable the instructor to control the vehicle by effectively braking the vehicle and either disengaging the transmission or switching off the ignition; and
- (b) an approved rear vision mirror fitted in a position approved by the Authority for use of the instructor.

Amended by
G.G. 30/5/75,
p. 1605.

11. An appeal against a decision of the Authority under section 10 of the Act, shall be made by way of complaint, under the Justices Act, 1902, and the grounds of appeal shall be annexed to the summons issued thereunder.

Amended by
G.G. 28/6/73,
p. 2451;
G.G. 9/7/76,
p. 2367.

12. (1) A certificate issued by The National Safety Council of Western Australia Incorporated or other prescribed body, for the purposes of section 6 of the Act, may be in the form of the certificate of competency ordinarily given by that body; but every certificate shall set out the class of vehicle in respect of which the certificate holder has been found competent to act as a driving instructor.

(2) For the purposes of the Act and of these regulations, the classes of motor vehicle in respect of which drivers instructors licences and permits are issued are—

- (1) any motor car, or any motor wagon weighing not more than 2 032 kgs unladen;
- (2) any motor vehicle (except a motor cycle or an articulated vehicle);
- (3) any motor vehicle other than a motor cycle;
- (4) any motor cycle.

Substituted
by G.G.
9/7/76,
p. 2367.
Amended by
G.G. 30/6/78,
p. 2142.

13. The following fees are payable in respect of the several matters mentioned—

	\$
On the issue of an Instructor's Permit	2.00
On the issue of an Instructor's Licence	7.50
On examination by The National Safety Council of Western Australia Incorporated or other prescribed body	12.00
On entering into a training course with The National Safety Council of Western Australia Incorporated or other prescribed body	150.00
On the issue of a replacement licence or permit	1.00

Added by
G.G. 9/2/70,
p. 369.
Amended by
G.G. 30/5/75,
p. 1605;
G.G. 9/7/76,
p. 2368.

13A. (1) The Authority may exempt from the provisions of the Act relating to the payment of the prescribed fee an application for a licence or permit from and the issue of a licence or permit or renewal thereof to, a person who is—

- (a) employed by or in the Authority, the police force of Western Australia, the Education Department of Western Australia or a school or institution approved by the Authority and is the holder of a Certificate of Competency issued by The National Safety Council of Western Australia Incorporated or any other body prescribed for the purpose of subsection (4) of section 7 of the Act; or
- (b) employed as a driving instructor by the Metropolitan (Perth) Passenger Transport Trust, the Western Australian Fire Brigades Board or such other body as is approved by the Authority.

(2) Every licence or permit issued pursuant to this regulation shall have specified in it a condition that the holder will not, until the appropriate fee has been paid, act as a driving instructor other than in the course of his employment with the employer described in subregulation (1) of this regulation.

(3) The holder of a licence or permit issued pursuant to this regulation who acts as a driving instructor otherwise than in accordance with the conditions specified in the licence or permit commits an offence and is liable to a penalty of ten dollars.

Amended by
G.G. 5/9/68,
p. 2685.

14. Every person who—

- (a) commits a breach of, or fails to comply with, the provisions of these regulations, or fails to comply with any condition to which the issue of a licence or permit is subject; or
- (b) wilfully makes a false or misleading statement or wilfully furnishes any false or misleading information in, or in connection with, an application for a licence or permit,

commits an offence and is liable to a penalty of one hundred dollars.

Schedule.
 Form No. 1. Road Traffic Authority.
 Western Australia.
 Motor Vehicle Drivers Instructors Act, 1963.

Schedule.
 Amended by
 G.G. 5/9/68,
 p. 2685;
 G.G. 28/6/73,
 p. 2451;
 G.G. 30/5/75,
 p. 1605;
 G.G. 9/7/76,
 p. 2368.

APPLICATION FOR LICENCE UNDER THE MOTOR VEHICLE
 DRIVERS INSTRUCTORS ACT.

INFORMATION FOR APPLICANT:

Five types of Driving Instructors' Licences are issued, as follows:—

Licence Type Number.	Classes of Motor Vehicles upon which Driving Tuition may be Given.
1.	Any motor car, or any motor wagon weighing not more than 2 032 kgs unladen.
2.	Any motor vehicle (except a motor cycle or an articulated vehicle).
3.	Any motor vehicle other than a motor cycle.
4.	Any motor cycle.
5.	All classes of motor vehicles.

IMPORTANT.—An applicant must have held an appropriate type of driver's licence for at least three years and must be at least 21 years of age.

APPLICATION:

Mr.
 I, Mrs.
 Miss Christian names (in full). Surname (block letters).
 of
 (insert full residential address)

hereby apply for a type.....motor vehicle driving instructor's licence. (Insert 1, 2, 3, 4 or 5—see above.)

