

## **EXPLANATORY STATEMENT**

### **Select Legislative Instrument 2006 No. 20**

Issued by the Authority of the Minister for Transport and Regional Services

#### *National Transport Commission Act 2003*

Section 52 of the *National Transport Commission Act 2003* (the Act) provides that the Governor-General may make regulations, not inconsistent with the Act, prescribing all matters required or permitted by the Act to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to the Act.

The purpose of the package of regulations listed at Attachment A is to set out model legislation and road transport legislation, for the purposes of the Act and in accordance with an Intergovernmental Agreement (the IGA).

Paragraph 3(a) of the Act establishes the National Transport Commission (the NTC) as an independent statutory body with ongoing responsibility for developing, monitoring and maintaining uniform or nationally consistent regulatory and operational reforms relating to road, rail and intermodal transport. The NTC replaces the former National Road Transport Commission (the former NRTC) which previously had responsibility for progressing road transport regulatory reforms. The NTC is directly accountable to Commonwealth, State and Territory Ministers through the Australian Transport Council (the ATC), as was the former NRTC.

Subparagraph 3(b)(ii) of the Act provides that the purpose of the Act is to provide a mechanism for making regulations setting out road transport legislation, regulations and other instruments (whether enacted or in model form) that were developed by the former NRTC and agreed by the ATC. Section 7 of the Act provides the mechanism, with subsection 7(1) specifying that the regulations may set out model legislation and road transport legislation. Clause 14 of the IGA requires the Commonwealth to submit road transport legislation for inclusion in schedules to regulations under the Act. The Regulations implement this commitment.

The provisions of the Act are supported by the IGA, which serves to formalise the cooperative arrangements between the Commonwealth, States and Territories and define the roles and responsibilities of the NTC, ATC and the jurisdictions.

The Regulations provide a single reference point for the road transport legislation. The States and Territories, and the Commonwealth where appropriate, may now either reference or enact the substance of the model legislation in their own law thereby establishing and maintaining a nationally agreed regulatory framework. This mechanism also facilitates future amendments to the package of regulations as they are developed by the NTC and agreed by the ATC.

Each of the Regulations sets out in a schedule an item of the road transport legislation previously developed by the former NRTC and which, in consultation with the jurisdictions, and as required by Clause 14 of the IGA, has been identified for this purpose and put in an appropriate form by the NTC:

- Several of the Regulations set out road transport legislation (including amendments) which has been enacted into template law. These include Acts and Regulations made by the Commonwealth for the Australian Capital Territory (the ACT), in particular covering the areas of road transport charges, heavy vehicles registration, vehicle operations and transport of dangerous goods by road and rail; and
- The balance of the Regulations set out road transport legislation in model form, or draft legislation, including amendments, covering areas of heavy vehicle registration, vehicle operations, driver licensing and compliance and enforcement.

In future the Regulations will be the only reference point for implementation by all jurisdictions, irrespective of the form the road transport legislation had previously taken.

Jurisdictions have largely implemented the road transport legislation and where necessary will amend their law both to refer to the Regulations. They will also establish appropriate mechanisms for implementing future amendments to the Regulations. The Commonwealth, in agreement with the ACT and other relevant parties, will then be able to seek the repeal as required by the IGA, of any road transport legislation that has been enacted by the Commonwealth on behalf of the ACT.

Section 9 of the Act requires the Commission to consult, where it is appropriate and practicable to do so, with governments and government bodies, industry representatives, representatives of people who live in regional or remote areas of Australia and other interested people, bodies and organisations. As these particular regulations were made to meet the obligations set out in the IGA and the schedules set out reforms previously developed and agreed by ATC and already largely implemented by jurisdictions, the NTC established a reference group made up of representatives from the Transport Agencies of each jurisdiction.

The reference group confirmed the list of agreed reforms identified as meeting the definition of road transport legislation to be set out in schedules, and commented on the form and content of the draft regulations. The group also discussed implications for jurisdictions and the process for future reforms developed by the NTC to be set out in further regulations.

Comments made were considered and taken into account by the NTC. Transport Agency Chief Executives were provided with copies of the draft regulations. The main focus has been to ensure that the regulations clearly set out the agreed reforms and also facilitate the making of future amendments to those reforms.

Details of each of the Regulations are set out in Attachment B.

Paragraph 7(2)(a) of the Act provides that the road transport legislation scheduled to the Regulations does not have the force of law. The schedules serve only as a repository for nationally agreed reforms which are then implemented by jurisdictions.

Item 44 of the table to subsection 44(2) of the *Legislative Instruments Act 2003* and item 7 of Schedule 2 to the *Legislative Instruments Regulations 2004* provide that the Regulations are not subject to disallowance. In addition, item 51 of the table in subsection 54(2) of the *Legislative Instruments Act 2003* and item 4 of Schedule 3 to the *Legislative Instruments Regulations 2004* operate to provide that the Regulations are not subject to sunseting.

The Act specifies no conditions to be satisfied before the power to make the Regulations was exercised.

The Regulations are legislative instruments for the purposes of the *Legislative Instruments Act 2003*.

Each of the Regulations commenced on the day after it was registered.

