



Western Australia

Road Traffic Act 1974

## **Road Traffic (Wardens) Regulations 1986**



## Road Traffic (Wardens) Regulations 1986

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### Defined terms



## Road Traffic (Wardens) Regulations 1986

### 1. Citation

These regulations may be cited as the *Road Traffic (Wardens) Regulations 1986*<sup>1</sup>.

### 1A. Term used: section

In these regulations —

**section** means a section of the Act.

*[Regulation 1A inserted in Gazette 31 Jan 1997 p. 687.]*

### 2. Transport wardens, prescribed powers of and certificate for etc. (Act s. 7)

- (1) For the purposes referred to in section 7(3), a warden appointed under section 7(2) as a transport warden has the powers conferred on a member of the Police Force or a police officer by the provisions of —
  - (a) sections 53 and 58; and
  - (b) regulation 272 of the *Road Traffic Code 2000*; and
  - (c) the *Road Traffic (Licensing) Regulations 1975*; and
  - (d) the *Road Traffic (Vehicle Standards) Regulations 2002*.
- (2) Subregulation (1) does not limit any power conferred by the Act on a warden appointed under section 7(2).

**r. 3**

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- (3) For the purposes referred to in section 7(3), a reference to a member of the Police Force in a provision referred to in subregulation (1) shall be read as including a reference to a transport warden.
- (4) The certificate of appointment of a transport warden shall be in the form of Form 1.

*[Regulation 2 inserted in Gazette 31 Jan 1997 p. 687; amended in Gazette 1 Dec 2000 p. 6760; 1 Nov 2002 p. 5396.]*

**3. Crossing attendants, prescribed powers of and certificate for etc. (Act s. 7)**

- (1) The certificate of appointment of a person as a warden appointed under section 7(1) to perform duties relating to the controlling of vehicles and pedestrians at children's crossings and pedestrian crossings shall be in the form of Form 2 and any warden so appointed has, for the purposes referred to in section 7(3), the powers to stop vehicles from proceeding through a children's crossing or a pedestrian crossing, to require vehicles to remain stationary and to prohibit persons from walking across or onto a children's crossing or a pedestrian crossing, and any warden so appointed may give such signals or directions to drivers of those vehicles and to those other persons as are necessary for that purpose.
- (1a) Subregulation (1) does not limit any power conferred by the Act on a warden appointed under section 7(1).
- (2) A warden appointed to perform duties relating to the controlling of vehicles pedestrians at children's crossings and pedestrian crossings shall at all times when he or she is performing those duties, wear a uniform approved by the Commissioner of Police.

*[Regulation 3 amended in Gazette 31 Jan 1992 p. 516; 31 Jan 1997 p. 688.]*

**4. Parking wardens, prescribed powers of and certificate for etc. (Act s. 7)**

- (1) The certificate of appointment of a person as a warden appointed under section 7(1) to perform duties relating to the parking and standing of vehicles shall be in the form of Form 3, and any warden so appointed has, for the purposes referred to in section 7(3), such of the powers of a member of the Police Force as are necessary for him to enforce the provisions of the Act and the *Road Traffic Code 2000*, relating to the parking and standing of vehicles, including the powers of demanding the name and address of the driver or person in charge of any vehicle and the powers of requiring the responsible person for a vehicle to disclose the identity of the driver of the vehicle at any relevant time.
- (2) Subregulation (1) does not limit any power conferred by the Act on a warden appointed under section 7(1).
- (3) For the purposes referred to in section 7(3), a reference to a member of the Police Force in a provision referred to in subregulation (1) shall be read as including a reference to a warden appointed under section 7(1) to perform the duties referred to in that subregulation.

*[Regulation 4 amended in Gazette 31 Jan 1997 p. 688;  
1 Dec 2000 p. 6760; 23 Dec 2005 p. 6281.]*

**5. Wardens for inspecting motor vehicles, prescribed powers of and certificate for etc. (Act s. 7)**

- (1) Where a person has been appointed a warden under section 7(2) to perform duties relating to the inspection of motor vehicles —
  - (a) the certificate of appointment of the person as such a warden shall be in the form of Form 4; and
  - (b) any warden so appointed has, for the purposes referred to in section 7(3), the powers —
    - (i) to examine any vehicle at a place provided for the examination of vehicles and may for that

purpose do all such things as are necessary for him to ascertain whether any such vehicle complies with the provisions of the Vehicle Standards; and

