

Australian Capital Territory

# Road Transport (General) Certificate of Inspection Application Order 2020 (No 1)

Disallowable instrument DI2020–175

made under the

*Road Transport (General) Act 1999*, section 14 (Application orders and emergency orders)

## EXPLANATORY STATEMENT

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This instrument is made under section 14 of the *Road Transport (General) Act 1999* (the Act). Section 14 (1) allows the Minister to order that the operation of regulations made under the road transport legislation, or a provision of such regulations is suspended for a stated period or varied in the way stated in the order. An order under subsection (1) is a disallowable instrument.

Road transport legislation is defined in section 6 of the Act and includes any other Act or any regulation prescribed by regulation. Section 146 (3) of the *Road Transport (Vehicle Registration) Regulation 2000* provides that a certificate of inspection remains in force for one month beginning on the day that it is given.

The *Road Transport (Vehicle Registration) Regulation 2000* forms part of the road transport legislation and this instrument orders that section 146 (3) is retrospectively varied from 1 March 2020 until 28 February 2021 unless it is revoked earlier in response to the current health emergency.

This order provides for retrospective application from 1 March 2020.

The retrospective application is non-prejudicial and is necessary to ensure that the holder of a certificate of inspection is not disadvantaged, as a result of the declaration of a public health emergency. The reforms order provides that applicants will not need to obtain another Certificate of Inspection to support registration transactions that are unable to be completed within a month of obtaining a Certificate of Inspection.

### Human rights implications

There are no human rights implications arising from this instrument.

### Climate change implications

There are no climate change implications arising from this instrument.

## **Clause notes**

### **Clause 1      Name of instrument**

This is a technical clause that states the name of the instrument as the *Road Transport (General) Certificate of Inspection Application Order 2020 (No 1)*.

### **Clause 2      Commencement**

This clause provides that the instrument commences retrospectively on 1 March 2020.

### **Clause 3      Application Order**

This clause varies the application of section 146 (3) of the *Road Transport (Vehicle Registration) Regulation 2000* to extend the timeframe in which a certificate of inspection is in force from 1 month to 3 months.

The effect of the order provides an additional 2 months to progress a registration transaction after obtaining the certificate of inspection.

### **Clause 4      Period of effect**

This clause provides that the application order in clause 3 has effect from the commencement of the instrument until it expires or is revoked.

### **Clause 5      Expiry**

This clause provides that the instrument expires on 28 February 2021.