

Road Transport (General) Application of Road Transport Legislation (Manuka Oval) Declaration 2022 (No 1)

Disallowable instrument DI2022–11

made under the

***Road Transport (General) Act 1999*, section 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.

This declaration is made to support parking arrangements for the Dettol T20 International cricket series at Manuka Oval. The effect of the declaration at clause 3 is to allow motorists attending a Dettol T20 International cricket match at Manuka Oval within the period commencing 11 February 2022 to 20 February 2022 to park in non-pay time limited parking spaces near Manuka Oval for a longer period of time than is specified on the relevant parking sign. The declaration has effect from 15:45pm to 11:59pm on the day that a cricket match is scheduled. The schedule includes a map of the area surrounding Manuka Oval in which section 205 of the *Road Transport (Road Rules) Regulation 2017* will be disapplied for the periods set out in clause 4.

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 s 34 (1) *Legislation Act 2001*). Further, the temporary suspension of parking rules to support major sporting events at Manuka Oval does not operate to the disadvantage of anyone

by adversely affecting their rights or imposing liabilities on the person (see s 36 (1) *Legislation Act 2001*).

Clause Notes

Clause 1 names the instrument the *Road Transport (General) Application of Road Transport Legislation (Manuka Oval) Declaration 2022* (No 1).

Clause 2 states that the instrument commences on 11 February 2022.

Clause 3 declares that for the periods set out in clause 4, section 205 (Parking for longer than indicated) of the *Road Transport (Road Rules) Regulation 2017* does not apply to a road or road related area where a time limited permissive parking sign applies, within the area identified in the schedule.

Clause 4 sets out the period for which the declaration in clause 3 applies.

Scheduled sporting matches have been subject to change with minimal notice due to the current COVID-19 pandemic. To accommodate this the instrument covers any cricket match at Manuka Oval between 11 February and 20 February 2022 that is part of the Dettol T20 International (T20I) Series between Australia and Sri Lanka. At the time of this instrument, a match is scheduled to be held at Manuka Oval on 15 February 2022.

The effect of the declaration allows motorists attending a cricket match at Manuka Oval within the period of 11 February 2022 to 20 February 2022 to park in non-pay time limited parking spaces near Manuka Oval for a longer period of time than is specified on the relevant parking sign.

The declaration has effect from 15:45pm to 11:59pm if all or part of a cricket match proceeds on that day.

Clause 5 contains definitions for the instrument.

Clause 6 provides that the declaration expires on 21 February 2022.

The **Schedule** provides a map of the area where section 205 (Parking for longer than indicated) of the *Road Transport (Road Rules) Regulation 2017* is to be disapplied, with the area marked by a thick dark line.