**ATTACHMENT A**

*National Transport Commission (Road Transport Legislation – Road Transport Charges Act) Regulations 2006*

*National Transport Commission (Road Transport Legislation – Road Transport Charges Act) Amendment Regulations 2006 (No. 1)*

*National Transport Commission (Road Transport Legislation – Road Transport Charges Regulations) Regulations 2006*

*National Transport Commission (Road Transport Legislation – Road Transport Charges Regulations) Amendment Regulations 2006 (No. 1)*

*National Transport Commission (Road Transport Legislation – Heavy Vehicles Registration Act) Regulations 2006*

*National Transport Commission (Road Transport Legislation – Heavy Vehicles Registration Act) Amendment Regulations 2006 (No. 1)*

*National Transport Commission (Road Transport Legislation – Heavy Vehicles Registration Regulations) Regulations 2006*

*National Transport Commission (Road Transport Legislation – Vehicles and Traffic Act) Regulations 2006*

*National Transport Commission (Road Transport Legislation – Vehicles and Traffic Act) Amendment Regulations 2006 (No. 1)*

*National Transport Commission (Road Transport Legislation – Mass and Loading Regulations) Regulations 2006*

*National Transport Commission (Road Transport Legislation – Mass and Loading Regulations) Amendment Regulations 2006 (No. 1)*

*National Transport Commission (Road Transport Legislation – Oversize and Overmass Regulations) Regulations 2006*

*National Transport Commission (Road Transport Legislation – Restricted Access Vehicles Regulations) Regulations 2006*

*National Transport Commission (Road Transport Legislation – Heavy Vehicle Standards Regulations) Regulations 2006*

*National Transport Commission (Road Transport Legislation – Heavy Vehicle Standards Regulations) Amendment Regulations 2006 (No. 1)*

*National Transport Commission (Road Transport Legislation – Vehicle Standards) Regulations 2006*

*National Transport Commission (Road Transport Legislation – Vehicle Standards) Amendment Regulations 2006 (No. 1)*

*National Transport Commission (Road Transport Legislation – Driving Hours Regulations) Regulations 2006*

*National Transport Commission (Road Transport Legislation – Australian Road Rules) Regulations 2006*

*National Transport Commission (Road Transport Legislation – Australian Road Rules) Amendment Regulations 2006 (No. 1)*

*National Transport Commission (Road Transport Legislation – Higher Mass Limits) Regulations 2006*

*National Transport Commission (Road Transport Legislation – Driver Licensing) Regulations 2006*

*National Transport Commission (Road Transport Legislation – Dangerous Goods Act) Regulations 2006*

*National Transport Commission (Road Transport Legislation – Dangerous Goods Act) Amendment Regulations 2006 (No. 1)*

*National Transport Commission (Road Transport Legislation – Dangerous Goods Regulations) Regulations 2006*

*National Transport Commission (Road Transport Legislation – Dangerous Goods Regulations) Amendment Regulations 2006 (No. 1)*

*National Transport Commission (Road Transport Legislation – Alternative Compliance Schemes) Regulations 2006*

*National Transport Commission (Road Transport Legislation – Compliance and Enforcement Bill) Regulations 2006*

**ATTACHMENT B****1. Details of the National Transport Commission (Road Transport Legislation – Road Transport Charges Act) Regulations 2006**Regulation 1 – Name of Regulations

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Road Transport Charges Act) Regulations 2006*.

Regulation 2 – Commencement

This regulation provides for the Regulations to commence on the day after they are registered.

Regulation 3 – Road transport legislation – road transport charges

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedule 1 sets out road transport legislation, in the form of an Act, about road transport charges.

Explanatory notes to Regulation 3

There are six explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1.

*Note 6* gives the history of that text.

Schedule 1 – Text of the Road Transport Charges (Australian Capital Territory) Act 1993

The text set out in Schedule 1 is that of the *Road Transport Charges (Australian Capital Territory) Act 1993* (Act No.10 of 1993). The text has been reformatted somewhat but is otherwise unaltered.

**2. The National Transport Commission (Road Transport Legislation – Road Transport Charges Act) Amendment Regulations 2006 (No. 1)**

**Regulation 1 – Name of Regulations**

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Road Transport Charges Act) Amendment Regulations 2006 (No. 1)*.

**Regulation 2 – Commencement**

This regulation provides for the Regulations to commence on the day after they are registered.

**Regulation 3 – Road transport legislation – road transport charges**

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedules 1, 2 and 3 set out road transport legislation, in the form of amendments to an Act, about road transport charges.

Explanatory notes 5, 6 and 7 identify the text of each of the amendments.

**Explanatory notes to Regulation 3**

There are seven explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note.

Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1 and gives the history of that text.

*Note 6* identifies the text set out in Schedule 2 and gives the history of that text.

*Note 7* identifies the text set out in Schedule 3 and gives the history of that text

**Regulation 4 – Amendment of National Transport Commission (Road Transport Legislation – Road Transport Charges Act) Regulations 2006**

This regulation provides that Schedules 1, 2 and 3 successively amend the text set out in Schedule 1 to the *National Transport Commission (Road Transport Legislation – Road Transport Charges Act) Regulations 2006*.

As soon as this regulation is registered, the Office of Legislative Drafting and Publishing will prepare a compilation of the *National Transport Commission (Road Transport Legislation –*

*Road Transport Charges Act) Regulations 2006* as amended. This compilation will be publicly available on the ComLaw website.

Schedule 1 – Text of Schedule 1 to the *Road Transport Charges (Australian Capital Territory) Amendment Act 2000*

The text set out in Schedule 1 is that of Schedule 1 to the *Road Transport Charges (Australian Capital Territory) Amendment Act 2000* (Act No. 42 of 2000).

Schedule 2 – Text of Schedule 1 to the *Road Transport Charges (Australian Capital Territory) Amendment Act 2002*

The text set out in Schedule 2 is that of Schedule 1 to the *Road Transport Charges (Australian Capital Territory) Amendment Act 2002* (Act No. 19 of 2002).

Schedule 3 – Text of items 5 to 8 of Schedule 1 to the *National Transport Commission (Consequential Amendments and Transitional Provisions) Act 2003*

The text set out in Schedule 3 is that of items 5 to 8 of Schedule 1 to the *National Transport Commission (Consequential Amendments and Transitional Provisions) Act 2003* (Act No. 82 of 2003).



### **3. The National Transport Commission (Road Transport Legislation – Road Transport Charges Regulations) Regulations 2006**

#### Regulation 1 – Name of Regulations

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Road Transport Charges Regulations) Regulations 2006*.

#### Regulation 2 – Commencement

This regulation provides for the Regulations to commence on the day after they are registered.

#### Regulation 3 – Road transport legislation – road transport charges

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedule 1 sets out road transport legislation, in the form of Regulations, about road transport charges.

#### Explanatory notes to Regulation 3

There are six explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1.

