

House of Assembly

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South Australia

Statutes Amendment (Transport Online Transactions and Other Matters) Bill 2017

A BILL FOR

An Act to amend the *Harbors and Navigation Act 1993*, the *Heavy Vehicle National Law (South Australia) Act 2013*, the *Highways Act 1926*, the *Motor Vehicles Act 1959* and the *Road Traffic Act 1961*.

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Part 1—Preliminary

- 1 Amendment of Acts specified in Schedule 1

Part 2—Amendment of *Harbors and Navigation Act 1993*

Part 3—Amendment of *Highways Act 1926*

Part 4—Amendment of *Motor Vehicles Act 1959*

Part 5—Amendment of *Road Traffic Act 1961*

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Statutes Amendment (Transport Online Transactions and Other Matters) Act 2017*.

2—Commencement

This Act will come into operation on a day to be fixed by proclamation.

3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Heavy Vehicle National Law (South Australia) Act 2013*

4—Insertion of sections 22A and 22B

Before section 23 insert:

22A—Delegation by road authority

- (1) Subject to subsection (2), the road authority may, by instrument in writing, delegate any of the powers or functions conferred on the road authority by or under this Act—
 - (a) to a particular person; or
 - (b) to the person for the time being occupying a particular position.
- (2) A delegation under this section cannot be made to a road manager or delegate of a road manager.
- (3) A power or function delegated under this section may, subject to the conditions of the instrument of delegation, be further delegated by instrument in writing.
- (4) A delegation under this section—
 - (a) may be unconditional or subject to conditions specified by the delegator; and
 - (b) does not derogate from the power of the delegator to act personally in any matter; and
 - (c) is revocable at will by the delegator.

22B—Delegation by road manager

- (1) Subject to subsection (2), a road manager may, by instrument in writing, delegate any of the powers or functions conferred on a road manager by or under this Act—
 - (a) to a particular person (including another road manager); or
 - (b) to the person for the time being occupying a particular position.
- (2) A delegation under this section cannot be made to a road authority or delegate of a road authority.
- (3) A power or function delegated under this section may, subject to the conditions of the instrument of delegation, be further delegated by instrument in writing.
- (4) A delegation under this section—
 - (a) may be unconditional or subject to conditions specified by the delegator; and
 - (b) does not derogate from the power of the delegator to act personally in any matter; and
 - (c) is revocable at will by the delegator.

Part 3—Amendment of *Highways Act 1926*

5—Amendment of section 26—Powers of the Commissioner to carry out roadwork etc

Section 26(6)—before paragraph (a) insert:

- (aa) as if all such roads were public roads; and

Part 4—Amendment of *Motor Vehicles Act 1959*

6—Insertion of section 6A

After section 6 insert:

6A—Delegation by Minister

- (1) The Minister may delegate a power or function of the Minister under this Act.
- (2) A delegation under this section—
 - (a) may be made—
 - (i) to a particular person or body; or
 - (ii) to the person for the time being occupying a particular office or position; and
 - (b) may be absolute or subject to conditions or limitations specified in the instrument of delegation; and

- (c) if the instrument of delegation so provides, may be further delegated by the delegate; and
- (d) is revocable at will and does not derogate from the power of the delegator to act in any matter.

7—Amendment of section 16—Permits to drive vehicles without registration

- (1) Section 16(1)(c)(i)—delete "following the return by the Registrar of" and substitute:
after the Registrar declines
- (2) Section 16(2)—delete subsection (2) and substitute:
 - (2) If the owner of a motor vehicle not previously registered in the owner's name, or a person acting on the owner's behalf, satisfies a police officer stationed at a police station situated outside a radius of 40 kilometres from the General Post Office at Adelaide that—
 - (a) an application for the registration of the vehicle, to commence as from a day not later than the issue of a permit under this subsection, has been made; and
 - (b) the prescribed fee payable in respect of the registration of the vehicle has been paid; and
 - (c) the appropriate insurance premium has been paid; and
 - (d) the stamp duty (if any) payable on the application has been paid,the police officer may issue without fee to the owner of the vehicle a permit authorising the vehicle to be driven on roads without registration during the prescribed period.
- (3) Section 16(10)—delete "in writing served personally or by post on the holder of the permit" and substitute:
given to the holder of the permit in a manner and form determined by the Minister
- (4) Section 16(14)—delete "in writing served personally or by post on the applicant" and substitute:
given to the applicant in a manner and form determined by the Minister

8—Amendment of section 20—Application for registration

Section 20(1)—delete subsection (1) and substitute:

