

1994—No. 463

JUSTICES ACT 1902—REGULATION

(Relating to short descriptions of offences under the Motor Traffic Regulations 1935 and the Roads (General) Regulation 1994)

NEW SOUTH WALES



[Published in Gazette No. 111 of 31 August 1994]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Justices Act 1902, has been pleased to make the Regulation set forth hereunder.

J. P. HANNAFORD, M.L.C.,
Minister for Justice.

Commencement

1. (1) Clause 2 commences on 1 September 1994.
- (2) Clause 3 commences on 1 March 1995.

Amendment

2. The Justices (Short Descriptions of Motor Traffic and Other Offences) Regulation 1986 is amended:

- (a) by inserting at the end of clause 3 the following subclause:
 - (2) The symbol “/” between the words in an expression in Column 2 of Schedule 1 indicates that the provision in Column 1 of the Schedule creates more than one offence. The prescribed expression for any one of those offences consists of the expression in Column 2 from which the irrelevant words have been omitted.
- (b) by inserting after clause 4 the following clause:

Current proceedings not affected by repeal of short descriptions

5. The omission of a short description from Schedule 1 does not affect any legal proceedings duly commenced, or any information,

complaint, summons, warrant, notice, order or other document duly executed, before the short description was omitted.

- (c) by inserting in Schedule 1 in appropriate order in the matter relating to the Motor Traffic Regulations 1935 the following matter:

Regulation 91H (1)—park a motor vehicle in a metered parking zone except in a metered space	park vehicle in metered zone outside metered space
Regulation 91H (2)—park a motor vehicle in a metered space without paying the relevant fee for the space for at least the minimum period of time for which parking in the space must be paid for	park vehicle in metered space without paying minimum fee
Regulation 91H (4)—allow a motor vehicle to remain parked in a metered space if the parking meter for the space indicates that the period of time for which parking in the space has been paid for has expired	park vehicle in metered space after meter expired
Regulation 91H (5)—allow a motor vehicle to remain parked in a metered space for more than the period of time indicated by metered parking signs as the maximum number of hours for which a motor vehicle may be parked in the space	park for longer than allowed by metered parking signs
Regulation 91I (a)—park a motor vehicle in a metered space while any other vehicle is parked in the space	park vehicle in metered space occupied by another vehicle
Regulation 91I (b)—park a motor vehicle in a metered space in such a manner that any part of the vehicle lies over the markings for the space	park vehicle across markings of metered space
Regulation 91J (2)—park a motor vehicle in a metered space while a sign is erected indicating that the use of the space is temporarily discontinued	park vehicle in discontinued metered space
Regulation 91K (a)—insert in a parking meter anything other than coins or other means of payment, as specified on the meter	insert prohibited matter into parking meter
Regulation 91K (b)—deface any parking meter or affix anything to any parking meter	deface/affix anything to parking meter

Regulation 91R (1)—park a motor vehicle in a ticket parking space unless a current parking ticket is prominently displayed in or on the front left-hand portion of the vehicle	park vehicle in ticket parking space without current ticket
Regulation 91R (3)—allow a motor vehicle to remain parked in a ticket parking space after the expiry of the parking ticket displayed in or on the vehicle	park vehicle in ticket parking space after ticket expired
Regulation 91R (4)—allow a motor vehicle to remain parked in a ticket parking space for more than the period of time indicated by ticket parking signs as the maximum number of hours for which a motor vehicle may be parked in the space	park for longer than allowed by ticket parking signs
Regulation 91S (a)—park a motor vehicle in a ticket parking space while any other vehicle is parked in the space	park vehicle in occupied ticket parking space
Regulation 91S (b)—park a motor vehicle in a ticket parking space in such a manner that any part of the vehicle lies over the markings for the space	park vehicle across markings of ticket parking space
Regulation 91T (2)—park a motor vehicle in a ticket parking space while a sign is erected indicating that the use of the space is temporarily discontinued	park vehicle in discontinued ticket parking space
Regulation 91U (a)—display on a motor vehicle that is parked in a ticket parking space any article or thing resembling a parking ticket that falsely suggests that the relevant parking fee has been paid	display article/thing falsely resembling parking ticket
Regulation 91U (b)—display on a motor vehicle that is parked in a ticket parking space any parking ticket that is altered, defaced, mutilated or illegible	display altered defaced/mutilated/illegible parking ticket
Regulation 91V (a)—insert in a ticket machine anything other than coins or other means of payment, as specified on the machine	insert prohibited matter into ticket machine
Regulation 91V (b)—deface any ticket machine or affix anything to any ticket machine	deface/affix anything to ticket machine
Regulation 91BB (1)—park a motor vehicle in a coupon parking space unless a current parking ticket is prominently displayed in or on the front left-hand portion of the vehicle	park vehicle in coupon parking space without current coupon