*Note 6* gives the history of that text.

#### Schedule 1 – Text of the Road Transport Charges (Australian Capital Territory) Regulations

The text set out in Schedule 1 is that of the Road Transport Charges (Australian Capital Territory) Regulations (Statutory Rules 1995 No. 42). It has been re-formatted in accordance with current drafting practice (including styles of provision numbering and cross-referencing).

**4. The National Transport Commission (Road Transport Legislation – Road Transport Charges Regulations) Amendment Regulations 2006 (No. 1)**

Regulation 1 – Name of Regulations

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Road Transport Charges Regulations) Amendment Regulations 2006 (No. 1)*.

Regulation 2 – Commencement

This regulation provides for the Regulations to commence on the day after they are registered.

Regulation 3 – Road transport legislation – road transport charges

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedules 1 and 2 set out road transport legislation, in the form of amending Regulations, about road transport charges.

Explanatory notes to Regulation 3

There are six explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1 and gives the history of that text.

*Note 6* identifies the text set out in schedule 2 and gives the history of that text.

**Regulation 4 – Amendment of National Transport Commission (Road Transport Legislation - Road Transport Charges Regulations) Regulations 2006**

This regulation provides that Schedules 1 and 2 successively amend the text set out in Schedule 1 to the *National Transport Commission (Road Transport Legislation - Road Transport Charges Regulations) Regulations 2006*.

As soon as this regulation is registered, the Office of Legislative Drafting and Publishing will prepare a compilation of the *National Transport Commission (Road Transport Legislation - Road Transport Charges Regulations) Regulations 2006* as amended. This compilation will be publicly available on the ComLaw website.

Schedule 1 – Text of the *Road Transport Charges (Australian Capital Territory) Amendment Regulations 2000 (No.1)*

The text set out in Schedule 1 is that of the *Road Transport Charges (Australian Capital Territory) Amendment Regulations 2000 (No.1)* (Statutory Rules No. 88 of 2000).

Schedule 2 – Text of the *Road Transport Charges (Australian Capital Territory) Amendment Regulations 2001 (No.1)*

The text set out in Schedule 2 is that of the *Road Transport Charges (Australian Capital Territory) Amendment Regulations 2001 (No.1)* (Statutory Rules No. 213 of 2001).

## 5. The National Transport Commission (Road Transport Legislation – Heavy Vehicles Registration Act) Regulations 2006

### Regulation 1 – Name of Regulations

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Heavy Vehicles Registration Act) Regulations 2006*.

### Regulation 2 – Commencement

This regulation provides for the Regulations to commence on the day after they are registered.

### Regulation 3 – Road transport legislation – heavy vehicles registration

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedule 1 sets out road transport legislation, in the form of an Act, about the registration of heavy vehicles.

#### Explanatory notes to Regulation 3

There are six explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1.

*Note 6* gives the history of that text.

### Schedule 1 – Text of the Road Transport Reform (Heavy Vehicles Registration) Act 1997

The text set out in Schedule 1 is that of the *Road Transport Reform (Heavy Vehicles Registration) Act 1997* (Act No. 16 of 1997). It is reformatted somewhat but is otherwise unaltered.

**6. The National Transport Commission (Road Transport Legislation – Heavy Vehicles Registration Act) Amendment Regulations 2006 (No. 1)**

**Regulation 1 – Name of Regulations**

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Heavy Vehicles Registration Act) Amendment Regulations 2006 (No. 1)*.

**Regulation 2 – Commencement**

This regulation provides for the Regulations to commence on the day after they are registered.

**Regulation 3 – Road transport legislation – heavy vehicles registration**

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedules 1 and 2 set out road transport legislation, in the form of amendments to an Act, about the registration of heavy vehicles.

**Explanatory notes to Regulation 3**

There are six explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1 and gives the history of that text.

*Note 6* identifies the text set out in schedule 2 and gives the history of that text.

**Regulation 4 – Amendment of National Transport Commission (Road Transport Legislation – Heavy Vehicles Registration Act) Regulations 2006**

This regulation provides that Schedules 1 and 2 successively amend the text set out in Schedule 1 to the *National Transport Commission (Road Transport Legislation – Heavy Vehicles Registration Act) Regulations 2006*.

As soon as this regulation is registered, the Office of Legislative Drafting and Publishing will prepare a compilation of the *National Transport Commission (Road Transport Legislation – Heavy Vehicles Registration Act) Regulations 2006* as amended. This compilation will be publicly available on the ComLaw website.

Schedule 1 – Text of item 2 of Schedule 2 to the *National Road Transport Commission Amendment Act 1998*

The text set out in Schedule 1 is that of item 2 of Schedule 2 to the *National Road Transport Commission Amendment Act 1998* (Act No. 82 of 1998).

Schedule 2 – Text of item 2 of Schedule 5 to the *Transport and Regional Services Legislation Amendment (Application of Criminal Code) Act 2001*

The text set out in Schedule 2 is that of item 2 of Schedule 5 to the *Transport and Regional Services Legislation Amendment (Application of Criminal Code) Act 2001* (Act No. 143 of 2001).

**7. The National Transport Commission (Road Transport Legislation – Heavy Vehicles Registration Regulations) Regulations 2006**

Regulation 1 – Name of Regulations

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Heavy Vehicles Registration Regulations) Regulations 2006*.

Regulation 2 – Commencement

This regulation provides for the Regulations to commence on the day after they are registered.

Regulation 3 – Road transport legislation – heavy vehicles registration

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedule 1 sets out road transport legislation, in the form of Regulations, about the registration of heavy vehicles.

Explanatory notes to Regulation 3

There are five explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1 and gives the history of that text.

Schedule 1 – Text of the proposed Road Transport Reform (Heavy Vehicles Registration) Regulations

The text set out in Schedule 1 is that of the proposed Road Transport Reform (Heavy Vehicles Registration) Regulations. The proposed Regulations were prepared in the form of Regulations to be made under the *Road Transport Reform (Heavy Vehicles Registration) Act 1997*, and were approved by the Ministerial Council for Road Transport on 9 October 1996, but were never actually made as Regulations. The text has been reformatted in accordance with current drafting practice (including styles of provision numbering and cross-referencing) but is otherwise unaltered.

