

## ACTS AMENDMENT (ROAD SAFETY AND TRAFFIC).

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No. 12 of 1973.

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AN ACT to vest in the Department of Motor Vehicles, subject to the Minister for Traffic Safety, the functions of the licensing of drivers of motor vehicles, the licensing of motor vehicles and matters associated with the standards of roadworthiness and equipment of motor vehicles, and associated functions; to establish a Road Traffic Safety Authority to act as an advisory body on traffic safety matters and to co-ordinate such activities of the Main Roads Department, the Commissioner of Police, Local Authorities and the Department of Motor Vehicles as concern traffic safety; to amend the Traffic Act, 1919-1972, the Local Government Act, 1960-1972, the Used Car Dealers Act, 1964 and the Motor Vehicle Drivers Instructors Act, 1963; and for incidental and other purposes.

*[Assented to 25th May, 1973.]*

No. 12.] *Acts Amendment (Road Safety and Traffic)* [1973.]

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:—

Short title.

1. This Act may be cited as the *Acts Amendment (Road Safety and Traffic) Act, 1973.*

Commencement.

2. The provisions of this Act shall come into operation on such date or such dates as is or are respectively fixed by proclamation.

PART I.—TRAFFIC ACT, 1919-1972.

Short title and citation.

3. (1) In this Part of this Act the Traffic Act, 1919-1972, is referred to as the principal Act.

Reprinted as approved for reprint 30th July, 1971 and amended by Acts Nos. 33 and 34 of 1971, and 20 and 92 of 1972.

(2) The principal Act as amended by this Act may be cited as the Traffic Act, 1919-1973.

Section 2 amended.

4. Section 2 of the principal Act is amended by adding after the passage "PART I.—PRELIMINARY [ss. 1-4].", the passage—

PART IA.—ADMINISTRATION [ss. 4A-4C].

PART IB.—ROAD TRAFFIC SAFETY AUTHORITY [ss. 4D-4F]. .

Section 4 amended.

5. Subsection (1) of section 4 of the principal Act is amended—

(a) by adding immediately before the interpretation "district" the following interpretations—

"Department" means the Department of the Public Service known as the Department of Motor Vehicles;

“Director” means the Director of the Department of Motor Vehicles referred to in Part IA of this Act and includes any person for the time being performing the duties of the office of Director during the absence or incapacity of the Director; ;

- (b) by deleting the interpretation “local authority” and substituting the following interpretation—

“local authority”, in relation to—

(a) a district or part of a district that is outside the metropolitan area means, except as provided in paragraph (b) of this interpretation, the council of the district and, for the purposes of section twenty-two of this Act, includes the county council of a county district and the regional council of a regional district constituted under the Local Government Act, 1960, for the local government purpose of controlling traffic;

(b) a district or part of a district that is outside the metropolitan area for which, pursuant to section eleven A of this Act, the Director is or becomes the local authority, means the Director;

(c) the metropolitan area, means the Director; ; and

- (c) by deleting the interpretation “Minister” and substituting the following interpretation—

“Minister” means—

(a) except as provided in paragraph (b) of this interpretation, the Minister for Traffic Safety; and

- (b) in sections twenty-two, twenty-two A, thirty-two A, thirty-two D, fifty-two and sixty-four of this Act, the Minister for the time being charged with the administration of the Police Act, 1892; .

Parts IA and IB added.

6. The principal Act is amended by adding immediately after section 4 the following new Parts—

PART IA.—ADMINISTRATION.

Administration by Minister for Traffic Safety.

4A. The administration of Part IB of this Act and of such other provisions of this Act and the regulations as concern—

- (a) the granting, renewal, suspension or cancellation of drivers' licenses, learners' permits, vehicle licenses and permits;
- (b) the standards of vehicles, the equipment of vehicles and the standard of items required to be used or worn by drivers of or passengers in vehicles;
- (c) any other power or function exercisable by the Department or the director,

and the control of the Department are vested in the Minister.

Administration by Minister administering Police Act, 1892.

4B. The administration of such of the provisions of this Act and the regulations as concern the performance by members of the Police Force of duties relating to the control of persons and vehicles on roads and public places, the investigation of offences related thereto, the institution and conduct of proceedings for offences relating thereto and the general conduct of members of the Police Force in connection with any duties performed by members of the Police Force under or for the purposes of this Act or the regulations are vested in the Minister for the time being charged with the administration of the Police Act, 1892.

