



ANNO TRICESIMO QUINTO

ELIZABETHAE II REGINAE

A.D. 1986

No. 27 of 1986

An Act to amend the Road Traffic Act, 1961.

[Assented to 20 March 1986]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Road Traffic Act Amendment Act, 1986". Short title.

(2) The Road Traffic Act, 1961, is in this Act referred to as "the principal Act".

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

3. Section 5 of the principal Act is amended—

(a) by striking out from subsection (1) the definition of "the Board";
and

(b) by striking out from the definition of "roundabout" in subsection (1) the passage "approved by the Board to distinguish the intersection or junction as a roundabout are erected or displayed in a manner approved by the Board" and substituting the passage "to distinguish the intersection or junction as a roundabout are erected or displayed in pursuance of this Act".

Amendment of
s. 5—
Interpretation.

4. Sections 11, 12, 13, 14 and 15 of the principal Act and the heading to those sections are repealed and the following sections are substituted:

Repeal of ss. 11
to 15 and heading
to those sections
and substitution
of new sections.

11. (1) The Minister may, by instrument in writing, delegate any of the powers or functions conferred on, or assigned to, the Minister by or under this Act—

Delegation by
Minister.

(a) to a particular person or committee;

or

(b) to the person for the time being occupying a particular position.

(2) Where a delegation is made to a committee under this section, the instrument of delegation may regulate the procedures to be followed by the committee and (without limiting the generality of that power) may provide that the committee shall act by decision of the majority of its members present at a meeting of the committee.

(3) A delegation under this section—

(a) may be unconditional or subject to conditions specified by the Minister;

(b) does not derogate from the power of the Minister to act personally in any matter;

and

(c) is revocable at will by the Minister.

12. For the purposes of this Act, any approval of the Minister required under this Act—

(a) may, if the Minister thinks fit, be of a general nature extending to matters specified by the Minister;

and

(b) may be unconditional or subject to conditions specified by the Minister.

Power of Minister in relation to approvals.

Amendment of s. 17—
Installation, etc., of traffic control devices.

5. Section 17 of the principal Act is amended—

(a) by striking out from subsections (1) and (2) the word “Board” and substituting, in each case, the word “Minister”;

and

(b) by striking out subsections (3) to (9) (inclusive).

Amendment of s. 18—
Direction to install traffic control device.

6. Section 18 of the principal Act is amended—

(a) by striking out from subsection (1) the passage “Board may, if it thinks fit,” and substituting the passage “Minister may”;

(b) by striking out from subsection (1) the word “Board”, secondly occurring, and substituting the word “Minister”;

(c) by striking out subsections (2), (3) and (4);

(d) by striking out from subsection (5) the passage “, subject to this section,”;

and

(e) by striking out from subsection (6) the word “Board” and substituting the word “Minister”.

Amendment of s. 20—
Signs indicating that works are in progress on a road.

7. Section 20 of the principal Act is amended by striking out from subsection (2) the passage “Board, or of a person appointed by the Board to give approvals under this section” and substituting the word “Minister”.

Amendment of s. 23—
Stop signs at road works or pedestrian crossings.

8. Section 23 of the principal Act is amended—

(a) by striking out from paragraph (a) of subsection (4) the word “Board” and substituting the word “Minister”;

and

(b) by striking out from paragraph (b) of subsection (4) the passage "Board or a person appointed by the Board to give approvals under this section" and substituting the word "Minister".

9. Section 25 of the principal Act is amended by striking out from paragraph (b) of subsection (1) the word "Board" and substituting the word "Minister".

Amendment of s. 25—
General provisions relating to traffic control devices.

10. Section 31 of the principal Act is amended by striking out the word "Board" wherever it occurs and substituting, in each case, the word "Minister".

Amendment of s. 31—
Removal of certain lights and signs.

11. Section 32 of the principal Act is amended by striking out from subsection (2) the word "Board" and substituting the word "Minister".

Amendment of s. 32—
Speed zones.

12. Section 82a of the principal Act is amended—

(a) by striking out from subsection (1) the passage "obtains the prior approval of the Board" and substituting the passage "is acting with the approval of the Minister";

Amendment of s. 82a—
Council not to authorize angle parking on a road without Minister's approval.

and

(b) by striking out from subsection (2) the word "Board" wherever it occurs and substituting, in each case, the word "Minister".

13. Section 83a of the principal Act is amended by striking out from subsection (3) the word "Board" and substituting the word "Minister".

Amendment of s. 83a—
Restriction on sale of goods on roads.

14. Section 94a of the principal Act is amended—

(a) by striking out from subsection (2a) the passage "Board is satisfied that reasonable cause exists for doing so, it" and substituting the passage "Minister is satisfied that reasonable cause exists for doing so, the Minister";

Amendment of s. 94a—
Portion of body protruding from vehicle.

and

(b) by striking out subsection (2c).

15. Section 135 of the principal Act is amended by striking out the word "Board" and substituting the word "Minister".

Amendment of s. 135—
Mechanical signals on certain vehicles.

16. Section 161a of the principal Act is amended—

(a) by striking out from subsection (1) the word "Board" and substituting the word "Minister";

Amendment of s. 161a—
Air cushioned vehicles.

and

(b) by striking out subsection (2).

17. Section 162a of the principal Act is amended by striking out from subsection (4) the word "Board" and substituting the word "Minister".

Amendment of s. 162a—
Seat belts.

18. Section 162ab of the principal Act is amended by striking out subparagraph (ii) of paragraph (b) of subsection (3) and substituting the following subparagraph:

Amendment of s. 162ab—
Wearing of seat belts is compulsory.

- (ii) a valid certificate signed by the Minister certifying that, in the opinion of the Minister, that person should not be required to wear a seat belt.

Amendment of
s. 163aa—
Power of
exemption.

19. Section 163aa of the principal Act is amended—

- (a) by striking out from subsections (1) and (2) the word “Board” wherever it occurs and substituting, in each case, the word “Minister”;

and

- (b) by striking out subsection (3).

Amendment of
s. 175—
Evidence.

20. Section 175 of the principal Act is amended by striking out from subparagraph (i) of paragraph (c) of subsection (3) the passage “chairman of the Board” and substituting the word “Minister”.

Amendment of
s. 176—
Regulations.

21. Section 176 of the principal Act is amended—

- (a) by striking out from paragraph (a) of subsection (1) the passage “Board, subject to such conditions or restrictions as it” and substituting the passage “Minister, subject to such conditions or restrictions as the Minister”;

and

- (b) by striking out from subsection (4) the word “Board” and substituting the word “Minister”.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor