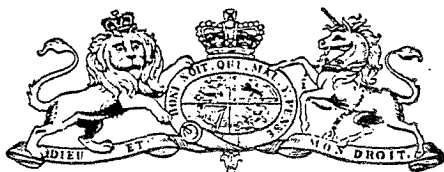


Queensland



ANNO VICESIMO NONO

ELIZABETHAE SECUNDAE REGINAE

No. 3 of 1980

**An Act to provide with respect to the safety of motor vehicles
and for related purposes and to amend the Inspection
of Machinery Act 1951–1974 in certain particulars.**

[ASSENTED TO 31ST MARCH, 1980]

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.** This Act may be cited as the *Motor Vehicles Safety Act 1980*.

2. **Commencement of Act.** This Act shall come into operation on a date to be fixed by Proclamation.

3. **Arrangement of Act.** This Act is arranged as follows:—

PART I—PRELIMINARY (ss. 1–6);

PART II—ADMINISTRATION (ss. 7–18);

PART III—GENERAL INSPECTION PROVISIONS (ss. 19–22);

PART IV—COMMERCIAL MOTOR VEHICLES (ss. 23–31);

PART V—CERTIFICATES OF ROADWORTHINESS (ss. 32–42);

PART VI—GENERAL PROVISIONS (ss. 43–53);

PART VII—AMENDMENTS OF INSPECTION OF MACHINERY ACT 1951–1974 (ss. 54–68).

4. Savings. (1) The person who at the commencement of this Act holds the appointment of Chief Inspector of Machinery under the *Inspection of Machinery Act 1951–1974* shall on and from such commencement hold the appointment of Chief Inspector of Motor Vehicles for the purposes of this Act until he duly vacates it or is duly removed therefrom.

(2) Subject to subsection (3), every certificate, order, requisition, notice or other act of authority made, granted, issued, given or done under the *Inspection of Machinery Act 1951–1974* in respect of a motor vehicle and in force at the commencement of this Act shall continue in force as if it were made, granted, issued, given or done under this Act until it expires by effluxion of time or is revoked, cancelled, suspended or surrendered under this Act.

(3) Where any certificate granted under the *Inspection of Machinery Act 1951–1974* is suspended at the commencement of this Act, it shall not be in force under this Act until the expiration of the period for which it was suspended, and then only if it has not expired during the period of its suspension, and it shall only continue in force thereafter for the remainder of the period during which it would have been in force if it had not been so suspended.

(4) Every person who at the commencement of this Act holds an office or position to which he was appointed under or for the purposes of the *Inspection of Machinery Act 1951–1974* shall continue to hold that office or position or the corresponding office or position under and for the purposes of this Act until he duly vacates or is duly removed from that office or position and where such office or position has been held immediately before the commencement of this Act under, subject to and in accordance with the *Public Service Act 1922–1978*, that office or position or the corresponding office or position shall be and continue to be held under, subject to and in accordance with such lastmentioned Act.

5. Application of Act. (1) Save as is otherwise provided in this section or pursuant to section 26, this Act applies to and in relation to the inspection of all motor vehicles.

(2) This Act binds the Crown.

(3) This Act does not apply to or in relation to any motor vehicle associated with or engaged in or about a mine to which the *Mines Regulation Act 1964–1979* or the *Coal Mining Act 1925–1979* applies, other than a motor vehicle used above ground or in any place where mining is carried on by the method of mining commonly known as open-cut mining.

6. Meaning of Terms. In this Act unless the contrary intention appears—

“approved examiner” means any person who is approved or deemed to be approved under this Act to inspect second-hand motor vehicles at an approved inspection station for the purposes of Part V;

- “ approved inspection station ” means a place that is approved or deemed to be approved under this Act for the inspection of motor vehicles for the purposes of Part V;
- “ authorized officer ” means any person who is appointed to be an authorized officer in accordance with the provisions of this Act;
- “ certificate of inspection ” means a certificate of inspection granted, or deemed to be granted, and, in relation to any time in question, in force or deemed to be in force under this Act;
- “ certificate of roadworthiness ” means—
- (a) in relation to all motor vehicles, a certificate of an approved examiner given under Part V at an approved inspection station;
 - (b) in relation to a motor vehicle of a type defined in category B in section 32 (1), a certificate given under Part V by or on behalf of the Chief Inspector,
that in either case certifies in the prescribed form that the motor vehicle to which it relates complies with the appropriate requirements of the *Traffic Act* 1949–1977, the *State Transport Act* 1960–1972 and this Act as to its construction, equipment and performance and that it has not any defect that would affect its safe use on a road and, in relation to any time in question, in force or deemed to be in force under this Act;
- “ Chief Inspector ” means the person who holds the appointment of Chief Inspector of Motor Vehicles and includes any person who performs the duties of the Chief Inspector;
- “ commercial motor vehicle ” means a motor vehicle that is used at any time—
- (a) for carrying passengers or goods or both passengers and goods for hire or reward; or
 - (b) in the course of or for any purpose of any business or work;
- “ disposal ” includes a delivery of possession pursuant to a gift, sale, barter, exchange, transfer, lease or hire, or to a letting under a hire purchase agreement or to an agreement for sale or to an agreement that confers a contractual licence to use a motor vehicle but does not include—
- (a) a delivery of possession to a bailee for the purpose of alteration, repair, renovation, garaging or other similar purpose that does not involve the use of the motor vehicle for the bailee’s benefit;
 - (b) a delivery of possession to a person by reason of his being entitled to the motor vehicle as beneficiary in the estate of the last preceding owner of the vehicle;
 - (c) a passing of possession from one body corporate to another body corporate by reason that—
 - (i) the name of the former body corporate has been duly changed according to law to the name of the latter body corporate;
 - (ii) the latter body corporate is a reconstruction of the former body corporate or is the result of an amalgamation of the former body corporate and one or more other bodies corporate, in any case duly effected according to law; or

- (iii) the latter body corporate is a holding company or a subsidiary company of the former body corporate;
 - (d) a passing of possession occasioned only by the admission or retirement of one or more persons, into or from a partnership, being a partnership defined by *The Partnership Act 1891 to 1965*;
 - (e) a passing of possession (other than a passing of possession of a commercial motor vehicle) by a person to his spouse;
- “inspector” means the Chief Inspector of Motor Vehicles and any other inspector of motor vehicles appointed or deemed to be appointed under this Act, and any person appointed for the time being to perform the whole or part of the duties of an inspector of motor vehicles;
- “licensed motor dealer” means a motor dealer licensed as such under the *Auctioneers and Agents Act 1971–1978*;
- “motor vehicle” means any vehicle propelled or designed for propulsion wholly or partly by gas, motor spirit, oil, electricity, or any other mechanical power: the term includes an omnibus, a motor car, motor truck, motor utility truck, motor cycle, fire engine, trailer and the engine of any motor vehicle, but does not include a recreation vehicle as defined in the *Motor Vehicles Control Act 1975* or any steam locomotive, steam traction engine, diesel locomotive, diesel traction engine, straddle truck, mobile crane, mobile dump truck, or any machinery designed for cutting grass or foliage or harvesting and used for no other purpose or any engine of a motor vehicle used for a purpose other than that of propelling a vehicle;
- “owner” includes—
- (a) in respect of any motor vehicle, a joint owner or a part owner of the vehicle;
 - (b) in respect of a motor vehicle registered under the regulations made pursuant to the *Main Roads Act 1920–1979* or under corresponding legislation of any other State or Territory of the Commonwealth every person so registered as owner;
 - (c) in respect of a motor vehicle the subject of a hiring agreement or a hire-purchase agreement, the person who has the use of the vehicle as hirer under the agreement;
 - (d) in respect of a motor vehicle that is in the custody of a licensed motor dealer for the purpose of its disposal, or in the custody of an agent of a licensed motor dealer for the purpose of its disposal the licensed motor dealer and, where the business of such dealer is conducted by a firm, each member of that firm;
 - (e) in respect of any motor vehicle, any person who has control, charge or management of the vehicle;
- “proprietor” means, in respect of an approved inspection station, the person who is occupier of the premises approved as the inspection station and who carries on the business conducted therein;
- “second-hand motor vehicle” means a motor vehicle that has been used or reconstructed;

“ trailer ” means any vehicle without motive power attached or designed for attachment to a motor vehicle or tractor, but does not include a mobile air compressor, mobile welder, mobile concrete mixer, or other mobile equipment of a like nature or a caravan or boat trailer.

PART II—ADMINISTRATION

7. Administration of Act. This Act shall be administered by the Minister and, subject to the Minister, by the Chief Inspector, other inspectors and other officers appointed or deemed to be appointed under this Act.

8. Appointment of officers. (1) The Governor in Council may from time to time appoint inspectors and other officers as he considers necessary for the effectual administration of this Act.

(2) Every such appointment shall be made under and in accordance with the *Public Service Act 1922–1978* and every person so appointed shall hold his appointment subject to that Act.

9. Qualification of inspectors. A person shall not be appointed an inspector, other than Chief Inspector, unless he has passed such examinations and possesses such qualifications as are prescribed.

10. Authorized officers. (1) Notwithstanding the provisions of section 9 the Minister may appoint—

(a) any person to be an authorized officer in respect of such locality of Queensland as the Minister defines in the appointment for such period as the Minister specifies in the appointment;

(b) any person who is an inspector of machinery under the *Inspection of Machinery Acts 1951–1974* to be an authorized officer for such period as the Minister specifies in the appointment.

(2) An authorized officer appointed under subsection (1) shall perform such functions and duties and may exercise such powers as are from time to time assigned to him in writing by the Chief Inspector.

(3) A person shall not be appointed an authorized officer unless he possesses, in the opinion of the Minister, sufficient qualifications to permit him to perform the functions and duties likely to be assigned to him by the Chief Inspector.

11. Certificates of appointment. Every inspector or authorized officer appointed for the purposes of this Act shall be furnished with a certificate of his appointment, signed by the Chief Inspector, which shall be sufficient evidence thereof.

An inspector or authorized officer shall carry his certificate of appointment with him at all times while in the execution of his duty and, if required so to do, shall produce it to a person in charge of a place that he seeks to enter.

12. Area of operation of inspector. The Governor in Council may from time to time nominate centres throughout Queensland as centres in and from which inspectors shall administer this Act.

13. Power of Chief Inspector to delegate. (1) The Chief Inspector may, either generally or otherwise as provided by the instrument of delegation, by writing delegate to any person all or any of his powers, functions and duties except this power of delegation.

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

(3) A delegation may be made subject to such terms and limitations as the Chief Inspector thinks fit including a requirement that the delegate shall report to the Chief Inspector upon his exercise or performance of the delegated power, function or duty.

(4) The Chief Inspector may make such and so many delegations of the same power, function or duty and to such number of persons as he considers necessary or desirable.

(5) A delegation is revocable at the will of the Chief Inspector and does not prevent the exercise of a power or the performance of a function or duty by him.

14. Reports to be made and may be inspected. (1) An inspector or an authorized officer who makes an inspection, examination or inquiry for the purposes of this Act shall report in writing thereon to the Chief Inspector.

Such report shall comply with the requirements of the Chief Inspector as to its form and particularity and shall be filed in his office.

(2) A copy of a report made pursuant to subsection (1) shall be filed—

(a) if made by an inspector, by the inspector who made it in the records of the office provided for the use of inspectors at the centre where he is stationed;

(b) if made by an authorized officer, at such place as is directed by the Chief Inspector,

and shall be kept in such office or place or elsewhere as the Chief Inspector directs for a period of not less than five years.

(3) A person who satisfies the Chief Inspector that he is the owner or prospective buyer of the vehicle, or the solicitor of either of them, and pays the prescribed fee shall be entitled to be furnished with a copy of an inspection report made pursuant to subsection (1).

15. Protection from liability. Neither the Crown nor an inspector or authorized officer shall be civilly liable on account of anything done by an inspector or authorized officer pursuant to this Act, or done by an inspector or authorized officer in good faith purportedly for the purposes of this Act.

An inspector or authorized officer shall not be criminally liable on account of anything done by him pursuant to this Act, or done by him in good faith purportedly for the purposes of this Act.

This section shall not be construed to protect an inspector or authorized officer from his liability to be dealt with pursuant to the *Public Service Act 1922-1978* on account of any contravention of or failure to comply with any provision of that Act committed by him.

16. Powers of inspectors, etc. (1) Any inspector or authorized officer or any other person authorized by the Chief Inspector may at any time—

- (i) enter any place where there is or where he has reason to believe there is any motor vehicle;
- (ii) inspect and examine any motor vehicle found upon such entry;
- (iii) call to his aid—
 - (a) any member of the Police Force where he has reasonable cause to apprehend any obstruction in the exercise of his powers or in the execution of his duties;
 - (b) any person he may think competent to assist him in such inspection and examination;
- (iv) make such examination or inquiry as may be necessary to ascertain—
 - (a) whether the provisions of this Act have been or are being complied with in respect of any motor vehicle;
 - (b) the owner of the vehicle;
 - (c) the names of persons in any way employed in connexion with the vehicle;
- (v) question, with respect to matters under this Act, the occupier of any place, the owner of any motor vehicle, every person whom he finds in any place, and every person who has been within the preceding six months employed in any place to ascertain whether this Act has been or is being complied with, and require any such person to answer the questions put and to sign a declaration of the truth of his answer;
- (vi) require the production of any certificate or copy of any certificate of roadworthiness or inspection report, any certificate of registration, certificate of inspection, competency, approval, or examiner's licence, and of any book, notice, record, list, or writing which by this Act is required to be kept or exhibited, and inspect, examine, and take copies of or extracts from the same; and
- (vii) exercise such other powers and authorities as may be prescribed.

