

TRAFFIC.

No. 20 of 1972.

AN ACT to amend the Traffic Act, 1919-1971.

[Assented to 26th May, 1972.]

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, 1972.* Short title and citation.
- (2) In this Act the Traffic Act, 1919-1971 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.
- (3) The principal Act as amended by this Act may be cited as the Traffic Act, 1919-1972.

Commence-
ment.

2. This Act shall come into operation on a date to be fixed by proclamation.

Section 16
amended.

3. Subsection (1) of section 16 of the principal Act is amended by adding after the word "Act" in line six of paragraph (b), the passage, "and unless the provisions of subsection (8) of section eleven of this Act have been complied with".

Section 22
amended.

4. Section 22 of the principal Act is amended—

(a) by repealing subsection (6) and substituting the following subsections—

(6) The Commissioner of Police may appoint any person who shall, in respect of any area or road to which his appointment extends, have such powers and perform such duties as may from time to time be prescribed.

(6a) Where an appointment of a person as an inspector which was made by the Minister under subsection (6) of this section at any time prior to the date of the coming into operation of the Traffic Act Amendment Act, 1972 was still in force immediately prior to that date—

(a) that person shall, subject to paragraph (b) of this subsection, continue to be an inspector with such powers and duties, extending to such roads, as he had immediately prior to that date together with such powers and duties as may from time to time be prescribed;

(b) the Commissioner may at any time revoke the appointment or vary the area or roads to which the appointment extends; and

- (c) the Commissioner, but no other local authority, may review any act or decision of the inspector. ;
- (b) by deleting from lines four and five of subsection (7) the words "and the Minister may review any act or decision of any inspector appointed by him" and substitute the words "and the Commissioner may review any act or decision of any person appointed by him under subsection (6) of this section;
- (c) by adding after the word "that" in line one of the first proviso to subsection (8) the passage ", subject to subsection (8a) of this section," ; and
- (d) by adding after subsection 8 the following subsection—

(8a) Nothing in the first proviso to subsection (8) of this section shall be construed as prejudicing or otherwise affecting the powers and duties of a person appointed by the Commissioner under subsection (6) of this section or of an inspector referred to in subsection (6a) of this section.

5. The principal Act is amended by adding after section 23D a section as follows—

Section 23E
added.

23E. (1) The fees otherwise payable under Part III of the Third Schedule to this Act for the issue or renewal of a driver's license for a pensioner, other than a driver's license appropriate to the passenger vehicle class, shall, on application being made in the form approved by the Commissioner, be reduced by the sum of two dollars.

Reduction
in fees for
drivers'
licenses
issued to
pensioners.

(2) In this section "pensioner" means a person who—

- (a) is in receipt of an age pension, an invalid pension or a widow's pension under the provisions of the Social

Services Act 1947, as subsequently amended, of the Commonwealth; or

- (b) is in receipt of a service pension under the provisions of the Repatriation Act 1920, as subsequently amended, of the Commonwealth,

but does not include such a person who is not a pensioner within the meaning of section four of the National Health Act 1953-1969 of the Commonwealth.

Section 24
amended.

6. Section 24 of the principal Act is amended—

- (a) by adding after subsection (4) the following subsection—

(4a) (a) The holder of a license issued pursuant to the making of an order under subsection (4) of this section may from time to time during the currency of the license apply by way of complaint to a Court of Petty Sessions constituted by a stipendiary magistrate for an order varying the conditions and limitations to which the license is for the time being subject or cancelling and substituting other conditions and limitations therefor.

(b) If the Court is of opinion that the conditions and limitations, to which the license is then subject, should be varied or cancelled and other conditions and limitations substituted therefor, the Court may order accordingly.

(c) When an order is so made, the Commissioner of Police shall cause the conditions and limitations as so varied or substituted to be endorsed on the license.

(d) The Court may order the complainant to pay the whole or any part of the costs of an application made under this subsection. ; and

- (b) by adding after the passage, “(4)” in line two of subsection (6), the passage, “or (4a)”.