I declare that the questions overleaf have been read by me and that the answers to such questions were written by me and, to the best of my knowledge and belief, are correct.

Date.....
 Signature of Applicant.....

CERTIFICATE BY OFFICER RECEIVING APPLICATION.

I certify that:—

- (a) The declaration above has been read and signed by the applicant in my presence.
- (b) I have impressed upon him that such questions must be answered fully and correctly.
- (c) I have inspected the licence mentioned in the answer to Question 1 overleaf and have verified that the answers given in items (a), (b) and (c) correspond with particulars on such licence.

Date.....
 Signature.....

SEE OVER.

CAUTION: Any person who by false statement or misrepresentation obtains or attempts to obtain a licence, renders himself liable to a penalty of ONE HUNDRED DOLLARS (\$100), and any licence so obtained may be cancelled.

The answer to each of the following Questions 1 to 10 must be written by the applicant.

- 1. Have you been, or are you now, the holder of a licence, issued in Western Australia or elsewhere, to drive a motor vehicle?
If so, please state—
 - (a) the name of the State or Country where the licence was issued (a).....
 - (b) the number of the licence and, if licence issued in Western Australia, the class of the licence (b).....
 - (c) the date of expiry of the licence (c).....

Note.—The licence must be produced for inspection by the officer receiving the application.

- 2. Are your Christian names, surname and residential address correctly state overleaf?
How long have you lived at the address?
If less than six months, give previous addresses

- 3. What is the date and place of your birth? Date..... Place.....

- 4. (a) What is the name and address of your employer(s) during the last six months? (a).....
(b) In what capacity were you employed? (b).....
(c) When and for how long did you work for him/them? (c).....

- 5. Have you successfully completed a course of training or passed a qualifying examination as a motor vehicle driving instructor?
If the answer is "Yes" full particulars must be shown

- 6. What are the names and addresses of two (2) persons who have known you personally and well for at least twelve months to whom references can be made as to your character?

(NOTE.—THE NAMES OF RELATIVES AND IMMEDIATE PAST EMPLOYERS SHOULD NOT BE FURNISHED.)

The names furnished should be those of persons resident in Western Australia and such as Clergymen, Postmasters, School Teachers, Bank Managers, Business or Professional Men, Police Officers, Senior Officers of the Public Service, or householders who have been residing at their present addresses for more than twelve months.)

- | | "Yes" or "No" | If answer is "Yes" state type of visual aid used. |
|---|---------------|---|
| 7. Do you wear spectacles or contact lenses as a visual aid? | | |

	"Yes" or "No"	Particulars if answer is "Yes"
8. Do you suffer, or have you at any time suffered from—		
(a) Epilepsy or fits? (a).....		
(b) Frequent fainting or giddy attacks? (b).....		
(c) (i) Diabetes? (c) (i).....		
(ii) If so, are you being treated with insulin or any other substance to reduce blood sugar? (ii).....		
(d) Any permanent disability to either hand or arm, either foot or leg, or either eye, or from deafness? (d).....		
(e) Any physical disability likely to affect your efficiency in controlling a motor vehicle? (e).....		
9. Have you ever, in Western Australia or elsewhere—		
(a) been refused or disqualified from obtaining a licence as a driver or rider of a motor vehicle, or as a motor vehicle driving instructor; (a).....		
or		
(b) having held such a licence, had it suspended or cancelled? (b).....		
(If the answer to any portion of questions 8 and 9 is "Yes", full particulars must be furnished.)		
10. Have you ever in Western Australia or elsewhere, been convicted of—		
(a) Drunkenness? (a).....		(a), (b) and (c) must each be answered "Yes" or "No". If the answer is "Yes" to (a) or (b) or (c) particulars of every case as well as the courts and dates must be stated below.
(b) Driving a motor vehicle whilst under the influence of intoxicating liquor? (b).....		
(c) ANY OTHER OFFENCE? (c).....		
.....		
.....		

8

Road Traffic Authority.

Form No. 2. Western Australia.
Motor Vehicle Drivers Instructors Act, 1963.

LICENCE.

MOTOR VEHICLE DRIVING INSTRUCTOR'S LICENCE.

Licence No.....

Name.....

Address.....

Date of Birth.....

Signature of Licensee.....

Unless sooner cancelled or suspended this licence remains in force until.....

This licence is subject to any conditions endorsed hereunder and authorises the holder to act as a driving instructor in respect of—

- * all classes of motor vehicles
- * motor vehicles of the following class or classes:

.....

.....

Conditions:

.....

Fee \$7.50 (one year).

.....
Road Traffic Authority.

* Delete whichever inapplicable.

Form No. 3.
[Deleted by G.G. 9/7/76, p. 2368.]