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4C. (1) A person shall, under and subject to the Public Service Act, 1904, be appointed to the office of Director of the Department of Motor Vehicles and he shall be the permanent head of the Department.

Director and  
staff of the  
Department.

(2) Subject to the Public Service Act, 1904, and to any direction of the Minister, the Director has the general administration of the Department.

(3) There shall be appointed under and subject to the Public Service Act, 1904, such officers and temporary employees as may be necessary to provide administrative, technical and like services to the Department.

PART IB.—ROAD TRAFFIC SAFETY AUTHORITY.

4D. (1) For the purposes of this Act there shall be a body to be known as the Road Traffic Safety Authority which shall consist of seven members, namely—

Road Traffic  
Safety  
Authority.

- (a) the Director;
- (b) the Commissioner of Main Roads;
- (c) the Commissioner of Police; and
- (d) a person appointed by the Governor from a panel of three names nominated by that body known as The Local Government Association of W.A. (Inc.);
- (e) a person appointed by the Governor from a panel of three names nominated by the Executive of that body known as the Country Shire Councils' Association of W.A.;
- (f) a person appointed by the Governor from a panel of three names nominated by that body known as the National Safety Council of W.A.; and
- (g) one other person appointed by the Governor.

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(2) A person appointed under paragraph (d) of subsection (1) of this section shall be appointed for a term not exceeding three years.

(3) The Governor shall appoint one member of the Authority to be the Chairman of the Authority.

(4) Any member of the Authority may, from time to time with the approval of the Minister, appoint a person to be his deputy and at any meeting of the Authority at which the deputy but not the member is present, the deputy of the member has all the powers, functions and duties of that member.

Meetings of  
the  
Authority.

4E. (1) The Authority shall hold meetings at such times and places as it determines, but the Minister may at any time convene a meeting of the Authority.

(2) At any meeting of the Authority—

- (a) the Chairman, if present, shall preside, and if the Chairman is not present the members present shall appoint one of their number to preside;
- (b) five members constitute a quorum; and
- (c) any question shall be decided by a majority of the votes of the members present, and if there is an equal number of affirmative votes and negative votes on any question, the question shall be resolved in the negative.

Functions of  
the  
Authority.

4F. The functions of the Authority include—

- (a) the co-ordination of the activities of the Department, the Main Roads Department and the Police Department related to traffic safety;
- (b) the approval of the erection of traffic signs, signals, control devices and other regulatory measures;

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- (c) the making of recommendations to the Minister and other authorities concerned with road construction or road traffic on the use, generally, of traffic signs, signals, control devices and other regulatory measures, and in particular on the use of such signs, signals and devices and on the taking of other measures—
  - (i) to prevent traffic accidents;
  - (ii) to improve the flow of traffic;
  - (iii) to eliminate causes of danger and traffic congestion on roads;
- (d) the publication of information for the instruction of road users on traffic safety and traffic laws and the supplying of technical information and advice relating to road traffic problems to authorities concerned with road traffic;
- (e) the investigation of, and reporting upon, proposals for alterations to traffic laws; and
- (f) the investigation of, and reporting upon, any other matter relating to traffic or traffic safety referred to it by the Minister. .

7. Section 8 of the principal Act is amended by deleting paragraph (d) and the exception and the proviso thereto. Section 8 amended.

8. Subsection (8) of section 9 of the principal Act is amended by substituting for the words "Commissioner of Police" in paragraph (b), the word "Director". Section 9 amended.

9. Section 11A of the principal Act is repealed and re-enacted as follows— Section 11A repealed and re-enacted.

11A. (1) A local authority whose district or part of a district is outside the metropolitan area may, by resolution, advise the Minister that it does not wish to continue to be the local Local authorities may require the Minister to divest them of certain powers and duties.

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authority, for the purposes of this Act, for that district; and the Minister shall, by notice published in the *Government Gazette*, declare that on and from a date specified in the notice, the Director shall be the local authority for the purposes of this Act for that district.