## **8. The National Transport Commission (Road Transport Legislation – Vehicles and Traffic Act) Regulations 2006**

### Regulation 1 – Name of Regulations

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Vehicles and Traffic Act) Regulations 2006*.

### Regulation 2 – Commencement

This regulation provides for the Regulations to commence on the day after they are registered.

### Regulation 3 – Road transport legislation – vehicles and traffic

This regulation provides for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedule 1 sets out road transport legislation, in the form of an Act, about vehicles and traffic.

#### Explanatory notes to Regulation 3

There are six explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1.

*Note 6* gives the history of that text.

### Schedule 1 – Text of the *Road Transport Reform (Vehicles and Traffic) Act 1993*

The text set out in Schedule 1 is that of the *Road Transport Reform (Vehicles and Traffic) Act 1993* (Act No. 9 of 1994). The text has been reformatted somewhat.



**9. The National Transport Commission (Road Transport Legislation – Vehicles and Traffic Act) Amendment Regulations 2006 (No. 1)**

**Regulation 1 – Name of Regulations**

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Vehicles and Traffic Act) Amendment Regulations 2006 (No. 1)*.

**Regulation 2 – Commencement**

This regulation provides for the Regulations to commence on the day after they are registered.

**Regulation 3 – Road transport legislation – vehicles and traffic**

This regulation provides that for section 7 of the *National Transport Commission Act 2003* Schedules 1, 2 and 3 set out road transport legislation in the form of amendments to an Act, about vehicles and traffic.

**Explanatory notes to Regulation 3**

There are seven explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1 and gives the history of that text.

*Note 6* identifies the text set out in Schedule 2 and gives the history of that text.

*Note 7* identifies the text set out in Schedule 3 and gives the history of that text.

**Regulation 4 – Amendment of National Transport Commission (Road Transport Legislation – Vehicles and Traffic Act) Regulations 2006**

This regulation provides that Schedules 1, 2 and 3 successively amend the text set out in Schedule 1 to the *National Transport Commission (Road Transport Legislation – Vehicles and Traffic Act) Regulations 2006*.

As soon as this regulation is registered, the Office of Legislative Drafting and Publishing will prepare a compilation of the *National Transport Commission (Road Transport Legislation – Vehicles and Traffic Act) Regulations 2006* as amended. This compilation will be publicly available on the ComLaw website.

Schedule 1 – Text of Part 4 of Schedule 1 to the *Transport Legislation Amendment Act (No. 2) 1995*

The text set out in Schedule 1 is that of Part 4 of Schedule 1 to the *Transport Legislation Amendment Act (No. 2) 1995* (Act No. 89 of 1995).

Schedule 2 – Text of item 3 of Schedule 2 to the *National Road Transport Commission Amendment Act 1998*

The text set out in Schedule 2 is that of item 3 of Schedule 2 to the *National Road Transport Commission Amendment Act 1998*(Act No. 82 of 1998).

Schedule 3 – Text of item 3 of schedule 5 to the *Transport and Regional Services Legislation (Application of Criminal Code) Act 2001*

The text set out in Schedule 3 is that of item 3 of schedule 5 to the *Transport and Regional Services Legislation (Application of Criminal Code) Act 2001* (Act No. 143 of 2001).

**10. The National Transport Commission (Road Transport Legislation – Mass and Loading Regulations) Regulations 2006**

Regulation 1 – Name of Regulations

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Mass and Loading Regulations) Regulations 2006*.

Regulation 2 – Commencement

This regulation provides for the Regulations to commence on the day after they are registered.

Regulation 3 – Road transport legislation – mass and loading

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedule 1 sets out road transport legislation, in the form of Regulations, about vehicle mass and loading.

Explanatory notes to Regulation 3

There are six explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1.

*Note 6* gives the history of that text.

Schedule 1 – Text of the Road Transport Reform (Mass and Loading) Regulations

The text set out in Schedule 1 is that of the Road Transport Reform (Mass and Loading) Regulations (Statutory Rules 1995 No. 56). It has been reformatted in accordance with current drafting practice (including styles of provision numbering and cross-referencing).

**11. The National Transport Commission (Road Transport Legislation – Mass and Loading Regulations) Amendment Regulations 2006 (No. 1)**

**Regulation 1 – Name of Regulations**

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Mass and Loading Regulations) Amendment Regulations 2006 (No. 1)*.

**Regulation 2 – Commencement**

This regulation provides for the Regulations to commence on the day after they are registered.

**Regulation 3 – Road transport legislation – mass and loading**

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedule 1 sets out road transport legislation, in the form of amending Regulations, about vehicle mass and loading.

**Explanatory notes to Regulation 3**

There are six explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1.

*Note 6* gives the history of that text.

**Regulation 4 – Amendment of the National Transport Commission (Road Transport Legislation – Mass and Loading Regulations) Regulations 2006**

This regulation provides that Schedule 1 amends the text set out in Schedule 1 to the *National Transport Commission (Road Transport Legislation – Mass and Loading Regulations) Regulations 2006*.

As soon as this regulation is registered, the Office of Legislative Drafting and Publishing will prepare a compilation of the *National Transport Commission (Road Transport Legislation – Mass and Loading Regulations) Regulations 2006* as amended. The compilation will be publicly available on the ComLaw website.

Schedule 1 – Text of the Road Transport Reform (Mass and Loading) Regulations (Amendment)

The text set out in Schedule 1 is that of the Road Transport Reform (Mass and Loading) Regulations (Amendment) (Statutory Rules 1996 No. 342). The making of the Regulations was notified in the Commonwealth of Australia *Gazette* on 24 December 1996. No date was ever fixed under subregulation 1.1 of the Regulations.