Regulation 91BB (3)—display more than 3 parking coupons at any one time on a motor vehicle that is parked in a coupon parking space	display more than 3 coupons at a time
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Regulation 91BB (4)—allow a motor vehicle to remain parked in a coupon parking space after the expiry of the parking coupon displayed on the vehicle	park vehicle in coupon parking space after coupon expired
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Regulation 91BB (5)—allow a motor vehicle to remain parked in a coupon parking space for more than the period of time indicated by coupon parking signs as the maximum number of hours for which a motor vehicle may be parked in the space	park for longer than allowed by coupon parking signs
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Regulation 91CC (a)—park a motor vehicle in a coupon parking space while any other vehicle is parked in the space	park vehicle in occupied coupon parking space
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Regulation 91CC (b)—park a motor vehicle in a coupon parking space in such a manner that any part of the vehicle lies over the markings for the space	park vehicle across markings of coupon parking space
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Regulation 91DD (2)—park a motor vehicle in a coupon parking space while a sign is erected indicating that the use of the space is temporarily discontinued	park vehicle in discontinued coupon parking space
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Regulation 91EE (a)—display on a motor vehicle that is parked in a coupon parking space any article or thing resembling a parking coupon that falsely suggests that the relevant parking fee has been paid	display article/thing falsely resembling parking coupon
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Regulation 91EE (b)—display on a motor vehicle that is parked in a coupon parking space any parking coupon that is altered, defaced, mutilated or illegible	display altered/defaced/mutilated illegible parking coupon
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(d) by inserting in Schedule 1 in appropriate order the following matter:

Roads (General) Regulation 1994

Clause 6 (3)—disregard the reasonable directions of a traffic controller	disregard traffic controller
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Clause 11 (1) (a)—place on a road anything likely to injure any person or damage any thing	place on road thing likely to injure person/damage vehicle
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Clause 11 (1) (b)—place on a road anything likely to restrict or endanger the use of the road or interfere with public convenience	place on road thing likely restrict/ endanger road use
Clause 11 (1) (b)—place on a road anything likely to interfere with public convenience	place on road thing likely interfere with public convenience
Clause 11 (1) (c)—load or unload a vehicle on or from the shoulder of a road in a manner likely to cause damage to the road	unload/load vehicle on/from shoulder likely cause road damage
Clause 11 (1) (d)—allow escape onto road of any liquid or any loose or waste material	allow escape onto road of liquid/ loose/waste material
Clause 11 (3) (a)—not place out of the line of traffic anything left on road because of the breakdown of a vehicle or animal by which it is being carried	fail to place things out of line of traffic
Clause 11 (3) (b)—not ensure that anything left on road because of the breakdown of a vehicle or animal by which it is being carried is adequately guarded to prevent its being a danger to the public	fail to ensure things on road adequately guarded
Clause 11 (3) (c)—not ensure that anything left on road because of the breakdown of a vehicle or animal by which it is being carried is adequately lit at night	fail to ensure things on road adequately lit at night
Clause 11 (3) (d)—not cause anything left on road because of the breakdown of a vehicle or animal by which it is being carried to be removed from the road as soon as practicable	fail to remove things from road
Clause 12 (a)—drive vehicle or animal on road in such manner as to cause damage to road or any structure or work on the road	drive on road vehicle/ animal that causes damage to road structure/work
Clause 12 (b)—tether on any road an animal capable of causing damage to the road or a structure or work on the road	tether animal on road capable of causing damage to road/ structure/work
Clause 13 (1) (a)—propel or drag anything on surface of road capable of causing damage to the road or a structure or work on the road	propel/drag anything on road capable of causing damage to road/structure/work