- (1) An application for registration of a motor vehicle must—
 - (a) be made in a manner and form determined by the Minister; and
 - (b) state correctly—
 - (i) in the case of an application other than for renewal of registration—the following particulars:
 - (A) the full name of the owner of the vehicle;

- (B) if the owner of the vehicle is a natural person—the address at which the owner is ordinarily resident;
 - (C) if the owner of the vehicle is a body corporate—the address of the principal place of business in this State of the body corporate;
 - (D) the full name of the operator of the vehicle (whether or not that person is the owner or an owner of the vehicle);
 - (E) if the operator is not the owner or an owner of the vehicle and is a natural person—the address at which that person is ordinarily resident;
 - (F) if the operator is not the owner or an owner of the vehicle and is a body corporate—the address of the principal place of business in this State of the body corporate;
 - (G) the garage address of the vehicle;
 - (H) in the case of an application relating to a heavy vehicle—the configuration of the vehicle for the period of registration; or
- (ii) in the case of an application for renewal of registration—the particulars prescribed by the regulations.

9—Amendment of section 21—Power of Registrar to decline application

Section 21—delete "return the application and" and substitute:

decline the application and return or refund

10—Amendment of section 24A—Registrar may accept periodic renewal payments

Section 24A(7)(d)—delete paragraph (d) and substitute:

- (d) the person notifies the Registrar of the transfer of ownership of the motor vehicle in accordance with section 56; or

11—Amendment of section 43—Short payment etc

- (1) Section 43(1)—delete "in writing served personally or by post upon" and substitute:

given in a manner and form determined by the Minister to

(2) Section 43(3)—delete subsection (3) and substitute:

- (3) If the amount referred to in subsection (1) is not paid within 14 days after notice under that subsection has been given, the Registrar may, by notice given in a manner and form determined by the Minister to the person registered as the owner or operator of the motor vehicle, cancel the registration.

12—Amendment of section 47C—Return or recovery of number plates

Section 47C(2)—delete "in writing served on" and substitute:

given in a manner and form determined by the Minister to

13—Substitution of section 56

Section 56—delete the section and substitute:

56—Duty of transferor on transfer of vehicle

If the ownership of a motor vehicle is transferred (whether on a sale or other transaction) at any time during the currency of its registration, the transferor must—

- (a) within 7 days after the transfer—lodge with the Registrar an application for cancellation of the registration of the vehicle; or
- (b) do the following:
- (i) within 7 days after the transfer—
- (A) give to the transferee the prescribed documents in respect of the vehicle; and
- (B) complete and sign a notice of the transfer of ownership of the vehicle in a form determined by the Minister;
- (ii) within 14 days after the transfer—lodge with the Registrar the notice referred to in subparagraph (B).

Maximum penalty: \$1 250.

14—Amendment of section 57—Duty of transferee on transfer of vehicle

Sections 57(1), (2), (2a), (3), (4) and (5)—delete subsections (1) to (5) inclusive and substitute:

- (1) If the ownership of a motor vehicle is transferred not later than 14 days before the expiration of the registration of the vehicle, the transferee must, within 7 days after the transfer, sign a notice under section 56(b)(i)(B).

Maximum penalty: \$1 250.

- (2) If—
- (a) the ownership of a motor vehicle is transferred not later than 14 days before the expiration of the registration of the vehicle; and
 - (b) an application to cancel the registration is not lodged with the Registrar within 7 days after the transfer,
- the transferee must, within 14 days after the transfer—
- (c) lodge with the Registrar—
 - (i) an application to transfer the registration of the vehicle; and
 - (ii) the prescribed documents in respect of the vehicle; and
 - (d) pay the prescribed fee for the transfer; and
 - (e) pay the stamp duty (if any) payable on the application.
- Maximum penalty: \$1 250.
- (2a) If the transferee fails to lodge an application required under subsection (2) within 14 days after the transfer of the vehicle, the Registrar may refuse to enter into any transaction with the transferee until such an application has been lodged.
- (3) If—
- (a) the transferee fails to lodge an application required under subsection (2) within 14 days after the transfer of the vehicle; and
 - (b) the transferee—
 - (i) lodges the application after the expiration of that period; or
 - (ii) lodges an application to register the vehicle,
- the Registrar may charge, in addition to the fee prescribed under this Act for the transfer of registration, a late payment fee determined in accordance with the regulations.
- (4) The Registrar may, if satisfied that reasonable cause exists for doing so, extend the time for lodging an application for transfer of registration.
- (5) An application for the transfer of the registration of a motor vehicle must—
- (a) be made in a manner and form determined by the Minister; and
 - (b) state correctly the following particulars:
 - (i) the full name of the new owner of the vehicle;