## **12. The National Transport Commission (Road Transport Legislation – Oversize and Overmass Regulations) Regulations 2006**

### Regulation 1 – Name of Regulations

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Oversize and Overmass Regulations) Regulations 2006*.

### Regulation 2 – Commencement

This regulation provides for the Regulations to commence on the day after they are registered.

### Regulation 3 – Road transport legislation – oversize and overmass vehicles

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedule 1 sets out road transport legislation, in the form of Regulations, about oversize and overmass vehicles.

#### Explanatory notes to Regulation 3

There are six explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1.

*Note 6* gives the history of that text.

### Schedule 1 – Text of the Road Transport Reform (Oversize and Overmass Vehicles) Regulations

The text set out in Schedule 1 is that of the Road Transport Reform (Oversize and Overmass Vehicles) Regulations (Statutory Rules 1995 No. 123). It has been reformatted in accordance with current drafting practice (including styles of provision numbering and cross-referencing).

### **13. The National Transport Commission (Road Transport Legislation – Restricted Access Vehicles Regulations) Regulations 2006**

#### **Regulation 1 – Name of Regulations**

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Restricted Access Vehicles Regulations) Regulations 2006*.

#### **Regulation 2 – Commencement**

This regulation provides for the Regulations to commence on the day after they are registered.

#### **Regulation 3 – Road transport legislation – restricted access vehicles**

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedule 1 sets out road transport legislation, in the form of Regulations, about restricted access vehicles.

#### **Explanatory notes to Regulation 3**

There are five explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1 and gives the history of that text.

#### **Schedule 1 – Text of the proposed Road Transport Reform (Restricted Access Vehicles) Regulations**

The text set out in Schedule 1 is that of the proposed Road Transport Reform (Restricted Access Vehicles) Regulations. The regulations were prepared in the form of Regulations to be made under the *Road Transport Reform (Vehicles and Traffic) Act 1993*, and were approved in that form by the Ministerial Council for Road Transport on 29 September 1995, but were never actually made as Regulations. The text set out has been reformatted in accordance with current drafting practice (including styles of provision numbering and cross-referencing) but is otherwise unaltered.

#### **14. The National Transport Commission (Road Transport Legislation – Heavy Vehicle Standards Regulations) Regulations 2006**

##### Regulation 1 – Name of Regulations

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Heavy Vehicle Standards Regulations) Regulations 2006*.

##### Regulation 2 – Commencement

This regulation provides for the Regulations to commence on the day after they are registered.

##### Regulation 3 – Road transport legislation – heavy vehicle standards

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedule 1 sets out road transport legislation, in the form of Regulations, about the design and construction of heavy vehicles.

##### Explanatory notes to Regulation 3

There are six explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1.

*Note 6* gives the history of that text.

##### Schedule 1 – Text of the Road Transport Reform (Heavy Vehicle Standards) Regulations

The text set out in Schedule 1 is that of the Road Transport Reform (Heavy Vehicle Standards) Regulations (Statutory Rules 1995 No. 55). The text has been reformatted in accordance with current drafting practice (including styles of provision numbering and cross-referencing).



**15. The National Transport Commission (Road Transport Legislation – Heavy Vehicle Standards Regulations) Amendment Regulations 2006 (No. 1)**

**Regulation 1 – Name of Regulations**

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Heavy Vehicle Standards Regulations) Amendment Regulations 2006 (No. 1)*.

**Regulation 2 – Commencement**

This regulation provides for the Regulations to commence on the day after they are registered.

**Regulation 3 – Road transport legislation – heavy vehicle standards**

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedule 1 sets out road transport legislation, in the form of amending Regulations, about heavy vehicle standards.

**Explanatory notes to Regulation 3**

There are five explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1 and gives the history of that text.

**Regulation 4 – Amendment of the National Transport Commission (Road Transport Legislation – Heavy Vehicle Standards Regulations) Regulations 2006**

This regulation inserts several corrections to the text set out in Schedule 1 to the *National Transport Commission (Road Transport Legislation – Heavy Vehicle Standards Regulations) Regulations 2006*.

This regulation also provides that Schedule 1 amends the corrected text set out in Schedule 1 to the *National Transport Commission (Road Transport Legislation – Heavy Vehicle Standards Regulations) Regulations 2006*.

As soon as this regulation is registered, the Office of Legislative Drafting and Publishing will prepare a compilation of the *National Transport Commission (Road Transport Legislation – Heavy Vehicle Standards Regulations) Regulations 2006* as amended. The compilation will be publicly available on the ComLaw website.

Schedule 1 – Text of the proposed Road Transport Reform (Heavy Vehicle Standards) Regulations (Amendment)

The text set out in Schedule 1 is that of the proposed Road Transport Reform (Heavy Vehicle Standards) Regulations (Amendment). Those proposed Regulations were drafted in the form of amending regulations to be made under the *Road Transport Reform (Vehicles and Traffic) Act 1993*, but were never actually made as Regulations. In that form they were approved by the Ministerial Council for Road Transport on 26 May 1997.

## **16. The National Transport Commission (Road Transport Legislation – Vehicle Standards) Regulations 2006**

### Regulation 1 – Name of Regulations

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Vehicle Standards) Regulations 2006*.

### Regulation 2 – Commencement

This regulation provides for the Regulations to commence on the day after they are registered.

### Regulation 3 – Road transport legislation – vehicle standards

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedules 1 and 2 set out road transport legislation, in the form of Regulations and Rules respectively, about the design of road vehicles.

#### Explanatory notes to Regulation 3

There are five explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1 and Schedule 2 and gives the history of each piece of text.

### Schedule 1 – Text of the proposed Road Transport Reform (Vehicle Standards) Regulations 1998

The text set out in Schedule 1 is that of the proposed *Road Transport Reform (Vehicle Standards) Regulations 1998*. The proposed Regulations were made in the form of Regulations to be made under the *Road Transport Reform (Vehicles and Traffic) Act 1993*, but were never actually made as Regulations. In that form they were approved by the Ministerial Council for Road Transport on 29 January 1999. The text has been reformatted in accordance with current drafting practice (including styles of provision numbering and cross-referencing) but otherwise remains unaltered.

