

TRAFFIC.

7° Elizabeth II., No. LVII.

No. 57 of 1958.

AN ACT to amend the Traffic Act, 1919-1957.*[Assented to 23rd December, 1958.]*

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 *Traffic Act Amendment Act, 1958.* Short title and citation.

(2) In this Act the Traffic Act, 1919-1957, is referred to as the principal Act. Vol. 12 The Reprinted Acts.

(3) The principal Act as amended by this Act may be cited as the Traffic Act, 1919-1958.

S. 57A
added.

2. The principal Act is amended by adding after section fifty-seven the following section:—

57A. (1) In this section, “prescribed area” means—

- (a) any parking region constituted and defined pursuant to subsection (2) of section three of the City of Perth Parking Facilities Act, 1956; and
- (b) any area defined for the purposes of this section by the Governor by notice published in the *Gazette*.

(2) No person shall, within a prescribed area, park a vehicle on land which is not a road, unless he has been authorised to do so by the owner, or person in possession of that land.

Penalty: For a first offence, a fine not exceeding five pounds; for any subsequent offence, a fine not exceeding ten pounds.

(3) (a) Where a person parks a motor vehicle on land contrary to the provisions of subsection (2) of this section, and where the vehicle causes or is likely to cause an obstruction, or danger to traffic, a member of the Police Force, traffic inspector, the owner, or the person in possession of the land, or an employee of the owner, or person in possession of the land, may

- (i) direct the driver or person in charge of the vehicle to remove the vehicle from the place where it is parked; and
- (ii) where no person appears to be in immediate charge of the vehicle, himself remove the vehicle from the place where it is parked and may move the vehicle either to a place where parking of vehicles is permitted, or the police station nearest to the land.

(b) Where a person in exercise of the power conferred on him by paragraph (a) of this subsection removes and parks a vehicle, he shall forthwith give particulars to a member of the Police Force at the police station nearest to the

place where he has parked the vehicle, of his name and address, the registered number of the vehicle, the place where the vehicle was parked, and the time that he removed the vehicle.

(4) A person who disobeys or fails to comply with a direction made pursuant to subsection (3) of this section commits an offence.

Penalty: A fine of ten pounds.

(5) Where a person in exercise of the power conferred by paragraph (a) of subsection (3) of this section incurs costs in removing a vehicle, that person may recover those costs on complaint made in a Court of Petty Sessions.

(6) In any proceedings for a penalty under this section, the Court, in addition to imposing a penalty, may award to a person any costs incurred by that person in the exercise of a power conferred on him by this section.

(7) The provisions of this section do not apply to "parking facilities," or a "parking station" constituted under the provisions of the City of Perth Parking Facilities Act, 1956.