- (ii) if the new owner of the vehicle is a natural person—the address at which the new owner is ordinarily resident;
- (iii) if the new owner of the vehicle is a body corporate—the address of the principal place of business in this State of the body corporate;
- (iv) the full name of the operator of the vehicle (whether or not that person is the new owner or one of the new owners of the vehicle);
- (v) if the operator is not the new owner or one of the new owners of the vehicle and is a natural person—the address at which that person is ordinarily resident;
- (vi) if the operator is not the new owner or one of the new owners of the vehicle and is a body corporate—the address of the principal place of business in this State of the body corporate;
- (vii) the garage address of the vehicle;
- (viii) in the case of an application for transfer of registration of a heavy vehicle—the configuration of the vehicle for the unexpired period of registration.

15—Substitution of section 57A

Section 57A—delete the section and substitute:

57A—Power of Registrar to record change of ownership of motor vehicle

If an application to transfer the registration of a motor vehicle has not been lodged with the Registrar but—

- (a) a notice under section 56(b)(i)(B) in relation to the vehicle has been lodged with the Registrar; or
- (b) the Registrar is satisfied on the basis of other evidence that the ownership of the vehicle has been transferred to a particular person,

the Registrar may, without registering the vehicle in the name of the transferee, record on the register the transferee as the owner of the vehicle.

16—Amendment of section 58—Transfer of registration

Section 58(1)—delete "are duly delivered to" and substitute:

are lodged with

17—Amendment of section 60—Cancellation of registration where failure to transfer after change of ownership

- (1) Section 60(1)—delete "made" and substitute:
lodged
- (2) Section 60(1)(b)—delete "making" and substitute:
lodgement

18—Insertion of section 60A

After section 60 insert:

60A—Lodgement of applications, notices etc

For the purposes of sections 56, 57, 57A, 58 and 60 of this Act, a requirement to lodge an application, notice or other document with the Registrar will be taken to have been met if all the information required to be included in the application, notice or other document is provided to the Registrar in a manner determined by the Minister.

19—Amendment of section 75—Issue and renewal of licences

Section 75(1)(a) and (b)—delete paragraphs (a) and (b) and substitute:

- (a) makes an application for the licence or renewal in a manner and form determined by the Minister; and
- (b) pays the prescribed fee; and

20—Amendment of section 75AA—Only one licence to be held at any time

Section 75AA(4)—delete "by written notice" and substitute:

by notice given in a manner and form determined by the Minister

21—Amendment of section 81F—Mandatory alcohol interlock scheme conditions

Section 81F(1)(g)—delete paragraph (g) and substitute:

- (g) a condition that the holder of the licence must produce the nominated vehicle for examination by an approved alcohol interlock provider at times and places from time to time fixed by the Registrar by notice given to the person in a manner and form determined by the Minister;

22—Amendment of section 85—Procedures for suspension, cancellation or variation of licence or permit

Section 85(1)—delete "in writing" and substitute:

in a manner and form determined by the Minister

23—Substitution of section 98ML

Section 98ML—delete the section and substitute:

98ML—Towtruck driver to carry and produce certificate

The holder of a towtruck certificate or temporary towtruck certificate must—

- (a) carry the certificate in accordance with the regulations at all times while—
 - (i) driving a towtruck; or
 - (ii) riding in or on a towtruck; or
 - (iii) operating the equipment of a towtruck; or
 - (iv) being in attendance at the scene of an accident; and
- (b) produce the certificate for inspection immediately if requested to do so by—
 - (i) a police officer; or
 - (ii) an authorised officer; or
 - (iii) a person present at the scene of an accident at which the holder is in attendance.

Maximum penalty: \$750.

24—Amendment of section 98V—Cancellation of permit

- (1) Section 98V(2)—delete "in writing served personally or by post on" and substitute:
given in a manner and form determined by the Minister to
- (2) Section 98V(3)—delete "served" and substitute:
given to the person

25—Amendment of section 138B—Effect of dishonoured cheques etc on transactions under the Act

- (1) Section 138B(2)—delete "in writing served personally or by post upon" and substitute:
given in a manner and form determined by the Minister to
- (2) Section 138B(3)—delete "on whom a notice has been served" and substitute:
to whom notice has been given
- (3) Section 138B(4)—delete "in writing served personally or by post upon" and substitute:
given in a manner and form determined by the Minister to

26—Repeal of section 138C

Section 138C—delete the section

27—Amendment of section 139BA—Power to require production of licence etc

Section 139BA(2)—delete subsection (2) and substitute:

- (2) A requirement for production of a licence or permit may be imposed by—
 - (a) order of a court; or
 - (b) notice given in a manner and form determined by the Minister to the holder of the licence or permit.

