

TRAFFIC (No. 3).

No. 92 of 1972.

AN ACT to amend section thirty-two B of the Traffic Act, 1919-1972.

[Assented to 4th December, 1972.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Traffic Act Amendment Act (No. 3), 1972.* Short title and citation.
 - (2) In this Act the Traffic Act, 1919-1972, is referred to as the principal Act. Reprinted as approved for reprint 30th July, 1971 and amended by Acts Nos. 33 and 34 of 1971 and 20 of 1972.
 - (3) The principal Act as amended by this Act may be cited as the Traffic Act, 1919-1972.
2. This Act shall come into operation on a date to be fixed by proclamation. Commencement.

Section 32B
amended.

3. Section 32B of the principal Act is amended—

- (a) by repealing and re-enacting subsection (2) as follows—

(2) Where a member of the Police Force or an inspector has reasonable grounds for believing that a person has committed an offence against section thirty-two of this Act, by reason of his being under the influence of alcohol, the member of the Police Force or inspector may require the person to submit himself for analysis of his breath for alcohol or submit himself to a medical practitioner and allow a sample of his blood to be taken, as the provisions of subsections (3), (4) and (5) of this section may, in the circumstances, require. ;

- (b) by adding after the word “nature” in line two of paragraph (c) of subsection (3), the passage “, or is so affected by alcohol,” ;

- (c) by repealing and re-enacting subsection (4) as follows—

(4) Where—

(a) a member of the Police Force or an inspector might, by virtue of subsection (1) or (2) of this section, require a person to submit himself for analysis of his breath but is precluded from so doing by subsection (3) of this section; or

(b) a member of the Police Force or an inspector might, by virtue of subsection (1) of this section, require a person to undergo a preliminary test but the person has sustained a bodily injury of such a nature as to render him incapable of undergoing, satisfactorily, the preliminary test,

then, but in no other circumstances, the member of the Police Force or inspector may require the person to submit himself to a medical practitioner nominated by that person and allow a sample of his blood to be taken or, where the person is incapable of submitting himself, cause a sample of his blood to be taken by a medical practitioner, if, in either event (but excluding the case of a deceased person), the sample can be taken within four hours after the occurrence of the event giving rise to the requirement. ; and

(d) by adding after subsection (11) a subsection as follows—

(12) Where a person is apparently unconscious or seriously injured a member of the Police Force or an inspector shall facilitate the provision of medical assistance for that person. .
