



ANNO OCTODECIMO

ELIZABETHAE SECUNDAE REGINAE

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No. 21 of 1969

**An Act to Provide for the registration of schools for instructing persons in the driving of motor vehicles, to provide for the licensing of persons engaged in instructing for reward persons in the driving of motor vehicles, and for other purposes**

[ASSENTED TO 17TH DECEMBER, 1969]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

PART I—PRELIMINARY

**1. Short title and commencement of Act.** (1) This Act may be cited as the *Motor Vehicle Driving Instruction School Act 1969*.

(2) This Act shall come into operation on a date to be fixed by the Governor in Council by Proclamation published in the Gazette.

**2. Arrangement of Act.** This Act is divided into Parts as follows:—

PART I—PRELIMINARY, ss. 1-4;

PART II—REGISTRATION OF DRIVING INSTRUCTION SCHOOLS, ss. 5-8;

PART III—INSTRUCTOR'S LICENCE, ss. 9-14;

PART IV—REGULATION OF LICENSEES AND DRIVING INSTRUCTION SCHOOLS, ss. 15-20;

PART V—APPEALS FROM COMMISSIONER'S DECISIONS, ss. 21-27;

PART VI—GENERAL PROVISIONS, ss. 28-34.

**3. Interpretation.** In this Act, unless the contrary intention appears—

“articulated motor vehicle” means a motor vehicle having at its rear a portion on wheels which is pivoted on and partly superimposed on the forward part of the vehicle;

“authorized officer” means a member of the Police Force, or a person acting under the authority of the Commissioner;

“Commissioner” means the Commissioner for Transport appointed under *The State Transport Acts 1960 to 1965*: The term includes a person for the time being acting as such Commissioner;

“driving instruction school” means the business of teaching or offering to teach, for fee or reward, any person to drive all classes or any class of motor vehicle;

“driving instructor” means a person who gives advice, instruction or demonstration to another person for the purpose of teaching that other person to drive a motor vehicle;

“holder” means in relation to an instructor's licence, the person authorized under a current such licence to act as a driving instructor as prescribed;

“licence” means an instructor's licence granted under this Act;

“Minister” means the Minister for Transport or other Minister of the Crown charged with the administration of this Act: The term includes any person performing the duties of the Minister so defined;

“motor vehicle” means a motor car, motor cycle, motor omnibus, motor truck, motor utility truck, trolley vehicle, tractor or traction engine, and any other vehicle propelled or designed for propulsion wholly or partly by gas, motor spirit, oil, electricity, steam, or other mechanical power: The term includes an articulated motor vehicle but does not include a vehicle used on a railway or tramway;

“secretary” means the person for the time being assigned to act as secretary to the appeal tribunal constituted under this Act;

“student driver” means a person who, at the material time, is being given advice, instruction or demonstration by a driving instructor for the purpose of his learning to drive a motor vehicle.

Where in the definition “motor vehicle” there is used an expression to which a meaning is assigned by the *Traffic Act 1949-1968* and which is not itself defined in this section such expression has the meaning assigned to it by that Act:

Provided that if by a regulation made under this Act a meaning is assigned to such an expression either generally or for a particular purpose the expression shall, for the purposes of the regulations, have the meaning so assigned in accordance with the regulation.

**4. Act inapplicable in certain cases.** This Act does not apply in respect of any person who, being so required by his engagement or employment in any business or calling, acts as a driving instructor to another person—

- (a) with a view to that other person's being engaged or employed in the same business or calling; and
- (b) without fee or reward paid or given by or on behalf of that other person,

save where he is so required by his engagement or employment, as principal or employee, in the conduct of a driving instruction school.

#### PART II—REGISTRATION OF DRIVING INSTRUCTION SCHOOLS

**5. Application for registration.** Any person desirous of conducting or of continuing to conduct a driving instruction school may apply to the Commissioner for registration of the school and, upon his application and payment of the prescribed fee, shall be entitled to registration of the school under this Act.

**6. Particulars to be registered.** (1) Where application is made for the registration of a driving instruction school the particulars to be registered concerning the school shall be—

- (a) the name under which the school is to be conducted;
- (b) the address of every premises within the State from which the school is to be conducted;
- (c) the names of all persons who are to conduct the school;
- (d) all other prescribed particulars.