28—Amendment of section 139BD—Service and commencement of notices of disqualification

Section 139BD(3)(a)(i)—delete subparagraph (i) and substitute:

- (i) to personally acknowledge receipt of the notice—
 - (A) by attending, within the period specified in the notice, at a place of a kind prescribed by the regulations; or
 - (B) by recording the acknowledgement, within the period specified in the notice, by electronic means of a kind determined by the Minister; and

29—Amendment of section 139C—Service of other notices and documents

Section 139C(1)—delete subsection (1) and substitute:

- (1) Except as otherwise provided in this Act, a notice or other document required or authorised to be given to or served on a person may—
 - (a) be served on that person personally; or
 - (b) be sent by post addressed to that person at the person's last known postal address; or
 - (c) be given to the person by electronic means of a kind determined by the Minister.

30—Amendment of section 139D—Confidentiality

Section 139D(1)(c)—delete paragraph (c) and substitute:

- (c) in connection with the administration of—
 - (i) this Act; or
 - (ii) the *Heavy Vehicle National Law (South Australia) Act 2013*; or
 - (iii) the *Heavy Vehicle National Regulations (South Australia)*; or
 - (iv) the local regulations made under the *Heavy Vehicle National Law (South Australia) Act 2013*; or

31—Amendment of section 141—Evidence by certificate etc

Section 141—after subsection (2) insert:

- (2a) In the absence of proof to the contrary, in proceedings under this Act, a notice of disqualification will be taken to have been given to a person—
- (a) in the case of a notice receipt of which is personally acknowledged by the person—
 - (i) by the person attending, within the period specified in the notice, at a place of a kind prescribed by the regulations; or
 - (ii) by the person recording the acknowledgement, within the period specified in the notice, by electronic means of a kind determined by the Minister,
on the day on which receipt of the notice is so acknowledged; or
 - (b) in the case of a notice that is served on the person personally—on the day on which the notice is so served.

32—Amendment of section 142A—Evidence of ownership of motor vehicle

Section 142A—delete "section 56(b)(i)(C)" and substitute:

section 56(b)(i)(B)

33—Amendment of section 145—Regulations

- (1) Section 145(1)(fb)—delete paragraph (fb)
- (2) Section 145(1)(h)(iii)—delete subparagraph (iii) and substitute:
 - (iii) empower the Registrar to declare, by notice in the Gazette, that the declared area is divided into zones specified in the notice, and to vary or revoke any such declaration by a subsequent notice;
- (3) Section 145(2)—after paragraph (e) insert:
 - (f) contain provisions of a savings or transitional nature.

Part 5—Amendment of *Road Traffic Act 1961*

34—Amendment of section 5—Interpretation

- (1) Section 5(1), definition of *Australian Road Rules*—delete the definition
- (2) Section 5(1), definition of *bicycle*—delete "one or more wheels" and substitute:
2 or more wheels
- (3) Section 5(1), definition of *bicycle*, (a)—delete ", scooter, tricycle and unicycle" and substitute:
and tricycle

- (4) Section 5(1), definition of *journey documentation*, (f)—delete "log book" and substitute:
- work diary
- (5) Section 5(1), definition of *legal entitlements*—delete the definition and substitute:
- legal entitlements* of a vehicle (or component of a vehicle) means the particulars of the entitlements, conferred under an Australian road law or the *Heavy Vehicle National Law (South Australia) Act 2013*, that authorise the vehicle (or component) to be operated on a road, and includes—
- (a) any entitlements arising under or as affected by a permit, registration, authorisation, approval, exemption, notice or anything else given or issued in writing under an Australian road law or the *Heavy Vehicle National Law (South Australia) Act 2013*; and
- (b) any entitlements arising under or as affected by restrictions, or by the application of restrictions, under an Australian road law, the *Heavy Vehicle National Law (South Australia) Act 2013* or other laws (for example, sign-posted mass limits for bridges, hazardous weather condition permits, and special road protection limits);
- (6) Section 5(1)—after the definition of *public safety* insert:
- quad-axle group* means a group of 4 axles, in which the horizontal distance between the centre-lines of the outermost axles is more than 3.2 metres, but not more than 4.9 metres;
- (7) Section 5(1), definitions of *wheeled recreational device* and *wheeled toy*—delete the definitions and substitute:
- wheeled recreational device* means a device or vehicle prescribed by regulation as a wheeled recreational device for the purposes of this definition;
- wheeled toy* means a device or vehicle prescribed by regulation as a wheeled toy for the purposes of this definition.

