



# **Interstate Road Transport Amendment (Heavy Vehicle National Law) Regulation 2014**

## **Select Legislative Instrument No. 84, 2014**

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I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd),  
Governor-General of the Commonwealth of Australia, acting with the  
advice of the Federal Executive Council, make the following regulation.

Dated 12 June 2014

Peter Cosgrove  
Governor-General

By His Excellency's Command

Warren Truss  
Minister for Infrastructure and Regional Development

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## 1 Name of regulation

This regulation is the *Interstate Road Transport Amendment (Heavy Vehicle National Law) Regulation 2014*.

## 2 Commencement

This regulation commences on the day after it is registered.

## 3 Authority

This regulation is made under the *Interstate Road Transport Act 1985*.

## 4 Schedule(s)

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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## Schedule 1—Amendments

### *Interstate Road Transport Regulations 1986*

#### **1 Subregulation 2(1) (definition of *administering authority*)**

Repeal the definition, substitute:

***administering authority***, in relation to a State or Territory, means any of the following:

- (a) the Department;
- (b) the National Heavy Vehicle Regulator;
- (c) the Registration Authority of the State or Territory.

#### **2 Subregulation 2(1)**

Insert:

***approved insurer*** means:

- (a) for a motor vehicle or trailer that is or will be registered in a State or Territory mentioned in an item of the table in Schedule 2—the insurer mentioned in that item; or
- (b) for a trailer that is or will be registered in Victoria—the Transport Accident Commission, established under the *Transport Accident Act 1986* (Vic.).

***Heavy Vehicle National Law*** means the Heavy Vehicle National Law set out in the Schedule to the *Heavy Vehicle National Law Act 2012* (Qld) as that law applies from time to time in any participating jurisdiction.

***Ministerial Council*** means the council of Commonwealth, State and Territory Ministers, as it exists from time to time, with responsibility for transport.

***National Heavy Vehicle Regulator*** means the National Heavy Vehicle Regulator established under the Heavy Vehicle National Law.

***participating jurisdiction*** means any of the following:

- (a) New South Wales;
- (b) Victoria;

- (c) Queensland;
- (d) South Australia;
- (e) Tasmania;
- (f) Australian Capital Territory.

**relevant instrument** means any of the following, as in force from time to time:

- (a) a class 2 heavy vehicle authorisation (notice) under subsection 138(1) of the Heavy Vehicle National Law;
- (b) a class 2 heavy vehicle authorisation (permit) under subsection 143(1) of the Heavy Vehicle National Law;
- (c) an HML declaration under subregulation 12(1) of the *Heavy Vehicle (Mass, Dimension and Loading) National Regulation* made under the Heavy Vehicle National Law;
- (d) an HML permit under subsection 20(1) of the *Heavy Vehicle (Mass, Dimension and Loading) National Regulation* made under the Heavy Vehicle National Law;
- (e) an instrument made under any of the following provisions of former legislation, within the meaning of section 747 of the Heavy Vehicle National Law:
  - (i) regulation 17 or 23 of the *Road Transport (Mass, Loading and Access) Regulation 1996* (NSW);
  - (ii) regulation 510 or 516 of, or clause 11 of Schedule 2 to, the *Road Safety (Vehicles) Regulations 1999* (Vic.);
  - (iii) regulation 11A of the *Transport Operations (Road Use Management) Regulation 1995* (Qld);
  - (iv) regulation 11A of the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1999* (Qld);
  - (v) section 161A or 163AA of the *Road Traffic Act 1961* (SA);
  - (vi) section 31A of the *Road Transport (Dimensions and Mass) Act 1990* (ACT);
- (f) an instrument made under any of the following:
  - (i) section 34 or 41 of the *Road Traffic (Vehicles) Act 2012* (WA);
  - (ii) regulation 29 or 33 of the *Road Traffic (Vehicle Standards) Regulations 2002* (WA);

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- (iii) regulation 45 of the *Vehicle and Traffic (Vehicle Operations) Regulations 2001* (Tas.).

### 3 Subregulation 3(1)

Omit “the Council of Commonwealth and State Ministers known as the Australian Transport Advisory Council”, substitute “the Ministerial Council”.

### 4 Subregulation 3(2)

Omit “the Australian Transport Advisory Council”, substitute “the Ministerial Council”.

### 5 Regulation 6

Repeal the regulation.

### 6 Subregulations 12C(8) and 12L(5)

Repeal the subregulations.

### 7 Schedule 2

Repeal the Schedule, substitute:

## Schedule 2—Approved insurers

Note: See the definition of *approved insurer* in subregulation 2(1).

### 1 Approved insurers

The following table sets out approved insurers for motor vehicles or trailers.

| Approved insurers |                                   |  |
|-------------------|-----------------------------------|--|
| Item              | Column 1<br>State or<br>Territory | Column 2<br>Insurer(s)   |
| 1                 | New South Wales                   | (a) AAI Limited trading as AAMI;<br>(b) AAI Limited trading as GIO;<br>(c) Allianz Australia Insurance Limited;<br>(d) CIC Allianz Insurance Limited;<br>(e) Insurance Australia Limited trading as NRMA |

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| <b>Approved insurers</b> |  |  |
|--------------------------|--|--|
| <b>Item</b>              | <b>Column 1<br/>State or<br/>Territory</b> | <b>Column 2<br/>Insurer(s)</b>   |
|                          |  | Insurance;<br>(f) QBE Insurance Group Limited;<br>(g) Zurich Financial Services Australia Limited  |
| 2                        | Queensland                                 | (a) AAI Limited trading as Suncorp Insurance;<br>(b) Allianz Australia Insurance Limited;<br>(c) QBE Insurance Group Limited;<br>(d) RACQ Insurance Limited                                |
| 3                        | Western Australia                          | Insurance Commission of Western Australia,<br>established under the <i>Insurance Commission of<br/>Western Australia Act 1986</i> (WA)   |
| 4                        | South Australia                            | Motor Accidents Commission, established under the<br><i>Motor Accident Commission Act</i> (SA)   |
| 5                        | Australian Capital<br>Territory            | (a) AAI Limited trading as AAMI;<br>(b) AAI Limited trading as GIO;<br>(c) Australian Pensioners Insurance Agency Pty Ltd;<br>(d) Insurance Australia Limited trading as NRMA<br>Insurance |

**8 Schedule 4A**

Repeal the Schedule.