(2) Before an inspector or authorized officer or any person authorized by the Chief Inspector enters any part of premises, which part is used as a dwelling, he shall, save where he has the permission of the occupier of that part to his entry, obtain from a justice a warrant to enter.

A justice who is satisfied upon the complaint of an inspector or authorized officer or any person authorized by the Chief Inspector that there is reasonable cause to suspect—

- (a) that in any place there is a motor vehicle to which the provisions of this Act apply;

- (b) that in respect of that motor vehicle an offence against this Act has been committed, is being committed or is likely to be committed,

may issue his warrant directed to the inspector, authorized officer or person to enter the place specified in the warrant for the purpose of his exercising the powers conferred on him by this Act.

A warrant issued under this subsection shall, for a period of one month from its issue, be authority—

- (a) to the person to whom it is directed and to all persons acting in aid of him to enter the place specified in the warrant; and
(b) to the person to whom it is directed to exercise in respect of the place specified in the warrant all the powers conferred on him by this Act.

For the purposes of this subsection, the curtilage of any premises shall not be taken to be a part used as a dwelling of those premises.

17. Assistance to inspectors, etc. (1) The occupier of any place wherein or whereon there is a motor vehicle shall furnish to an inspector or authorized officer or any person authorized by the Chief Inspector all reasonable assistance, and all such information that he is able to furnish as is required of him by the inspector, authorized officer or person, in respect of the exercise of powers and the discharge of duties under this Act in relation to that place.

(2) The owner of a motor vehicle shall furnish to an inspector or authorized officer or any person authorized by the Chief Inspector all reasonable assistance, and all such information that he is able to furnish as is required of him by the inspector, authorized officer or person, in respect of the exercise of powers and the discharge of duties under this Act in relation to that vehicle.

18. Obstructing an inspector, etc. (1) A person shall not—

- (i) assault, resist, or obstruct an inspector in the exercise of his powers or in the discharge of his duties under this Act, or attempt so to do;
(ii) fail to answer any question put to him in pursuance of this Act by an inspector or give any false or misleading answer to any such question;
(iii) fail to comply with the lawful requisition or any part of the lawful requisition of an inspector;
(iv) when required by or under this Act to furnish any assistance or to furnish any information to an inspector, fail to furnish that assistance or information, as the case may be, or, in the latter case, furnish false or misleading information;
(v) fail, without reasonable excuse the proof whereof shall lie upon him, to produce any certificate or copy of any certificate of roadworthiness or inspection report, any certificate of registration, certificate of inspection, competency, approval or examiner's licence, and of any book, notice, record, list, document or writing which he is required under this Act by an inspector to produce, or fail to allow an inspector to take a copy of or extract from any such certificate, book, notice, record, list, document, or writing;

- (vi) directly or indirectly prevent any person from appearing before or being questioned by an inspector, or attempt so to do; or
- (vii) use any threat or any abusive or insulting language to any inspector or to an employee with respect to any inspection or examination or questioning.

(2) No person shall be required under this section or under section 16 or 17 to answer any question, or give any information or evidence, or to sign any declaration tending to criminate himself.

In this section the term "inspector" includes an authorized officer and any person acting under lawful authority under or pursuant to this Act.

PART III—GENERAL INSPECTION PROVISIONS

19. Inspection of motor vehicles. Upon inspecting any motor vehicle an inspector or authorized officer shall in every case determine whether the vehicle—

- (a) is faulty or defective in any particular, or so dangerous as to be likely to cause loss of life or bodily injury to any person; and
- (b) complies in every respect with the appropriate requirements of the *Traffic Act* 1949–1977 concerning the construction, equipment and performance of vehicles of the type inspected.

20. Faulty or defective motor vehicles. (1) Where a motor vehicle, or any part thereof or anything attached thereto, is or appears to an inspector or authorized officer to be faulty or defective, in regard to its safe use, or so dangerous as to be likely to cause loss of life or bodily injury to any person, he may give to the owner of that vehicle (or, where the owner is a licensed motor dealer, or a member of a firm that carries on the business of a licensed motor dealer, to any agent of his) a notice in writing to that effect and such notice may require the owner—

- (a) to cease using the vehicle forthwith, or after a date specified in the notice until such replacements, repairs or alterations as are specified in the notice have been carried out;
- (b) to carry out such replacements, repairs or alterations to the vehicle within the time specified in the notice and to produce the vehicle for further inspection at a time and place specified in the notice;
- (c) to produce and surrender to the inspector or authorized officer any part of the vehicle or anything attached thereto that appears to the inspector to be faulty, defective or dangerous for the making of such examinations as the Chief Inspector directs.

(2) A notice under subsection (1) may also require the owner of the motor vehicle to refrain from hiring or otherwise disposing of or parting with possession of the vehicle until the requirements of the inspector or authorized officer as specified in the notice have been complied with.

If the owner hires, disposes of or parts with possession of the vehicle in contravention of this subsection he commits an offence against this Act.

(3) A person to whom a notice has been given under subsection (1) shall comply in every respect with the requirements of the notice.

(4) An inspector or authorized officer who is satisfied that sufficient cause exists may from time to time in writing extend a time appointed in a notice given under subsection (1) or a time to which it has previously been extended.

(5) Subsection (3) does not apply to an owner specified in subsection (1) or (2) if he disposes of the vehicle in question—

(a) if such owner is not a licensed motor dealer—

(i) for the purpose of wrecking, renovation, repair or alteration of the vehicle, providing within seven days after disposal he cancels the registration thereof; or

(ii) to a licensed motor dealer; or

(b) if such owner is a licensed motor dealer, for the purpose of wrecking, providing within seven days after disposal he cancels the registration thereof, and

in each case he notifies the Chief Inspector, within seven days after such disposal, of the fact of the disposal and the name and address of the person to whom it was disposed.

(6) An agent of a licensed motor dealer who knows that a notice has been given in relation to a motor vehicle and who disposes, for a purpose other than wrecking, of the motor vehicle before the repairs specified in the notice have been effected to the vehicle commits an offence against this Act.

