

**TRANSPORT LEGISLATION (REPEAL AND
AMENDMENT) ACT 1988 No. 114**

NEW SOUTH WALES



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**TRANSPORT LEGISLATION (REPEAL AND AMENDMENT) ACT
1988 No. 114**

NEW SOUTH WALES



Act No. 114, 1988

An Act to repeal certain Acts and to amend certain other Acts as a consequence of the enactment of the Transport Administration Act 1988 and cognate Acts; and for other purposes. [Assented to 21 December 1988]

*Transport Legislation (Repeal and Amendment) 1988***The Legislature of New South Wales enacts:****Short title**

1. This Act may be cited as the Transport Legislation (Repeal and Amendment) Act 1988.

Commencement

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

(2) Different days may be appointed for the commencement of section 3 in its application to Schedule 1 or 2 for the purpose of repealing different Acts or regulations (or different provisions of the same Act or regulation) on different days.

Repeal of Acts and regulations etc.

3. (1) The Acts set out in Schedule 1 are repealed.

(2) All regulations made under any such Acts (including those set out in Schedule 2, but excluding those set out in Schedule 3) are repealed.

(3) A regulation set out in column 1 of Schedule 3 shall continue in force and shall be deemed to have been made under the Act specified opposite the regulation in column 2 of Schedule 3, but only to the extent that the regulation could have been made under the Act so specified.

(4) In this section and section 2, "regulation" includes rule, by-law and any other instrument.

Amendment of Acts

4. The Acts set out in Schedule 4 are amended as set out in that Schedule.

SCHEDULE 1—REPEAL OF ACTS

(Sec. 3 (1))

General Traffic Act 1900 No. 8
 City and Suburban Electric Railways Act 1915 No. 29
 City and Suburban Railways (Resumption Rescission) Act 1917 No. 10
 Transport Act 1930 No. 18
 Ministry of Transport Act 1932 No. 3
 Transport (Division of Functions) Act 1932 No. 31
 Motor Vehicles Taxation Management Act 1949 No. 34
 Transport (Division of Functions) Amendment Act 1952 No. 15
 Transport (Division of Functions) Further Amendment Act 1952 No. 24
 State Transport (Co-ordination) Amendment Act 1954 No. 48
 Transport (Amendment) Act 1960 No. 49
 Traffic Authority Act 1976 No. 32
 Miscellaneous Acts (Transport Legislation) Amendment Act 1976 No. 55

*Transport Legislation (Repeal and Amendment) 1988*SCHEDULE 1—REPEAL OF ACTS—*continued*

Transport (Gratuities) Amendment Act 1979 No. 34
 Transport Authorities Act 1980 No. 103
 Transport (Amendment) Act 1980 No. 106
 Motor Vehicles (Taxation) Act 1980 No. 119
 Miscellaneous Acts (Motor Vehicles Taxation) Repeal and Amendment Act 1980 No. 120
 Miscellaneous Acts (Financial Accommodation) Act 1982 No. 22
 Motor Vehicles (Taxation) Amendment Act 1982 No. 25
 Transport Authorities (Infringement Notices) Amendment Act 1983 No. 123
 Transport (Recreation Vehicles) Amendment Act 1983 No. 137
 Transport Authorities (Amendment) Act 1984 No. 28
 Motor Vehicles (Pensioners Taxation and Registration) Amendment Act 1984 No. 41
 Transport (Fees and Charges) Amendment Act 1985 No. 139
 Transport Authorities (Amendment) Act 1985 No. 202
 Metropolitan Traffic (Amendment) Act 1985 No. 203
 Transport (Division of Functions) Amendment Act 1986 No. 86
 Traffic Authority (Amendment) Act 1986 No. 120
 Transport (Amendment) Act 1986 No. 139
 General Traffic (Road Safety) Amendment Act 1987 No. 46
 Transport (Staysafe) Amendment Act 1987 No. 96
 Motor Vehicles Taxation (Amendment) Act 1987 No. 97
 Motor Vehicles Taxation Management (Amendment) Act 1987 No. 98
 Transport (Motor Vehicles Taxation) Amendment Act 1987 No. 100
 Transport Authorities (Urban Transit Authority) Amendment Act 1987 No. 177
 Transport (Penalty Defaults) Amendment Act 1987 No. 254
 Transport Authorities (Railway Safety) Amendment Act 1987 No. 293
 Transport (Amendment) Act 1987 No. 296
 Transport (Division of Functions) Amendment Act 1987 No. 298
 Transport (Amendment) Act 1988 No. 37

SCHEDULE 2—REPEAL OF REGULATIONS ETC.