Clause 13 (1) (b)—drive vehicle on road with chains on wheels otherwise than on a road whose surface is covered with mud, snow or ice	drive vehicle with wheel chains on road that not slippery
Clause 13 (2)—drive on a road a vehicle with caterpillar tracks or wheels having spikes, bars or other projections without the permission of road authority	drive on a road vehicle with caterpillar tracks/wheels with spikes/bars/projections
Clause 14—drive a vehicle on a road if it is in such a state of disrepair as to cause damage to the road or any structure or work on the road	drive on road vehicle in such disrepair as to damage road work/structure
Clause 15—carry out work on road without guarding hazard and lighting it at night	carry out road work without hazard guard/light
Clause 16—extinguish, interfere with or obscure a street light or hazard warning light on road	extinguish/interfere with/obscure street light/hazard warning light
Clause 17—jump onto or from bridge situated on or forming part of road	jump onto/from bridge on road
Clause 18—cast or throw material onto road, or into a vehicle on a road, from a building without the permission of a roads authority	cast/throw material onto road/into vehicle from building
Clause 19—being an occupier of land, allow water to drip or flow from land having frontage on a road	allow water to drip/flow on road from adjoining land (occupier)
Clause 20—excavate land in vicinity of a road if the excavation is capable of causing damage to the road or to a work or structure on the road	excavate near road so as to threaten damage to road/structure/work
Clause 21—erect, maintain or use a door or gate that opens outwards into a road	erect/maintain/use door/gate opening outwards into road
Clause 23 (1)—drive a vehicle past a toll barrier without payment of the relevant toll or an appropriate direction to drive past without payment	drive vehicle past tollway without payment/direction
Clause 23 (3)—fail to pay a toll in accordance with direction to pay within 7 days	fail to pay toll directed to be paid within 7 days

Clause 24 (2)—pay a toll to authorised officer by paying money enclosed in a container, package or receptacle of any kind	pay toll money to officer in container/package/receptacle
Clause 24 (3) (a)—pay a toll to automatic toll collecting machine by placing money enclosed in a container, package or receptacle of any kind	pay toll money to machine in container/package/receptacle
Clause 24 (3) (b)—pay a toll to automatic toll collecting machine by placing coins of a denomination that are not accepted by the machine	pay toll money to machine with wrong coin denomination
Clause 26—fail to pay toll to RTA on demand within time specified in the demand	fail to pay toll to RTA on demand
Clause 27—drive a vehicle on any part of a tollway other than a carriageway	drive vehicle other than on tollway carriageway
Clause 28 (1)—walk on tollway other than on footway or footbridge	walk other than on tollway footway or footbridge
Clause 29 (1)—leave a vehicle unattended on a tollway	leave vehicle unattended on tollway
Clause 30—load or unload a vehicle on a tollway otherwise than in accordance with the directions of authorised officer	load/unload vehicle on tollway without officer's directions
Clause 31—being the driver of a vehicle that has broken down on a tollway, fail to take all reasonable steps to ensure that the vehicle is parked off the carriageway	fail to park broken vehicle off tollway (driver)
Clause 31—being the driver of a vehicle that has broken down on a tollway, fail to take all reasonable steps to ensure that adequate measures are employed to warn of the traffic hazard to other vehicles	fail to warn traffic of broken vehicle on tollway (driver)
Clause 31—being the driver of a vehicle that has broken down on a tollway, fail to take all reasonable steps to ensure that the vehicle is removed from the tollway as soon as practicable	fail to remove broken vehicle from tollway (driver)
Clause 32—being a in charge of an animal, allow the animal to stray onto any part of a tollway	allow animal to stray on tollway (person in charge)

