

2016

**THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY**

**ROAD TRANSPORT (PUBLIC PASSENGER SERVICES)
(TRANSITIONAL PROVISIONS) REGULATION 2016**

SL2016-12

EXPLANATORY STATEMENT

**Circulated by authority of
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Minister for Road Safety**

ROAD TRANSPORT (PUBLIC PASSENGER SERVICES) (TRANSITIONAL PROVISIONS) REGULATION 2016

Introduction

This explanatory statement relates to the *Road Transport (Public Passenger Services) (Transitional Provisions) Regulation 2016* (the Regulation). It has been prepared in order to assist the reader of the regulation. This explanatory statement must be read in conjunction with the Regulation. It is not, and is not meant to be, a comprehensive description of the Regulation. What is said about a provision is not taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

Outline

The Regulation modifies the *Road Transport (Public Passenger Services) Act 2001* to include a transitional provision disapplying the *Legislation Act 2001*, section 79 from the *Road Transport (Public Passenger Services) (Taxi Industry Innovation) Amendment Act 2015* (the Amendment Act). The Amendment Act is scheduled commence on 24 May 2016 under the operation of section 79 of the Legislation Act.

The purpose of the Amendment Act is to provide the legislative framework for the second phase of the Government's Taxi Industry Innovation Reforms (the Reforms).

The Reforms commenced on 30 October 2015 with interim arrangements permitting the entry of new business models into the on-demand public transport industry. Specifically the introduction of ridesharing and transport booking services subject to public safety requirements, such as driver and vehicle checks and insurance coverage. The *Road Transport (Public Passenger Services) (Exemptions) Amendment Regulation 2015* refers.

Further actions in the initial phase involved reductions in fees and charges application to taxi and hire car services.

Effect of the regulation

The effect of the Regulation is to allow the Amendment Act to commence on 1 August 2016. The modification occurs under the operation of section 30 of the Amendment Act which commenced on 20 May 2016 thereby allowing the making of transitional regulations under section 130 of *Road Transport (Public Passenger Services) Act* (as amended).

This delayed timing is to permit the finalisation of subordinate regulations and instruments. It follows targeted stakeholder consultation on exposure draft regulation and related materials, which has been the subject of extensive and detailed submissions and ongoing representations.

The Regulation does not engage or limit human rights.

Notes on Clauses

Clause 1 Name of regulation

This is a formal provision that sets out the name of the regulation.

Clause 2 Commencement

This is a formal provision that provides for the commencement of the regulation. The regulation commences on the day after notification.

Clause 3 Modification of Act, pt 10—Act, s130

This clause modifies the *Road Transport (Public Passenger Services) Act 2001* to include a provision that disapplies section 79 of the Legislation Act to the Amendment Act for such time as to permit commencement of the Amendment Act on 1 August 2016.

Clause 4 Expiry—Regulation

This clause ceases the operation of the Regulation on 2 August 2016.