21. Production of motor vehicle on demand. (1) The Chief Inspector or an inspector or authorized officer thereunto authorized in writing by the Chief Inspector may, by notice given to the owner of a motor vehicle whether or not it is a motor vehicle to which this Act applies, require the owner to produce the vehicle for inspection on a date and at a time and place stated in the notice.

(2) An owner of a motor vehicle to whom a notice is given under subsection (1)—

(a) shall produce the vehicle for inspection as required by the notice;

(b) shall not hinder or interfere in the inspection of the vehicle by an inspector or authorized officer.

22. Alteration to and modification of motor vehicles. (1) An owner shall not use or allow or permit any motor vehicle that has been altered or modified from the manufacturer's specifications to be used on any road, street, footway, track or highway dedicated to the public or proclaimed to be a road, street, footway, track or highway under any Act unless that alteration or modification has been approved by the Chief Inspector.

(2) An owner shall not, in respect of a motor vehicle in respect of which approval has been given pursuant to subsection (1), further alter or modify the vehicle from the manufacturer's specifications unless the further alteration or modification has been approved by the Chief Inspector.

(3) On giving approval pursuant to subsection (1) or (2) the Chief Inspector may, in respect of that approval, issue a metal plate to the applicant for approval.

(4) If the Chief Inspector pursuant to subsection (3) issues a metal plate—

(a) the applicant for approval shall on receipt of the plate forthwith cause it to be affixed on such conspicuous part of the motor vehicle in respect of which the plate was issued as is specified in the Chief Inspector's approval or, if no such part is specified, on such conspicuous part of the vehicle as is specified by an inspector; and

- (b) the owner of the vehicle shall keep the plate so affixed until a fresh such plate in respect of the vehicle is issued by the Chief Inspector.

(5) Where a fresh metal plate is issued under this section in respect of a motor vehicle the plate shall not be affixed to the vehicle until the previous plate issued under this section in respect of the vehicle has been defaced by an inspector.

PART IV—COMMERCIAL MOTOR VEHICLES

23. Owner of commercial motor vehicle to notify Chief Inspector.

(1) Every person who becomes the owner of a commercial motor vehicle shall, within 14 days after he becomes such owner, deliver to the Chief Inspector a notice in the prescribed form signed by him.

(2) When the owner of a commercial motor vehicle sells, leases, lets on hire or otherwise disposes of the vehicle he shall forthwith deliver a notice in writing of the fact to the Chief Inspector, stating the name, occupation and address of the person to whom the vehicle was sold, leased, let or disposed.

(3) A person shall not deliver to the Chief Inspector a document purporting to be a notice under this section that is false or misleading in any material particular.

24. **Inspection of commercial motor vehicles.** (1) Upon inspecting a commercial motor vehicle—

(a) for the purposes of an application made or to be made in relation to that vehicle for the issue or renewal of a licence to hire or a permit of any kind or a certificate of approval under the *State Transport Act 1960–1972*;

(b) for any other purpose,

an inspector or authorized officer shall in addition to the requirements of section 19 further inspect the vehicle to determine whether it is constructed and equipped and whether it performs in compliance in every respect with the requirements of the *State Transport Act 1960–1972* applicable according to the kind of licence or permit sought or to be sought or, as the case may be, according to the description of vehicle for which approval is or is to be sought.

25. **Periods of inspection for commercial motor vehicles.** Every commercial motor vehicle (other than a commercial motor vehicle exempted from inspection under section (26)) shall be inspected by an inspector or authorized officer at least once in every 12 months, or once in every such other period as is directed by the Chief Inspector.

26. **Exemptions.** The Minister may exempt any commercial motor vehicle or any class or type of commercial motor vehicle from—

(a) inspection under section 25; or

(b) the payment of fees for an inspection made pursuant to section 25,

for such period as he thinks fit.

27. Certificate of inspection. (1) Where an inspector or authorized officer has inspected a commercial motor vehicle and is satisfied that it is in good repair and may safely be used for the purpose for which it is being or is intended to be used he shall report to the Chief Inspector accordingly, who shall cause to be granted to the owner of the vehicle a certificate of inspection in the prescribed form.

(2) A certificate granted under subsection (1) shall remain in force for 12 months or for such other period as the Chief Inspector directs pursuant to section 25.

28. Owner not to use commercial motor vehicle. An owner of a commercial motor vehicle shall not use or permit or allow the vehicle to be used unless with respect to the vehicle an inspection certificate has been granted under section 27 and is in force or it has been exempted from inspection under section 26.

29. Production of certificate of inspection. An owner to whom a certificate of inspection is granted under section 27 shall, upon demand by an inspector or by a person authorized by the Chief Inspector produce the certificate.

30. Inspection label. (1) In respect of such classes or types of commercial motor vehicles as the Chief Inspector directs there shall, together with the certificate specified in section 27, be issued by the Chief Inspector to the owner of the vehicle an inspection label which shall remain in force for as long as the certificate remains in force.

(2) Every owner to whom a label is issued under subsection (1) shall within one day after receipt of such label affix it securely to the windscreen of the vehicle in respect of which it has been issued as near as practicable to the lower left hand corner of the windscreen so that it faces squarely to the front of the vehicle, or on such other part of the vehicle as the Chief Inspector determines either generally or in respect of a particular class or type of vehicle or in respect of a particular vehicle.

Such owner shall keep such label so affixed at all times during the period for which it is current.

(3) If an inspection label is destroyed, damaged or in any way defaced before the expiration of the period for which it was issued, the Chief Inspector may on the application of the owner to whom it was issued, and on being satisfied that the label has been destroyed, issue another label for the purposes of this section.

(4) Within three days after the date of expiry of the period covered by the inspection label the owner of the vehicle in respect of which it was issued shall destroy the label.

31. Cancellation, etc., of certificates of inspection. (1) A certificate of inspection shall have no force or effect if after inspection and without the prior approval of the Chief Inspector or of an inspector any material alteration or addition is made to the commercial motor vehicle specified in the certificate.

(2) The Chief Inspector may at any time cancel or suspend a certificate of inspection where he deems it necessary for the safety of any person so to do, and after such cancellation, or during such suspension, the certificate shall have no force or effect.

PART V—CERTIFICATES OF ROADWORTHINESS

32. Second-hand motor vehicles to be accompanied by certificate where disposed of, or where application made for transfer of registration.

(1) For the purposes of this section and of section 34 motor vehicles are divided into the following categories:—

Category A consisting of motor vehicles, other than omnibuses and motor cycles, that are designed principally for the carriage of persons and including coupe utilities, station sedans, panel vans, and multi-purpose vehicles designed for the carriage of no more than eight persons and constructed with special features for operation elsewhere than on a road;

Category B consisting of motor vehicles not included in Category A that are designed for the carriage of persons or goods or both for hire or reward or that are used for the purpose of any business or work.