35—Insertion of section 8

After section 7 insert:

8—References to *Australian Road Rules*

Unless the contrary intention appears, a reference in this Act or any other Act or law to the *Australian Road Rules* is a reference to the *Australian Road Rules* as they apply in this jurisdiction (the operation of the *Australian Road Rules* in this jurisdiction may be affected by this Act, or by regulations made under this Act—see section 80).

36—Amendment of section 40P—Notice of removal of vehicle and disposal of vehicle if unclaimed

Section 40P(7), definition of *relevant authority*, (c)—delete "approved" and substitute:

authorised

37—Amendment of section 79B—Provisions applying where certain offences are detected by photographic detection devices

Section 79B(1), definition of *prescribed offence*—after paragraph (c) insert:

or

- (d) an offence against the *Heavy Vehicle National Law (South Australia) Act 2013* prescribed by regulation;

38—Amendment of section 82—Speed limit while passing school bus

Section 82(2)—after the definition of *school bus* insert:

vehicle standards means—

- (a) in relation to a bus that is a heavy vehicle—the heavy vehicle standards under the *Heavy Vehicle National Law (South Australia)*;
- (b) in relation to a bus that is a light vehicle—the light vehicle standards.

39—Amendment of heading to Part 4 Division 4 Subdivision 1

Heading to Part 4 Division 4 Subdivision 1—before "**vehicle**" insert:

light

40—Amendment of section 145—Defect notices

Section 145(1aa)—before "vehicle standards" insert:

light

41—Amendment of section 175A—Average speed evidence

Section 175A(3)—after paragraph (c) insert:

, and the Minister may, by subsequent notice in the Gazette, vary or revoke a notice given under this subsection

Schedule 1—Statute law revision amendments

Part 1—Preliminary

1—Amendment of Acts specified in Schedule 1

- (1) The Acts specified in this Schedule are amended in the manner indicated in the Schedule.
- (2) If an Act sought to be amended by this Schedule is, before the commencement of the relevant Part of the Schedule, amended in a manner that renders an amendment contained in the Schedule ineffective, that amendment will be taken to have been struck out from the Schedule.

Part 2—Amendment of *Harbors and Navigation Act 1993*

Provision amended	How amended
Section 4(1), definition of <i>prescribed circumstances</i> , (b)	Delete "his or her" and substitute: the person's

Provision amended	How amended
Section 8(2)	Delete "his or her" and substitute: the Minister's
Section 13	Delete "his or her" first occurring and substitute: the authorised person's Delete "his or her" second occurring and substitute: the police officer's
Section 14(1)(e)	Delete "his or her" and substitute: the person's
Section 29(3)	Delete "his or her" and substitute: the officer's
Section 47A(2)	Delete "he or she" and substitute: the person
Section 48(2)(c)	Delete "he or she" and substitute: the person
Section 49	Delete "his or her" and substitute: the holder's
Section 50(1)(a)	Delete "his or her" and substitute: the holder's
Section 50(1)(b)	Delete "his or her" and substitute: the holder's
Section 50(1)(d)	Delete "him or her" and substitute: the holder
Section 50(2)(a)	Delete "his or her" and substitute: the holder's
Section 50(2)(b)	Delete "his or her" and substitute: the holder's
Section 50(2)(c)	Delete "him or her" and substitute: the holder
Section 69(2)(b)(i)	Delete "his or her" and substitute: the offender's
Section 70(1)(b)	Delete "he or she" and substitute: the person
Section 70(3a)	Delete "he or she" and substitute: the defendant Delete "his or her" and substitute: the defendant's

Provision amended	How amended
Section 70(3b)	Delete "he or she" and substitute: the defendant
Section 71(10)	Delete "his or her" and substitute: the person's
Section 71(11)(a)	Delete "himself or herself" and substitute: the person
Section 71(13)(b)(i)	Delete "his or her" and substitute: the person's
Section 72(12)	Delete "his or her" and substitute: the person's
Section 72(14)(a)	Delete "himself or herself" and substitute: the person
Section 76(2)	Delete "his or her" and substitute: the person's
Section 84(3)	Delete "his or her authority" and substitute: the authority of the person in charge of the vessel
Schedule 1A, clause 6(2)	Delete "his or her" and substitute: the medical practitioner's

Part 3—Amendment of *Highways Act 1926*

Provision amended	How amended
Section 12(1)	Delete "his" first occurring
Section 12(1)(b)	Delete "he" and substitute: the Commissioner Delete "his" wherever occurring and substitute in each case: the Commissioner's
Section 12(1)(c)	Delete "he wilfully absents himself from his duty" and substitute: the Commissioner wilfully absents themselves from duty
Section 12(2)	Delete "his" wherever occurring and substitute in each case: the Commissioner's
Section 12(3)	Delete "he shall" and substitute: the Commissioner will
Section 12A(1)	Delete "any of his or her functions, powers or duties" and substitute: any functions, powers or duties of the Commissioner