(Sec. 3(2))

Government Railways Act 1912 No. 30—

Government Railways (Superannuation Allowances and Gratuities) Regulation 1985

Motor Vehicles Taxation Management Act 1949 No. 34—

Motor Vehicles Taxation Management Regulation 1984

Transport Act 1930 No. 18—

Transport (Public Vehicles) Regulations 1930

Transport (Fees and Charges) Regulation 1986

Regulation prohibiting defacement of property by bill posting and other means
 Regulation relating to the carriage of passengers on any vehicle employed on a transport service

Regulation relating to the formation of queues by intending passengers on any vehicle employed upon a transport service

Regulation relating to smoking in any vehicle employed on a transport service

Rules of the Transport Appeal Court

*Transport Legislation (Repeal and Amendment) 1988*SCHEDULE 2—REPEAL OF REGULATIONS ETC.—*continued***Transport Authorities Act 1980 No. 103—**

- Transport Authorities Act (Amendment) Regulation 1984
- Transport Authorities Act (Amendment) Regulation 1987
- Transport Authorities (Elections) Regulation 1980
- Transport Authorities (Ferry Services) Regulation 1981
- Transport Authorities (Infringement Notices) Regulation 1987
- Transport Authorities (Public Transport Commission Regulations Repeal) Regulation 1980
- Transport Authorities (Savings and Transitional Provisions) Regulation 1980
- Transport Authorities (Savings and Transitional Provisions) Regulation 1981
- Transport Authorities (Traffic Control) Regulation 1980
- Transport Authorities (Urban Passenger Services) Regulation 1980

SCHEDULE 3—SAVING OF REGULATIONS ETC.

(Sec. 3 (3))

COLUMN 1	COLUMN 2
REGULATIONS ETC. CONTINUED IN FORCE	ACT UNDER WHICH DEEMED TO HAVE BEEN MADE
General Traffic Act 1900 No. 8—	Traffic Act 1909 (Part 2)
General Traffic (Pedestrian) Regulations 1937	
General Traffic Regulations 1916	
Government Railways Act 1912 No. 30—	Transport Administration Act 1988 (section 99)
Regulations and by-laws (except the Government Railways (Superannuation Allowances and Gratuities) Regulation 1985)	
Transport Authorities Act 1980 No. 103—	Transport Administration Act 1988 (sections 58 and 62)
Transport Authorities (Staff) Regulation 1980	

SCHEDULE 4—AMENDMENT OF ACTS

(Sec. 4)

Air Navigation Act 1938 No. 9—

Section 8—

Omit the section.

Attachment of Wages Limitation Act 1957 No. 28—

(1) (a) Section 10 (12), definition of "contractor"—

Omit the definition.

Transport Legislation (Repeal and Amendment) 1988

SCHEDULE 4—AMENDMENT OF ACTS—*continued*

- (b) Section 10 (12), definition of “employee”—
Omit paragraphs (b), (c) and (e).

(2) Schedule—

- Insert, in alphabetical order, the following:
Roads and Traffic Authority of New South Wales.
State Rail Authority of New South Wales.
State Transit Authority of New South Wales.

Capital Debt Charges Act 1957 No. 1—

Schedule—

- Omit from the first, second and third columns the matter relating to the Commissioner for Main Roads.

Clean Waters Act 1970 No. 78—

Section 5, definition of “statutory authority”—

- Omit “any person deemed by the Transport (Division of Functions) Act, 1932, to be a statutory body representing the Crown”, insert instead “the State Rail Authority, the State Transit Authority, the Roads and Traffic Authority”.

Construction Safety Act 1912 No. 38—

Section 3 (1), definition of “Amusement device”—

- From paragraph (d), omit “, or the Transport Act, 1930”.

Crimes Act 1900 No. 40—

(1) Section 414A—

- Omit “Motor Traffic Act” wherever occurring, insert instead “Traffic Act”.

(2) Section 414A (3B)—

- Omit the subsection.

(3) Section 414A (7)—

- Omit “Division 5 of Part IVA of the Transport Authorities Act 1980”, insert instead “Part 5 of Schedule 4 to the Transport Administration Act 1988”.

