

TN305\*

Road Traffic Act 1974

## **Road Traffic (Information) Regulations 2011**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Road Traffic (Information) Regulations 2011*.

**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 after that day.

**3. Disclosure of information by Commissioner of Police to Director General**

Under section 8(4)(d) of the Act, details of a charge for any offence, whether relating to a road traffic matter or any other matter, against a person who has applied for or holds —

- (a) a driver's licence with an endorsement under the *Road Traffic (Authorisation to Drive) Regulations 2008* regulation 12(2); or
- (b) a licence or permit under the *Motor Vehicle Drivers Instructors Act 1963*,

is prescribed for the purposes of section 8(4) of the Act.

**4. Exchange of information between Director General and other authorities**

For the purposes of paragraph (d) of the definition of *relevant authority* in section 9(1) of the Act, Austroads Limited (ACN 136 812 390), registered under the *Corporations Act 2001* (Commonwealth), is prescribed.

**5. Disclosure of information to prescribed persons**

- (1) In this regulation —  
*APS employee* has the meaning given in the *Public Service Act 1999* (Commonwealth) section 7.
- (2) For the purposes of the definition of *prescribed person* in section 12(1) of the Act, the following persons, or classes of person, are prescribed —
  - (a) the Chairperson of ASIC, as defined in the *Australian Securities and Investments Commission Act 2001* (Commonwealth) section 5(1), or a staff member, as defined in that subsection, nominated by the Chairperson to the Director General (which nomination has not been revoked by the Chairperson);
  - (b) the Inspector-General, as defined in the *Bankruptcy Act 1966* (Commonwealth) section 5(1), or an APS employee whose duties include supporting the Inspector-General in the performance of his or her functions, or in the exercise of his or her powers, under that Act nominated by the Inspector-General to the Director General (which nomination has not been revoked by the Inspector-General);
  - (c) the chief executive officer, as defined in the *Botanic Gardens and Parks Authority Act 1998* section 3, or —
    - (i) another member of the staff of the Botanic Gardens and Parks Authority; or
    - (ii) a person designated a park management officer under section 26 of that Act,

- nominated by the chief executive officer to the Director General (which nomination has not been revoked by the chief executive officer);
- (d) the Registrar, as defined in the *Child Support (Registration and Collection) Act 1988* (Commonwealth) section 4(1), or an officer or employee to whom the Registrar's powers or functions may be delegated under section 15(1) of that Act nominated by the Registrar to the Director General (which nomination has not been revoked by the Registrar);
  - (e) the Electoral Commissioner, as defined in the *Commonwealth Electoral Act 1918* (Commonwealth) section 4(1), or a member of the staff referred to in section 29 of that Act nominated by the Electoral Commissioner to the Director General (which nomination has not been revoked by the Electoral Commissioner);
  - (f) the Commissioner, as defined in the *Corruption and Crime Commission Act 2003* section 3(1), or another officer of the Commission, as defined in that subsection, nominated by the Commissioner to the Director General (which nomination has not been revoked by the Commissioner);
  - (g) the person appointed chief executive officer under the *Curtin University of Technology Act 1966* section 14(1), or any member of the staff of Curtin University of Technology nominated by the chief executive officer to the Director General (which nomination has not been revoked by the chief executive officer);
  - (h) the CEO, as defined in the *Customs Administration Act 1985* (Commonwealth) section 3, or a member of the staff referred to in section 15 of that Act nominated by the CEO to the Director General (which nomination has not been revoked by the CEO);
  - (i) the chief executive officer, as defined in the *Edith Cowan University Act 1984* section 3(1), or another member of the staff, as defined in that subsection, nominated by the chief executive officer to the Director General (which nomination has not been revoked by the chief executive officer);
  - (j) the Electoral Commissioner, as defined in the *Electoral Act 1907* section 4(1), or a person employed in the Western Australian Electoral Commission nominated by the Electoral Commissioner to the Director General (which nomination has not been revoked by the Electoral Commissioner);
  - (k) the chief executive officer, as defined in the *Fire and Emergency Services Authority of Western Australia Act 1998* section 3, or another member of staff, as