Provision amended	How amended
Section 20(1)	Delete "his" and substitute: the Commissioner's
Section 20(1)(ba)	Delete "he" and substitute: the Commissioner
Section 20(1)(ba)(iii)	Delete "his" and substitute: the Commissioner's
Section 20(1)(bb)	Delete "he" and substitute: the Commissioner
Section 20(1)(bb)(ii)	Delete "his" and substitute: the Commissioner's
Section 20(1)(c)	Delete "he" and substitute: the Commissioner
Section 20(1)(e)	Delete "he" and substitute: the Commissioner
Section 20(3)	Delete "him" and substitute: the Commissioner
Section 20B	Delete "he" and substitute: the Commissioner
Section 20BA(2)	Delete "he" wherever occurring and substitute in each case: the Minister
Section 21(1)(a)	Delete "his" and substitute: the Commissioner's
Section 21(1)(b)	Delete "his" and substitute: the Commissioner's Delete "him" and substitute: the Commissioner
Section 21(3)	Delete "his" and substitute: the Commissioner's
Section 22	Delete "he" wherever occurring and substitute in each case: the Commissioner
Section 25	Delete "him" first occurring and substitute: the Commissioner Delete "it or him" and substitute: the council or officer
Section 27AA(1)	Delete "he" and substitute: the Commissioner

Provision amended	How amended
Section 27AB(3)	Delete "his" and substitute: the Commissioner's
Section 27AC(2)	Delete "him" and substitute: the Registrar-General
Section 27AC(5)	Delete "his" and substitute: the Registrar-General's
Section 27AC(6)	Delete "him" and substitute: the Registrar-General
Section 27AD(b)	Delete "he" and substitute: the Registrar-General
Section 27AE(1)	Delete "he" and substitute: the Registrar-General
Section 27B(1)	Delete "he" and substitute: the Commissioner
Section 27C(b)	Delete "him" and substitute: the Commissioner
Section 27D(1)	Delete "him" and substitute: the person
Section 27D(1b)	Delete "his" and substitute: the grantee's
Section 30AB	Delete "him" and substitute: the Commissioner
Section 30B(1)	Delete "him" and substitute: the person
Section 30DA(4)	Delete "he" and substitute: the Commissioner
Section 32(1)(i)	Delete "him" and substitute: the Treasurer
Section 42A(1)(b)	Delete "his or her" and substitute: the person's
Section 42A(1)(c)	Delete "his or her" and substitute: the person's

Part 4—Amendment of *Motor Vehicles Act 1959*

Provision amended	How amended
Section 7(4)	Delete "of his or her powers or functions" and substitute: powers or functions of the Registrar

Provision amended	How amended
Section 9(1a)	Delete "he or she" and substitute: the person
Section 9(1c)	Delete "he or she" and substitute: the defendant
Section 9(6b)	Delete "he or she" and substitute: the person Delete "his or her" wherever occurring and substitute in each case: the person's
Section 24A(2)(b)	Delete "his or her" and substitute: the person's
Section 24A(7)(a)	Delete "his or her" and substitute: the person's
Section 31(1)(j)	Delete "he or she" and substitute: the officer
Section 38B(1)(b)(i)	Delete "his or her" and substitute: the child's
Section 47D(1)(d)	Delete "his or her" and substitute: the person's
Section 48(1)	Delete "his or her agent" and substitute: an agent of the registered owner or registered operator
Section 53(1)(d)	Delete "his or her" and substitute: the person's
Section 72(10)	Delete "he or she" and substitute: the person
Section 72A(2)	Delete "his or her" wherever occurring and substitute in each case: the person's
Section 75AA(5)	Delete "his or her" wherever occurring and substitute in each case: the person's
Section 75A(10)(a)	Delete "his or her" wherever occurring and substitute in each case: the holder's
Section 75A(17)	Delete "he or she" wherever occurring and substitute in each case: the holder