(4) Section 414A (7)—

- Omit “Part IVA of” where secondly occurring, insert instead “Schedule 4 to”.

(5) Section 414A (8)—

- Omit “section 55T of the Transport Authorities Act 1980”, insert instead “clause 20 of Schedule 4 to the Transport Administration Act 1988”.

Darling Harbour Authority Act 1984 No. 103—

(1) (a) Section 23J (1) (h)—

- Omit “Motor Traffic”, insert instead “Traffic”.

(b) Section 23J (1) (i), (j), (k), (m)—

- Omit the paragraphs.

(c) Section 23J (1) (m1)—

- After section 23J (1) (m), insert:

- (m1) the Transport Licensing Act 1931; and

*Transport Legislation (Repeal and Amendment) 1988*SCHEDULE 4—AMENDMENT OF ACTS—*continued*

(2) Section 23k—

Omit “Traffic Authority of New South Wales” and “Traffic Authority” wherever occurring, insert instead “Roads and Traffic Authority”.

Electricity Act 1945 (1946 No. 13)—**Section 19c (Payments to Traffic Route Lighting Subsidy Account)—**

(1) Section 19c (1) (b)—

Omit “Commissioner for Main Roads”, insert instead “Roads and Traffic Authority”.

(2) Section 19c (5)—

Omit the subsection, insert instead:

(5) The Roads and Traffic Authority may make the whole or any part of a payment required by subsection (1) (b) out of the Roads and Traffic Authority Fund under the Transport Administration Act 1988.

Environmental Planning and Assessment Act 1979 No. 203—

(1) Schedule 2 (Advisory Co-ordinating Committee)—

Omit from clause 1 (b) “The Department of Main Roads.”, insert instead “The Roads and Traffic Authority.”.

(2) Schedule 3 (Local Government Liaison Committee)—

Omit from clause 1 (b) (i) “Commissioner for Main Roads”, insert instead “Roads and Traffic Authority”.

Government and Related Employees Appeal Tribunal Act 1980 No. 39—

(1) Section 4 (Definitions)—

Section 4 (1), definition of “employee”—

From paragraph (e), omit “, an officer within the meaning of section 3 (g) of the Government Railways Act 1912 or an officer or employee of the Department of Motor Transport”.

(2) Schedule 4 (Employing authorities)—

(a) Omit “The Commissioner for Main Roads.”.

(b) Insert, in alphabetical order, the following:

Roads and Traffic Authority.

Government Railways Act 1912 No. 30—

(1) Parts 1–7—

Omit the Parts, insert instead:

PART 1—PRELIMINARY**Short title**

1. This Act may be cited as the Government Railways (Superannuation) Act 1912.

(2) Section 109 (Definitions)—

Section 109 (h)—

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SCHEDULE 4—AMENDMENT OF ACTS—*continued*

After section 109 (g), insert:

- (h) "Commissioners" means the body corporate named the Railway Commissioners for New South Wales (and previously constituted under this Act) or any of its successors.

(3) Section 110 (**The board**)—

- (a) Omit "Commissioner for Railways" wherever occurring, insert instead "Chief Executive of the State Rail Authority".
 (b) Omit "Department of Railways", insert instead "Authority".

(4) Section 116A—

After section 116, insert:

Election between section 116 gratuity and right to compensation or damages from Employer

116A. (1) An officer who—

- (a) is a contributor to the Government Railways Superannuation Account; and
 (b) has been incapacitated as regards the further discharge of his or her duties by injury arising out of and in the course of his or her employment, not being an injury caused by his or her own serious and wilful misconduct; and
 (c) because of that incapacity has been retired or has otherwise left the service of his or her employer,

is not entitled to the gratuity referred to in section 116 unless the person elects to claim that gratuity, in which case the contributor is not entitled to make any other claim, whether for compensation or damages, against his or her employer.

(2) The officer concerned is not entitled to elect to claim any such gratuity if the officer has instituted proceedings for compensation or damages against his or her employer.

(3) If the officer concerned has, before being retired from or otherwise leaving the service of his or her employer—

- (a) made a claim for compensation and elected, pursuant to section 16 of the Workers' Compensation Act 1926 (whether as originally enacted or as amended), to accept an amount payable in accordance with the table to that section; or
 (b) been paid compensation under Division 4 of Part 3 of the Workers' Compensation Act 1987,

the officer shall not be entitled to elect to claim any such gratuity.

