

1993—No. 277

ROADS ACT 1993—REGULATION
(Roads (Savings and Transitional) Regulation 1993)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Roads Act 1993, has been pleased to make the Regulation set forth hereunder.

ANNE COHEN, M.P.,
Acting Minister for Roads.

PART 1—PRELIMINARY

Citation

1. This Regulation may be cited as the Roads (Savings and Transitional) Regulation 1993.

Commencement

2. This Regulation commences on 1 July 1993.

Definition

3. In this Regulation:

“the Act” means the Roads Act 1993.

**PART 2—PROVISIONS ARISING FROM THE ENACTMENT
OF THE ROADS ACT 1993**

**Continued application of savings and transitional provisions under
the Crown and Other Roads Act 1990**

4. Clauses 2 and 6 of Schedule 2 to the Crown and Other Roads Act 1990, and the remaining provisions of that Act to the extent to which it is necessary to give effect to those clauses, continue to have effect as if that Act had not been repealed.

**Disposal of land from roads closed under the Crown and Other
Roads Act 1990**

5. Sections 38 (2), 42, 43 and 44 of the Act apply to and in respect of land comprising a former road closed in accordance with:

- (a) clause 60 of Schedule 2 to the Act; or
- (b) clause 4 of this Regulation,

in the same way as they apply to and in respect of land comprising a former public road closed under Part 4 of the Act.

Application of sec. 145 (3) to new public roads

6. (1) This clause applies to any public road (other than a freeway or a Crown road) within a local government area, being a road that is opened by a public authority (other than the council of the area) after 1 July 1993 but before the day appointed by proclamation under clause 6 (4) of Schedule 2 to the Act.

(2) Section 145 (3) of the Act does not operate to divest any such public road from the public authority in which it is vested for so long as this clause remains in effect with respect to the road.

(3) This clause ceases to have effect with respect to any public road if a regulation is made under the Act declaring that the same or some other public authority is the roads authority for the road.

(4) This clause ceases to have effect on the day appointed by proclamation under clause 6 (4) of Schedule 2 to the Act.

Preservation of delegations and authorisations

7. Any delegation or authorisation in force under a provision of the State Roads Act 1986, the Crown and Other Roads Act 1990, Part 9 of the Local Government Act 1919, the Public Gates Act 1901 or the Traffic

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Safety (Lights and Hoardings) Act 1951 continues to have effect as if it had been granted under the corresponding provision of the Roads Act 1993, and may be amended or revoked accordingly.

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EXPLANATORY NOTE

The object of this Regulation is to make provision of a savings or transitional nature consequent on the enactment of the Roads Act 1993.

This Regulation is made under the Roads Act 1993, including section 264 (the general regulation making power) and clause 1 of Schedule 2 (which empowers the regulations to make provision of a savings or transitional nature).
