

South Australia



**ROAD TRAFFIC (PROOF OF ACCURACY OF DEVICES)  
AMENDMENT ACT 1999**

**No. 5 of 1999**

**SUMMARY OF PROVISIONS**

1. Short title
2. Amendment of s. 175—Evidence



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**ELIZABETHAE II REGINAE**

A.D. 1999

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No. 5 of 1999

An Act to amend the Road Traffic Act 1961.

[Assented to 11 March 1999]

The Parliament of South Australia enacts as follows:

**Short title**

1. (1) This Act may be cited as the *Road Traffic (Proof of Accuracy of Devices) Amendment Act 1999*.

(2) The *Road Traffic Act 1961* is referred to in this Act as "the principal Act".

**Amendment of s. 175—Evidence**

2. Section 175 of the principal Act is amended—

(a) by striking out paragraph (b) of subsection (3) and substituting the following paragraph:

(b) a document produced by the prosecution and purporting to be signed by the Commissioner of Police, or by any other member of the police force of or above the rank of inspector, and purporting to certify that a specified stopwatch or speedometer had been tested on a specified day and was shown by the test to be accurate to the extent indicated in the document constitutes, in the absence of proof to the contrary, proof of the facts certified and that the relevant instrument was accurate to that extent on the day of the test and—

(i) in the case of a stopwatch—throughout the 14 day period following and the 14 day period preceding the day of the test; or

(ii) in the case of a speedometer—throughout the 3 month period following and the 3 month period preceding the day of the test,

for the purpose of measuring the speed of any motor vehicle, whether or not the speed measured differed from the speed in relation to which the stopwatch or speedometer was tested or the circumstances of the measurement differed in any other respect from the circumstances of the test;;

- (b) by striking out from subsection (3)(ba) "or by a superintendent or an inspector of police" and substituting "or by any other member of the police force of or above the rank of inspector";
- (c) by inserting in subsection (3)(ba) "and on the day following that day" after "on the day on which it was so tested".

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

E. J. NEAL Governor