

Road Transport (Safety and Traffic Management) Approval of Child Restraints Determination 2009 (No 1)

Disallowable Instrument DI2009-1

made under the

Road Transport (Safety and Traffic Management) Regulation 2000, section 66 (1)(b) power to approve a child restraint as an approved child restraint

EXPLANATORY STATEMENT

Section 66(1)(b) of the *Road Transport (Safety and Traffic Management) Regulation 2000* provides for the Road Transport Authority to approve a child restraint as an approved child restraint.

This instrument specifies that child restraints marked with the letters AS 1754 or child restraints marked with the certification trade mark registered under the Trade Marks Act 1955 of the Commonwealth in respect of child restraints and Australian Standard 1754-1975 are suitable for use as approved child restraints.

An error has been identified with the existing Instrument (No 90 of 2000) which was posted to the ACT Government Legislation Register on 1 March 2000 and authorised under section 17(1) of the *Road Transport (General) Act 1999*.

The title and formatting of this instrument is incorrect in that it refers to the *Road Transport General) Act 1999* and approval for the use of child restraints can only be made under Section 66(1)(b) of the *Road Transport (Safety and Traffic) Management Regulation* by persons who have the delegated power provided by the Road Transport Authority under Section 17(1) of the *Road Transport (General) Act 1999*.

The revocation of instrument 90 of 2000 corrects this technical error and amends the formatting of the instrument but does not make any changes to standards for child restraints.

On 3 October 2008 the Road Transport Authority delegated power in NI 2008-469 to the General Manager Transport Regulation and Planning to exercise the power under Section 66 of the *Road Transport (Safety and Traffic) Management Regulation 2000* to approve a child restraint as an approved child restraint

This declaration is a disallowable instrument, and must be presented to the Legislative Assembly within 6 sitting days after its notification in pursuance of section 64 of the *Legislation Act 2001*.