(2) Without limiting the operation of subsection (4a) of section twenty-two of this Act, the Director shall be the local authority for the purposes of this Act for any district wholly outside the metropolitan area in respect of which—

(a) the Commissioner of Police was formerly exercising all the powers conferred and the duties imposed by this Act on the local authority, other than those relating to construction, reconstruction, maintenance and repair of roads, pursuant to a notice published in the *Government Gazette* under section eleven A of this Act prior to the date of coming into operation of section nine of the Acts Amendment (Road Safety and Traffic) Act, 1973,

(b) a notice has, after that date, been published in the *Government Gazette* under subsection (1) of this section,

but where the Director so is or so becomes the local authority for such a district nothing in this Act shall be construed as divesting the council of the district of, or as vesting in the Director, any powers conferred or duties imposed by this Act on the local authority relating to the construction, reconstruction, maintenance and repair of roads. .

Section 11B  
amended.

10. Subsection (2) of section 11B of the principal Act is amended by substituting for the words "member of the police force" where occurring in line four and again in lines seven and eight, the words "officer of the Department", in each case.



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11. Subsection (2) of section 14 of the principal Act is amended by deleting the words "the Commissioner of Police" where occurring in paragraph (a) and again in paragraph (b), and substituting the words "the Director", in each case.

Section 14  
amended.

12. Section 22 of the principal Act is amended—

Section 22  
amended.

(a) by adding after the word "district" in line one of subsection (1), the passage "for which the Director is not the local authority,";

(b) by adding after subsection (4) the following subsection—

(4a) In the metropolitan area and any district for which the Director is the local authority every member of the police force may—

(a) institute and carry on any proceedings against any person for any alleged offence against this Act or any breach of the regulations thereunder;

(b) exercise all such powers and shall perform all such duties as are vested in or imposed upon him by this Act and for the purpose of making investigations or enquiries concerning any offence against this Act or the regulations thereunder, may question, interview or obtain particulars from persons where-soever resident; and

(c) exercise all such other powers and shall perform all such other duties (other than those relating to the licensing of persons or the licensing of vehicles) as would be exercisable by him if the Director were not the local authority for the district and

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the member of the police force had been appointed an inspector for that district,

but the provisions of paragraph (c) of this subsection shall not be construed as preventing a member of the police force from performing, on behalf of the Director, duties or functions associated with the licensing of persons and the licensing of vehicles including the testing of applicants for drivers' licenses and the examination of vehicles. ;

- (c) by deleting the passage “, subject to subsection (8a) of this section, within the metropolitan area the regulation and control of traffic shall, subject to the next following proviso, be administered solely by the Commissioner of Police and the members of the police force;” in the first proviso to subsection (8), and substituting the passage “within the metropolitan area and any district for which the Director is the local authority, the Commissioner of Police shall direct and be responsible for the exercise and performance by members of the police force of their powers and duties under subsection (4a) of this section and any other provision of this Act or the regulations, and the exercise and performance by persons and inspectors referred to in subsections (6) and (6a) of this section of their respective powers and functions”;
- (d) by repealing and re-enacting subsection (8a) as follows—

(8a) Without affecting the right of a member of the police force or an inspector to institute proceedings for an offence against this Act or the regulations, such proceedings (not being proceedings for an offence of which the use of a vehicle on the road or the driving of a vehicle is an element) may be instituted by an officer of the Department authorised in that behalf by the Director. ; and

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- (e) by adding after the word "Act", in line two of subsection (9), the words "or an officer or employee of the Department".

13. Section 30 of the principal Act is amended by deleting the passage "traffic inspector of the district of the nearest local authority," in lines seven and eight, and substituting the passage ", where the accident occurs in a district for which a council is the local authority, to the traffic inspector of that district,". Section 30  
amended.

14. Section 30A of the principal Act is amended by deleting the words "traffic inspector of the district of the nearest local authority" in lines nine and ten, and substituting the passage ", where the accident occurs in a district for which a council is the local authority, to the traffic inspector of that district". Section 30A  
amended.

15. Subsection (1) of section 49 of the principal Act is amended by adding after the words "local authority" in line two, the passage ", being the local authority for the purposes of this Act in its district,". Section 49  
amended.

16. Subsection (1) of section 52 of the principal Act is amended— Section 52  
amended.

- (a) by deleting the words "local authority" occurring in line two, line three and line eight, and substituting the word "Minister" in each case. ; and
- (b) by adding after the word "conducted" in the last line, the passage ", but the Minister shall not so grant permission or temporarily suspend the operation of any regulations unless he has first obtained the consent of the council of the municipality of the district within which the place or locality concerned is situated".