### Schedule 2 – Text of the Australian Vehicle Standards Rules 1999

The text set out in Schedule 2 is that of the proposed *Australian Vehicle Standards Rules 1999*. The proposed Rules were made in the form of Regulations to be made under the *Road Transport Reform (Vehicles and Traffic) Act 1993*, but were never actually made as

Regulations. In that form they were approved by the Ministerial Council for Road Transport on 29 January 1999. The text has been reformatted in accordance with current drafting practice (including styles of provision numbering and cross-referencing) but otherwise remains unaltered.

**17. The National Transport Commission (Road Transport Legislation – Vehicle Standards) Amendment Regulations 2006 (No. 1)**

**Regulation 1 – Name of Regulations**

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Vehicle Standards) Amendment Regulations 2006 (No. 1)*.

**Regulation 2 – Commencement**

This regulation provides for the Regulations to commence on the day after they are registered.

**Regulation 3 – Road transport legislation – vehicle standards**

This regulation provides for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedules 1 and 2 set out road transport legislation, in the form of amending Regulations, about vehicle standards.

**Explanatory notes to Regulation 3**

There are six explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1 and gives the history of that text.

*Note 6* identifies the text set out in Schedule 2 and gives the history of that text.

**Regulation 4 – Amendment of the National Transport Commission (Road Transport Legislation – Vehicle Standards) Regulations 2006**

This regulation provides that Schedule 1 amends the text set out in Schedules 1 and 2 to the *National Transport Commission (Road Transport Legislation – Vehicle Standards) Regulations 2006*.

This regulation also provides that Schedule 2 successively amends the text set out in Schedule 2 to the *National Transport Commission (Road Transport Legislation – Vehicle Standards) Regulations 2006*.

As soon as this regulation is registered, the Office of Legislative Drafting and Publishing will prepare a compilation of the *National Transport Commission (Road Transport Legislation –*

*Vehicle Standards) Regulations 2006* as amended. The compilation will be publicly available on the ComLaw website.

Schedule 1 – Text of the proposed *Road Transport Reform (Vehicle Standards) Amendment Regulations 2001 (No. )*

The text set out in Schedule 1 is that of the proposed *Road Transport Reform (Vehicle Standards) Amendment Regulations 2001 (No. )*. The proposed Regulations were drafted in the form of amending Regulations to be made under the *Road Transport Reform (Vehicles and Traffic) Act 1993*, but were never actually made as Regulations. In that form they were approved by the Australian Transport Council on 3 September 2001.

Schedule 2 – Text of the proposed *Australian Vehicle Standards Amendment Rules 2002 (No. )*

The text set out in Schedule 2 is that of the proposed *Australian Vehicle Standards Amendment Rules 2002 (No. )*. The proposed Rules were drafted in the form of amending Regulations to be made under the *Road Transport Reform (Vehicles and Traffic) Act 1993*, but were never actually made as Regulations. In that form they were approved by the Australian Transport Council on 10 January 2003.

**18. The National Transport Commission (Road Transport Legislation –Driving Hours Regulations) Regulations 2006**

Regulation 1 – Name of Regulations

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation –Driving Hours Regulations) Regulations 2006*.

Regulation 2 – Commencement

This regulation provides for the Regulations to commence on the day after they are registered.

Regulation 3 – Road transport legislation – vehicle driving hours

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedule 1 sets out road transport legislation, in the form of Regulations, about vehicle driving hours.

Explanatory notes to Regulation 3

There are five explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1 and gives the history of that text.

Schedule 1 – Text of the *Road Transport Reform (Driving Hours) Regulations 1998*

The text set out in Schedule 1 is that of the proposed *Road Transport Reform (Driving Hours) Regulations 1998*. The proposed Regulations were made in the form of Regulations to be made under the *Road Transport Reform (Vehicles and Traffic) Act 1993*, but were never actually made as Regulations. In that form they were approved by the Ministerial Council for Road Transport on 15 January 1999. The text has been reformatted in accordance with current drafting practice (including styles of provision numbering and cross-referencing) but otherwise remains unaltered.

**19. The National Transport Commission (Road Transport Legislation –Australian Road Rules) Regulations 2006**

Regulation 1 – Name of Regulations

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation –Australian Road Rules) Regulations 2006*.

Regulation 2 – Commencement

This regulation provides for the Regulations to commence on the day after they are registered.

Regulation 3 – Road transport legislation – Australian Road Rules

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedule 1 sets out road transport legislation, in the form of Rules, about the rules to be followed by all road users.

Explanatory notes to Regulation 3

There are five explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1 and gives the history of that text.

Schedule 1 – Text of the proposed Australian Road Rules

The text set out in Schedule 1 is that of the proposed Australian Road Rules. The proposed Australian Road Rules were made in the form of Regulations to be made under the *Road Transport Reform (Vehicles and Traffic) Act 1993*, and were approved in that form by the Ministerial Council for Road Transport on 29 January 1999 and 30 June 1999 and by the Australian Transport Council on 11 October 1999, but were never actually made as Regulations. The text has been reformatted somewhat but is otherwise unaltered.



**20. The National Transport Commission (Road Transport Legislation –Australian Road Rules) Amendment Regulations 2006 (No. 1)**

**Regulation 1 – Name of Regulations**

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation –Australian Road Rules) Amendment Regulations 2006 (No. 1)*.

**Regulation 2 – Commencement**

This regulation provides for the Regulations to commence on the day after they are registered.

**Regulation 3 – Road transport legislation – Australian Road Rules**

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedules 1 and 2 set out road transport legislation, in the form of amending Regulations, about the rules to be followed by all road users.

**Explanatory notes to Regulation 3**

There are five explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1 and in Schedule 2 and gives the history of each piece of text.

**Regulation 4 – Amendment of National Transport Commission (Road Transport Legislation –Australian Road Rules) Regulations 2006**

This regulation provides that Schedules 1 and 2 successively amend the text set out in Schedule 1 to the *National Transport Commission (Road Transport Legislation –Australian Road Rules) Regulations 2006*.