Clause 35 (2)—contravene a lawful direction given by an authorised officer concerning a tollway	contravene lawful tollway direction of authorised officer
Clause 36 (3)—contravene a lawful direction contained in a RTA notice displayed near a tollway	contravene direction in RTA tollway notice
Clause 41 (a)—climb on any part of a bridge	climb on bridge
Clause 41 (b)—remain on the moving span of a bridge while it is closed to traffic	remain on moving span of bridge closed to traffic
Clause 42—light, maintain or use a fire on, under or in the immediate vicinity of a bridge	light/maintain/use fire on/under/near bridge
Clause 44 (2)—fish from a bridge in contravention of a roads authority notice	fish from bridge in contravention of roads authority notice
Clause 45 (2)—contravene any traffic direction given by a roads authority or bridge operator in relation to the opening and closing of a bridge	contravene bridge traffic direction
Clause 46—ride a bicycle on Sydney Harbour Bridge other than on a cycleway	riding bicycle on Harbour Bridge except on cycleway
Clause 47 (1) (a)—sell any goods on the Sydney Harbour Bridge except in accordance with a permit	sell goods on Harbour Bridge without permit
Clause 47 (1) (a)—hire any goods on the Sydney Harbour Bridge except in accordance with a permit	hire goods on Harbour Bridge without permit
Clause 47 (1) (a)—offer any goods for sale on the Sydney Harbour Bridge except in accordance with a permit	offer sell goods on Harbour Bridge without permit
Clause 47 (1) (a)—offer any goods for hire on the Sydney Harbour Bridge except in accordance with a permit	offer hire goods on Harbour Bridge without permit
Clause 47 (1) (b)—provide any services for fee, gain or reward on the Sydney Harbour Bridge except in accordance with a permit	provide services on Harbour Bridge without permit
Clause 47 (1) (b)—offer any services for fee, gain or reward on the Sydney Harbour Bridge except in accordance with a permit	offer services on Harbour Bridge without permit

Clause 47 (1) (c)—conduct any entertainment on the Sydney Harbour Bridge except in accordance with a permit	conduct entertainment on Harbour Bridge without permit
Clause 47 (1) (c)—conduct any exhibition on the Sydney Harbour Bridge except in accordance with a permit	conduct exhibition on Harbour Bridge without permit
Clause 47 (1) (c)—participate in any entertainment on the Sydney Harbour Bridge except in accordance with a permit	participate entertainment on Harbour Bridge without permit
Clause 47 (1) (c)—participate in any exhibition on the Sydney Harbour Bridge except in accordance with a permit	participate exhibition on Harbour Bridge without permit
Clause 47 (1) (d)—conduct any public assembly on the Sydney Harbour Bridge except in accordance with a permit	conduct assembly on Harbour Bridge without permit
Clause 47 (1) (d)—conduct any public procession on the Sydney Harbour Bridge except in accordance with a permit	conduct procession on Harbour Bridge without permit
Clause 47 (1) (d)—participate in any public assembly on the Sydney Harbour Bridge except in accordance with a permit	participate assembly on Harbour Bridge without permit
Clause 47 (1) (d)—participate in any public procession on the Sydney Harbour Bridge except in accordance with a permit	participate procession on Harbour Bridge without permit
Clause 47 (1) (e)—display any advertisement on the Sydney Harbour Bridge except in accordance with a permit	display advertisement on Harbour Bridge without permit
Clause 47 (1) (e)—distribute any advertising matter on the Sydney Harbour Bridge except in accordance with a permit	distribute advertising on Harbour Bridge without permit
Clause 48—moor a vessel to a bridge	moor vessel to bridge
Clause 48—make fast any floating timber to a bridge	make fast floating timber to bridge
Clause 49 (1) (a)—being the master of a vessel, cause or allow the vessel to pass through or under a bridge while exceeding the speed limit	cause/allow vessel to exceed speed limit through/under bridge (master)
Clause 49 (1) (b)—being the master of a vessel, cause or allow the vessel to pass through or under a bridge except under power or on tow	cause/allow vessel through/under bridge without power or tow (master)