- (ii) conferred on a police officer by regulation 18 and Part 7 of the *Road Traffic (Vehicle Standards) Regulations 2002*; and
  - (iii) conferred on a member of the Police Force by the provisions of regulations 25(2) and 26C(5) of the *Road Traffic (Licensing) Regulations 1975*.
- (2) Subregulation (1) does not limit any power conferred by the Act on a warden appointed under section 7(2).
- (3) For the purposes referred to in section 7(3), a reference to a member of the Police Force in a provision referred to in subregulation (1)(b)(ii) or (iii) shall be read as including a reference to a warden appointed under section 7(2) to perform the duties referred to in that subregulation.
- (4) In subregulation (1) —  
***Vehicle Standards*** means —
- (a) the *Road Traffic (Vehicle Standards) Regulations 2002*; and
  - (b) the *Road Traffic (Vehicle Standards) Rules 2002*; and
  - (c) the *Road Traffic (Bicycles) Regulations 2002*; and
  - (d) the *Road Traffic (Animal Drawn Vehicles) Regulations 2002*.

*[Regulation 5 amended in Gazette 28 Sep 1990 p. 5073;  
31 Jan 1997 p. 688-9; 1 Nov 2002 p. 5396-7.]*

**6. Traffic escort wardens, prescribed powers of and certificate for etc. (Act s. 7)**

- (1) For the purposes referred to in section 7(3), a warden appointed under section 7(1)(c) as a traffic escort warden has the powers



conferred on a member of the Police Force or a police officer by the provisions of —

- (a) section 53; and
  - (b) the *Road Traffic Code 2000* regulations 272(1)(d) and 282(1); and
  - (c) the *Road Traffic (Vehicle Standards) Regulations 2002* regulation 61.
- (2) Subregulation (1) does not limit any power conferred by the Act on a warden appointed under section 7(1)(c).
- (3) For the purposes referred to in section 7(3), a reference to a member of the Police Force or a police officer in a provision referred to in subregulation (1) is to be read as including a reference to a traffic escort warden.
- (4) The certificate of appointment of a traffic escort warden is to be in the form of Form 5.

*[Regulation 6 inserted in Gazette 13 Jun 2006 p. 2065.]*

**Schedule**

*Road Traffic Act 1974*

Reg. 2

Form 1

**CERTIFICATE OF APPOINTMENT OF TRANSPORT WARDEN**

This is to certify that .....  
of .....  
is duly appointed a warden under section 7(2) of the *Road Traffic Act 1974* to  
perform duties relating to the licensing provisions of the Act and has such  
powers as are conferred on such wardens by the Act and regulation 2 of the  
*Road Traffic (Wardens) Regulations 1986*.

Dated this ..... 20 .....

.....  
Director General

*[Form 1 inserted in Gazette 31 Jan 1997 p. 689; amended in Gazette  
28 Feb 2003 p. 681.]*

*Road Traffic Act 1974*

Reg. 3

Form 2

**CERTIFICATE OF APPOINTMENT OF WARDEN TO CONTROL  
VEHICLES AND PEDESTRIANS AT CROSSINGS**

This is to certify that .....  
.....  
is duly appointed under section 7(1) of the *Road Traffic Act 1974*, to perform  
the duties of controlling vehicles and pedestrians at children's crossings, and  
pedestrian crossings, in respect of roads in the .....  
.....  
and has such powers as are conferred on such wardens by the Act and  
regulation 3 of the *Road Traffic (Wardens) Regulations 1986*.

Dated this ..... 20 .....

.....  
Commissioner of Police

*[Form 2 amended in Gazette 31 Jan 1997 p. 689-90.]*

*Road Traffic Act 1974*

Reg. 4

Form 3

CERTIFICATE OF APPOINTMENT OF WARDEN TO PERFORM  
PARKING DUTIES

This is to certify that .....  
of .....  
is duly appointed under section 7(1) of the *Road Traffic Act 1974*, to perform  
duties relating to the parking and standing of vehicles and has such powers as  
are conferred on such wardens by the Act and regulation 4 of the *Road Traffic*  
*(Wardens) Regulations 1986*.

Dated this ..... 20 .....

.....  
Commissioner of Police

*[Form 3 amended in Gazette 31 Jan 1997 p. 690.]*

*Road Traffic Act 1974*

Reg. 5

Form 4

CERTIFICATE OF APPOINTMENT OF WARDEN TO INSPECT  
MOTOR VEHICLES

This is to certify that .....  
of .....  
is duly appointed under section 7(2) of the *Road Traffic Act 1974*, to perform  
the duties of the inspection of motor vehicles, and has such powers as are  
conferred on such wardens by the Act and regulation 5 of the *Road Traffic*  
*(Wardens) Regulations 1986*.