(2) A person conducting a driving instruction school registered under this Act shall forthwith notify the Commissioner of any variation in the name under which the school is conducted, in the address or addresses of premises from which the school is conducted, in the persons who are to conduct the school or in any other prescribed particular registered by the Commissioner concerning the school and every such variation so notified shall be registered by the Commissioner concerning the school.

**7. Duration of registration and renewal.** (1) Registration of a driving instruction school shall expire upon the expiration of a period of twelve months commencing on the date on which the prescribed particulars are first entered in the register kept by the Commissioner or, where the registration has been renewed, commencing on the date of its last renewal.

(2) Registration of a driving instruction school may be renewed by the payment of the prescribed fee to the Commissioner prior to the expiration of the registration then current but the renewal shall be deemed to be effected on the date of expiration of the registration then current.

**8. Conduct of unregistered school and misrepresentation prohibited.** After three months from the date of commencement of this Act, a person—

- (a) shall not conduct a driving instruction school unless the school is registered under this Act;
- (b) shall not use any initial, name, description or device which, having regard to the circumstances in which it is used, indicates or is calculated to indicate or is capable of indicating that a driving instruction school is registered under this Act unless the school is so registered.

PART III—INSTRUCTOR'S LICENCE

**9. Application for licence.** Any person who has attained the age of twenty-one years may apply to the Commissioner for an instructor's licence.

An application shall comply with all conditions prescribed therefor by regulations made under this Act.

**10. Grant of licence.** (1) If the Commissioner is satisfied that the applicant for an instructor's licence—

- (a) has attained the age of twenty-one years and has duly made his application as required by this Act;
- (b) is medically fit to a degree sufficient to permit him to act as a driving instructor;
- (c) is the holder of a current licence under the *Traffic Act* 1949–1968 which authorizes him to drive motor vehicles of the class or classes in respect of which he has applied for the instructor's licence and has, for a continuous period of three years last preceding the date of his application, held such a licence or a licence under the law of any State or Territory of the Commonwealth or any other country to drive such motor vehicles;
- (d) has such competence as a driver of motor vehicles of the class or classes in respect of which he has applied for the instructor's licence and such knowledge of the provisions of the regulations made under the *Traffic Act* 1949–1968 which relate to the driving, stopping, standing and parking of motor vehicles as would justify the grant of an instructor's licence to him;
- (e) is competent to teach persons to drive motor vehicles of the class or classes in respect of which he has applied for the instructor's licence;
- (f) is in all other respects a fit and proper person to act as a driving instructor,

he may grant to the applicant an instructor's licence.

The matters to which regard may be had for the purposes of paragraph (f) of this subsection include the applicant's antecedents, character and conduct.

(2) For the purpose of satisfying himself on any matter referred to in subsection (1) of this section the Commissioner may require that—

- (a) an applicant for an instructor's licence or for any renewal thereof shall undergo such tests, both practical and theoretical, and such medical examinations as the Commissioner thinks fit;
- (b) applicants for instructors' licences generally should attain to a standard nominated by him in any test calculated to assess the applicants' knowledge or competence in any respect;
- (c) an applicant for an instructor's licence or for any renewal thereof shall present himself at a time and place nominated by the Commissioner and answer such inquiry as may be made of him concerning such matter.

(3) If an applicant fails to comply with such a requirement of the Commissioner his application shall be refused unless he satisfies the Commissioner that he had reasonable cause for his failure.

(4) Without prejudice to the powers conferred by the foregoing provisions of this section, the Commissioner may accept as sufficient evidence of an applicant's knowledge or competence in any respect that the applicant has successfully completed a course approved by the Governor in Council by notification published in the Gazette as acceptable for the purposes of this section and that the applicant holds a diploma or certificate to that effect issued by the person, school, or authority conducting such course.

**11. Authority of licence.** A licence authorizes the person to whom it is granted to act as a driving instructor in respect of the class of motor vehicle specified therein.

Where no class of motor vehicle is specified in a licence, the licence shall be taken to authorize the person to whom it is granted to act as a driving instructor in respect of all classes of motor vehicles.

**12. Duration and renewal of licence.** (1) Unless sooner cancelled, suspended or surrendered a licence shall subsist for a period of twelve months from and including the date of its grant or, as the case may be, its last renewal and for the purpose of calculating the period of its duration a licence shall be deemed to have subsisted throughout any period for which it has in fact been suspended or is of no force or effect in respect of all classes or any class of motor vehicle.

