

**TRAFFIC ACT 1909—REGULATION**

(Relating to persons who may serve penalty notices)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Traffic Act 1909, has been pleased to make the Regulation set forth hereunder.

WAL MURRAY  
Minister for Roads.

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The Motor Traffic Regulations 1935 are amended:

- (a) by omitting Regulation 130A (1) (d) and by inserting instead the following paragraph:
  - (d) a person:
    - (i) who is an employee of a council of a local government area, an officer or employee of the National Parks and Wildlife Service or an officer or employee of the Forestry Commission; and
    - (ii) who is an authorised officer, within the meaning of section 8G of the Environmental offences and Penalties Act 1989, in respect of an offence arising under section 8F of that Act,  
is a prescribed officer in respect of offences set out in Part 9 of Schedule K (other than any offences under Ordinance No. 34A made under the Local Government Act 1919);
- (b) by omitting Regulation 130A (1) (f) and by inserting instead the following paragraph:
  - (f) an employee of a council of a local government area who is an authorised officer, within the meaning of section 8G of the Environmental Offences and Penalties Act 1989, in

respect of an offence arising under section 8F of that Act is a prescribed officer in respect of:

- (i) an offence arising under Regulation 54 (7) in respect of any parking restriction displayed on a traffic control sign containing the words “AUTHORISED RESIDENTS VEHICLES EXCEPTED”; and
- (ii) an offence arising under Regulation 81 (1) or 85 (2).

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#### **EXPLANATORY NOTE**

The object of this Regulation is to amend the Motor Traffic Regulations 1935 so as to vary the description of certain categories of persons who may serve penalty notices under section 18B of the Traffic Act 1909. The need for the Regulation is a consequence of the repeal of Division 5A of Part 10 of the Local Government Act 1919. The Motor Traffic Regulations 1935 currently identify these categories of persons by reference to persons who are “authorised persons” for purposes of the repealed Division.

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