**EXPLANATORY STATEMENT**

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

*National Land (Road Transport) Ordinance 2014*

*Suspension for Non-payment of Infringement Notices 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 Australian Capital Territory (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, subsection 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 *Suspension for Non-payment of Infringement Notices Rule 2014* modifies provisions of the ACT road transport legislation as applied to National Land relating to the suspension of drivers licences and vehicle registrations in respect of infringement notices issued for infringement notice offences under the Ordinance. The rule provides that the administering authority and road transport authority may but are not required to take any action in relation to any provisions of the ACT road transport legislation requiring suspension notices to be served or other suspension action to be taken.

This 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 *Suspension for Non-payment of Infringement Notices 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 – No Infringement Notice Management Plans**

This section provides that the administering authority for an offence and the road transport authority may, but are not required to, take any action in relation to any provisions of the ACT road transport legislation which require the administering authority or road transport authority to serve suspension notices or take other action relation to the suspension of vehicle registration and drivers licences in respect of infringement notices issued for infringement notice offences under the Ordinance.

**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 rule does not engage any of the applicable rights or freedoms.

**Conclusion**

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

**Jamie Briggs**

**Assistant Minister for Infrastructure and Regional Development**