(2) Upon application for renewal of a licence made at least two weeks prior to the expiration of the period of duration of the licence and payment of the prescribed fee the Commissioner shall renew the licence if he is satisfied that the provisions of this Act applicable thereto have been complied with and that the holder continues to be a fit, proper and competent person to act as a driving instructor.

**13. Imposition of conditions on licence.** Upon the grant or renewal of a licence the Commissioner may subject the same to such conditions as he thinks fit by inserting in or affixing to the prescribed form of licence reference to the conditions and at any time and from time to time he may vary the conditions to which a licence is subject by written notice to the holder.

**14. Professional driving instruction to be given under licence.** After three months from the date of commencement of this Act a person shall not act as a driving instructor for fee or reward or hold himself out as willing to so act unless he is the holder of a licence.

For the purposes of this Act a person shall be deemed to act as a driving instructor for fee or reward notwithstanding that the consideration paid or given by or on behalf of the student driver is not received directly or indirectly by the driving instructor.

## PART IV—REGULATION OF LICENSEES AND DRIVING INSTRUCTION SCHOOLS

**15. Register of licences.** The Commissioner shall cause to be kept a register or (as the Commissioner elects) several registers of applicants for registration or for licences and shall cause to be recorded in the relevant register particulars of registration and of the grant, refusal, cancellation, suspension or surrender of a licence, of conditions to which a licence is subject, and of any other matter which affects the force and effect of a licence.

**16. Instructor's licence dependent upon driver's licence.** During any period for which the holder of a licence is not authorized under the *Traffic Act 1949-1968* to drive motor vehicles of a class in respect of which he is authorized by the licence to act as a driving instructor the licence shall be of no force or effect in respect of that class and, to that extent, shall be deemed not to exist.

The holder of a licence that so becomes of no force or effect shall forthwith produce his licence to the Commissioner so that the licence may be endorsed accordingly.

If by reason of this section a licence is of no force or effect whatever it shall, upon production to the Commissioner, be held by him until it again is of some force and effect.

**17. Obligations of holder of instructor's licence.** The holder of a licence—

- (a) shall comply in every respect with the conditions to which the licence is subject;
- (b) shall, upon the requisition of an authorized officer, or of a person in relation to whom he is or is about to be a driving instructor for fee or reward, produce the licence for inspection by the officer or person;
- (c) shall not act as a driving instructor for fee or reward or hold himself out as willing to so act in respect of a class of motor vehicle other than a class in respect of which he is authorized by the licence to so act;
- (d) shall not act as a driving instructor for fee or reward or hold himself out as willing to so act except for the purposes of a driving instruction school registered under this Act.

**18. Motor vehicles to comply with requirements of law** (1) A motor vehicle used for the purposes of a driving instruction school shall be machinery subject to *The Inspection of Machinery Acts 1951 to 1966*.

(2) A person who conducts a driving instruction school or the holder of a licence—

- (a) shall not use; or
- (b) shall not make available for use,

on a road a motor vehicle unless it has been inspected as required by *The Inspection of Machinery Acts 1951 to 1966* and a current certificate of inspection issued under those Acts exists in respect of it.

(3) A person who conducts a driving instruction school or the holder of a licence—

- (a) shall not use; or
- (b) shall not make available for use,

on a road a motor vehicle that—

- (c) is not equipped and marked as prescribed by regulations made under this Act and applicable thereto; or
- (d) does not comply with the provisions of the *Traffic Act 1949–1968* applicable thereto and relating to its construction or equipment.

(4) It is a defence to a charge of a contravention of this section that the motor vehicle in question was not, at the material time, available for use or, as the case may be, being used for the purposes of a driving instruction school.

(5) The term “road” in this section has the meaning assigned to that term by the *Traffic Act 1949–1968*.

(6) This section does not apply to the case where the motor vehicle in question is provided by the student driver.

**19. Regulation of registered driving instruction schools.** A person shall not—

- (a) conduct a driving instruction school from premises other than premises at an address registered under this Act;
- (b) in the conduct of a driving instruction school, use as a driving instructor any person unless that person is the holder of an instructor’s licence;
- (c) require or suffer a driving instructor used by him in the conduct of a driving instruction school to act as a driving instructor in respect of any class of motor vehicle unless the instructor is authorized by a licence to so act in respect of that class.

