

Australian Capital Territory

Road Transport (Driver Licensing) Code of Practice for Driving Instruction Approval 2011 (No 1)

Disallowable instrument DI2011–40

made under the

Road Transport (Driver Licensing) Regulation 2000, section 118 (Code of Practice for Driving Instruction)

EXPLANATORY STATEMENT

The ACT's Competency Based Training & Assessment (CBT & A) Scheme for learner drivers was introduced on 23 October 1997 under the then *Motor Traffic (Amendment) Act (No 8) 1997*. This legislation was repealed on 1 March 2000 and the Code of Practice for Accredited Driving Instructors (the Code of Practice) became part of road transport law through the application of section 118 of the *Road Transport (Driver Licensing) Regulation 2000* (the Regulation).

The disallowable instrument effects the approval of the Code of Practice for accredited driving instructors by the road transport authority under section 118 of the Regulation.

The Code of Practice provides a set of principles and operational guidelines for the conduct of Accredited Driving Instructors under the CBT & A scheme.

A person may inspect or obtain a copy of the Code of Practice free of charge, by contacting the road transport authority auditors at Road User Services.

This disallowable instrument revokes the previous disallowable instrument DI 2007-81 dated 31 March 2007.

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

Changes to the Code of Practice for Accredited Driving Instructors effected by the new disallowable instrument

The following changes to the Code of Practice have been effected by this disallowable instrument:

1. Clause 6.6 in the new instrument specifies that a zero alcohol concentration (BAC) level applies to Accredited Driving Instructors who are instructing or assessing a student. Accredited Driving Instructors are included in the list of special drivers identified in section 4B (1)(h) of the *Road Transport (Alcohol and Drugs) Act 1977*.
2. Clause 13 2 reflects the change in name of the former Administrative Appeals Tribunal which is now known as the ACT Civil and Administrative Tribunal.