17. Section 56 of the principal Act is amended— Section 56  
amended.

- (a) by deleting the words "local authority" in line two of subsection (1) and substituting the word "municipality";

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- (b) by deleting the words “local authority” in line four of subsection (1) and substituting the passage “municipality and to the Commissioner of Main Roads for any damage or injury caused or happening to any road declared to be a main road or controlled-access road under the provisions of the Main Roads Act, 1930,”;
- (c) by deleting the words “local authority” in lines seven and eight of subsection (2) and substituting the word “municipality”; and
- (d) by adding after the word “done” in line nine of subsection (2), the passage “, or to the Commissioner of Main Roads, as the case may be”.

Section 57 amended.

18. Section 57 of the principal Act is amended—

- (a) by deleting the words “local authority” in line one of subsection (1) and substituting the word “municipality”; and
- (b) by deleting the word “authority” in line six, line nine, line fourteen and line nineteen of subsection (1) and in line two of subsection (2), and substituting the word “municipality”, in each case.

Section 64 amended.

19. Subsection (2) of section 64 of the principal Act is amended by deleting the words “local authority” in line one and substituting the words “council of a municipality”.

Section 67A added.

20. The principal Act is amended by adding after section 67 the following section—

67A. The Commissioner of Police may, in respect of any person—

- (a) who holds a driver’s license or learner’s permit under this Act or to whom a vehicle license under this Act has been issued;

Disclosure of record of offences, etc. by Commissioner to Director.

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- (b) to whom a license under the Used Car Dealers Act, 1964 has been issued;
- (c) to whom a license or permit under the Motor Vehicle Drivers Instructors Act, 1963 has been issued; or
- (d) who has applied for the issue or grant of a license or permit referred to in any of the foregoing paragraphs—

furnish to the Director such particulars as are known to the Commissioner of any offences of which that person has been convicted whether within the State or elsewhere, including particulars of any penalties, suspensions, cancellations or disqualifications arising therefrom, and also particulars of instances in which the person has paid a penalty pursuant to a traffic infringement notice under section seventy-four of this Act. .

21. Section 68 of the principal Act is amended by adding after the words “licensing officer” in line two of paragraph (b), the words “or officer of the Department”. Section 68  
amended.

22. Section 69 of the principal Act is amended by adding after subsection (2) the following subsection— Section 69  
amended.

(2a) In any prosecution or proceedings for an offence against this Act or the regulations an averment in the complaint that the person by whom the proceedings were instituted is an officer of the Department authorised to institute such proceedings shall be deemed to be proved in the absence of proof to the contrary. .

23. Section 72 of the principal Act is amended— Section 72  
amended.

- (a) by adding after the word “Minister” in line one, the passage “or the Minister for the time being administering the Police Act, 1892 or the Director”;

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- (b) by adding after the word "Minister" in line two, the passage "or the Minister for the time being administering the Police Act, 1892 or the Director";
- (c) by adding after the word "force" in line four, the words "or officer of the Department";
- (d) by adding after the passage "Minister," in line six, the passage "or the Minister for the time being administering the Police Act, 1892 or the Director"; and
- (e) by adding after the word "Minister" in line seven, the passage ", the Minister for the time being administering the Police Act, 1892, the Director,".

24. The principal Act is amended as set out in the Schedule to this Part.

THE SCHEDULE.

Provision amended.	Amendment.
Section 23 (1) ....	Delete "Commissioner of Police" in line two, substitute "Director".
Section 23 (2) ....	Delete "Commissioner of Police" in line two, substitute "Director".
Section 23 (2) (a) ....	Delete "Commissioner of Police" in line three, substitute "Director".
Section 23 (3) ....	Delete "Commissioner of Police" in line one, substitute "Director".
Section 23 (4) (a) ....	Delete "Commissioner of Police" in line two, substitute "Director".