**20. Discretionary cancellation, etc., of licence.** (1) If the Commissioner is satisfied or suspects that—

- (a) a licence was granted, issued or renewed erroneously or upon a false statement or representation; or
- (b) the holder of a licence is convicted of an offence against this Act, or is no longer a fit, proper and competent person to hold the licence having regard to all relevant matters and particularly the requirements of subsection (1) of section 10 of this Act,

the Commissioner may, by notice under his hand, call upon the holder of the licence to produce to him the licence and to show cause why the licence should not be cancelled or suspended.

The Commissioner may in such a notice or in a further notice nominate a place, date and time at which the licence is to be produced or such cause is to be shown.

(2) If a licence is not produced as required or cause is not shown to the satisfaction of the Commissioner why a licence should not be cancelled or suspended, he may cancel the licence or, as the case requires in his opinion, suspend the licence for a period specified by him whereupon—

- (a) he shall confiscate the licence so cancelled or impound the licence so suspended;
- (b) the licence shall be of no force or effect and shall be deemed not to exist but, in the case of a suspension, only for the period specified.

(3) Where a licence is cancelled or suspended in respect of one or some only of the classes of motor vehicles within the scope of its authority then—

- (a) the Commissioner shall not confiscate or impound the licence but shall endorse the licence accordingly; and
- (b) the licence shall be of no force or effect and shall be deemed not to exist in respect only of that class or those classes of motor vehicles.

**PART V—APPEALS FROM COMMISSIONER'S DECISIONS**

**21. Person aggrieved may appeal against determination of Commissioner.** (1) Where the Commissioner—

- (a) refuses an application for or any renewal of a licence;
- (b) imposes conditions upon the grant or renewal of a licence;
- (c) varies conditions to which a licence is subject;
- (d) cancels or suspends a licence,

he shall notify in writing the applicant or, as the case may be, licensee of his decision and the grounds therefor and, if any matter referred to in paragraphs (a) to (f) (both inclusive) of subsection (1) of section 10 of this Act is material to the decision, shall therein specify whichever of the paragraphs is material.

(2) An applicant or licensee aggrieved by the Commissioner's decision may in the manner and within the time prescribed appeal to the appeal tribunal constituted as prescribed save where, in the case of a decision to refuse an application or to cancel or suspend a licence, a ground material to the decision is that the applicant or licensee does not satisfy the requirements of paragraph (d) or (e) of subsection (1) of section 10 of this Act.

**22. Appeal tribunal.** (1) The appeal tribunal shall convene as often as is necessary to hear and determine an appeal duly made to it and for that purpose shall consist of—

- (a) a stipendiary magistrate who shall be chairman of the tribunal;
- (b) an officer of the Department of Transport nominated by the Commissioner;
- (c) a holder of a licence nominated by the Minister as prescribed, and shall be deemed to be a commission of inquiry within the meaning of *The Commissions of Inquiry Acts 1950 to 1954* the provisions whereof shall apply accordingly.

(2) An appointment of a member of the appeal tribunal—

- (a) shall be made by the Governor in Council by notification published in the Gazette;
- (b) subject to the next following paragraph (c), shall be effective for a period of twelve months commencing on the date of such publication unless the appointment sooner becomes vacant as prescribed;
- (c) where it is made to fill a vacancy in the appointment of a member, shall be effective for the balance of the term of the appointment in which the vacancy occurred.



(3) The appointment of a member of the appeal tribunal shall become vacant if the appointee—

- (a) dies;
- (b) resigns the appointment by notice in writing given to the Minister;
- (c) ceases to be qualified as prescribed for appointment as a member;
- (d) is removed from the appointment by the Governor in Council as prescribed.

The Governor in Council may at any time by notice in writing given to the member in question remove a member of the appeal tribunal from the appointment if, in his opinion, the member is not a fit and proper person to hold the appointment.

(4) The nomination by the Minister of a holder of a licence for appointment as a member of the appeal tribunal shall be made from a panel of names of three such holders, at the least, furnished to him by an association or group of such holders which, in his opinion, is representative of the holders of licences in Queensland.

If at the time an appointment of such a holder is to be made there is no such panel or if the holders on such a panel willing to accept nomination are less than three in number the Minister may nominate any holder of a licence in his unfettered discretion.

**23. Secretary to appeal tribunal.** The Commissioner shall assign an officer of the Department of Transport (other than the officer thereof who is or is to be a member of the appeal tribunal) to act as secretary to the appeal tribunal.

