

“(7) Upon receipt of an order of the Minister made under subsection (6)—

- I The council shall give public notice, as provided in subsection (5), of the order quashing the resolution: and
- II The resolution so quashed shall be deemed to be null and void from its commencement.

“(8) Proceedings may be taken under subsection (5) simultaneously with proceedings under subsection (2) in respect of a period within, or overlapping, the period to be affected under subsection (2).”.

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## TRAFFIC.

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### No. 50 of 1956.

#### AN ACT to amend the *Traffic Act* 1925.

[29 November 1956.]

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title and citation.

- 1**—(1) This Act may be cited as the *Traffic Act* 1956.  
 (2) The *Traffic Act* 1925, as subsequently amended, is in this Act referred to as the Principal Act.

Interpretation.

- 2** Section three of the Principal Act is amended—
- (a) by inserting in the definition of “Motor vehicle”, after the word “carriage” (first occurring), the words “traction engine, tractor,”, and by omitting from that definition the words “or a traction engine”;
  - (b) by omitting the definition of “Traction engine”; and
  - (c) by omitting the definition of “Trailer” and substituting therefor the following definition:—
    - “‘Trailer’ means a contrivance—
    - I Without motive power that is drawn or propelled or is capable of being drawn or propelled by a motor vehicle from which it is detachable: and

- II That is equipped with wheels or revolving runners upon which it moves or is moved,  
but does not include—
- III A plough, harvester, baler, or other contrivance used for agricultural or horticultural purposes:
- IV A side-car attached to a motor-cycle:  
or
- V Any other class of contrivance that is declared by the regulations not to be a trailer for the purposes of this Act:”.

**3** Section ten of the Principal Act is amended—

Regulations.

(a) by omitting paragraph I of subsection (1) and substituting therefor the following paragraph:—

“I Providing that motor vehicles and trailers, not exempted by the regulations, shall be registered and that certificates of registration and registration labels be issued upon the registration thereof and that the drivers thereof shall be licensed, and appointing motor registries where, and registering authorities by whom, those motor vehicles and trailers may be registered, and the drivers thereof licensed, either provisionally or otherwise, and prescribing the fees to be paid in respect of the issue of those labels:”;

(b) by inserting after subsection (1) the following subsection:—

“(1A) The regulations may—

I Exempt the drivers of prescribed classes or kinds of motor vehicles propelled by steam from the obligation to be licensed:  
and

II Regulate the affixing to motor vehicles and trailers of registration labels issued upon the registration thereof and prescribe the position thereon on which they shall be so affixed (and may, in that respect, differentiate between different classes or kinds of motor vehicles or trailers).”;

(c) by adding at the end thereof the following subsection:—

“(3) Notwithstanding any of the provisions of the regulations relating to the duration of registration of motor vehicles and the renewal

of the registration thereof, so long only as a tractor is used exclusively for agricultural or horticultural purposes that tractor, when registered in accordance with the regulations, continues to be registered without any formal renewal of registration, unless and until the registration thereof is suspended or cancelled in pursuance of the regulations.”.

Driving  
without  
licence. &c.

**4** Section fourteen of the Principal Act is amended by inserting in paragraph I, after the word “vehicle”, the words “(not being a vehicle of a class or kind to which the regulations under paragraph I of subsection (1A) of section ten apply)”.

Issue of  
licences.

**5** Section fifteen of the Principal Act is amended by omitting subsection (11) and substituting therefor the following subsections:—

“(11) Subject to subsection (11AA) of this section, a licence under this Part, unless sooner cancelled, expires on the triennial date next after it is issued.

“(11AA) Notwithstanding anything in subsection (11) of this section—

I Where an application is made for a licence under this Part and on the day on which, but for this paragraph, a licence under this Part held by the applicant would expire, the application has not been finally determined, the licence so held shall be deemed to continue until—

(a) Fourteen days after the day on which the application is granted: or

(b) If the application is refused, the day on which the applicant is notified by the Commissioner of the refusal thereof,

whichever is the earlier day: and

II If the holder of a licence under this Part fails, in any year during the currency of the licence, to pay the fee payable in respect thereof for that year under subsection (2) of this section within the time prescribed in that behalf in that subsection, the licence shall, so long as default in payment thereof continues, be deemed to be suspended.”.

Certain  
decisions to  
be notified in  
Gazette.

**6** Section twenty-two A of the Principal Act is amended by omitting subsection (1) and substituting therefor the following subsection:—

“(1) Except as provided by subsection (2) of this section, every decision of the Commissioner with respect to—

I The grant or refusal of an application for a licence under this Part made by a person who, within the immediately preceding triennial period (as defined in section fifteen), was not the holder of a licence under this Part:

- II The granting of an application for a licence under this Part where an objection to a granting thereof has been lodged as provided by the regulations:
- III The granting of a licence to the holder of a provisional licence under section sixteen: or
- IV The imposition of any restrictions or conditions to be observed by the holder of a licence under this Part, or the variation of any such restrictions or conditions, .

shall be notified by the Commissioner in the *Gazette*."

**7** Section thirty B of the Principal Act is amended by omitting subsection (2) and substituting therefor the following subsection:— Appeals.

" (2) An appeal under this section shall be instituted by notice of appeal, in writing, which shall state specifically but concisely the grounds of the appeal, and shall be lodged with, or forwarded to, the secretary to the tribunal not later than fourteen days after—

I The date of the notification in the *Gazette* of the decision in respect of which the appeal is brought:  
or

II The date of the receipt by the appellant of written notice from the Commissioner setting forth his decision on the matter in respect of which the appeal is brought,

whichever is the earlier date."

**8** Section sixty-two of the Principal Act is amended by inserting therein, after the definition of "Insurer", the following definition:— Interpre-  
tation.

" ' Motor vehicle ' includes a trailer:":

**9** Section sixty-three of the Principal Act is amended by omitting from subsection (1) thereof the words " , after the first day of January one thousand nine hundred and thirty-seven, " Motor  
vehicles to be  
insured.