Clause 49 (1) (c)—being the master of a vessel, cause or allow the vessel to tow another vessel through or under a bridge while travelling on the tide	cause/allow vessel to tow with tide through/under bridge (master)
Clause 49 (1) (d)—being the master of a vessel, cause or allow the vessel to pass through or under a bridge abreast another vessel	cause/allow vessel to pass through/under bridge abreast other vessel (master)
Clause 50—being a bridge operator, fail to ensure that navigation lights are displayed to vessels approaching the bridge from either direction	fail to ensure bridge navigation lights displayed (operator)
Clause 53 (1)—being the master of a vessel, cause or allow the vessel to approach a bridge within 100 metres (or the distance specified by the Maritime Services Board for the particular bridge) before the “bridge open” signal is given	cause/allow vessel to approach unopened bridge (master)
Clause 53 (2)—being the master of a vessel, fail to give “ready to pass through signal” to the bridge operator after the bridge is opened	fail to give bridge “ready to pass signal” (master)
Clause 53 (2)—being the master of a vessel, fail to take vessel through bridge without delay after giving “ready to pass through signal” to the bridge operator	fail to take vessel promptly through open bridge (master)
Clause 55 (3)—damage, deface or destroy a ferry notice displayed by the roads at access point to a ferry from a mad	damage/deface/destroy ferry notice displayed at access point to ferry
Clause 57—use a ferry without paying the charge for the ferry	use ferry without paying ferry charge
Clause 58—board a ferry before being allowed to do so by ferry operator	board ferry before allowed by ferry operator
Clause 59—drive a vehicle or animal towards any ferry beyond any sign displaying the word “STOP” until allowed to do so by ferry operator	drive vehicle/animal to ferry beyond “STOP” sign without permission
Clause 60 (1) (a)—sell any goods on a ferry	sell goods on ferry
Clause 60 (1) (a)—hire any goods on a ferry	hire goods on ferry
Clause 60 (1) (a)—offer any goods for sale on a ferry	offer to sell goods on ferry

Clause 60 (1) (a)—offer any goods for hire on a ferry	offer to hire goods on ferry
Clause 60 (1) (b)—provide any services for fee, gain or reward on a ferry	provide services for gain on ferry
Clause 60 (1) (b)—offer any services for fee, gain or reward on a ferry	offer services for gain on ferry
Clause 60 (1) (c)—conduct any entertainment on a ferry	conduct entertainment on ferry
Clause 60 (1) (c)—conduct any exhibition on a ferry	conduct exhibition on ferry
Clause 60 (1) (c)—participate in any entertainment on a ferry	participate in entertainment on ferry
Clause 60 (1) (c)—participate in any exhibition on a ferry	participate in exhibition on ferry
Clause 61 (2)—being a person in charge of a vehicle, fail to comply with a lawful direction by a ferry operator to extinguish a light on the vehicle	fail to extinguish vehicle light when directed
Clause 62—being a foot passenger of a ferry, occupy any part of the ferry set aside for vehicles or animals if special accommodation exists for foot passengers	occupy vehicle/animal area on ferry (foot passenger)
Clause 63 (a)—opstruct any ferry	obstruct ferry
Clause 63 (a)—interfere with any ferry	interfere with ferry
Clause 63 (b)—obstruct a ferry operator	obstruct ferry operator
Clause 63 (c)—obstruct person boarding a ferry	obstruct person boarding ferry
Clause 63 (c)—obstruct person leaving a ferry	obstruct person leaving ferry
Clause 63 (d)—being a person in control of a vehicle, leave the vehicle unattended on a ferry	leave vehicle unattended on ferry
Clause 63 (d)—being a person in control of an animal, leave the vehicle unattended on a ferry	leave animal unattended on ferry
Clause 63 (e)—open any container of petrol or other inflammable spirit on a ferry otherwise than in connection with the working of a ferry	open container of petrol/inflammable spirit on ferry
Clause 63 (e)—light match on a ferry otherwise than in connection with the working of a ferry	light match on ferry