(2) A person shall not dispose of a second-hand motor vehicle unless—

- (a) where the vehicle is one of a type defined in category A, he has duly obtained a certificate of roadworthiness, issued at an approved inspection station, that relates to that vehicle;
- (b) where the vehicle is one of a type defined in category B, he has duly obtained either—
 - (i) a certificate of roadworthiness issued by or on behalf of the Chief Inspector that relates to that vehicle;
 - (ii) a certificate of roadworthiness, issued at an approved inspection station that relates to that vehicle; or
 - (iii) a certificate of inspection granted under section 27 that relates to that vehicle.

(3) A person who disposes of a second-hand motor vehicle shall—

- (a) give to the person to whom delivery of possession thereof is given, at the time of that delivery, the prescribed duplicate copy of the certificate of roadworthiness or certificate under section 27 duly obtained, that relates to that vehicle; and
- (b) where an application under the *Main Roads Act* 1920–1979 for transfer of registration of that vehicle is made, submit together with that application, the prescribed original copy of the certificate of roadworthiness or certificate of inspection under section 27 duly obtained, that relates to that vehicle.

In any case where the duplicate copy of a certificate that is required by this subsection to be given to any person has been lost or destroyed, the person required to give the copy shall, in lieu of giving that copy as prescribed, give to the person to whom that copy should have been given, his statutory declaration declaring the particulars contained in that certificate of roadworthiness or certificate of inspection under section 27.

(4) Where a second-hand motor vehicle is disposed of by a servant or agent of the owner of the vehicle, and in so doing contravenes any provision of subsection (2) or (3) the owner shall be deemed to have committed the offence constituted by such contravention and, whether or not the servant or agent is prosecuted in respect of an offence, may be convicted thereof.

The operation of the provisions of section 23 of *The Criminal Code* is excluded in respect of the liability of an owner for an offence deemed under this subsection to have been committed by him.

(5) In any proceeding for an offence constituted by a contravention of subsection (3) the complainant shall not be required to prove that a certificate or declaration thereby required to be given or submitted was not given or submitted or obtained as prescribed and the burden of proof that such certificate or declaration was given or submitted or obtained as prescribed shall lie on the defendant.

33. Refusal by Commissioner of Main Roads of applications relating to registration of second-hand motor vehicles. (1) Notwithstanding the *Main Roads Act* 1920–1979, the Commissioner of Main Roads may refuse to issue a certificate of registration relating to a second-hand motor vehicle, if the application for the issue of that certificate of registration is not accompanied at the time that application is made, by the prescribed original copy of a certificate of roadworthiness or a certificate of inspection under section 27 duly obtained, that relates to that vehicle.

(2) Subsection (1) does not apply where an application under the *Main Roads Act* 1920–1979, is made to the Commissioner of Main Roads by a licensed motor dealer for the issue of a certificate of registration in the name of that licensed motor dealer, in respect of a second-hand motor vehicle, which is to be disposed of by that motor dealer by sale.

Where that vehicle is disposed of by sale by that motor dealer subsequent to the issue of that certificate of registration, the provisions of section 32 shall apply and extend accordingly in relation to that disposal.

34. Licensed motor dealer restricted in his use of vehicles. (1) A licensed motor dealer shall not use or allow or permit to be used on a road any second-hand motor vehicle that is in his custody in the course of his conduct of the business as a licensed motor dealer unless there exists a certificate of roadworthiness duly obtained that relates to that vehicle.

(2) The provisions of subsection (1) shall not apply to or in respect of the use of a second-hand motor vehicle on a road—

- (a) in the course of any demonstration, testing, repair, alteration or renovation of it, where that demonstration, testing, repair, alteration or renovation of it is necessary and bona fide; or
- (b) in taking it to an approved inspection station for inspection by an approved examiner or by the Chief Inspector for the purposes of this Part.

35. When certificate duly obtained. A certificate of roadworthiness, or a certificate granted under section 27 shall not be taken to have been duly obtained unless—

- (a) it is issued or granted consequent upon an examination that is conducted within 30 days before the date of disposal or, as the case may be, use of the motor vehicle in question, or, where such a certificate is required pursuant to section 33 before the date the application referred to in that section is made; and

- (b) there has been no significant change in the condition and construction of the motor vehicle between the date of issue or grant of the certificate and the date of such disposal, use or, as the case may be, making of that application.

36. Certificate valid for one transaction only. A certificate of roadworthiness, or a certificate of inspection granted under section 27 shall be valid for the purpose of effecting one disposal of the motor vehicle in respect of which the certificate was issued or granted and no more.

37. Application of ss. 32-34. (1) Section 32 does not apply in respect of—

- (a) a disposal of a motor vehicle to a licensed motor dealer;
- (b) a disposal of a motor vehicle effected for the purpose of wrecking, renovation, repair or alteration of the vehicle if, in the case of a registered motor vehicle, within seven days after the disposal the certificate of registration under the *Main Roads Act 1920-1979* that relates to the vehicle is duly cancelled.

(2) Where it appears to the Governor in Council that, because of any circumstances affecting a particular area of the State, it is unnecessary or undesirable that section 32, 33 or 34 should apply within that area, he may by Order in Council exclude that area from the application of that section whereupon as long as the Order subsists, the provisions of that section shall not apply in respect of a disposal effected within that area of a motor vehicle situated within that area.

In any proceeding it shall be presumed that sections 32, 33 and 34 apply throughout the State until it is proved to the contrary.

38. Approval of inspection stations. (1) Upon the application of a person made in relation to premises in respect of which the Chief Inspector is satisfied—

- (a) that there is employed therein on a full time contract of service basis such staff as is prescribed for an approved inspection station; and
- (b) that there is therein such equipment as is prescribed for an approved inspection station,

and upon payment of the prescribed fee the Chief Inspector may approve the premises as an approved inspection station for the inspection of motor vehicles for the purposes of this Part.

(2) When the Chief Inspector approves of premises as an inspection station he shall issue to the proprietor thereof a certificate of such approval.

39. Approval of examiners. Upon the application of the proprietor of an approved inspection station or of an applicant for the approval of premises as an approved inspection station the Chief Inspector may approve of a person as an approved examiner of motor vehicles for the purposes of this Part if he is satisfied that the person has the qualifications prescribed for an approved examiner.

40. Approval of inspection station to be exhibited. The proprietor of an approved inspection station shall at all times keep exhibited at the station, in a position directed by an inspector or, in the absence of such a direction, in a position so that it can be easily read by every person who attends at the station, the prescribed notice and shall maintain the same in a legible condition.