(4) An election under this section must be made by notice in writing given to the employer.

(5) Section 118 (**Reports on officers unfit to perform their duties**)—

Omit "Chief Commissioner", insert instead "Chief Executive of the State Rail Authority".

(6) Section 119 (**Medical examination of officers receiving allowances or gratuities**)—

Section 119 (2) (a) and (b)—

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SCHEDULE 4—AMENDMENT OF ACTS—*continued*

Omit “the Commissioner for Railways or the Commissioner for Road Transport and Tramways, as the case may be,” wherever occurring, insert instead “the Chief Executive of the State Rail Authority”.

(7) Sections 120 (1), 121 (1)—

Omit “at the rate prescribed” wherever occurring, insert instead “at the rate of 4.5 per cent per annum, or such other rate as may be prescribed by the regulations.”.

(8) Part 10—

Omit the Part.

(9) First and Second Schedules—

Omit the Schedules.

Industrial Arbitration Act 1940 No. 2—

(1) Section 5 (1), definition of “Public vehicle”—

Omit “Transport Act, 1930”, insert instead “Transport Licensing Act 1931”.

(2) Section 5 (1), definition of “Contract of bailment”, section 5 (3c)—

Omit “Transport Act, 1930” wherever occurring, insert instead “Transport Administration Act 1988”.

(3) Schedule 2—

(a) Omit the following:

Public Transport Commission of New South Wales.

The Commissioner for Motor Transport.

The Commissioner for Main Roads.

(b) At the beginning of the Schedule, insert:

The State Rail Authority of New South Wales.

The State Transit Authority of New South Wales.

The Roads and Traffic Authority of New South Wales.

Justices Act 1902 No. 27—

(1) Section 63—

(a) Section 63 (6)—

Omit “Motor Traffic Act” wherever occurring, insert instead “Traffic Act”.

(b) Section 63 (6) (b)—

Omit “Commissioner for Motor Transport”, insert instead “Roads and Traffic Authority”.

(2) Section 100i (1), definition of “penalty notice”—

(a) From paragraph (a), omit “Transport Authorities Act 1980, section 75 (1);”, insert instead the following:

Transport Administration Act 1988, section 117;

(b) Omit paragraph (b) and “or” at the end of paragraph (a).

(3) Section 100TA—

Omit “in the Department of Motor Transport”, insert instead “by the Roads and Traffic Authority”.

Transport Legislation (Repeal and Amendment) 1988

SCHEDULE 4—AMENDMENT OF ACTS—*continued*

- (4) Part 4B, Division 4, heading—
Omit “or Transport Act 1930”.
- (5) Sections 100Y (1) (a), 100z (a)—
Omit “, or under regulations made for the purposes of section 265 (3) of the Transport Act 1930,”.
- (6) Section 100ZE (2)—
Omit “and the Transport Act 1930”.
- (7) (a) Section 154 (1C)—
Omit “, the Transport Act 1930”.
- (b) Section 154 (1C)—
Omit “or section 169A of the Transport Act 1930”.
- Local Government Act 1919 No. 41—**
- (1) Section 4, definition of “Statutory body”—
Omit “, the Railway Commissioners for New South Wales”.
- (2) Section 10 (**Certain Acts not affected**)—
 - (a) Omit “the Metropolitan Traffic Act 1900;”.
 - (b) Omit “the Motor Traffic Act”, insert instead “the Traffic Act”.
 - (c) Omit “the Government Railways Act 1912;”.
- (3) Section 225 (**Certain public lands**)—
Omit “or in the Railway Commissioners for New South Wales”.
- (4) Section 241 (2)—
Omit “Railway Commissioners for New South Wales”, insert instead “State Rail Authority”.
- (5) Section 248 (**Railway rates**)—
Omit the section.
- (6) Section 249 (**Care control and management of roads**)—
 - (a) Section 249 (l)—
Omit “the General Traffic Act 1900 or the Motor Traffic Act”, insert instead “the Traffic Act”.
 - (b) Section 249 (o), (p)—
Omit “General Traffic Act 1900” wherever occurring, insert instead “Traffic Act 1909”.
 - (c) Section 249 (v), proviso—
Omit the proviso.
- (7) Section 255 (**Railway construction and roads**)—
Omit the section.
- (8) Section 266 (**Altering levels for tramway purposes**)—
Omit the section.
- (9) (a) Section 267B (1), (8)—
Omit “Motor Traffic Act” wherever occurring, insert instead “Traffic Act”.