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THE SCHEDULE—*continued.*

Provision amended.	Amendment.
Section 23B (1) (a) ....	Delete "Commissioner of Police" in lines one and two, substitute "Director".
Section 23B (1) (b) ....	Delete "Commissioner of Police" in line six, substitute "Director".
Section 23B (1) (c) ....	Delete "Commissioner of Police" in lines one and two, substitute "Director".
Section 23B (1) ....	Delete "Commissioner of Police" in line twenty, substitute "Director".
Section 23C (3) ....	Delete "Commissioner of Police" in lines one and two, substitute "Director".
Section 23D (2) ....	Delete "Commissioner of Police" in lines six and seven, substitute "Director".
Section 23D (3) ....	Delete "Commissioner of Police" in line three, substitute "Director".
Section 23E (1) ....	Delete "Commissioner" in line seven, substitute "Director".
Section 24 (1) ....	Delete "Commissioner of Police" in line one, substitute "Director".
Section 24 (2) ....	Delete "Commissioner of Police" in line two, substitute "Director".
Section 24 (3) ....	Delete "Commissioner of Police" in line one, substitute "Director".
Section 24 (4) ....	Delete "Commissioner of Police" in line six, substitute "Director".

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THE SCHEDULE—*continued.*

Provision amended.	Amendment.
Section 24 (4a) (c) ....	Delete "Commissioner of Police" in line two, substitute "Director".
Section 24 (5) ....	Delete "Commissioner of Police" in line one, substitute "Director".
Section 25A (1) ....	Delete "Commissioner" in line one, substitute "Director".
Section 25A (1) (c) ....	Delete "Commissioner of Police" in line ten, substitute "Director".
Section 25A (2) ....	Delete "Commissioner of Police" in line one, substitute "Director".
Section 25A (4) ....	Delete "Commissioner of Police" in line one, substitute "Director".
Section 25B (2) ....	Delete "Commissioner of Police" in line three, substitute "Director".
Section 25B (3) ....	Delete "Commissioner of Police" in line one, substitute "Director".
Section 25C (2) ....	Delete "Commissioner of Police" in line one, substitute "Director".
Section 32 (4a) ....	Delete "Commissioner of Police and any member of the Police Force acting with his authority" in lines forty-one and forty-two, substitute "Director".
Section 33A (1) ....	Delete "Commissioner of Police" in line eleven, substitute "Director".
Section 33A (4) (a) ....	Delete "Commissioner of Police" in line four, substitute "Director".



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THE SCHEDULE—*continued.*

Provision amended.	Amendment.
Section 33A (4) (b) ....	Delete "Commissioner" in line one, substitute "Director".
Section 33A (4) (c) ....	Delete "Commissioner of Police" in line three, substitute "Director".
Section 33A (5) (c) ....	Delete "Commissioner of Police" in lines one and two, substitute "Director".
Section 35 (2) ....	Delete "Commissioner of Police" in lines one and two and again in line fourteen, substitute "Director" in each case.
Section 36 (2) ....	Delete "Commissioner of Police" in lines one and two and again in line fourteen, substitute "Director" in each case.
Section 51 (1) ....	Delete "Commissioner of Police" in line six, substitute "Director".
Section 51 (2) ....	Delete "Commissioner of Police" in lines one and two, substitute "Director".
Section 51 (2) ....	Delete "Commissioner" in line four, substitute "Director".
Section 59 (2) ....	Delete "Commissioner of Police" in lines seven and eight, substitute "Director".
Section 75 (6) ....	Delete "Commissioner of Police" in lines seven and eight, substitute "Director".
Section 75 (8) ....	Delete "Commissioner of Police" in line eight, substitute "Director".

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PART II.—LOCAL GOVERNMENT ACT, 1960-1972.

Short title and citation.

25. (1) In this Part of this Act the Local Government Act, 1960-1972, is referred to as the principal Act.

Reprinted as approved for reprint 3rd May, 1968 and further amended by Acts Nos 21 of 1968, 35, 83 and 107 of 1969, 16, 21, 49, 80 and 120 of 1970, 66 of 1971 and 46, 81 and 94 of 1972.

(2) The principal Act as amended by this Act may be cited as the Local Government Act, 1960-1973.

Section 231 amended.

26. Subsection (2) of section 231 of the principal Act is amended by deleting the passage “for the time being charged with the administration of the Traffic Act, 1919” appearing at the end of paragraph (g), and substituting the words “for Traffic Safety”.

PART III.—USED CAR DEALERS ACT, 1964.

Short title and citation.