As soon as this regulation is registered, the Office of Legislative Drafting and Publishing will prepare a compilation of the *National Transport Commission (Road Transport Legislation – Australian Road Rules) Regulations 2006* as amended. The compilation will be publicly available on the ComLaw website.

Schedule 1 – Amendments approved by the Australian Transport Council on 30 June 2003

The text set out in Schedule 1 is that of amendments originally drafted in the form of Regulations to be made under the *Road Transport Reform (Vehicles and Traffic) Act 1993*, but were not actually made as Regulations. In that form they were approved by the Australian Transport Council on 30 June 2003. As approved by the Council they included no formal provisions such as citation, commencement or amendment provisions.

Schedule 2 – Amendments approved by the Australian Transport Council on 12 September 2003

The text set out in Schedule 2 is that of amendments originally drafted in the form of Regulations to be made under the *Road Transport Reform (Vehicles and Traffic) Act 1993*, but were not actually made as Regulations. In that form they were approved by the Australian Transport Council on 12 September 2003. As approved by the Council they included no formal provisions such as citation, commencement or amendment provisions.

**21. The National Transport Commission (Road Transport Legislation –Higher Mass Limits) Regulations 2006**

Regulation 1 – Name of Regulations

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation –Higher Mass Limits) Regulations 2006*.

Regulation 2 – Commencement

This regulation provides for the Regulations to commence on the day after they are registered.

Regulation 3 – Road transport legislation – higher mass limits

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedule 1 sets out road transport legislation, in the form of a Bill for an Act, about increased vehicle mass limits.

Explanatory notes to Regulation 3

There are five explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1 and gives the history of that text.

Schedule 1 – Text of Higher Mass Limits – Legislative Package

The text set out in Schedule 1 is that of a draft Bill for an Act, *Higher Mass Limits – Legislative Package*, prepared for the former National Road Transport Commission. It was approved in that form by the Australian Transport Council on 10 March 2000, but was never actually enacted. The text has been reformatted in accordance with current drafting practice (including styles of provision numbering and cross-referencing).

## **22. The National Transport Commission (Road Transport Legislation –Driver Licensing) Regulations 2006**

### Regulation 1 – Name of Regulations

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation –Driver Licensing) Regulations 2006*.

### Regulation 2 – Commencement

This regulation provides for the Regulations to commence on the day after they are registered.

### Regulation 3 – Road transport legislation – driver licensing

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedules 1 and 2 set out road transport legislation about driver licensing.

#### Explanatory notes to Regulation 3

There are five explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1 and gives the history of that text.

### Schedule 1 – Text of National Driver Licensing Scheme – Primary Principles

The text set out in Schedule 1 is that of the *National Driver Licensing Scheme – Primary Principles*, a document prepared as an “in-principle” draft of legislation, by the former National Road Transport Commission, and approved by the Ministerial Council for Road Transport on 15 December 1997. The document was never converted into formal legislation. The text set out in the schedule has been formatted in accordance with current legislative practice as far as possible. It is otherwise unaltered.

### Schedule 2 – Text of National Driver Licensing Scheme – Supporting Principles

The text set out in Schedule 2 is that of the *National Driver Licensing Scheme – Supporting Principles*, a document prepared as an “in-principle” draft of legislation, by the former National Road Transport Commission, and approved by the Ministerial Council for Road Transport on 15 December 1997. The document was never converted into formal legislation. The text set out in the schedule has been formatted in accordance with current legislative practice as far as possible. It is otherwise unaltered.

### **23. The National Transport Commission (Road Transport Legislation – Dangerous Goods Act) Regulations 2006**

#### Regulation 1 – Name of Regulations

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Dangerous Goods Act) Regulations 2006*.

#### Regulation 2 – Commencement

This regulation provides for the Regulations to commence on the day after they are registered.

#### Regulation 3 – Road transport legislation – dangerous goods

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedule 1 sets out road transport legislation, in the form of an Act, about the transport of dangerous goods.

#### Explanatory notes to Regulation 3

There are six explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1.

*Note 6* gives the history of that text.

#### Schedule 1 – Text of the *Road Transport Reform (Dangerous Goods) Act 1995*

The text set out in Schedule 1 is that of the *Road Transport Reform (Dangerous Goods) Act 1995* (Act No. 34 of 1995). The text has been reformatted somewhat.

**24. The National Transport Commission (Road Transport Legislation – Dangerous Goods Act) Amendment Regulations 2006 (No. 1)**

**Regulation 1 – Name of Regulations**

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Dangerous Goods Act) Amendment Regulations 2006 (No. 1)*.

**Regulation 2 – Commencement**

This regulation provides for the Regulations to commence on the day after they are registered.

**Regulation 3 – Road transport legislation – dangerous goods**

This regulation provides for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedules 1, 2 and 3 set out road transport legislation, in the form of amendments to an Act, about the transport of dangerous goods.

**Explanatory notes to Regulation 3**

There are seven explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1 and gives the history of that text.

*Note 6* identifies the text set out in Schedule 2 and gives the history of that text.

*Note 7* identifies the text set out in Schedule 3 and gives the history of that text.

**Regulation 4 – Amendment of National Transport Commission (Road Transport Legislation – Dangerous Goods Act) Regulations 2006**

This regulation provides that Schedules 1, 2 and 3 successively amend the text set out in Schedule 1 to the *National Transport Commission (Road Transport Legislation – Dangerous Goods Act) Regulations 2006*.

As soon as this regulation is registered, the Office of Legislative Drafting and Publishing will prepare a compilation of the *National Transport Commission (Road Transport Legislation – Dangerous Goods Act) Regulations 2006* as amended. The compilation will be publicly available on the ComLaw website.

Schedule 1 – Text of Schedule 1 to the *Road Transport Reform (Dangerous Goods) Amendment Act 1997*

The text set out in Schedule 1 is that of Schedule 1 to the *Road Transport Reform (Dangerous Goods) Amendment Act 1997* (Act No. 15 of 1997).

