



New South Wales

Motor Traffic Amendment (Protection of the Environment) Regulation 1999

under the

Traffic Act 1909

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Traffic Act 1909*.

CARL SCULLY, M.P.,

Minister for Roads

Explanatory note

The object of this Regulation is to amend the *Motor Traffic Regulations 1935* in connection with the commencement of the *Protection of the Environment Operations Act 1997* (the “new Act”).

Provisions relating to the issuing of penalty notices for offences under the *Clean Air Act 1961* are to be removed from the *Motor Traffic Regulations 1935* and dealt with in regulations under the new Act.

This Regulation also makes a consequential amendment to the *Motor Traffic Regulations 1935* that deals with prescribed officers and offences (Regulation 130A) to ensure it refers to the new Act.

This Regulation is made under the *Traffic Act 1909*, including sections 3 (the general regulation-making power) and 18B (penalty notices for certain offences).

Motor Traffic Amendment (Protection of the Environment) Regulation 1999

1 Name of Regulation

This Regulation is the *Motor Traffic Amendment (Protection of the Environment) Regulation 1999*.

2 Commencement

This Regulation commences on 1 July 1999.

3 Amendment of Motor Traffic Regulations 1935

The *Motor Traffic Regulations 1935* are amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Regulation 130A Prescribed officers and offences (section 18 B)

Omit “section 8G of the Environmental Offences and Penalties Act 1989, in respect of an offence arising under section 8F of that Act” wherever occurring from Regulation 130A (1) (d) (ii), (f) (f1) and (f2).

Insert instead “section 226 of the *Protection of the Environment Operations Act 1997*, in respect of an offence arising under section 145 of that Act”.

[2] Regulation 130A (1) (e)

Omit the paragraph.

[3] Schedule K, Part 9

Omit the Part.