

WESTERN AUSTRALIA

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**ROAD TRAFFIC AMENDMENT  
(MEASURING EQUIPMENT)  
ACT 1996**

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**No. 37 of 1996**

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**AN ACT to amend the *Road Traffic Act 1974*.**

*[Assented to 27 September 1996.]*

The Parliament of Western Australia enacts as follows:

**Short title**

- 1.** This Act may be cited as the *Road Traffic Amendment (Measuring Equipment) Act 1996*.

**Commencement**

2. This Act comes into operation on the day on which it receives the Royal Assent.

**Principal Act**

3. In this Act the *Road Traffic Act 1974\** is referred to as the principal Act.

[\* Reprinted as at 1 June 1995.  
For subsequent amendments see 1995 Index to  
Legislation of Western Australia, Table 1, pp. 191-3  
and Gazette 24 May 1996.]

**Section 98A amended**

4. (1) Section 98A (1) of the principal Act is amended by inserting in the appropriate alphabetical position the following definition —

“ **“authorized person”** means —

- (a) in relation to distance measuring equipment —
  - (i) a member of the Police Force; or
  - (ii) a person certified by the Commissioner of Police as being competent to use the equipment;
- (b) in relation to speed measuring equipment —
  - (i) a member of the Police Force; or
  - (ii) a person certified by the Commissioner of Police as being competent to use the equipment;

”.

(2) Section 98A (3), (3a), (4) and (4a) of the principal Act are amended by deleting “a member of the Police Force” wherever it occurs and substituting the following —

“ an authorized person ”.

(3) After section 98A (4a) of the principal Act the following subsection is inserted —

“

(4b) In any proceeding such as is mentioned in subsection (3) or (3a), a certificate purporting to be signed by the Commissioner of Police certifying that a person named in the certificate is, or was at the material time, a person certified by the Commissioner as being competent to use distance measuring equipment or to use speed measuring equipment is *prima facie* evidence of the matters in the certificate, without proof of the signature of the person purporting to have signed it or proof that the purported signatory was the Commissioner.

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