Provision amended	How amended
Section 75A(21)	Delete "he or she" and substitute: the defendant
Section 79A(1)(a)	Delete "he or she" wherever occurring and substitute in each case: the applicant
Section 80(2a)(e)	Delete "he or she" and substitute: the person
Section 81A(2)	Delete "he or she" and substitute: the applicant
Section 81A(4)(a)	Delete "his or her" wherever occurring and substitute in each case: the holder's
Section 81A(13)	Delete "he or she" and substitute: the holder
Section 81A(17)	Delete "he or she" and substitute: the defendant
Section 81A(19)	Delete "he or she" and substitute: the defendant
Section 81AB(1)(b)	Delete "his or her" wherever occurring and substitute in each case: the holder's
Section 81BA(2)(a)	Delete "his or her" and substitute: the person's
Section 81BB(4)(b)	Delete "himself or herself" and substitute: the appellant
Section 91(5)	Delete "his or her" and substitute: the person's
Section 96(1)	Delete "his or her" and substitute: the driver's
Section 96(3)	Delete "he or she" and substitute: the person
Section 97(1)	Delete "his or her" and substitute: the driver's
Section 98AAA(1)	Delete "his or her" and substitute: the person's
Section 98AA	Delete "his or her" and substitute: the holder's

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Provision amended	How amended
Section 98AAF	Delete "his or her" and substitute: the holder's
Section 98A(7)	Delete "him or her" and substitute: the holder
Section 98B(1a)	Delete "he or she" and substitute: the person
Section 98BD(1)	Delete "he or she" and substitute: the person
Section 98ME(13)(b)	Delete "him or her" and substitute: the towtruck driver
Section 98ME(14)	Delete "his or her" and substitute: the towtruck operator's
Section 98MI(1)	Delete "his or her" and substitute: the person's
Section 98MK(1)	Delete "himself or herself" and substitute: the person
Section 98T(2)(b)	Delete "his or her" and substitute: the person's
Section 99A(2a)(b)(ii)	Delete "his or her" and substitute: the person's
Section 102(1a)	Delete "he or she" and substitute: the person
Section 102(1c)	Delete "he or she" and substitute: the defendant
Section 102(3d)(a)	Delete "he or she" and substitute: the person Delete "his or her" wherever occurring and substitute in each case: the person's
Section 110(3)(c)	Delete "his or her" and substitute: the person's
Section 113(1)(b)	Delete "he or she" and substitute: the person
Section 115(4)	Delete "his or her" and substitute: the defendant's
Section 116(5)	Delete "his or her" and substitute: the defendant's

Provision amended	How amended
Section 116(7)(c)(iii)	Delete "his or her" and substitute: the driver's
Section 123	Delete "his or her" and substitute: the person's
Section 124(3)(a)	Delete "his or her" and substitute: the defendant's
Section 124(5)(a)	Delete "he or she" and substitute: the driver
Section 124(6)	Delete "his or her" and substitute: the person's
Section 124A(1)	Delete "he or she" and substitute: the insured person
Section 124A(1)(b)	Delete "his or her" and substitute: the insured person's
Section 124(2)	Delete "he or she" and substitute: the insured person
Section 124A(3)	Delete "he or she" and substitute: the insured person
Section 124AB(1)	Delete "he or she" and substitute: the insured person
Section 125(2)	Delete "he or she" and substitute: the insured person
Section 125A(3)(e)	Delete "his or her" and substitute: the insured person's
Section 126A(6)(b)	Delete "he or she" and substitute: the person
Section 127B(2)	Delete "he or she" and substitute: the person
Section 134(1)(c)	Delete "himself or herself" and substitute: themselves
Section 134(2)(a)	Delete "his or her" and substitute: the legal practitioner's
Section 134(2)(b)	Delete "his or her" and substitute: the officer's
Section 134(2)(c)(ii)	Delete "himself or herself" and substitute: themselves

Provision amended	How amended
Section 134F(4)(a)	Delete "him or her" and substitute: the person authorised to undertake the trial
Section 134I(2)	Delete "he or she" and substitute: the defendant
Section 134L	Delete "he or she" and substitute: the Minister
Section 134M(3)	Delete "his or her" and substitute: the Minister's
Section 135(2)	Delete "he or she" and substitute: the defendant
Section 135B(1)	Delete "his or her" and substitute: the person's
Section 136(1)	Delete "his or her" and substitute: the person's Delete "he or she" wherever occurring and substitute in each case: the person
Section 136(2)	Delete "his or her" wherever occurring and substitute in each case: the person's
Section 136(2d)	Delete "his or her" wherever occurring and substitute in each case: the person's
Section 139BD(2)	Delete "his or her" and substitute: the person's
Section 139BD(3)(b)	Delete "he or she" and substitute: the person
Section 139C(1)(b)	Delete "his or her" and substitute: the person's
Section 141(1)	Delete ", namely"
Section 148(1)(a)	Delete "he or she" and substitute: the health professional
Section 148(1)(b)	Delete "he or she" and substitute: the person
Section 148(2)	Delete "he or she" and substitute: the health professional
Section 148(3)	Delete "his or her" and substitute: the person's

