

## TRAFFIC.

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### No. 35 of 1968.

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

[24 July 1968.]

**B**E 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 1968*.

(2) The *Traffic Act 1925*, as subsequently amended, is in this Act referred to as the Principal Act.

Municipal  
by-laws.

**2** Sections five and six of the Principal Act are repealed.

Duties of  
licensees and  
owners of  
public  
vehicles.

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

(a) by omitting from subsection (1) the symbols “(i)” and “(ii)” (first occurring) and the symbol “(iii)” and substituting therefor, respectively, the symbols “(a)”, “(b)”, and “(c)”;

(b) by inserting in paragraph (c) of that subsection (as amended by paragraph (a) of this section), after the word “vehicle” (last occurring), the words “or aircraft”.

Cancellation  
and  
suspension  
of public  
licences.

**4** Section twenty-two of the Principal Act is amended—

(a) by inserting in subsection (1), after the word “cancel”, the words “or suspend”;

(b) by omitting from subsection (2) the words “the holder of a licence” and substituting therefor the words “a person”;

(c) by omitting from that subsection all the words following the word “Commission,” and substituting therefor the words “may exercise the powers conferred by subsection (6A) of this section.”;

(d) by omitting from subsection (3) the word “licensee” and substituting therefor the word “person”;

(e) by omitting from that subsection all the words following the word “Commission,” and substituting therefor the words “may exercise the powers conferred by subsection (6A) of this section.”;

(f) by inserting, after subsection (5), the following subsection:—

“(5A) Where a person has been convicted twice of offences under paragraph (c) of subsection (1) of section twenty-four, and not longer than ten years has elapsed between those convictions, the Tribunal, upon a complaint made by the Commission within a period of three months after the last of those convictions, may exercise the powers conferred by subsection (6A) of this section.”;

(g) by inserting, after subsection (6), the following subsections:—

“(6A) Where, under this section, the Tribunal, on a complaint made by the Commission in respect of any person, is authorized to exercise the powers conferred by this subsection, the Tribunal may, subject to subsection (6B) of this section, cancel or suspend all or any of the licences held by that person at the time the complaint was made, or may refuse to cancel or suspend those licences.

“(6B) In exercising the powers conferred by subsection (6A) of this section on a complaint referred to therein, the Tribunal shall cancel the licences so referred to unless, having regard to the nature of the offences to which the complaint relates and to all the circumstances of the case, it considers that it would be unreasonable so to do.

“(6C) Where under this section the Tribunal suspends a licence it shall specify the period for which the licence is suspended and the licence is of no effect during that period.

“(6D) Where a licence is suspended under this section for a period and, if it had not been so suspended, annual fees would, under section sixteen C, have become due in respect of that licence during that period those fees become due to be paid by the holder of the licence at the expiration of that period, and if they are not paid at or before the end of that period the licence continues to be of no effect until they are paid.”; and

(h) by inserting in subsection (7), after the word “cancellation”, the words “or suspension”.

**5** Section twenty-four of the Principal Act is amended by omitting subsection (2).

Offences and penalties in relation to use of public vehicles.

## Transitory provisions.

**6**—(1) The Principal Act applies in relation to a complaint made under subsection (2) or subsection (3) of section twenty-two of that Act in respect of convictions none of which was imposed after the commencement of this Act as if this Act had not been enacted.

(2) Subsection (5A) of section twenty-two of the Principal Act (as amended by this Act) does not apply in respect of the convictions referred to therein unless at least one of those convictions was imposed after the commencement of this Act.

(3) Subject to the foregoing provisions of this section, section twenty-two of the Principal Act, as amended by this Act, applies in respect of a conviction for an offence whether or not that conviction was imposed before or after the commencement of this Act.

(4) Subsection (6) of section twenty-two of the Principal Act has effect for the purposes of this section as it has effect for the purpose of that section.

## Correction to Traffic Act (No. 2) 1964.

**7** Section two of the *Traffic Act (No. 2) 1964* has effect, and shall be deemed always to have had effect as if, in paragraph (a) thereof, for the word “renewal” there were substituted the word “renewing”.

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## LONG SERVICE LEAVE.

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### No. 36 of 1968.

AN ACT to amend the *Long Service Leave Act*  
1956. [24 July 1968.]

**B**E 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 *Long Service Leave Act 1968*.

(2) The *Long Service Leave Act 1956*, as subsequently amended, is in this Act referred to as the Principal Act.