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SCHEDULE 4—AMENDMENT OF ACTS—*continued*

- (b) Section 267B (8) (b)—
Omit “Commissioner for Motor Transport”, insert instead “Roads and Traffic Authority”.
 - (10) Section 269 (**Regulation of traffic**)—
Section 269 (3)—
Omit “Notwithstanding the provisions of the General Traffic Act 1900, the”, insert instead “The”.
 - (11) Section 269A (1), (5), (7), (10)—
Omit “Traffic Authority” wherever occurring, insert instead “Roads and Traffic Authority”.
 - (12) Section 270B (**Savings**)—
(a) Section 270B (1)—
Omit “Metropolitan Traffic Act, 1900, the Motor Traffic Act, 1909, and the Transport Act, 1930,”, insert instead “Traffic Act 1909”.
(b) Section 270B (1)—
Omit “, the Commissioner for Motor Transport, or the Commissioner for Government Transport”, insert instead “or the Roads and Traffic Authority”.
 - (13) Section 270C (**Definitions**)—
Omit the definition of “Traffic Authority”.
 - (14) Sections 270H, 270J, 270JA, 270JB—
Omit “Traffic Authority” wherever occurring, insert instead “Roads and Traffic Authority”.
 - (15) Section 270N (**Application of money from parking meters**)—
Section 270N (3), (4)—
Omit “Commissioner for Motor Transport” and “Traffic Authority” wherever occurring, insert instead “Roads and Traffic Authority”.
 - (16) Section 270O (**Liability of vehicle owner for parking offences**)—
(a) Omit “Motor Traffic” wherever occurring, insert instead “Traffic”.
(b) Section 270O (1) (a), (3) (a)—
Omit “, or as a minor offence under the regulations made under section 265 of the Transport Act, 1930” wherever occurring.
(c) Section 270O (1) (a), (3) (a)—
Omit “or under the said regulations, as the case may be,” wherever occurring.
(d) Section 270O (3) (a) (i)—
Omit “or under such regulations”.
 - (17) Sections 270R, 277 (1) (o), 277 (1) (dd), 277A (5), 277B (13)—
Omit “Motor Traffic Act” wherever occurring, insert instead “Traffic Act”.
 - (18) Section 277 (1) (dd)—
Omit “or section 13C of the Metropolitan Traffic Act 1900–1954”.
- Motor Vehicle Driving Instructors Act 1961 No. 60—**
- (1) Section 2—
Omit the section.

*Transport Legislation (Repeal and Amendment) 1988*SCHEDULE 4—AMENDMENT OF ACTS—*continued*

- (2) (a) Section 3 (1)—
Before the definition of “Commissioner”, insert:
“Authority” means the Roads and Traffic Authority of New South Wales constituted under the Transport Administration Act 1988.
- (b) Section 3 (1), definition of “Commissioner”—
Omit the definition.
- (c) Section 3 (2)—
Omit the subsection.
- (3) Sections 5 (2), 6 (1) (b), 8 (1) (c), 8 (2) (c)—
Omit “determined” wherever occurring, insert instead “prescribed”.
- (4) Sections 5, 6, 7, 8, 10, 11, 14 (1) (i)—
Omit “Commissioner” (except where appearing in the expression “Commissioner of Police”) wherever occurring, insert instead “Authority”.
- (5) Section 7—
- (a) Section 7 (1) (a)—
Omit “he”, insert instead “it”.
- (b) Section 7 (1) (a)—
Omit “his”, insert instead “its”.
- (c) Section 7 (1) (b)—
Omit “Commissioner’s”, insert instead “Authority’s”.
- (6) Section 12—
Omit the section.
- (7) Section 14 (2), (3), (4)—
Omit the subsections.

Public Authorities (Financial Arrangements) Act 1987 No. 33—Schedule 1 (**Authorities**)—

- (a) Omit “The Commissioner for Main Roads.”, “The Commissioner for Motor Transport.”, “Traffic Authority of New South Wales.” and “Urban Transit Authority of New South Wales.”.
- (b) Insert, in alphabetical order, the following:
Roads and Traffic Authority of New South Wales.
State Transit Authority of New South Wales.