Dated this ..... 20 .....

.....  
Director General

*[Form 4 amended in Gazette 31 Jan 1997 p. 690; 28 Feb 2003*  
*p. 681.]*

*Road Traffic Act 1974*

Reg. 6

Form 5

**CERTIFICATE OF APPOINTMENT OF TRAFFIC ESCORT  
WARDEN**

This is to certify that .....  
of .....  
is duly appointed a warden under section 7(1)(c) of the *Road Traffic Act 1974* to  
perform duties relating to the traffic regulation provisions of the Act and has  
such powers as are conferred on such wardens by the Act and regulation 6 of  
the *Road Traffic (Wardens) Regulations 1986*.

Dated this ..... 20 .....

.....  
Commissioner of Police

*[Form 5 inserted in Gazette 13 Jun 2006 p. 2065-6.]*

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## Notes

- <sup>1</sup> This is a compilation of the *Road Traffic (Wardens) Regulations 1986* and includes the amendments made by the other written laws referred to in the following table <sup>1a</sup>. The table also contains information about any reprint.

### Compilation table

Citation	Gazettal	Commencement
<i>Road Traffic (Wardens) Regulations 1986</i>	28 Nov 1986 p. 4382-4	28 Nov 1986
<i>Regulations Amendment (Towed Agricultural Implements) Regulations 1990 Pt. 6</i>	28 Sep 1990 p. 5071-3	1 Nov 1990 (see r. 2 and <i>Gazette</i> 28 Sep 1990 p. 5073)
<i>Road Traffic (Wardens) Amendment Regulations 1991</i>	31 Jan 1992 p. 515-16	31 Jan 1992
<i>Road Traffic (Wardens) Amendment Regulations 1994</i>	30 Sep 1994 p. 5020-1	30 Sep 1994
<i>Road Traffic (Wardens) Amendment Regulations 1997</i>	31 Jan 1997 p. 687-90	1 Feb 1997 (see r. 2 and <i>Gazette</i> 31 Jan 1997 p. 613)
<i>Road Traffic (Wardens) Amendment Regulations (No. 2) 2000</i>	1 Dec 2000 p. 6760	1 Dec 2000 (see r. 2)
<b>Reprint of the Road Traffic (Wardens) Regulations 1986 as at 16 Nov 2001</b> (includes amendments listed above)		
<i>Road Traffic (Vehicle Standards) (Consequential Provisions) Regulations 2002 Pt. 6</i>	1 Nov 2002 p. 5388-400	1 Nov 2002 (see r. 2)
<i>Road Traffic (Wardens) Amendment Regulations 2003</i>	28 Feb 2003 p. 680-1	28 Feb 2003
<i>Road Traffic (Wardens) Amendment Regulations 2005</i>	23 Dec 2005 p. 6280-1	1 Jan 2006 (see r. 2 and <i>Gazette</i> 23 Dec 2005 p. 6244-5)
<i>Road Traffic (Wardens) Amendment Regulations (No. 2) 2006</i>	13 Jun 2006 p. 2064-6	13 Jun 2006
<b>Reprint 2: The Road Traffic (Wardens) Regulations 1986 as at 15 Mar 2013</b> (includes amendments listed above)		

- <sup>1a</sup> On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

**Provisions that have not come into operation**

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Road Traffic (Repeals and Amendment) Regulations 2014</i> Pt. 2 <sup>2</sup>	23 Dec 2014 p. 4914	Operative on the day fixed under the <i>Road Traffic (Administration) Act 2008</i> section 2(b) (see r. 2(b))

<sup>2</sup> On the date as at which this compilation was prepared, the *Road Traffic (Repeals and Amendment) Regulations 2014* Pt. 2 had not come into operation. It reads as follows:

**Part 2 — Regulations repealed**

**3. Regulations repealed**

The regulations listed in the Table are repealed.

**Table**

<i>Road Traffic (Wardens) Regulations 1986</i>
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## **Defined terms**

*[This is a list of terms defined and the provisions where they are defined.*

*The list is not part of the law.]*

<b>Defined term</b>	<b>Provision(s)</b>
section .....	1A
Vehicle Standards .....	5(4)