41. Cancellation and suspension of approvals. (1) If a proprietor of an approved inspection station or an approved examiner is convicted of an offence against this Act that—

- (a) is defined in this Part;
- (b) consists of a contravention or failure to comply with any provision of this Part;
- (c) consists of a contravention of section 43;
- (d) consists of a contravention of or failure to comply with any of the regulations concerning the examination of motor vehicles for the purpose of issuing a certificate of roadworthiness, and the issue of a certificate of roadworthiness,

the certificate of approval issued to that proprietor in relation to that approved inspection station or, as the case may be, the licence issued to that approved examiner that shows his approval as such, shall be, by virtue of the conviction, cancelled.

(2) If—

- (a) a proprietor of an approved inspection station ceases to employ therein such staff as is prescribed for an approved inspection station or ceases to maintain therein such equipment as is prescribed for an approved inspection station;
- (b) a proprietor of an approved inspection station or an approved examiner has, in the opinion of the Chief Inspector, contravened or failed to comply with any provision of this Part or any of the regulations concerning the examination of motor vehicles for the purpose of issuing a certificate of roadworthiness (whether or not he has been prosecuted therefor); or
- (c) in the opinion of the Chief Inspector a proprietor of an approved inspection station or an approved examiner ceases to be a fit and proper person to be the proprietor of an approved inspection station or, as the case may be, an approved examiner,

the Chief Inspector may, by notice in writing, call upon that proprietor or, as the case may be, that approved examiner to show cause at a time and place appointed in the notice why the certificate of approval of the station or, as the case may be, the licence of the approved examiner should not be cancelled or suspended.

(3) If at the time and place appointed in the notice or at any other time or place to which the hearing is adjourned sufficient cause is not shown to the satisfaction of the Chief Inspector he may, having regard to the circumstances of the case, cancel the certificate or licence, or suspend the same for a period specified by him.

(4) Upon the cancellation or suspension of a certificate or a licence—

- (a) the premises to which the certificate theretofore related shall cease to be an approved inspection station or, as the case may be, the person to whom the licence theretofore related shall cease to be an approved examiner but, in either case, where suspension is ordered, only for the period specified by the Chief Inspector;
- (b) the proprietor of the premises that theretofore comprised the approved inspection station shall surrender to the Chief Inspector the certificate issued under section 38 in relation to those premises, the notice required by section 40 to be exhibited at those premises, and all forms held by him for use as certificates of roadworthiness;

(c) the person who theretofore was an approved examiner shall surrender to the Chief Inspector the licence issued to him that shows his approval as such.

(5) The Chief Inspector may, at any time during the period of suspension of a certificate or licence, on the application of the proprietor or, as the case may be, person to whom the licence was granted, modify the suspension by shortening the period thereof, if the applicant shows to his satisfaction sufficient cause therefor.

(6) The powers conferred by subsection (2) are in addition to and not in substitution for any other power contained in this Act.

(7) The Chief Inspector shall not incur any liability for anything done for the purposes of this section, or done in good faith purportedly for the purposes of this section.

42. Appeals concerning certificates and licences. (1) A person who is aggrieved by a decision of the Chief Inspector under section 41 to cancel or suspend a certificate of approval issued to a proprietor in relation to an approved inspection station or, as the case may be, the licence of an approved examiner may appeal to a stipendiary magistrate.

(2) Jurisdiction is hereby conferred on stipendiary magistrates to hear and determine such appeals.

(3) An appeal shall be instituted within 21 days after the person aggrieved is informed of the Chief Inspector's decision and shall be instituted, heard and determined in manner prescribed or, in so far as it is not prescribed, as the stipendiary magistrate directs.

(4) Upon an appeal the stipendiary magistrate may affirm, rescind or vary the decision of the Chief Inspector whereupon the stipendiary magistrate's decision shall be deemed to be that of the Chief Inspector and shall be final and conclusive.

PART VI—GENERAL PROVISIONS

43. Forgery of certificates, false entries and false declarations. A person shall not—

- (a) forge or counterfeit any certificate of inspection or roadworthiness or any metal plate required by, under or for any purpose of this Act;
- (b) give or sign any such certificate knowing it to be false in any particular;
- (c) knowingly utter or make use of any such certificate or metal plate so forged, counterfeited or false;
- (d) knowingly utter or make use of as applying to any person or motor vehicle any such certificate or metal plate which does not so apply;
- (e) personate any person named in any such certificate;
- (f) falsely represent himself to be an inspector or authorized officer;
- (g) connive at any of the offences defined in paragraphs (a) to (f) (both inclusive);
- (h) make a false entry in any register, record book, other record, notice, certificate or document required by under or for the purposes of this Act to be kept, exhibited, delivered, served or sent;

- (i) make or sign a false declaration required by under or for any purpose of this Act;
- (j) knowingly make use of any such false entry or declaration;
- (k) make a document purporting to be a certificate of roadworthiness issued at an approved inspection station unless he is an approved examiner.

44. Offences. (1) A person who contravenes or fails to comply with any provision of this Act commits an offence against this Act and is liable to a penalty of \$500.

(2) All offences against this Act may be prosecuted and all amounts of fees prescribed and payable under this Act and not paid may be recovered in a summary way under the *Justices Act 1886-1979* upon the complaint of any person authorized by the Minister or the Chief Inspector.

(3) A prosecution for an offence against this Act may be commenced within one year from the time when the matter of complaint arose or within four months after the matter of complaint comes to the knowledge of the complainant whichever period is the later to occur.

45. Owner liable for act of agent. (1) Where a motor vehicle in relation to which a notice is given under section 20 (which notice contains a requirement referred to in subsection (2) of that section) is disposed of by an agent of the owner other than—

- (a) if such owner is not a licensed motor dealer—
 - (i) for the purpose of wrecking, renovation, repairs or alteration of the vehicle; or
 - (ii) to a licensed motor dealer; or
- (b) if such owner is a licensed motor dealer, for the purpose of wrecking,

before the repairs specified in the notice have been effected to the vehicle the owner shall be deemed to have committed the offence defined in section 20 (2) and, whether or not the agent is prosecuted in respect of an offence, may be convicted thereof unless he shows that—

- (c) he had no knowledge that the disposal was taking place; and
- (d) he could not by the exercise of reasonable diligence have ascertained that the disposal was taking place.

(2) The operation of section 23 of *The Criminal Code* is excluded in respect of the liability of an owner for an offence deemed under this section to have been committed by him.

