



NORTHERN TERRITORY OF AUSTRALIA

No. 61 of 1993

AN ACT

to amend the *Traffic Act*

[Assented to 5 October 1993]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Traffic Amendment Act 1993*.

2. NEW SECTION

The *Traffic Act* is amended by inserting in Part VIII, after section 43, the following:

"43A. SPECIAL PROVISIONS FOR RACES, &c.

"(1) On the application of a person, the Minister may, in writing, declare that an event that is to be held on a public street or public place is an event to which this section applies and may order that -

- (a) a public street or public place on which the event is to be held and any adjacent or adjoining public street or public place is closed to traffic for a specified period; and
 - (b) a person taking part in the event is exempted, in relation to a public street or public place on which the event is to be held, from the duty to observe an Act, regulation, or by-law, prescribing a rule to be observed on public streets or public places by pedestrians or the drivers of vehicles.
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"(2) An order under this section shall only be made -

- (a) with the consent of the competent authority of a public street or public place that is to be closed;
- (b) after the Minister responsible for the administration of the *Territory Insurance Office Act* has notified the Minister that satisfactory arrangements are in place to protect the Territory from any liability, and the Territory Insurance Office from any liability under the *Motor Accidents (Compensation) Act*, that may arise out of the holding of the event; and
- (c) after the Minister is satisfied that the organisers of the event have arranged a level of insurance that is adequate, in the Minister's opinion, to meet any liability that may arise out of the holding of the event.

"(3) An applicant under this section shall give public notice of the event, by such means as the Minister requires, not less than 7 days prior to the date of the event.

"(4) An order under this section may be subject to such conditions as the Minister thinks fit to impose.

"(5) Where the Minister is satisfied that a condition to which an order is subject has not or is not being complied with, the Minister may vary, cancel, or suspend for such period as the Minister thinks fit, the order.

"(6) An order under this section renders lawful anything done in accordance with the order.

"(7) An order under this section may apply to the whole or a part of a public street or public place.

"(8) For the purposes of an event to which this section applies, the Director may appoint such persons as he or she thinks fit to be officials.

"(9) A person appointed as an official under subsection (8) shall be provided with an identification card by the Director, and the person shall, at all times when exercising his or her powers under subsection (10), display the identification card.

"(10) A person appointed as an official under subsection (8) may give such reasonable directions to a person on a public street or public place, other than a member of the Police Force, as are, in the person's opinion, necessary for the safe and efficient conduct of an event to which this section applies.

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"(11) In addition to any other power to regulate traffic given by this or any other Act, a member of the Police Force may give such reasonable directions to a person on a public street or public place, including a person appointed as an official under subsection (8), as are, in the member's opinion, necessary for the safe and efficient conduct of an event to which this section applies.

"(12) A direction under subsection (10) or (11) may include clearing vehicles or persons from a public street or public place or part of a public street or public place or temporarily closing a public street or public place or part of a public street or public place.

"(13) A person shall not contravene or fail to comply with a condition to which an order under this section is subject.

"(14) A person to whom a direction under subsection (10) or (11) is given shall not contravene or fail to comply with the direction.

"(15) In this section, 'event' means an organised sporting, recreational or other similar activity, whether the persons taking part are in competition with other persons or not, and includes a race and practice for a race.

"(16) No action or proceeding shall lie against the Minister or the Minister responsible for the administration of the *Territory Insurance Office Act* in respect of anything done or omitted to be done by him or her in good faith and purporting to be for the purposes of this section."