Clause 63 (e)—expose naked light on a ferry otherwise than in connection with the working of a ferry	expose naked light on ferry
Clause 63 (f)—smoke on a ferry	smoke on ferry
Clause 63 (g)—move on to a position on the flap of a ferry while the ferry is in motion	move on to ferry flap while ferry in motion
Clause 63 (g)—occupy a position on the flap of a ferry while the ferry is in motion	occupy ferry flap while ferry in motion
Clause 63 (g)—move on to a position on the flap of a ferry before ferry operator signifies permission to embark or disembark	move on to ferry flap without permission
Clause 63 (g)—occupy a position on the flap of a ferry before ferry operator signifies permission to embark or disembark	occupy ferry flap without permission
Clause 64 (3)—contravene a direction given by a ferry operator concerning the regulation of traffic in relation to the operation of the ferry	contravene ferry operator traffic direction
Clause 65 (1)—being a ferry operator, fail to keep all gates and exits from the ferry securely closed while the ferry is in motion	fail to keep moving ferry's gates and exits closed (operator)
Clause 65 (2)—being a ferry operator, fail to cause ferry to be securely moored before allowing any person, vehicle or animal to board ferry	fail to securely moor ferry before person/vehicle/animal aboard (operator)
Clause 65 (2)—being a ferry operator, fail to cause gates to be adjusted before allowing any person, vehicle or animal to board ferry	fail to adjust ferry gates before person/vehicle/animal aboard (operator)
Clause 71—being the holder of a public gate permit, fail to ensure that the gate is white	fail to ensure gate is white (permit holder)
Clause 71—being the holder of a public gate permit, fail to ensure that the posts on either side of the gate are fitted with reflectors facing along the road in each direction	fail to ensure gate posts have reflectors (permit holder)

Clause 72—being the holder of a public gate permit, fail to ensure that the road approaches to the gate are maintained in good order for such distance and width as the roads authority may determine when granting the permit	fail to ensure gate approach good order (permit holder)
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(e) by omitting from Schedule 1 the matter relating to the following Acts and Regulations:

- Motor Vehicle Driving Instructors Act 1967
- Motor Vehicle Driving Instructors Regulation 1967
- Pastures Protection Act 1934
- State Roads (Sydney Harbour Bridge) Regulation 1987
- Transport Act 1930
- Transport (Public Vehicles) Regulations 1930
- Transport Accidents Compensation Act 1987
- Transport Licensing Act 1931
- Transport Licensing Regulations 1931

Further amendment

3. The Justices (Short Descriptions of Motor Traffic and Other Offences) Regulation 1986 is further amended by omitting from Schedule 1 the matter relating to the following Regulations:

- Roads (General) Transitional Regulation 1993
- Roads (Tollways) Transitional Regulation 1993
- Traffic (Parking) Transitional Regulation 1993

EXPLANATORY NOTE

The object of this Regulation is to prescribe the short descriptions that, under section 145B of the Justices Act 1902, are sufficient to state or describe, in any information complaint, summons, warrant, notice, order or other document:

- (a) certain parking offences under the Motor Traffic Regulations 1935; and
- (b) certain other offences under the Roads (General) Regulation 1994.

The Regulation also omits provisions with respect to various repealed Acts and regulations and ensures that any such repeal does not affect legal proceedings commenced before the repeal takes effect.

This Regulation is made under the Justices Act 1902, including section 154 (the general regulation making power) and section 145B.