Public Authorities Superannuation Act 1985 No. 41—Schedule 3 (**Employers**)—

- (a) Omit “The Commissioner for Main Roads.”, “The Commissioner for Motor Transport.”, “The Traffic Authority of New South Wales.” and “The Urban Transit Authority.”.
- (b) Insert, in alphabetical order in Part 1 of the Schedule, the following:
The Roads and Traffic Authority of New South Wales.
The State Transit Authority of New South Wales.

Transport Legislation (Repeal and Amendment) 1988

SCHEDULE 4—AMENDMENT OF ACTS—*continued*

Public Finance and Audit Act 1983 No. 152—

Schedule 2 (Statutory Bodies)—

- (a) Omit “Commissioner for Main Roads, being the corporation sole constituted under section 4A (1) of the Main Roads Act, 1924.”, “Commissioner for Motor Transport.”, “Main Roads Board of New South Wales.”, “Traffic Authority of New South Wales.” and “Urban Transit Authority of New South Wales.”.
- (b) Insert, in alphabetical order, the following:
 - Roads and Traffic Authority of New South Wales.
 - State Transit Authority of New South Wales.

Public Sector Management Act 1988 No. 33—

Schedule 3 (Declared Authorities)—

- (a) Omit “The Commissioner for Main Roads (section 7 not to apply).”, “The Commissioner for Motor Transport (section 7 not to apply).”, “Traffic Authority of New South Wales (section 7 not to apply).” and “Urban Transit Authority of New South Wales (section 7 not to apply).”.
- (b) Insert, in alphabetical order, the following:
 - Roads and Traffic Authority of New South Wales (section 7 not to apply).
 - State Transit Authority of New South Wales (section 7 not to apply).

Public Works Act 1912 No. 45—

(1) Section 3 (Definitions)—

- (a) Definition of “Chief Commissioner”—
Omit the definition.
- (b) Definition of “Constructing Authority”—
Omit the definition, insert instead:
“Constructing Authority” means the Minister empowered to carry out any authorised work.

(2) Section 34 (Conditions precedent to commencing public works)—

- (a) Section 34 (1)—
Omit “whatsoever, except such works as the Railway Commissioners are, by section thirty-four of the Government Railways Act, 1912, authorised to carry out”.
- (b) Section 34 (1) (a)—
Omit “, and, in the case of a proposed railway or tramway, a map or plan of the line and book of reference, together with a report by the Chief Commissioner on the probable cost of construction and maintenance of such railway or tramway”.
- (c) Section 34 (1A)—
Omit the subsection.
- (d) Section 34 (2)—
Omit “Chief Commissioner or”.

(3) Section 39 (Taking of lands for authorised works)—

- Omit the proviso.

*Transport Legislation (Repeal and Amendment) 1988*SCHEDULE 4—AMENDMENT OF ACTS—*continued*

(4) Part 9 (Special provisions relating to railways)—

Omit the Part.

Recreation Vehicles Act 1983 No. 136—

(1) (a) Section 4 (1)—

After the definition of “authorised officer”, insert:

“Authority” means the Roads and Traffic Authority of New South Wales constituted under the Transport Administration Act 1988;

(b) Section 4 (1), definition of “Commissioner”—

Omit the definition.

(c) Section 4 (1), definitions of “district registry”, “number-plate”, “registered owner”—

Omit “Motor Traffic” wherever occurring, insert instead “Traffic”.

(d) Section 4 (4)—

Omit the subsection.

(2) Sections 5, 23, 24, 26, 33 (4), 35 (3), 44 (3)—

Omit “Motor Traffic” wherever occurring, insert instead “Traffic”.

(3) Sections 15, 16, 17, 18, 19, 21, 22, 30, 32, 41—

Omit “Commissioner” wherever occurring, insert instead “Authority”.

(4) Section 17 (2) (b) (iv)—

Omit “determined fee”, insert instead “prescribed fee”.

(5) Section 43 (a)—

Omit “the Department of Motor Transport”, insert instead “the Authority”.

Stamp Duties Act 1920 No. 47—

(1) Section 88D—

Omit the section.

(2) Second Schedule (General exemptions)—

Omit from paragraph (18) “Commissioner for Main Roads”, insert instead “Roads and Traffic Authority”.

