

Australian Capital Territory

Road Transport (General) Application of Road Transport Legislation Declaration 2019 (No 11)

Disallowable instrument DI2019–254

made under the

Road Transport (General) Act 1999, s 12 (Power to include or exclude areas in road transport legislation)

EXPLANATORY STATEMENT

Section 12 (1) (b) of the *Road Transport (General) Act 1999* (the Act) empowers the Minister to declare that a provision of the road transport legislation does not apply to a road or road related area. Section 12 (3) of the Act makes such a declaration a disallowable instrument.

Section 6 of the Act provides that road transport legislation includes the *Road Transport (Safety and Traffic Management) Act 1999*. Section 104 of the *Legislation Act 2001* states that a reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation. Section 33 of the *Road Transport (Safety and Traffic Management) Act 1999* incorporates the *Road Transport (Road Rules) Regulation 2017*, which forms part of the road transport legislation.

The purpose of this disallowable instrument is to disapply parking rules in specified areas to support SouthFest 2019. The effect of the declaration is for ACT Government parking areas to be used for the event for a range of purposes.

A regulatory impact statement is not required as this instrument does not impose appreciable costs on the community or a part of the community (see section 34 (1), *Legislation Act 2001*). Further, the temporary suspension of parking rules to support events such as SouthFest does not operate to the disadvantage of anyone by adversely affecting their rights or imposing liabilities on the person (see section 36 (1), *Legislation Act 2001*).

There are no human rights or climate change implications arising from this instrument.

Outline of provisions

Clause 1 names the instrument the *Road Transport (General) Application of Road Transport Legislation Declaration 2019 (No 11)*.

Clause 2 states when the instrument commences.

Clause 3 declares a number of sections of the *Road Transport (Road Rules) Regulation 2017* do not apply to the areas identified in the schedules to the instrument.

Clause 4 specifies the time periods when clause 3 has effect.

Clause 5 states when the instrument expires.