



TRAFFIC AMENDMENT (No. 2)

No. 76 of 1979

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AN ACT to amend the Traffic Act 1925 to provide for the appointment of a deputy chairman to the Public Vehicles Licensing Appeal Tribunal, to extend the power to postpone the commencement of a period of disqualification of a driver's licence, to enable authorized officers of the Transport Commission to serve infringement notices, and to provide for incidental matters.

[Royal Assent 14 December 1979]

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:—

1—This Act may be cited as the *Traffic Amendment Act (No. 2)* Short title.
1979.

Principal Act.

2—In this Act, the *Traffic Act* 1925* is referred to as the Principal Act.

Amendment of
section 30A
of Principal
Act (Public
Vehicles
Appeal
Tribunal).

3—(1) Section 30A of the Principal Act is amended by omitting subsection (2) and substituting the following subsection:—

(2) The tribunal shall consist of—

(a) three members, appointed by the Governor, of whom—

(i) one shall be a magistrate, who shall be chairman of the tribunal; and

(ii) the others shall be persons nominated as provided in subsection (3); and

(b) three deputy members so appointed of whom—

(i) one shall be a magistrate, who shall be deputy chairman of the tribunal; and

(ii) the others shall be persons nominated as provided in subsection (3).

(2) Section 30A (3) of the Principal Act is amended by omitting “subsection (2)” and substituting “subsection (2) (a) (ii) and (b) (ii)”.

(3) Section 30A of the Principal Act is further amended by omitting subsection (3B) and substituting the following subsections:—

(3B) Whenever the chairman of the tribunal—

(a) is by reason of illness or for any other reason unable to carry out his duties with respect to the hearing and determination of an appeal under section 30B; or

(b) directs the deputy chairman of the tribunal to carry out those duties in his place,

the deputy chairman of the tribunal shall carry out those duties and, while so doing, shall be deemed to be the chairman of the tribunal for the purposes of, and in connection with, the hearing and determination of that appeal.

* 16 Geo. V No. 38. For this Act as amended to 1973, see Annual Volume of Statutes for 1974, Appendix B. Subsequently amended by No. 108 of 1974, Nos. 58 and 66 of 1975, Nos. 37 and 96 of 1976, Nos. 58 and 92 of 1977, Nos. 10, 52, 75, and 83 of 1978, and No. 17 of 1979.

(3c) The deputy chairman of the tribunal shall not act as a member of the tribunal except as provided in subsection (3B), and a deputy member, other than the deputy chairman of the tribunal, shall not act as a member of the tribunal unless directed to do so by the chairman of the tribunal or, where the deputy chairman of the tribunal is acting in place of the chairman, by the deputy chairman.

(4) Section 30A (5) of the Principal Act is amended by inserting “ and deputy chairman ” after “ chairman ”.

4—(1) Section 35 (1) of the Principal Act is amended by omitting “ under this Act ”.

Amendment of section 35 of Principal Act (Commencement of period of disqualification).

(2) Section 35 (2) of the Principal Act is amended by omitting “ under this Act ”.

5—Section 43H (1) of the Principal Act is amended by inserting “ or an authorized officer ” after “ police officer ”.

Amendment of section 43H of Principal Act (Service and acceptance of traffic infringement notices).

6—Section 43L (1) of the Principal Act is amended by inserting “ or an authorized officer ” after “ police officer ”.

Amendment of section 43L of Principal Act (Service of notices).

7—Schedule V to the Principal Act is amended by inserting in paragraph 1 (e) of Part III “ or an authorized officer ” after “ police officer ”.

Amendment of Part III of Schedule V of Principal Act.

