

CONTROL OF ROADS ORDINANCE 1962.

No. 22 of 1962.

An Ordinance to amend the *Control of Roads Ordinance 1953-1959*.

[Assented to 18th June, 1962.]

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the *Northern Territory (Administration) Act 1910-1961*, as follows:—

Short title and citation.

1.—(1.) This Ordinance may be cited as the *Control of Roads Ordinance 1962*.

(2.) The *Control of Roads Ordinance 1953-1959* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Control of Roads Ordinance 1953-1962*.

Commencement.

2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.*

Use of portable weighing machines.

3. Section fifty F of the Principal Ordinance is amended—

(a) by omitting from paragraph (a) of sub-section (2.) the words “at the base workshops of the Commonwealth Department of Works at Darwin;” and inserting in their stead the words “by an Inspector of Weights and Measures appointed under the *Weights and Measures Ordinance 1936-1949*;”;

(b) by omitting from paragraph (b) of sub-section (2.) the word “supplied” and inserting in its stead the word “applied”; and

(c) by omitting from paragraph (f) of sub-section (2.) the words “by the person in charge of the workshops” and inserting in their stead the words “by an Inspector of Weights and Measures appointed under the *Weights and Measures Ordinance 1936-1949*”.

4. Section fifty G of the Principal Ordinance is repealed and the following section inserted in its stead:—

“50G. In a prosecution for an offence against a provision of this Ordinance, a statement purporting to be signed by the

Statement to be evidence.

* The date fixed was 8th May, 1963 (see *Government Gazette* No. 19 of 8th May, 1963, p. 94).

Inspector of Weights and Measures keeping the book referred to in the last preceding section as to a matter specified in subparagraph (i), (ii), (iii), or (iv) of paragraph (f) of subsection (2.) of that section may be produced and shall on production be admissible in evidence and be accepted as evidence as to that matter.”.

5. Section fifty-two of the Principal Ordinance is repealed and the following section inserted in its stead:—

“ 52.—(1.) A person shall not drive or haul or cause to be driven or hauled on or across a paved part of a road a vehicle or object unless—

Vehicles, &c.,
to have wheels
fitted.

- (a) the vehicle or object is so supported on or by wheels as to prevent any part of the vehicle or object other than its wheels from coming into contact with the surface of the road;
- (b) the wheels are equipped with rubber tyres; and
- (c) any rubber tyre, not being a pneumatic tyre, which is fitted to a wheel of the vehicle or object is at least one and one-quarter inches thick at its thinnest part and has a surface of which the portion that ordinarily comes into contact with the paved part of the road is at least one and one-quarter inches wide and is even across its full width.

Penalty: Twenty-five pounds.

“(2.) It shall be a defence to a prosecution under this section if the defendant proves to the satisfaction of the Court hearing the case—

- (a) that his failure to comply with the requirements of this section occurred immediately after—
 - (i) an accident in which the vehicle or object was damaged; or
 - (ii) a tyre, or a mechanical or structural part, of the vehicle or object ceased to function efficiently,
so that it was then not reasonably practicable for him to comply with those requirements; and
- (b) that he thereupon took all reasonable steps to enable him to comply with those requirements as soon as possible.”.