

FACT SHEET

Traffic Amendment (Road Rules Consequential Amendments) Bill 2009

- The Bill is administrative and overcomes a technical drafting issue.
- The Bill amends references to the *Traffic (Road Rules) Regulations 1999* in section 44 of the *Local Government (Highways) Act 1982*, section 22 of the *Motor Accidents (Liabilities and Compensation) Act 1973* and section 3 of the *Taxi and Luxury Hire Car Industries Act 2008*. These Acts will in future use the short title, *Road Rules*, to reference the road rules legislation.
- Section 31A of the *Traffic Act 1925* currently provides that the Governor may make regulations prescribing rules on nationally consistent road traffic matters. The rules that provide for traffic matters are currently contained in the *Traffic (Road Rules) Regulations 1999*.
- The *Traffic Amendment Act 2009* (which has not yet commenced) amends section 31A of the *Traffic Act* so in future the Governor will have authority to make rules on traffic matters.
- The *Acts Interpretation Act 1931* does not provide for existing references to the road rules in the *Local Government (Highways) Act 1982*, *Motor Accidents (Liabilities and Compensation) Act 1973* and *Taxi and Luxury Hire Car Industries Act 2008* to be “saved” without legislative amendment.
- References to the *Traffic (Road Rules) Regulations 1999* in the aforementioned Acts will become obsolete when the regulations are automatically repealed under the provisions of the *Subordinate Legislation Act 1992*.
- By changing all the references in the aforementioned legislation to the short title *Road Rules* the references will remain accurate and active.