**24. Procedure on appeal.** (1) An appeal shall be instituted within one month after the date on which the appellant receives notice of the Commissioner's decision whereby he is aggrieved by lodging with the secretary a notice of appeal in writing and, if a form thereof is prescribed, in or to the effect of the form and paying the prescribed fee, if any.

The grounds of the appeal shall be clearly and briefly set forth in the notice of appeal.

The appellant may at any time withdraw his appeal by notice in writing given to the secretary.

(2) When an appeal has been duly instituted the secretary shall arrange with the chairman of the appeal tribunal a date, time and place for the hearing of the appeal and shall give at least seven days notice thereof to the appellant and to the Commissioner.

So far as is practicable an appeal shall be heard and determined within one month after the date on which it is instituted.

(3) The decision of the appeal tribunal, where the members are not unanimous, shall be that of the majority of the members.

**25. Venue and nature of appeal.** (1) The appeal tribunal shall sit in Brisbane and shall determine an appeal on the evidence which was before the Commissioner in the matter in question and on such further evidence as, in the opinion of the chairman, is relevant to the matter of inquiry.

(2) The appeal tribunal may inform itself on any matter in such manner as it deems fit and, subject to this Act, shall not be bound by rules of or practice as to evidence.

(3) Subject to this Act, an appeal shall be conducted in accordance with the directions of the appeal tribunal which directions shall be consistent with natural justice.

(4) The appellant and the Commissioner may appear before the appeal tribunal in person or by counsel or solicitor or by any agent acceptable to the tribunal.

**26. Determination of appeal.** By way of determining an appeal, the appeal tribunal may confirm or set aside the Commissioner's decision in issue and may make any determination and order which the Commissioner could have properly made under this Act with respect to the matter in question, and may make such order as to costs as it thinks just.

**27. Effect of appeal and of determination thereof.** (1) Save where the Commissioner's decision the subject of an appeal consists of a refusal of an application for or a renewal of a licence, an appeal duly instituted shall avoid the decision the subject thereof until the appeal is determined by the appeal tribunal or withdrawn by the appellant, whichever event sooner occurs.

(2) The decision of the appeal tribunal shall be final and conclusive and shall be given effect to.

Where a decision of the Commissioner is thereby set aside that decision shall be of no further force or effect but where it is confirmed that decision shall again be of full force and effect or, as the case may be, continue to be so, according to its tenor.

#### PART VI—GENERAL PROVISIONS

**28. Power to delegate.** (1) The Commissioner may either generally or otherwise as provided by the instrument of delegation, by writing under his hand, delegate to any person or holder of an office all or any of his powers, authorities and functions (other than this power of delegation) under this Act.

(2) A power, authority or function so delegated may be exercised or performed by the delegate in accordance with the instrument of delegation.

(3) Where the exercise or performance of a power, authority or function so delegated depends upon the opinion, belief or state of mind of the Commissioner in relation to any matter that power or authority may be exercised and that function may be performed upon the opinion, belief or state of mind of the delegate.

(4) A delegation under this section is revocable at will and does not prevent the exercise of a power or authority or the performance of a function by the Commissioner or the making by him of a further delegation of that power, authority or function.

**29. Evidentiary value of records.** (1) Every part of a register kept pursuant to section 15 of this Act, and an extract of any part of such a register purporting to be certified as correct by the person having custody of the register shall upon its production in any proceeding be admissible as evidence and, in the absence of evidence to the contrary, conclusive evidence of the matters contained therein.

(2) A certificate purporting to be signed by the person having custody of a register kept pursuant to section 15 of this Act certifying the state of any part of the register at a date or during a period specified in the certificate or certifying that the person or driving instruction school named therein was not, at a date or during a period specified therein, the holder of a licence or, as the case may be, registered under this Act shall upon its production in any proceeding be admissible as evidence and, in the absence of evidence to the contrary, conclusive evidence of the matters contained in the certificate.

(3) A document purporting to be a report furnished to the Commissioner for the purposes of this Act in relation to any applicant or licensee and relevant to the matter of inquiry shall, upon its production in an appeal against the Commissioner's decision, be admissible as evidence of the matters contained therein.