46. Evidentiary aids. In any proceeding for the purposes of this Act—

- (a) it shall not be necessary to prove the appointment of the Chief Inspector or of any other inspector or an authorized officer;
- (b) a signature purporting to be that of the Chief Inspector or of any other inspector or an authorized officer shall be taken to be the signature it purports to be until the contrary is proved;
- (c) it shall not be necessary to prove the limits of any district or that any place or locality is within a district, or the authority of the Chief Inspector or any other inspector or an authorized officer to do any act or take any proceeding, but the provisions of this paragraph shall not prejudice the right of any defendant to prove the limits of the district or the extent of such authority;

-
- (d) a document purporting to be a duplicate or copy of a notice or order given or made under this Act by the Chief Inspector or any other inspector or an authorized officer shall, upon its production in that proceeding be evidence and, in the absence of evidence to the contrary, conclusive evidence of the matters contained therein;
 - (e) a document purporting to be signed by the Chief Inspector stating that at any material time there was or was not in force a certificate, metal plate or inspection label under this Act as described therein issued to a specified person, or in respect of a specified motor vehicle, or that any such certificate, metal plate or inspection label was or was not subject to the terms, conditions or restrictions set out in the document shall, upon its production in that proceeding, be evidence and, in the absence of evidence to the contrary, conclusive evidence of the matters contained therein;
 - (f) a document purporting to be signed by the Chief Inspector certifying that the amount of fees specified therein is payable under this Act and has not been paid by a specified person shall, upon its production in that proceeding, be evidence and, in the absence of evidence to the contrary, conclusive evidence of the matters contained therein;
 - (g) a certificate purporting to be that of the Secretary of the Commissioner of Main Roads within the meaning of the *Main Roads Act 1920-1979* or of any other person authorized in that behalf by the Commissioner of Main Roads or purporting to be that of a person or authority charged with the function of registering motor vehicles under corresponding legislation of any other State or Territory of the Commonwealth or of any person authorized in that behalf by such person or authority which certificate states that at or during a time specified therein a motor vehicle identified therein was registered in the name of a person specified therein is evidence, and in the absence of evidence to the contrary, conclusive evidence that the person so specified was the owner of the motor vehicle so identified at or during the time so specified, and the authority of the person giving such certificate to give the same shall be presumed until the contrary is proved;
 - (h) a declaration by any person that he has delivered, posted or affixed a notice, order or other document referred to in section 48 (2) in a manner provided by that section shall, upon its production in that proceeding, be evidence, and in the absence of evidence to the contrary, conclusive evidence of the matters contained therein;
 - (i) a document purporting to be signed by the Chief Inspector certifying that the motor vehicle specified therein has not been presented for inspection as directed shall, upon its production in that proceeding, be evidence and, in the absence of evidence to the contrary, conclusive evidence of the matters contained therein.

47. Power of court to order cause of contravention to be remedied.

- (1) Where the owner of a motor vehicle is convicted of an offence under this Act, the court may, in addition to or instead of inflicting a penalty, order him, within the time specified in the order, to take such steps as

the court specifies for remedying the matters in respect of which the contravention occurred and may, on application, enlarge the time so specified.

(2) Where such an order is made, the owner shall not be liable under this Act in respect of the continuation of the contravention during the time allowed by the court but if, after the expiration of the time as originally specified or enlarged by subsequent order, the order is not complied with, the owner shall be liable to a fine not exceeding \$10 for each day on which the non-compliance continues.

(3) The power of the court under this section shall include power to adjourn the matter of the punishment to be imposed for the offence until the expiration of the time or any enlargement of the time specified in an order made under this section but in that event the defendant shall not be punished if he has duly complied with the order.

48. Service of notices and orders. (1) Where a provision of this Act requires a notice or other document to be served upon or given or delivered to the Chief Inspector or any other inspector or an authorized officer—

- (a) that notice or other document shall be deemed to be so served, given or delivered upon the receipt by the Chief Inspector or the other inspector or the authorized officer, as the case may be, of a prepaid post letter addressed to him and containing the notice or other document; or
- (b) if the person responsible for so serving, giving or delivering that notice or other document produces the proper receipt from a post office for a prepaid certified letter addressed to the Chief Inspector or the other inspector or the authorized officer, as the case may be, and containing the notice or other document then, until the contrary is proved, that notice or other document shall be deemed to be so served, given or delivered when that letter would have been received in the ordinary course of post.

This subsection shall be construed so as not to prejudice the power to serve, give or deliver such a notice or other document by personal delivery.

(2) A notice, order or other document empowered, authorized or required by a provision of this Act to be served or given or delivered to an owner or other person by the Chief Inspector or any other inspector or an authorized officer may be so given, delivered or served—

- (a) by delivering the same to that owner or other person (or his manager, foreman or agent) personally;
- (b) by prepaid post letter containing that notice, order or other document and addressed to that owner or person at his business or residential address, in which case it shall be deemed to be so served, given or delivered upon the receipt by that person of that letter;
- (c) by prepaid certified letter containing that notice, order or other document and addressed as specified in provision (b), in which case the production in evidence of the proper receipt

from a post office for that letter shall, until the contrary is proved, be sufficient proof that it was so served, given or delivered upon the date when that letter would have been received by the person concerned in the ordinary course of post;

- (d) by affixing that notice, order or other document to a conspicuous part of the motor vehicle to which it relates; or
- (e) by leaving that notice, order or other document at the usual place of business or residence of that owner or other person or at his place of business or residence last known to the Chief Inspector, other inspector or authorized officer.

(3) An owner or his manager, foreman or agent or other person shall, if so required by the Chief Inspector or any other inspector or an authorized officer acknowledge, by signing a duplicate copy thereof, a notice, order or other document under this Act requiring that owner to do or refrain from doing any act, work or thing relating to any motor vehicle and served upon, or given or delivered to that owner by the Chief Inspector or the other inspector or the authorized officer.

49. Matters may be completed by different inspectors or authorized officers. Notwithstanding anything to the contrary in this Act, if an inspector or authorized officer has issued any requisition or given any direction or granted any approval or made any determination under this Act, whether upon or subject to any conditions or not, the same or any other inspector or authorized officer who is empowered by this Act to issue, give, grant, or make a like requisition, direction, approval or, as the case may be, determination, may at any time withdraw or revoke or from time to time vary the requisition, direction, approval or determination or any condition upon or subject to which it has been issued, given, granted or made or take further steps thereon.

50. Recovery of fees. Proceedings in a summary way under the *Justices Act 1886-1979* to recover the amount of any fees payable under this Act and not paid may be taken, heard and determined—

- (a) within any Division of the Brisbane District appointed under the *Decentralization of Magistrates Court Act 1965-1974*; or
- (b) within the Magistrates Court District in which or within 35 kilometres of the boundaries whereof the inspection or other service in respect whereof the amount in question is payable and unpaid was made or done.

