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PROCLAMATION

Road Traffic Amendment Act 2006

No. 54 of 2006

Road Traffic Amendment (Drugs) Act 2007

No. 6 of 2007

Road Traffic Act 1974

**Road Traffic (Blood Sampling and Analysis)
Amendment Regulations 2007**

Road Traffic Act 1974

**Road Traffic (Drivers' Licences) Amendment
Regulations (No. 3) 2007**

Road Traffic Act 1974

**Road Traffic (Urine Sampling and Analysis)
Amendment Regulations 2007**

ROAD TRAFFIC AMENDMENT ACT 2006

No. 54 of 2006

PROCLAMATION

Western Australia

*By His Excellency**Doctor Kenneth Comninos Michael,
Companion of the Order of Australia,
Governor of the State of Western Australia*

[L.S.]

KENNETH COMNINOS MICHAEL
Governor

I, the Governor, acting under the *Road Traffic Amendment Act 2006* section 2 and with the advice and consent of the Executive Council, fix the day on which this proclamation is published in the *Government Gazette* as the day on which section 19 of that Act comes into operation.

Given under my hand and the Public Seal of the State on 9 October 2007.

By Command of the Governor,

A. MacTIERNAN, Minister for Planning and Infrastructure.

ROAD TRAFFIC AMENDMENT (DRUGS) ACT 2007

No. 6 of 2007

PROCLAMATION

Western Australia

*By His Excellency**Doctor Kenneth Comninos Michael,
Companion of the Order of Australia,
Governor of the State of Western Australia*

[L.S.]

KENNETH COMNINOS MICHAEL
Governor

I, the Governor, acting under the Road Traffic Amendment (Drugs) Act 2007 section 2 and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the Government Gazette as the day on which the provisions of that Act, other than sections 1 and 2, come into operation.

Given under my hand and the Public Seal of the State on 9 October 2007.

By Command of the Governor,

A. MacTIERNAN, Minister for Planning and Infrastructure.

Road Traffic Act 1974

Road Traffic (Blood Sampling and Analysis) Amendment Regulations 2007

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic (Blood Sampling and Analysis) Amendment Regulations 2007*.

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 that the *Road Traffic Amendment (Drugs) Act 2007* Part 2 comes into operation.

3. The regulations amended

The amendments in these regulations are to the *Road Traffic (Blood Sampling and Analysis) Regulations 1975*.

4. Regulation 2 amended

Regulation 2 is amended in the definition of “subject” after “section 66” by inserting —

“ , 66B or 66E ”.

Road Traffic (Blood Sampling and Analysis) Amendment Regulations 2007**r. 5**

5. Regulation 10 amended

- (1) Regulation 10 is amended before “A certificate” by inserting the subregulation designation “(1)”.
- (2) At the end of the regulation by inserting the following subregulation —

“

- (2) The *Road Traffic (Drug Driving) Regulations 2007* Schedule 1 Form 1 is prescribed for the purposes of section 70(3b)(f) of the Act as the form to be used by a drugs analyst for either or both of the following —
 - (a) that an identified sample of blood taken from or provided by a named person was analysed for drugs;
 - (b) the analysis result obtained from the analysis.

”.

6. Schedule amended

The Schedule Form D is amended after “section 66(5)” by inserting —

“ or 66B(1) ”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

Road Traffic Act 1974

Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 2007

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 2007*.

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 that the *Road Traffic Amendment (Drugs) Act 2007* Part 2 comes into operation.

3. The regulations amended

The amendment in these regulations is to the *Road Traffic (Drivers' Licences) Regulations 1975*.

Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 2007**r. 4**

4. Schedule 9 amended

Schedule 9 is amended under the Authority heading "*Road Traffic Act 1974*" by inserting the following items in the appropriate numerical sequence —

“

- | | | | |
|----|------|---|---|
| 4. | 64AC | Driving or attempting to drive a motor vehicle while a prescribed illicit drug is present in the person's oral fluid or blood — | |
| | | (a) during a holiday period | 6 |
| | | (b) other than during a holiday period | 3 |
| 5. | 67AB | Failing to comply with a requirement under section 66D or 66E by either failing to provide a sample of oral fluid for drug testing, or failing to allow a medical practitioner or registered nurse to take a sample of blood for analysis — | |
| | | (a) during a holiday period | 6 |
| | | (b) other than during a holiday period | 3 |

”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

Road Traffic Act 1974

Road Traffic (Urine Sampling and Analysis) Amendment Regulations 2007

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic (Urine Sampling and Analysis) Amendment Regulations 2007*.

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 that the *Road Traffic Amendment (Drugs) Act 2007* Part 2 comes into operation.

3. The regulations amended

The amendments in these regulations are to the *Road Traffic (Urine Sampling and Analysis) Regulations 1983*.

4. Regulation 2 amended

Regulation 2 is amended in the definition of “subject” after “section 66” by inserting —

“ or 66B ”.

Road Traffic (Urine Sampling and Analysis) Amendment Regulations 2007**r. 5**

5. Regulation 11 amended

- (1) Regulation 11 is amended before “A certificate” by inserting the subregulation designation “(1)”.
- (2) At the end of the regulation by inserting the following subregulation —

“

- (2) The *Road Traffic (Drug Driving) Regulations 2007* Schedule 1 Form 1 is prescribed for the purposes of section 70(3b)(f) of the Act as the form to be used by a drugs analyst for either or both of the following —

- (a) that an identified sample of urine provided by a named person was analysed for drugs;
- (b) the analysis result obtained from the analysis.

”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.
