

**STATE ROADS (TRANSPORT ADMINISTRATION)
AMENDMENT ACT 1988 No. 112**

NEW SOUTH WALES



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SCHEDULE 1—AMENDMENTS

**STATE ROADS (TRANSPORT ADMINISTRATION) AMENDMENT
ACT 1988 No. 112**

NEW SOUTH WALES



Act No. 112, 1988

An Act to amend the State Roads Act 1986 as a consequence of the enactment of the Transport Administration Act 1988, and for other purposes. [Assented to 21 December 1988]

State Roads (Transport Administration) Amendment 1988

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the State Roads (Transport Administration) Amendment Act 1988.

Commencement

2. This Act commences on a day or days to be appointed by proclamation.

Amendment of State Roads Act 1986 No. 85

3. The State Roads Act 1986 is amended as set out in Schedule 1.

SCHEDULE 1—AMENDMENTS

(Sec. 3)

- (1) The whole Act (except any provision or matter being omitted by this Act)—
 Omit “Commissioner” and “Commissioner’s” wherever occurring, insert instead “Authority” and “Authority’s” respectively.
- (2) (a) Section 2 (1)—
 Before the definition of “classified road”, insert:
 “Authority” means the Roads and Traffic Authority constituted under the Transport Administration Act 1988;
- (b) Section 2 (1), definitions of “Commissioner”, “Commonwealth Fund”, “Country Roads Fund”, “Metropolitan Roads Fund”, “Roads Fund”—
 Omit the definitions.
- (c) Section 2 (1), definition of “traffic control facility”—
 Omit “or the General Traffic Act 1900, or under a regulation made under either of those Acts”, insert instead “or under a regulation made under that Act”
- (3) Sections 2 (1), 21 (2) (a), 43, 48 (2), 64 (7), 64 (11), 73 (11), 99 (c), 100 (1) (c)—
 Omit “Motor Traffic Act” wherever occurring, insert instead “Traffic Act”.
- (4) Part 2 (**Administration**)—
 Omit the Part.
- (5) Section 21 (2) (a)—
 Omit “the General Traffic Act 1900 or”.

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SCHEDULE 1—AMENDMENTS—*continued*

- (6) (a) Section 27 (1) (b)—
Omit “or by the Commissioner for Motor Transport”.
- (b) Section 27 (3)—
Omit “but has effect subject to the Traffic Authority Act 1976”.
- (7) (a) Section 30 (1)–(7)—
Omit the subsections, insert instead:
(1) The Authority may control and regulate the use by traffic of a classified road.
- (b) Section 30 (10), (11)—
Omit the subsections.
- (8) Section 48 (2)—
Omit “and the General Traffic Act 1900”.
- (9) Section 49 (2)—
Omit the subsection.
- (10) Section 51 (1)—
Omit the subsection, insert instead:
(1) The Minister may, by notification published in the Gazette, declare that a toll work has ceased to be a toll work.
- (11) Section 69 (4)—
Omit the subsection.
- (12) Section 72A (7)—
Omit the subsection.
- (13) Section 72B (4), (5)—
Omit section 72B (4), insert instead:
(4) The amount received in payment of charges under this section shall be paid into the Roads and Traffic Authority Fund.
(5) Money paid into the Roads and Traffic Authority Fund under this section may be used only for the following:
(a) the maintenance of public roads;
(b) the granting of financial assistance to a council for the purpose of defraying costs incurred, or to be incurred, in restoring a public road that has suffered damage or deterioration by reason of its use by vehicles in respect of which an excess vehicle weight permit is issued under section 72A;
(c) the refund of charges under this section.

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SCHEDULE 1—AMENDMENTS—*continued*

- (14) Part 4, Division 1 (**Metropolitan Roads Fund**), Division 2 (**Country Roads Fund**), Division 3 (**Commonwealth Fund**)—
Omit the Divisions.
- (15) Part 4, Division 4, heading—
Omit the heading.
- (16) Section 79A—
Omit “Urban Transit Authority”, insert instead “State Transit Authority”.
- (17) Section 80—
Omit the section.
- (18) Section 81—
Omit the section.
- (19) Section 83—
Omit the section.
- (20) Section 85—
Omit the section.
- (21) Section 86—
Omit the section.
- (22) Section 90 (2)—
Omit the subsection.
- (23) Section 90A—
After section 90, insert:
Exercise of functions with respect to land (cf. previous s. 7 (4))
90A. The functions conferred on the Authority by or under this Act may be exercised—
(a) in relation to land or any stratum of land, whether divided horizontally, vertically or otherwise; and
(b) whether by reservation or assurance—with respect to any estate, interest, easement, right, power or privilege in, or relating to, any land or stratum of land.
- (24) Section 94—
Omit the section.
- (25) Section 105 (1) (a)—
Omit the paragraph.

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SCHEDULE 1—AMENDMENTS—*continued*

(26) Schedule 2—

Omit the Schedule.

(27) Schedule 3 (**Savings and transitional provisions**)—

(a) Clauses 2, 3, 6, 9, 11, 12—

Omit the clauses.

(b) Clause 10 (a)—

Omit “Metropolitan Roads Fund”, insert instead “Consolidated Fund”.

(c) Clause 10 (b)—

Omit “Country Roads Fund”, insert instead “Consolidated Fund”.

[*Minister's second reading speech made in—
Legislative Assembly on 17 November 1988
Legislative Council on 1 December 1988*]