**30. Service of writings under Act.** A notice or other writing required by this Act to be given by the Commissioner or the secretary to any person for the purposes of this Act may be given—

- (a) by serving the same personally upon the person to whom it is directed;
- (b) by leaving the same at the address of the place of residence of the person to whom it is directed last known to the person by whom the same is required to be given;
- (c) by prepaid post letter addressed to the person to whom it is directed at the address of the place of his residence last known to the person by whom the same is required to be given.

**31. Offences and penalty.** (1) A person who contravenes or fails to comply with any provision of this Act commits an offence against this Act.

Save where a specific penalty is otherwise prescribed, a person who commits an offence against this Act is liable to a penalty of five hundred dollars.

(2) A penalty imposed by this Act may be recovered by way of summary proceedings before a Magistrates Court under *The Justices Acts 1886 to 1968*.

(3) A court before which a person is convicted of an offence against this Act shall cause particulars of the conviction to be furnished to the Commissioner.

(4) For the purposes of this Act the persons who conduct a driving instruction school shall include—

- (a) the person who has actual charge or management of the school; and
- (b) every person who is entitled to share in the net profits of the school,

and upon a contravention of any provision of this Act whereby a person who conducts a driving instruction school commits an offence against this Act each of such persons shall be deemed to have committed the act of contravention.

**32. Indemnity to persons administering Act.** A person shall not incur liability on account of anything done for the purposes of this Act or done in good faith and purporting to be for the purposes of this Act.

**33. Regulations.** The Governor in Council may make regulations not inconsistent with this Act for or with respect to—

- (a) providing for and regulating the making of applications for licences and for renewals of licences or for registration and for renewals of registration under this Act;
- (b) providing for and regulating the duties of persons conducting driving instruction schools registered under this Act and notification to the Commissioner of changes in circumstances concerning the conduct of such schools;
- (c) providing for and regulating the powers of an authorized officer to enter upon premises from which a driving instruction school is conducted or upon any other place where the records of the school are suspected to be kept, to inspect, seize and make copies of such records, and the production of such records by any person having custody thereof upon the requisition of an authorized officer;
- (d) providing for and regulating the duties of persons acting as driving instructors and notification to the Commissioner of matters affecting the competence of such persons as instructors;
- (e) providing for and regulating the power of the Commissioner to require any holder of a licence at any time to submit to tests, both practical and theoretical, and medical examinations to establish his fitness and competence to be a driving instructor and the duty of such holder to comply with the requisition;
- (f) providing for and regulating the equipment of and markings on motor vehicles used for the purposes of a driving instruction school;
- (g) providing for the forms to be used for the purposes of this Act, the identification of the holder in a form of licence, the replacement of a licence which has been lost or destroyed, and the surrender to the Commissioner of a licence which is cancelled or suspended;
- (h) providing for the fees payable under this Act and the purposes for which such fees are payable;
- (i) providing for and regulating the institution and conduct of and all matters pertaining to appeals against the Commissioner's decisions for the purposes of this Act;
- (j) providing for and regulating all matters required or permitted by this Act to be prescribed where the method of prescription is not otherwise provided;
- (k) providing for a penalty not exceeding twenty dollars for any contravention or failure to comply with a regulation;
- (l) providing for and regulating all matters that may be convenient for the administration of this Act or that may be necessary or expedient to achieve the objects and purposes of this Act.

The power to regulate conferred by the foregoing provisions of this section includes the power to prohibit.

Regulations may be made—

- (a) to apply generally or to meet a particular case or class of case;
- (b) to apply throughout the whole State or within any part of the State;

- (c) upon the passing of this Act and shall be valid and effectual on and from the date they take effect as prescribed notwithstanding that this Act had not then come into operation.

**34. Procedural provisions re regulations.** (1) Every regulation made under this Act shall—

- (a) be published in the Gazette;
- (b) upon its publication in the Gazette, be judicially noticed;
- (c) take effect on and from the date of its publication in the Gazette unless a later date is specified in relation to its commencement when, in such case, it shall take effect on and from that later date;
- (d) be laid before the Legislative Assembly within fourteen sitting days after such publication if the Assembly is in session, but, if not, then within fourteen sitting days after the commencement of the next session.

(2) If the Legislative Assembly passes a resolution of which notice has been given at any time within fourteen sitting days after a regulation has been laid before it disallowing the regulation or part thereof, the regulation or part shall thereupon cease to have effect, but without prejudice to the validity of anything done in the meantime or to the making of a further regulation.