

Road Transport (General) Application of Road Transport Legislation (Polar Plunge Canberra) Declaration 2025 (No 1)

Disallowable instrument DI2025–216

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 a charity event at the Canberra Olympic Pool on 3 August 2025. The effect of the declaration at section 3 of the instrument is to allow volunteers and participants attending the Polar Plunge Canberra 2025 for Special Olympics Australia charity event to park in pay time limited parking spaces near Civic Pool (also known as the Canberra Olympic Pool) and be exempt from payments and time limits specified on the relevant parking sign.

The declaration has effect from 11:00am to 3:00pm on 3 August 2025. The schedule to the instrument includes a map of the area surrounding Civic Pool where the declaration applies. The relevant area is highlighted in orange.

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 a major charity event at Civic Pool 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*).

Section Notes

Section 1 names the instrument the *Road Transport (General) Application of Road Transport Legislation (Polar Plunge Canberra) Declaration 2025 (No 1)*.

Section 2 states that the instrument commences on 3 August 2025.

Section 3 declares that for the specified period the disapplied legislation does not apply to the area identified in the schedule to this instrument, highlighted in orange colour.

Section 4 specifies the effective period as between 11:00am to 3:00pm on 3 August 2025. The declaration is conditional on the event going ahead.

Section 5 contains definitions for the instrument, specifying which provisions under the *Road Transport (Road Rules) Regulation 2017* are to be disapplied in the declaration at section 3.

Section 6 provides that the declaration expires on 4 August 2025.

Schedule 1 provides a map of the area where the declaration in section 3 applies, with the area highlighted in orange colour.