State Authorities Non-contributory Superannuation Act 1987 No. 212—

Schedule 1, Part 1 (Employers)—

(a) Omit the following:

The Commissioner for Main Roads
 The Commissioner for Motor Transport
 Traffic Authority of New South Wales
 Urban Transit Authority of New South Wales

(b) Insert, at the end of Part 1, the following:

The Roads and Traffic Authority of New South Wales
 The State Transit Authority of New South Wales

State Authorities Superannuation Act 1987 No. 211—

Schedule 1, Part 1 (Employers)—

Transport Legislation (Repeal and Amendment) 1988

SCHEDULE 4—AMENDMENT OF ACTS—*continued*

- (a) Omit the following:
- The Commissioner for Main Roads
 - The Commissioner for Motor Transport
 - Traffic Authority of New South Wales
 - Urban Transit Authority of New South Wales
- (b) Insert, at the end of Part 1, the following:
- The Roads and Traffic Authority of New South Wales
 - The State Transit Authority of New South Wales

State Public Service Superannuation Act 1985 No. 45—

Schedule 3 (Employers)—

- (a) Omit “The Commissioner for Main Roads.”.
- (b) Insert, in alphabetical order, the following:
- The Roads and Traffic Authority of New South Wales.

Statutory and Other Offices Remuneration Act 1975 (1976 No. 4)—

Schedule 2, Part 1—

Omit “Commissioner for Main Roads.”, “Commissioner for Motor Transport.”, “Assistant Commissioner for Motor Transport.”, “Chief Executive of the State Rail Authority of New South Wales.”, “Deputy Chief Executive of the State Rail Authority of New South Wales.” and “Managing Director of the Urban Transit Authority of New South Wales.”.

Summary Offences Act 1988 No. 25—

Section 3(1), definition of “vehicle”—

Omit the definition, insert instead:

“vehicle” includes—

- (a) a motor vehicle (whether or not still capable of being driven); and
- (b) a train or other vehicle used on a railway or monorail; and
- (c) a caravan or anything else constructed to be drawn by a vehicle or animal.

Superannuation Act 1916 No. 28—

Schedule 3—

Omit “The Commissioner for Main Roads.”, insert instead “The Roads and Traffic Authority of New South Wales.”.

Tow-truck Act 1967 No. 46—

(1) Section 3 (Administration of Act)—

Omit the section.

(2) Section 3A—

Before section 4, insert:

Transfer of administration to Roads and Traffic Authority

3A. After the commencement of this section, a reference in this Act to the Commissioner shall be read as a reference to the Roads and Traffic Authority.

*Transport Legislation (Repeal and Amendment) 1988*SCHEDULE 4—AMENDMENT OF ACTS—*continued*(3) Section 19 (**Delegation**)—

Omit the section.

Traffic Safety (Lights and Hoardings) Act 1951 No. 7—

(1) (a) Section 2, definition of “Public authority”—

Omit “The Commissioner for Railways, The Commissioner for Road Transport and Tramways, The Commissioner for Main Roads”, insert instead “the Roads and Traffic Authority, the State Transit Authority, the State Rail Authority”.

(b) Section 2, definition of “Traffic Authority”—

Omit the definition.

(2) (a) Section 3 (1) (a)—

Omit “vested in or under the control of The Commissioner for Railways or upon any tramway vested in or under the control of The Commissioner for Road Transport and Tramways”.

(b) Section 3 (1)—

Omit “Traffic Authority may, upon”, insert instead “Roads and Traffic Authority may, of its own motion or on”.

(c) Section 3 (1)—

Omit “Traffic Authority” where secondly and thirdly occurring, insert instead “Roads and Traffic Authority”.

(3) Section 4 (1)—

Omit “upon”, insert instead “ being the Roads and Traffic Authority or other public authority on”.

Transfer of Public Vehicles (Taxation) Act 1969 No. 35—

(1) The whole Act—

Omit “State Transport (Co-ordination) Act” wherever occurring, insert instead “Transport Licensing Act”.

(2) Section 2 (**Definitions**)—

Omit “and ‘taxi-cab’ ”, insert instead “, ‘taxi-cab’ and ‘transport district’ ”.

(3) Section 3 (**Tax on transfer of taxi-cab licences**)—

Section 3 (1) (a), (2) (a), (3) (a)—

Omit “registered under the Transport Act 1930”, insert instead “authorised to operate in a transport district”.

(4) Section 4 (**Current market value of licence**)—

(a) Omit “Commissioner for Motor Transport”, insert instead “Secretary of the Ministry of Transport”.

(b) Omit “and by the registration of the taxi-cab under the Transport Act 1930”.

(5) Schedule—

Omit from paragraphs 1, 2 (a) and 2 (c) “by the Commissioner” wherever occurring.

