

**MOTOR TRAFFIC (SPEED LIMITS) AMENDMENT
ACT, 1979, No. 16**

New South Wales



ANNO VICESIMO OCTAVO

ELIZABETHÆ II REGINÆ



Act No. 16, 1979.

An Act to amend section 4A of the Motor Traffic Act, 1909, to make further provision with respect to the speed limits of motor vehicles on public streets. [Assented to, 20th April, 1979.]

Motor Traffic (Speed Limits) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short
title.

1. This Act may be cited as the "Motor Traffic (Speed Limits) Amendment Act, 1979".

Commence-
ment.

2. (1) This section and section 1 shall commence on the date of assent to this Act.

(2) Except as provided in subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment
of Act No.
5, 1909.
Sec. 4A.
(Speed
limits.)

3. The Motor Traffic Act, 1909, is amended by omitting section 4A (1)–(5) and by inserting instead the following subsections :—

(1) Any person who upon any length of public street drives a motor vehicle at a speed in excess of the speed limit applicable to that length of public street shall be guilty of an offence under this Act.

(2) For the purposes of subsection (1), the speed limit applicable to—

- (a) a length of public street for which there is provision for the lighting thereof by means of street lighting and to which no direction given by the Traffic Authority under subsection (3) applies is 60 kilometres per hour;
- (b) a length of public street for which there is no provision for the lighting thereof by means of street lighting and to which no direction given by the Traffic Authority under subsection (3) applies is 100 kilometres per hour; and

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(c) a length of public street to which a direction given by the Traffic Authority under subsection (3) applies is the speed specified in the direction.

(3) The Traffic Authority may, at any time, with respect to any length of public street, give a direction fixing the speed limit applicable to that length of public street.

(3A) The Traffic Authority may, at any time, revoke or vary any direction given under subsection (3).

(3B) A reference in this Act, or any other instrument, to a direction given by the Traffic Authority under subsection (3) includes, where the direction has been varied by the Traffic Authority under subsection (3A), the direction as so varied.

(4) The regulations—

- (a) shall provide for the display and form of signs to indicate, with respect to a length of public street, the speed limit applicable to that length of public street by virtue of a direction under subsection (3);
- (b) may provide for the display of any other signs necessary or convenient for carrying this section into effect; and
- (c) may prescribe any matter necessary or convenient to be prescribed in relation to any such signs.

(5) In any proceedings in any court, evidence that a sign is, with respect to a length of public street, displayed in accordance with the regulations made for the purposes of subsection (4) shall be prima facie evidence that the speed limit indicated by the sign applies to that length of public street.

4. (1) In this section, “appointed day” means the day appointed and notified under section 2 (2). Savings provisions.

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(2) A direction given by the Traffic Authority of New South Wales under section 4A (3) of the Motor Traffic Act, 1909, being a direction in force immediately before the appointed day, shall, notwithstanding the repeal of that subsection by this Act, continue in force on and from the appointed day (except in so far as the direction may be revoked or varied under section 4A (3A) of the Motor Traffic Act, 1909, as amended by this Act) and shall be deemed to be a direction given by the Traffic Authority under section 4A (3) of the Motor Traffic Act, 1909, as amended by this Act.

(3) The regulations made under the Motor Traffic Act, 1909, for the purposes of section 4A (4) and (5) of that Act, being those regulations as in force immediately before the appointed day, shall, notwithstanding the repeal of those subsections by this Act, continue in force on and from the appointed day (except in so far as those regulations may be rescinded, revoked, altered or varied under the Motor Traffic Act, 1909, as amended by this Act) and shall be deemed to be regulations made for the purposes of section 4A (4) of the Motor Traffic Act, 1909, as so amended.

(4) A sign displayed pursuant to the regulations made under the Motor Traffic Act, 1909, for the purposes of section 4A (4) and (5) of that Act, being those regulations as in force immediately before the appointed day, shall be deemed to be a sign displayed pursuant to those regulations as continued in force on and from the appointed day under subsection (3).
