

**ACTS AMENDMENT (VEHICLES  
ON ROADS) ACT 1994**

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**No. 13 of 1994**

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**AN ACT to amend the —**

- ***Motor Vehicle (Third Party Insurance) Act 1943;***  
**and**
- ***Road Traffic Act 1974.***

*[Assented to 15 April 1994.]*

**The Parliament of Western Australia enacts as follows:**

**PART 1 — PRELIMINARY**

**Short title**

1. This Act may be cited as the *Acts Amendment (Vehicles on Roads) Act 1994*.

**Commencement**

2. This Act shall come into operation on such day as is fixed by proclamation.

**PART 2 — MOTOR VEHICLE (THIRD PARTY  
INSURANCE) ACT 1943**

**Principal Act**

3. In this Part the *Motor Vehicle (Third Party Insurance) Act 1943\** is referred to as the principal Act.

[\* *Reprinted as at 11 March 1992.*

*For subsequent amendments see Act No. 6 of 1993.]*

**Long title amended**

4. The long title to the principal Act is amended —

(a) by deleting “to insure” and substituting the following —

“ whilst on a road, to be insured ”; and

(b) by inserting after “such motor vehicles,” the following —

“ whether caused on or off a road, ”.

**Section 2 amended**

5. Section 2 of the principal Act is amended —

(a) by inserting after the section designation “2.” the subsection designation “(1)”; and

(b) by inserting the following subsection —

“

(2) Words and expressions defined in the Traffic Act shall have the same respective meanings in this Act, unless the contrary intention appears.

”.

**Section 3 amended****6. Section 3 of the principal Act is amended —**

- (a) in subsection (1) in the definition of “owner” by deleting “under which that vehicle is hired for a period of not less than 6 months means the person in possession of that” and substituting the following —

“ includes any persons who have hired the ”;

- (b) in subsection (1) in the definition of “uninsured motor vehicle” by deleting “the owner thereof is required to enter into a contract of insurance” and substituting the following —

“  
there is required to be in force a contract of insurance entered into by the owner of the motor vehicle  
”;

”; and

- (c) in subsection (4) (a) —

- (i) by inserting after “driver of such motor vehicle” the following —

“ whilst that motor vehicle is on a road ”;

and

- (ii) by deleting “vehicle in this State.” and substituting the following —

“  
vehicle in this State, whether caused  
on or off a road.  
”

”.

**Section 4 amended**

**7. Section 4 of the principal Act is amended —**

- (a) by repealing subsection (1) and substituting the following subsection —

“

(1) When any motor vehicle is on a road there is required to be in force in relation to the motor vehicle a contract of insurance entered into by the owner of the motor vehicle under which the owner has insured subject to and in accordance with this Act against any liability which may be incurred by the owner or any person who drives the motor vehicle in respect of the death of or bodily injury to any person directly caused by, or by the driving of, the motor vehicle.

”;

- (b) by repealing subsection (3) (a) and substituting the following paragraph —

“

(a) Where a motor vehicle in relation to which there is not in force a policy of insurance complying with this Act is used on a road the owner of the motor vehicle and any person so using the motor vehicle or causing or permitting such use commits an offence.

Penalty: First offence: \$400.  
Subsequent offence: \$800.

”; and

- (c) by deleting subsection (5) (b) and substituting the following —

“

- (b) within a period of 3 months from the date on which it came to the knowledge of the prosecutor that the alleged offence had been committed,

whichever period is the longer.

”.

### **Section 10 amended**

8. Section 10 (1) of the principal Act is amended by deleting “driving of, a” and substituting the following —

“ driving of, an insured or an uninsured ”.

### **Section 27 amended**

9. Section 27 (1) (a) of the principal Act is amended by deleting “driving of, a” and substituting the following —

“ driving of, an insured or an uninsured ”.

### **Section 29 amended**

10. Section 29 (1) of the principal Act is amended by deleting “driving of, a” and substituting the following —

“ driving of, an insured or an uninsured ”.

**Section 29A amended**

**11.** Section 29A of the principal Act is amended by deleting “driving of, a” and substituting the following —

“ driving of, an insured or an uninsured ”.

**PART 3 — ROAD TRAFFIC ACT 1974**

**Section 15 amended**

**12.** Section 15 (1) of the *Road Traffic Act 1974\** is repealed and the following subsection is substituted —

“

(1) A vehicle licence is required for any vehicle described in the First Schedule whilst that vehicle is being used on a road.

”.

[\* *Reprinted as at 4 April 1991.*

*For subsequent amendments see 1992 Index to Legislation of Western Australia, Table 1, p. 183 and Act No. 6 of 1993.]*