27. (1) In this Part of this Act the Used Car Dealers Act, 1964, is referred to as the principal Act.

(2) The principal Act as amended by this Act may be cited as the Used Car Dealers Act, 1964-1973.

Section 3 amended.

28. Subsection (1) of section 3 of the principal Act is amended—

(a) by deleting the interpretation “Commissioner” and substituting the following interpretation—

“authorised officer” means a person appointed under subsection (3) of section four; ;

(b) by adding after the interpretation “dealer” the following interpretations—

“Department” means the Department of Motor Vehicles established under the Traffic Act, 1919;

“Director” means the person for the time being holding, or performing the duties of, the office of the Director of the Department of Motor Vehicles under the Traffic Act, 1919; .

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29. Section 4 of the principal Act is amended— Section 4  
amended.

- (a) by deleting the word “Commissioner” in line two of subsection (1) and substituting the word “Director”;
- (b) by deleting the words “The Commissioner may delegate to a member of the Police Force” in lines one and two of subsection (2), and substituting the passage “The Director may, with the approval of the Minister, delegate to any officer of the Department”; and
- (c) by adding after subsection (2) the following subsection—

(3) The Director may, with the approval of the Minister, by instrument in writing appoint any officer of the Department to be an authorised officer for the purposes of this Act. .

30. Subsection (2) of section 20 of the principal Act is amended by deleting the word “a” in line four, and substituting the words “any authorised officer or any”. Section 20  
amended.

31. Subsection (1) of section 22 of the principal Act is amended— Section 22  
amended.

- (a) by deleting the words “a member of the Police Force” in lines one and two, and substituting the words “an authorised officer”;
- (b) by deleting the words “member of the Police Force” in line seven, and substituting the words “authorised officer”; and
- (c) by deleting the words “member of the Police Force” in lines ten and eleven, and substituting the words “authorised officer”.

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Section 23  
amended.

32. Subsection (1) of section 23 of the principal Act is amended—

- (a) by deleting the words “member of the Police Force” in lines one and two, and substituting the words “authorised officer”; and
- (b) by deleting the words “a member of the Police Force” in lines three and four of paragraph (b), and substituting the words “an officer of the Department”.

Section 28  
amended.

33. Subsection (1) of section 28 of the principal Act is amended by deleting the words “a member of the Police Force” in line two, and substituting the passage “the Director, an officer of the Department”.

34. The principal Act is amended as set out in the Schedule to this Part.

SCHEDULE.

Provision amended	Amendment
Section 8 (1)     ....     ....	Delete “Commissioner” in line two, substitute “Director”.
Section 9 (1) (a) (ii)     ....	Delete “Commissioner” in line four, substitute “Director”.
Section 9 (1) (b) (iv)     ....	Delete “Commissioner” in line three, substitute “Director”.
Section 9 (1) (c) (ii)     ....	Delete “Commissioner” in line three, substitute “Director”.
Section 10 (2)     ....     ....	Delete “Commissioner” in line two, substitute “Director”.
Section 10 (3)     ....     ....	Delete “Commissioner” in line five, substitute “Director”.
Section 11 (1)     ....     ....	Delete “Commissioner” in line two, substitute “Director”.

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THE SCHEDULE—*continued.*

Provision amended.	Amendment.
Section 11 (2) ....	Delete "Commissioner" in line four, substitute "Director".
Section 12 (1) ....	Delete "Commissioner" in line three, substitute "Director".
Section 13 (1) ....	Delete "Commissioner" in line two, substitute "Director".
Section 13 (3) ....	Delete "Commissioner" in line one, substitute "Director".
Section 14 .. ....	Delete "Commissioner" in line one, substitute "Director".
Section 15 .. ....	Delete "Commissioner" in line five, substitute "Director".
Section 16 (1) ....	Delete "Commissioner" in line two, substitute "Director".
Section 16 (2) ....	Delete "Commissioner" in line six, substitute "Director".
Section 16 (4) ....	Delete "Commissioner" in line two and again in lines three and four, substitute "Director" in each case.
Section 18 .. ....	Delete "Commissioner" in line eight, substitute "Director".
Section 19 (1) ....	Delete "Commissioner" in line one, substitute "Director".
Section 22 (2) ....	Delete "Commissioner" in lines four and five, substitute "Director".