Provision amended	How amended
Schedule 1, clause 2(2)	Delete "he or she" and substitute: the person
Schedule 2, clause 1(2)(b)	Delete "himself or herself" and substitute: themselves

Part 5—Amendment of *Road Traffic Act 1961*

Provision amended	How amended
Section 33(9a)	Delete "he or she" and substitute: the person
Section 34(2)	Delete "his or her direction" and substitute: the direction of a prescribed police officer
Section 34(5)	Delete "he or she" and substitute: the person
Section 35(3)(a)	Delete "he or she" and substitute: the person
Section 35(3)(b)	Delete "he or she" and substitute: the person
Section 39(3)	Delete "himself or herself" and substitute: themselves Delete "his or her" and substitute: the officer's
Section 39(4)	Delete "himself or herself" and substitute: themselves
Section 39(4)(a)	Delete "his or her" and substitute: the officer's
Section 39(4)(b)	Delete "his or her" and substitute: the officer's
Section 39(6)	Delete "himself or herself" and substitute: themselves
Section 40C(b)(iv)	Delete "his or her" and substitute: the person's
Section 40N(6)	Delete "him or her" and substitute: the officer or person
Section 40Z(5)	Delete "him or her" and substitute: the authorised person
Section 41E(2)	Delete "he or she" and substitute: the officer

Provision amended	How amended
Section 43(1)(b)	Delete "himself or herself" and substitute: themselves Delete "his or her" and substitute: the driver's
Section 43(3)(b)(i)	Delete "his or her" and substitute: the defendant's
Section 43(3)(c)(ii)	Delete "himself or herself" and substitute: themselves
Section 45(3)(b)(ii)	Delete "he or she" and substitute: the offender Delete "his or her" and substitute: the offender's
Section 45(3)(b)(iii)	Delete "his or her" and substitute: the offender's
Section 45(4a)	Delete "he or she" wherever occurring and substitute in each case: the defendant
Section 45(4a)(b)	Delete "his or her" and substitute: the defendant's
Section 46(5)	Delete "he or she" wherever occurring and substitute in each case: the defendant
Section 46(5)(b)	Delete "his or her" and substitute: the defendant's
Section 47A(1), definition of <i>prescribed circumstances</i> , (b)	Delete "his or her" and substitute: the person's
Section 47B(1)	Delete "his or her" and substitute: the person's
Section 47B(5)	Delete "he or she" and substitute: the person
Section 47BA(1)	Delete "his or her" and substitute: the person's
Section 47BA(2)	Delete "he or she" and substitute: the defendant Delete "his or her" and substitute: the defendant's
Section 47BA(3)	Delete "he or she" and substitute: the defendant

Provision amended	How amended
Section 47BA(6)	Delete "he or she" and substitute: the person
Section 47E(4a)	Delete "his or her" and substitute: the person's
Section 47E(5)(a)	Delete "himself or herself" and substitute: themselves
Section 47E(7a)	Delete "his or her" and substitute: the person's
Section 47E(8)	Delete "his or her" and substitute: the Commissioner's
Section 47EAA(11)	Delete "his or her" and substitute: the person's
Section 47EAA(12)(b)(i)	Delete "his or her" and substitute: the person's
Section 47EAA(13)(a)	Delete "himself or herself" and substitute: themselves
Section 47EA(1)(c)	Delete "he or she" and substitute: the officer Delete "his or her" wherever occurring and substitute in each case: the officer's
Section 47EA(1)(ca)	Delete "he or she" and substitute: the officer Delete "his or her" wherever occurring and substitute in each case: the officer's
Section 47IAA(12)(b)(iia)	Delete "he or she" and substitute: the person
Section 53B(2)	Delete "he or she" and substitute: the officer
Section 79B(2)(c)(i)	Delete "his or her" and substitute: the officer's or employee's
Section 83A(1)	Delete "himself or herself" and substitute: themselves
Section 83A(2)	Delete "himself or herself" and substitute: themselves
Section 110C(7)	Delete "he or she" and substitute: the officer

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Provision amended	How amended
Section 145(6a)	Delete "he or she" and substitute: the defendant
Section 165(2)	Delete "he or she" and substitute: the defendant
Section 174A(4)	Delete "he or she" and substitute: the owner
Section 174A(4)(b)	Delete "he or she" and substitute: the owner
Section 174A(5)(b)	Delete "he or she" and substitute: the owner
Section 174G(1)	Delete "his or her" wherever occurring and substitute in each case: the employee's or contractor's
Schedule 1, clause 6(2)	Delete "his or her" and substitute: the medical practitioner's