

CONTROL OF ROADS ORDINANCE (No. 2) 1962.

No. 40 of 1963.

An Ordinance to amend the *Control of Roads Ordinance 1953-1959*, as amended by the *Control of Roads Ordinance 1962*.

[Reserved 4th January, 1963.]

[Assented to 17th May, 1963.]*

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the *Northern Territory (Administration) Act 1910-1961*, as follows:—

Short title and citation.

1.—(1.) This Ordinance may be cited as the *Control of Roads Ordinance (No. 2) 1962*.

(2.) The *Control of Roads Ordinance 1953-1959*, as amended by the *Control of Roads Ordinance 1962*, is in this Ordinance referred to as the Principal Ordinance.

(3.) Section one of the *Control of Roads Ordinance 1962* is amended by omitting sub-section (3.).

(4.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Control of Roads Ordinance 1953-1962*.

Commencement.

2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.†

Maximum length, &c., of vehicles.

3. Section thirty-eight of the Principal Ordinance is amended by omitting sub-sections (2.) to (11.) inclusive.

4. After section thirty-eight of the Principal Ordinance the following section is inserted:—

“38A.—(1.) In this section—

‘cattle road train’ means a road train consisting of a prime mover, not being a prime mover that is part of an articulated vehicle, and not more than three trailers, so designed that it may be efficiently used for transporting cattle by road;

‘cattle semi-trailer’ means an articulated vehicle so designed that it may be efficiently used for transporting cattle by road;

Special provisions relating to vehicles used for transporting cattle.

* Assent notified in the *Government Gazette* of the Northern Territory on 27th May, 1963 (see *Gazette* No. 21A, 1963, p. 110A).

† The date fixed was 11th December, 1963 (see *Government Gazette* No. 50 of 11th December, 1963, p. 232).

'permit vehicle' means a cattle semi-trailer or cattle road train in respect of which a permit has been granted, and is in force, under this section;

'subject vehicle' means a cattle semi-trailer or cattle road train in respect of which an application is made for a permit under this section.

" (2.) Where the length of—

- (a) a cattle semi-trailer exceeds forty-five feet but does not exceed forty-seven feet six inches;
- (b) a component portion of a cattle semi-trailer exceeds thirty-five feet but does not exceed thirty-six feet; or
- (c) the prime mover of a cattle road train exceeds forty feet but does not exceed forty-five feet,

a person may make application in accordance with this section for a permit to drive the cattle semi-trailer or cattle road train on a road, or cause or permit it to be so driven.

" (3.) The application—

- (a) shall be in writing signed by the applicant and addressed to the Administrator;
- (b) may be served by post on the Administrator; and
- (c) shall contain a declaration stating—
 - (i) the full name and address of the applicant;
 - (ii) the registration number of each registered component portion of the subject vehicle;
 - (iii) the length of the subject vehicle;
 - (iv) the length of each component portion of the subject vehicle;
 - (v) that the subject vehicle is so designed that it may be efficiently used for transporting cattle by road; and
 - (vi) that the applicant intends to use the subject vehicle on roads in the Northern Territory only for transporting cattle or for making journeys incidental to the transporting of cattle.

" (4.) The Administrator or a person authorized by him in writing to do so shall, if satisfied as to the truth of the statements in the declaration and that the subject vehicle is one in respect of which the application may be made, grant to the applicant a permit under this section.

“(5.) A permit granted under this section is subject to—

- (a) a condition that the permit vehicle shall not be driven on a road in the Northern Territory except for transporting cattle or for making a journey incidental to the transporting of cattle; and
- (b) such other conditions as are—
 - (i) relevant to the minimizing of danger or annoyance to the public or damage to roads; and
 - (ii) specified in the permit.

“(6.) A permit granted under this section expires twelve months after the date on which it commences, but the expiry of a permit does not prevent the granting of another permit in relation to the same cattle semi-trailer or cattle road train.

“(7.) A permit granted under this section shall state—

- (a) the name and address of the person to whom the permit is issued;
- (b) the registration number of each registered component portion of the semi-trailer or cattle road train to which the permit relates;
- (c) the date of commencement of the permit;
- (d) the conditions to which the permit is subject; and
- (e) such other matters as are prescribed.

“(8.) The Administrator may, by writing served on the holder of a permit granted under this section, revoke the permit if—

- (a) a person is convicted under this section of an offence in relation to the permit vehicle; or
- (b) a condition to which the permit is subject is not observed.

“(9.) The notice of revocation may be served by post.

“(10.) The revocation becomes effective after the date on which the service is effected, or after a date specified in the revocation, whichever is the later.

“(11.) Notwithstanding the last preceding section, a person does not commit an offence against this Ordinance by reason only of the fact that he drives or causes or permits to be driven on a road—

(a) a cattle semi-trailer—

(i) which is longer than forty-five feet but not longer than forty-seven feet six inches; or

(ii) of which a component portion is longer than thirty-five feet but not longer than thirty-six feet; or

(b) a cattle road train which is longer than one hundred and forty-five feet or of which a component portion is longer than forty feet but not longer than forty-five feet,

provided a permit has been granted and is in force under this section in respect of the cattle semi-trailer or cattle road train and the cattle semi-trailer or cattle road train is driven on the road in accordance with the conditions stated in the permit.”.
