

EXPLANATORY STATEMENT

Issued by the Authority of the Assistant Minister for Infrastructure and Regional Development

National Land (Road Transport) Ordinance 2014

Parking Permit Rule 2014

Overview and Background

The *National Land (Road Transport) Ordinance 2014* (Ordinance) provides the legislative framework for the management and enforcement of pay parking on National Land.

The Ordinance modifies the application of the ACT road transport and parking laws to permit the National Capital Authority (NCA) chief executive to be exclusively responsible for the administration of pay parking on National Land.

Under Part 3 Miscellaneous, section 11 Rule Making Power, the Minister may make rules prescribing matters that are required, permitted, necessary or convenient for giving effect to the Ordinance.

The *Parking Permit Rule 2014* sets out types of permits that the NCA chief executive may issue under section 100(1) of the *Road Transport (Safety and Traffic Management) Regulation 2000* (ACT) (Regulation). The rule also further modifies section 100(1) of the Regulation to provide for the NCA chief executive to issue permits, with or without charge, for use on a length of road or area set aside as a pay parking area as set out in the permit or in areas designated by permit zone signs.

The NCA chief executive may issue the type of permits set out in this rule in addition to the permits set out in section 100(2) of the Regulation, such as special event permits.

The rule is a legislative instrument for the purposes of the *Legislative Instruments Act 2003* (Cth).

The rule commenced on the day after it was registered.

Consultation

The National Capital Authority, as responsible agency for National Land, undertook consultation with the relevant ACT agencies as well as affected members of the community as part of the broader consultation process undertaken in respect of the Ordinance.

Detailed provision by provision description of the Ordinance

Section 1 – Name of rule

This section provides that the title of the rule is the *Parking Permit Rule 2014*.

Section 2 – Commencement

This section provides for the rule to commence on the day after it is registered on the Federal Register of Legislative Instruments.

Section 3 – Modified application of section 100(1) of the *Road Transport (Safety and Traffic Management) Regulation 2000* (ACT)

This section modifies the application of section 100(1) of the Regulation to permit the parking of a vehicle, with or without a charge, on a length of road or in an areas designated by a permit zone sign or on a length of road or in a pay parking area as determined by the NCA chief executive. Previously, section 100(1) of the Regulation only permitted the issue of permits for use in areas designated by a permit zone sign.

Section 4 – Parking Permits

This section together with schedule 1 prescribes the type of parking permit that the NCA chief executive may issue on National Land.

Schedule 1 – Parking Permits

This schedule specifies the type of parking permits that the NCA chief executive may issue on National Land.

Regulation Impact Statement

The Office of Best Practice Regulation advised a Regulation Impact Statement is not required.

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011
(Cth)

Human rights implications

This legislative instrument does not engage any of the applicable rights or freedoms.

Conclusion

This legislative instrument is compatible with human rights as it does not raise any human rights issues.

Jamie Briggs

Assistant Minister for Infrastructure and Regional Development