PART IV.—MOTOR VEHICLE DRIVERS INSTRUCTORS ACT, 1963.

35. (1) In this Part of this Act the Motor Vehicle Drivers Instructors Act, 1963, is referred to as the principal Act.

Short title and citation.

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(2) The principal Act as amended by this Act may be cited as the Motor Vehicle Drivers Instructors Act, 1963-1973.

Section 3  
amended.

36. Section 3 of the principal Act is amended by deleting the interpretation "Commissioner" and substituting the following interpretations—

"Department" means the Department of Motor Vehicles established under the Traffic Act, 1919;

"Director" means the person for the time being holding, or performing the duties of, the office of Director of the Department;

Section 4  
repealed and  
and  
re-enacted.

37. Section 4 of the principal Act is repealed and re-enacted as follows—

Administra-  
tion of  
Act.

4. Subject to the directions of the Minister, the Director shall administer this Act in the Department of Motor Vehicles of the State.

Section 13  
amended.

38. Section 13 of the principal Act is amended—

- (a) by deleting the passage "Commissioner may," in line one of subsection (1) and substituting the passage "Director may, with the approval of the Minister,";
- (b) by deleting the words "Police Force" in line four of subsection (1) and substituting the word "Department"; and
- (c) by deleting the word "Commissioner" where occurring in line two, line four and line seven of subsection (3), and substituting the word "Director" in each case.

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39. The principal Act is amended as set out in the Schedule to this Part.

THE SCHEDULE.

Provision amended.	Amendment.
Section 5 (3)     ....     ....	Add after "Commissioner" in line four, "of Police and the Director".
Section 7 (1)     ....     ....	Delete "Commissioner" in line three, substitute "Director".
Section 7 (2)     ....     ....	Delete "Commissioner" in line one, substitute "Director".
Section 7 (3)     ....     ....	Delete "Commissioner" in line two, substitute "Director".
Section 7 (4)     ....     ....	Delete "Commissioner" in line nine, substitute "Director."
Section 7 (5)     ....     ....	Delete "Commissioner" in line one, substitute "Director".
Section 7 (5) (d)     ....	Delete "Commissioner" in line eight, substitute "Director".
Section 7 (5)     ....     ....	Delete "Commissioner" in line twenty-five, substitute "Director".
Section 7 (6)     ....     ....	Delete "Commissioner" in line two, substitute "Director".
Section 7 (7)     ....     ....	Delete "Commissioner" in line one, substitute "Director".
Section 8 (2) (b)     ....	Delete "Commissioner", substitute "Director".
Section 9 (1)     ....     ....	Delete "Commissioner" in line one, substitute "Director".
Section 9 (1) (d)     ....	Delete "Commissioner" in line one, substitute "Director".
Section 9 (2)     ....     ....	Delete "Commissioner" in line four, substitute "Director".
Section 9 (3)     ....     ....	Delete "Commissioner" in line one, substitute "Director".

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THE SCHEDULE—*continued.*

Provision amended.	Amendment.
Section 10 (1) ....	Delete "Commissioner" in line one, substitute "Director".
Section 10 (2) (a) ....	Delete "Commissioner" in line four, substitute "Director".
Section 10 (2) (b) (ii) ..	Delete "Commissioner", substitute "Director".
Section 10 (2) (b) ....	Delete "Commissioner" in line seven, substitute "Director".
Section 10 (3) ....	Delete "Commissioner" in line two, substitute "Director".
Section 10 (4) ....	Delete "Commissioner" in line three, substitute "Director".
Section 11 (1) (b) ....	Delete "Commissioner" in line one, substitute "Director".
Section 11 (1) ....	Delete "Commissioner" in line thirteen, substitute "Director".
Section 11 (2) (a) ....	Delete "Commissioner" in line two, substitute "Director".
Section 11 (3) ....	Delete "Commissioner" in line one, substitute "Director".
Section 11 (4) ....	Delete "Commissioner" in line one and again in line four, substitute "Director" in each case.
Section 12 (1) ....	Delete "Commissioner" in line one, substitute "Director".
Section 12 (2) ....	Delete "Commissioner" in line two, substitute "Director".
Section 14 (1) (g) ....	Delete "Commissioner" in line one, substitute "Director".
Section 14 (1) (h) ....	Delete "Commissioner" in line one, substitute "Director".