

**Control of Vehicles (Off-road Areas)
Amendment Bill 2024**

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Western Australia

LEGISLATIVE ASSEMBLY

**Control of Vehicles (Off-road Areas)
Amendment Bill 2024**

A Bill for

An Act to amend the *Control of Vehicles (Off-road Areas) Act 1978*.

The Parliament of Western Australia enacts as follows:

s. 1

1 **1. Short title**

2 This is the *Control of Vehicles (Off-road Areas) Amendment*
3 *Act 2024*.

4 **2. Commencement**

5 This Act comes into operation as follows —

- 6 (a) sections 1 and 2 — on the day on which this Act
7 receives the Royal Assent (*assent day*);
8 (b) sections 3, 5(4), 7(2), 9 to 12, 14 and 15 — on the day
9 after assent day;
10 (c) the rest of the Act — on a day fixed by proclamation.

11 **3. Act amended**

12 This Act amends the *Control of Vehicles (Off-road Areas)*
13 *Act 1978*.

14 **4. Section 28A amended**

- 15 (1) Delete section 28A(1)(b).
16 (2) In section 28A(2)(b) after “plate” insert:
17
18 or label
19

20 **5. Section 29A amended**

- 21 (1) In section 29A(1):
22 (a) in paragraph (a) delete “writing” and insert:
23 the approved form
24
25

1 (b) in paragraph (b) after “plate” insert:

2

3 (if any)

4

5 (2) In section 29A(2) delete “writing” and insert:

6

7 the approved form

8

9 (3) In section 29A(3)(b) after “plates” insert:

10

11 (if any)

12

13 (4) At the end of section 29A(5) insert:

14

15 Penalty for this subsection: a fine of \$5 000.

16

17 **6. Section 31 amended**

18 (1) In section 31(2) after “plate” insert:

19

20 (if any)

21

22 (2) In section 31(3)(b) after “plate” insert:

23

24 or label

25

s. 7

1 **7. Section 34 amended**

2 (1) In section 34(1):

3 (a) after “plate” insert:

4

5 or label

6

7 (b) delete “thereto.” and insert:

8

9 to the number plate or label.

10

11 (2) At the end of section 34(1) insert:

12

13 Penalty for this subsection: a fine of \$5 000.

14

15 Note: The heading to amended section 34 is to read:

16

Number plate or label to be displayed

17 **8. Section 35 amended**

18 In section 35:

19 (a) in paragraphs (a) and (b) after “plate” (each occurrence)
20 insert:

21

22 or label

23

24 (b) in paragraph (c) after “plate” insert:

25

26 (if any)

27

1 (c) in paragraph (d) delete “plate.” and insert:

2

3 plate or label issued under this Act.

4

5 Note: The heading to amended section 35 is to read:

6

Other offences concerning number plates and labels

7 **9. Section 37 amended**

8 (1) In section 37(10) delete “not exceeding \$50”.

9 (2) After section 37(10) insert:

10

11 (11) The amount of a modified penalty prescribed under
12 subsection (10) for an offence must not exceed 10% of
13 the penalty specified for the offence by this Act or a
14 regulation or local law made under this Act.

15

16 **10. Section 41 deleted**

17 Delete section 41.

18 **11. Section 46 amended**

19 In section 46(2) delete “\$100” and insert:

20

21 \$500

22

23 **12. Section 48 amended**

24 In section 48(2) delete “\$100” and insert:

25

26 \$500

27

s. 13

1 **13. Section 50 inserted**

2 After section 49 insert:

3

4 **50. Transitional provision for *Control of Vehicles***
5 ***(Off-road Areas) Amendment Act 2024***

6 An amendment made to section 29A(1)(a) or (2) by the
7 *Control of Vehicles (Off-road Areas) Amendment*
8 *Act 2024* does not apply to a person who has given
9 notice in writing under that provision before the
10 commencement of the amendment.
11

12 **14. Various penalties amended**

13 Amend the provisions listed in the Table as set out in the Table.

14

Table

Provision	Delete	Insert
s. 6(1)	Penalty: \$500.	Penalty for this subsection: a fine of \$5 000.
s. 6(2)	Penalty: \$1 000.	Penalty for this subsection: a fine of \$5 000.
s. 6(4)	Penalty: \$200.	Penalty for this subsection: a fine of \$5 000.
s. 7(2)	Penalty: \$200.	Penalty for this subsection: a fine of \$5 000.

Provision	Delete	Insert
s. 9	Penalty: \$500.	Penalty: a fine of \$5 000.
s. 9A(1)	Penalty: \$200 for a first offence and \$400 for a second or subsequent offence.	Penalty for this subsection: a fine of \$5 000.
s. 9B(1) and (2)	Penalty: \$400 for a first offence and \$800 for a second or subsequent offence.	Penalty for this subsection: a fine of \$5 000.
s. 9C(1)	Penalty: \$400 for a first offence and \$800 for a second or subsequent offence.	Penalty for this subsection: a fine of \$5 000.
s. 10	Penalty: \$200.	Penalty: a fine of \$5 000.
s. 19(3)	Penalty: \$100.	Penalty for this subsection: a fine of \$5 000.
s. 20(4)	Penalty: \$200.	Penalty for this subsection: a fine of \$5 000.
s. 29(11)	Penalty: \$200.	Penalty for this subsection: a fine of \$5 000.

s. 15

Provision	Delete	Insert
s. 31(3)	Penalty: For a first offence a fine not exceeding \$40; for any subsequent offence, a fine not exceeding \$100.	Penalty for this subsection: a fine of \$5 000.
s. 34(2)	Penalty: \$200.	Penalty for this subsection: a fine of \$5 000.
s. 35	Penalty: \$200.	Penalty: a fine of \$5 000.
s. 37(8)	Penalty: \$50.	Penalty for this subsection: a fine of \$5 000.
s. 38(6) and (10)	Penalty: \$200.	Penalty for this subsection: a fine of \$5 000.

1 **15. Various references to “shall” amended**

2 Amend the provisions listed in the Table as set out in the Table.

3 **Table**

Provision	Delete	Insert
s. 6(1), (2) and (4) s. 7(2) s. 9 s. 9A(1)	shall (each occurrence)	must

Provision	Delete	Insert
s. 9B(1) and (2) s. 9C(1) s. 10 s. 19(1) and (3) s. 20(4) s. 28A(2) and (6) s. 29(11) s. 29A(1), (2) and (6) s. 31(2) and (3) s. 34(1) and (2) s. 35 s. 37(5), (6), (7) and (8) s. 38(4)(d), (6), (7) and (9) s. 48(3)		
s. 7(3)	shall	do
s. 9B(6) s. 20(1)(c)	shall cease	ceases
s. 19(2)	shall not be shall delineate	is not must delineate
s. 20(1)(c)	shall not have	has no

s. 15

Provision	Delete	Insert
s. 29(3), (4), (5) and (6) s. 38(13)	shall be	is
s. 29(5)	shall renew	must renew
s. 29(6)	shall take	takes
s. 37(9)	shall inter alia contain	must include
s. 38(5)	shall have shall be and shall	has must be and must
s. 38(13)	shall have been	is

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