Transport Accidents Compensation Act 1987 No. 101—

(1) Section 3 (7) (as inserted by Act No. 36 of 1988)—

(a) Omit “or the Transport Act 1930”.

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SCHEDULE 4—AMENDMENT OF ACTS—*continued*

- (b) Omit “Motor” wherever occurring.
 - (c) Omit “Commissioner for Motor Transport”, insert instead “Roads and Traffic Authority”.
 - (2) Sections 4 (1) (a), 24 (4)—
Omit “Motor Traffic Act 1909, the Transport Act 1930” wherever occurring, insert instead “Traffic Act 1909”.
 - (3) Sections 4 (1) (d), 26 (3) (b)—
Omit “Urban Transit Authority” wherever occurring, insert instead “State Transit Authority”.
 - (4) Sections 24, 25, 209—
Omit “Commissioner for Motor Transport” wherever occurring, insert instead “Roads and Traffic Authority”.
 - (5) Section 24 (4), definition of “trader’s plate”—
Omit “Motor Traffic”, insert instead “Traffic”.
 - (6) Section 25—
Omit “Commissioner” where secondly and thirdly occurring, insert instead “Authority”.
- Transport Appeal Boards Act 1980 No. 104—**
- (1) Section 4 (Definitions)—
Section 4 (1), definition of “Authority”—
Omit “Urban Transit Authority”, insert instead “State Transit Authority”.
 - (2) Section 8 (Functions of Boards etc.)—
Omit “, the Transport Act 1930, the Transport Authorities Act 1980”, insert instead “, the Transport Administration Act 1988”.
 - (3) Section 24 (Appeal against a Board’s decision in certain cases)—
 - (a) Section 24 (1) (e)—
Omit “Urban Transit Authority”, insert instead “State Transit Authority”.
 - (b) Section 24 (1) (f)—
Omit the paragraph.
 - (c) Section 24 (2)—
Omit “or the Commissioner for Motor Transport”.
 - (d) Section 24 (2), (4) (a)—
Omit “or him”, wherever occurring.
 - (e) Section 24 (3)—
Omit “or of the Commissioner for Motor Transport”.
 - (f) Section 24 (4) (a)—
Omit “or the Commissioner for Motor Transport, as the case may be,”.
 - (4) Section 25 (Delegation by Commissioner for Motor Transport of functions under s. 24)—
Omit the section.
 - (5) Section 30 (Supply of copies of statements etc. to appellant)—

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SCHEDULE 4—AMENDMENT OF ACTS—*continued*

- (a) Section 30 (1), (3)—
Omit “, the Urban Transit Authority or the Department of Motor Transport wherever occurring, insert instead “or the State Transit Authority”.
- (b) Section 30 (1)—
Omit “or the Department, as the case may be,” wherever occurring.
- (6) Section 31 (**Reference of certain matters to Chairman or Vice-Chairman for investigation**)—
 - (a) Section 31 (1)—
Omit “, the Urban Transit Authority or the Department of Motor Transport”, insert instead “or the State Transit Authority”.
 - (b) Section 31 (2)—
Omit “Urban Transit Authority”, insert instead “State Transit Authority”.
 - (c) Section 31 (2)—
Omit “or the Commissioner for Motor Transport by instrument in writing may, in relation to officers of the Department of Motor Transport,”.
- (7) Schedule 1 (**Members of a Board**)—
 - (a) Clause 1—
Omit “the State Rail Authority, acting in consultation with the Urban Transit Authority where appropriate,”, insert instead “the Authority concerned”.
 - (b) Clause 1—
Omit “either of those Authorities”, insert instead “that Authority”.
 - (c) Clause 2—
Omit the clause.
 - (d) Clause 4 (1)—
Omit “Urban Transit Authority” wherever occurring, insert instead “State Transit Authority”.
 - (e) Clause 4 (2)—
Omit the subclause.
 - (f) Clause 5 (2)—
Omit the subclause.
 - (g) Clause 6—
Omit “or (2) (b)”.
 - (h) Clauses 6 (b), 8—
Omit “or Department” wherever occurring.
 - (i) Clause 9—
Omit “or (2) (b) (i)”.

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SCHEDULE 4—AMENDMENT OF ACTS—*continued*

Valuation of Land Act 1916 No. 2—

Section 68 (1)—

Omit the "Government Railways Act 1912".

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