51. Regulations. (1) The Governor in Council may make regulations not inconsistent with this Act providing with respect to—

- (a) all matters that are required or permitted by this Act to be prescribed;
- (b) regulating and controlling the powers and duties of the Chief Inspector, other inspectors and other officers including the exercise and discharge of those powers and duties;

-
- (c) regulating and controlling the qualifications for appointment to the office of an inspector or other officer, the giving by applicants for those offices of proof by competitive examination or qualification therefor, and those examinations including the conduct thereof;
 - (d) regulating and controlling—
 - (i) the procedure and standards to be observed with respect to the construction, modification, alteration and repair of a motor vehicle;
 - (ii) the prohibition of the construction, modification, alteration, repair or use of a motor vehicle in respect of which the procedure or standard prescribed has not been complied with in every respect;
 - (e) regulating and controlling the form and manner of serving, giving, delivering, furnishing, granting or keeping orders, notices, applications, plans, records, certificates, registers, exemptions and other documents required under this Act to be served, given, delivered, furnished, granted or kept;
 - (f) regulating and controlling—
 - (i) the fees to be paid in respect of the inspection of motor vehicles and the grant of certificates of inspection or exemption with respect thereto, which fees may differ in amount in respect of different classes or types of motor vehicles or different certificates of inspection or exemption with respect to different classes or types of motor vehicles;
 - (ii) other matters and things in respect whereof fees shall be payable under this Act and the respective amounts of those fees;
 - (iii) the persons by whom and the places and times where and when such fees are payable including the collection by and payment to inspectors at the time of making an inspection under this Act of any fee prescribed to be payable in respect of the inspection or of any certificate granted as a result of the inspection;
 - (g) the forms to be used for the purposes of this Act and the respective purposes for which the forms are to be used;
 - (h) approved inspection stations, the staffing and equipment thereof; the duties of proprietors of such stations; the duties of approved examiners; certificates of approval issued in relation to such stations, their duration and renewal; certificates of roadworthiness, the standards to be met by motor vehicles inspected therefor; approved examiners, the qualifications required of them; licences issued to approved examiners; the suspension and cancellation of certificates of approval and licences, the seizure and cancellation of certificates of roadworthiness and inspection reports that do not comply with this Act; fees to be paid in respect of purposes referred to in Part V, in respect of renewals of a certificate, and in respect of an examination for and issue of certificates of roadworthiness;

- (i) the practice and procedure upon appeals to a stipendiary magistrate instituted pursuant to this Act, and providing for the award of costs therein and the recovery of such costs awarded;
- (j) penalties not exceeding \$500 for any contravention of or failure to comply with the regulations or in the case of a daily penalty not exceeding \$10 per day;
- (k) 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.

(2) The power to make with respect to motor vehicles any regulation under this Act includes power to make that regulation so that it is limited in its application to any prescribed class or type of motor vehicle or otherwise as prescribed.

The power to make regulations with respect to any matter includes power to make regulations under this section prohibiting that matter either generally or to meet particular cases.

52. Regulations may adopt standards. The regulations may adopt, wholly or in part and either by way of reference or by way of express specification therein, any of the standard rules, codes or specifications of the bodies known as the Standards Association of Australia, the British Standards Institution or a like body identified in the regulations.

53. Annual report. The Chief Inspector shall furnish annually to the Minister a report upon the operation of this Act.

PART VII—AMENDMENTS OF INSPECTION OF MACHINERY ACT 1951–1974

54. Citation. (1) In this Part the *Inspection of Machinery Act 1951–1974* is referred to as the Principal Act.

(2) The Principal Act as amended by this Part may be cited as the *Inspection of Machinery Act 1951–1979*.

55. Amendment of s. 3. Section 3 of the Principal Act is amended by omitting the words “PART IVA—INSPECTION OF MOTOR VEHICLES;”.

56. Amendment of s. 7. Section 7 of the Principal Act is amended by—

- (a) in the term “Machinery” omitting the expression “motor vehicle,”;
- (b) omitting the term “Motor vehicle”;
- (c) omitting the term “Owner” and substituting the following term:—
 ““Owner”—Includes in relation to any machinery, a mortgagee, lessee, hirer or borrower of the machinery and a person who has control, charge or management of the machinery;”;
- (d) omitting the term “Trailer”.

57. Amendment of s. 11. Section 11 of the Principal Act is amended by in paragraph (vi) of subsection (1) omitting the words “ roadworthiness under Part IVA of this Act, any certificate of registration, or ”.

58. Amendment of s. 13. Section 13 of the Principal Act is amended by, in subparagraph (v), omitting the words “ registration, or ”.

59. Amendment of s. 15. Section 15 of the Principal Act is amended by, in the proviso to subsection (6), omitting the words “ (ii) Any motor vehicle;”.

60. Amendment of s. 24. Section 24 of the Principal Act is amended by, in subsection (1)—

(a) omitting the words “ or motor vehicle ” wherever occurring;

(b) in subparagraph (b) of the first paragraph omitting the words “ and, where a motor vehicle is concerned, to produce the vehicle for further inspection at a time and place specified in the notice ”.

61. Amendment of s. 29. Section 29 of the Principal Act is amended by, in subsection (1) omitting the words “ more often as ” and substituting the words “ once in such other period as is ”.

62. Amendment of s. 32. Section 32 of the Principal Act is amended by omitting subsection (3).

63. Repeal of Part IVA and new s. 44. The Principal Act is amended by omitting Part IVA and the heading “ Part IVA—Inspection of Motor Vehicles ” appearing immediately before section 44 and substituting the following section:—

“ **44. Chief Inspector may exempt machinery.** The Chief Inspector may exempt any machinery from compliance with the regulations if he is satisfied that—

(a) compliance with the regulations in respect of the machinery is not reasonably practicable; and

(b) inspection of the machinery and the security of safety in the operation of the machinery will not be adversely affected.”.

64. Amendment of s. 62. Section 62 of the Principal Act is amended by, in subsection (1)—

(a) omitting the symbol “;” appearing at the end of paragraph (x) and substituting the symbol “.”;

(b) omitting paragraph (xi).

65. Amendment of s. 68. Section 68 of the Principal Act is amended by omitting paragraph (i).

66. Amendment of s. 70. Section 70 of the Principal Act is amended by omitting the word "registered" where twice occurring and substituting in each case the word "certified".

67. Amendment of s. 74. Section 74 of the Principal Act is amended by in subsection (1), in the second paragraph—

(a) omitting the symbol " ; " appearing at the end of paragraph (t) and substituting the symbol " . ";

(b) omitting paragraphs (u) and (v).

68. Amendment of First Schedule. The First Schedule of the Principal Act is amended by omitting paragraph (d).