Schedule 2 – Text of item 1 of Schedule 2 to the *National Transport Commission Amendment Act 1998*

The text set out in Schedule 2 is that of item 1 of Schedule 2 to the *National Transport Commission Amendment Act 1998* (Act No. 82 of 1998).

Schedule 3 – Text of item 1 of Schedule 5 to the *Transport and Regional Services Legislation Amendment (Application of Criminal Code) Act 2001*

The text set out in Schedule 3 is that of item 1 of Schedule 5 to the *Transport and Regional Services Legislation Amendment (Application of Criminal Code) Act 2001* (Act No. 143 of 2001).

## **25. The National Transport Commission (Road Transport Legislation –Dangerous Goods Regulations) Regulations 2006**

### Regulation 1 – Name of Regulations

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation –Dangerous Goods Regulations) Regulations 2006*.

### Regulation 2 – Commencement

This regulation provides for the Regulations to commence on the day after they are registered.

### Regulation 3 – Road transport legislation – dangerous goods

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedule 1 sets out road transport legislation, in the form of Regulations, about the transport of dangerous goods.

#### Explanatory notes to Regulation 3

There are six explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1.

*Note 6* gives the history of that text.

### Schedule 1 – Text of the Road Transport Reform (Dangerous Goods) Regulations

The text set out in Schedule 1 is that of the *Road Transport Reform (Dangerous Goods) Regulations* (Statutory Rules No. 241 of 1997). The text has been reformatted in accordance with current drafting practice (including styles of provision numbering and cross-referencing). Those Regulations were approved in draft form by the Ministerial Council for Road Transport on 20 June 1997. The making of the *Road Transport Reform (Dangerous Goods) Regulations* was notified in the Commonwealth of Australia *Gazette* on 10 September 1997. No date was ever specified under regulation 1.2 of the Regulations.



**26. The National Transport Commission (Road Transport Legislation – Dangerous Goods Regulations) Amendment Regulations 2006 (No. 1)**

Regulation 1 – Name of Regulations

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Dangerous Goods Regulations) Amendment Regulations 2006 (No. 1)*.

Regulation 2 – Commencement

This regulation provides for the Regulations to commence on the day after they are registered.

Regulation 3 – Road transport legislation – dangerous goods

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedule 1 sets out road transport legislation, in the form of amending Regulations, about the transport of dangerous goods.

Explanatory notes to Regulation 3

There are five explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1 and gives the history of that text.

Regulation 4 – Amendment of *National Transport Commission (Road Transport Legislation – Dangerous Goods Regulations) Regulations 2006*.

This regulation provides that Schedule 1 amends the text set out in Schedule 1 to the *National Transport Commission (Road Transport Legislation – Dangerous Goods Regulations) Regulations 2006*.

As soon as this regulation is registered, the Office of Legislative Drafting and Publishing will prepare a compilation of the *National Transport Commission (Road Transport Legislation – Dangerous Goods Regulations) Regulations 2006* as amended. The compilation will be publicly available on the ComLaw website.

Schedule 1 – Text of Road Transport Reform (Dangerous Goods) Amendment Regulations 1999 (No. 1)

The text set out in Schedule 1 is that of the *Road Transport Reform (Dangerous Goods) Amendment Regulations 1999 (No. 1)* (Statutory Rules No. 211 of 1999). Those Regulations were approved in draft form by the Australian Transport Council on 30 August 1999, were made on 9 September 1999 and their making was notified in the *Gazette* on 16 September 1999.

## 27. The National Transport Commission (Road Transport Legislation – Alternative Compliance Schemes) Regulations 2006

### Regulation 1 – Name of Regulations

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Alternative Compliance Schemes) Regulations 2006*.

### Regulation 2 – Commencement

This regulation provides for the Regulations to commence on the day after they are registered.

### Regulation 3 – Road transport legislation – alternative compliance schemes

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedule 1 sets out road transport legislation, in the form of outline primary and secondary legislation, about alternative measures regarding compliance with, and enforcement of, road law.

#### Explanatory notes to Regulation 3

There are five explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1 and sets out the history of that text.

### Schedule 1 – Alternative Compliance Schemes

The text set out in Schedule 1 is that of a legislative model prepared for the former National Road Transport commission and approved by the Australian Transport Council on 22 September 1999, but not enacted. The text has been formatted (as far as possible) in accordance with current drafting practice but is otherwise unaltered.

## **28. The National Transport Commission (Road Transport Legislation – Compliance and Enforcement Bill) Regulations 2006**

### Regulation 1 – Name of Regulations

This regulation provides that the title of the Regulations is the *National Transport Commission (Road Transport Legislation – Compliance and Enforcement Bill) Regulations 2006*.

### Regulation 2 – Commencement

This regulation provides for the Regulations to commence on the day after they are registered.

### Regulation 3 – Road transport legislation – compliance and enforcement

This regulation provides that for the purposes of section 7 of the *National Transport Commission Act 2003*, Schedule 1 sets out road transport legislation, in the form a Bill for an Act, about compliance with and enforcement of road law.

#### Explanatory notes to Regulation 3

There are five explanatory notes to regulation 3.

The first four notes are standard to each of the Regulations. Each note refers to the legislation providing the authority for the proposition within the note. Effectively the notes say:

- *Note 1* The text set out in the schedule/s to the Regulations does not have the force of law
- *Note 2* The Regulations must be made in accordance with the IGA
- *Note 3* The Regulations are not subject to disallowance
- *Note 4* The Regulations are not subject to sunseting

*Note 5* identifies the text set out in Schedule 1 and sets out the history of that text.

### Schedule 1 – Text of the draft Road Transport Reform (Compliance and Enforcement) Bill 2003

The text set out in Schedule 1 is that of a draft Bill prepared for the former National Road Transport Commission and approved by the Australian Transport Council on 3 November 2003, but never actually enacted. The text has been reformatted somewhat but is otherwise unaltered.