

# Road Transport (General) (Application of Road Transport Legislation) Declaration 2023 (No 1)

## Disallowable instrument DI2023-13

made under the

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

## EXPLANATORY STATEMENT

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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 certain parking provisions in specified event areas to support the National Multicultural Festival (NMF). The areas identified in the schedules to the instrument will be used for a range of purposes, including pedestrian circulation, stalls, stages, emergency services compounds, cold food storage, and waste disposal as part of the event. The areas outlined in the schedules will have the relevant parking provisions, as outlined in Part 12 of the *Road Transport (Road Rules) Regulation 2017* disapplied for the specified times to support the logistical arrangements for the event.

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 major events such as the NMF 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*).

## **Outline of provisions**

**Clause 1** names the instrument the *Road Transport (General) (Application of Road Transport Legislation) Declaration 2023 (No 1)*.

**Clause 2** provides the commencement date and time.

**Clause 3** declares that a number of sections within Part 12 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** provides that the instrument expires at on 22 February 2023.

The **Schedule** provides a map of roads and road related areas where specified road transport legislation will be disapplied for the 2023 NMF.