- defined in that section, nominated by the chief executive officer to the Director General (which nomination has not been revoked by the chief executive officer);
- (l) the Chief Executive Centrelink, as defined in the *Human Services (Centrelink) Act 1997* (Commonwealth) section 3, or a Departmental employee, as defined in that section, nominated by the Chief Executive Centrelink to the Director General (which nomination has not been revoked by the Chief Executive Centrelink);
  - (m) the managing director, as defined in the *Insurance Commission of Western Australia Act 1986* section 3, or an officer or employee of the Insurance Commission of Western Australia nominated by the managing director to the Director General (which nomination has not been revoked by the managing director);
  - (n) a CEO, as defined in the *Local Government Act 1995* section 1.4, of a local government or an employee as defined in that section employed by that local government and nominated by the CEO to the Director General (which nomination has not been revoked by the CEO);
  - (o) the Vice-Chancellor, as defined in the *Murdoch University Act 1973* section 3(1), or any member of the staff of Murdoch University nominated by the Vice-Chancellor to the Director General (which nomination has not been revoked by the Vice-Chancellor);
  - (p) a CEO, as defined in the *Port Authorities Act 1999* section 3(1), of a port authority or a member of staff, as defined in that subsection, of that port authority nominated by the CEO to the Director General (which nomination has not been revoked by the CEO);
  - (q) the chief executive officer of a department, as defined in the *Public Sector Management Act 1994* section 3(1), or a person employed in that department nominated by the chief executive officer to the Director General (which nomination has not been revoked by the chief executive officer);
  - (r) an Agency Head, as defined in the *Public Service Act 1999* (Commonwealth) section 7, or an APS employee of the Agency Head's Agency nominated by the Agency Head to the Director General (which nomination has not been revoked by the Agency Head);
  - (s) the Commissioner, as defined in the *Taxation Administration Act 1953* (Commonwealth) section 2(1), or a member of the staff referred to in section 4A of that Act nominated by the Commissioner to the Director General (which nomination has not been revoked by the Commissioner);

- (t) the person appointed Vice-Chancellor under the *University of Western Australia Act 1911* section 27, or any member of the staff of University of Western Australia nominated by the Vice-Chancellor to the Director General (which nomination has not been revoked by the Vice-Chancellor);
- (u) the chief executive officer of a college, as defined in the *Vocational Education and Training Act 1996* section 5(1), or an employee of a college nominated by the chief executive officer of the college to the Director General (which nomination has not been revoked by the chief executive officer).

**6. Disclosure of photographs**

For the purposes of the definition of *law enforcement official* in section 44AA of the Act, the following persons are prescribed —

- (a) the Commissioner, as defined in the *Australian Federal Police Act 1979* (Commonwealth) section 4(1);
- (b) the Commissioner, as defined in the *Corruption and Crime Commission Act 2003* section 3(1);
- (c) the Commissioner, as defined in the *Police Act 1990* (New South Wales) section 3(1);
- (d) the Commissioner, as defined in the *Police Act 1998* (South Australia) section 3;
- (e) the Commissioner, as defined in the *Police Administration Act* (Northern Territory) section 4(1);
- (f) the Chief Commissioner of Police appointed under the *Police Regulation Act 1958* (Victoria), section 4(1);
- (g) the Commissioner, as defined in the *Police Service Act 2003* (Tasmania) section 3;
- (h) the commissioner, as defined in the *Police Service Administration Act 1990* (Queensland) section 1.4.

**7. Road Traffic (Authorisation to Drive) Regulations 2008 amended**

- (1) This regulation amends the *Road Traffic (Authorisation to Drive) Regulations 2008*.
- (2) Delete regulation 43.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

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