

Road Transport (General) (Administering Authority) Delegation 2008 (No 1)*

Notifiable Instrument NI2008-6

made under the

Road Transport (General) Act 1999, section 54(1)(b) – Delegation of administering authority's functions

1. Name of Instrument

This instrument is the Road Transport (General) (Administering Authority) Delegation 2008 (No 1).

2. Commencement

This instrument commences on the day after its notification day.

3. Defined terms

The dictionary in section 7 provides definitions for this instrument.

4. Delegation of functions – parking related offences

- (1) I delegate all my functions under Part 3 of the *Road Transport (General) Act 1999* and section 11 of the *Road Transport (Offences) Regulation 2005* to each person who occupies a position listed in column 1 of table 1 of the Schedule.

Note: The *Legislation Act 2001* defines 'occupy' in relation to a position to include hold the position, act in the position or exercise functions of the position.

- (2) In respect of each item in the table 2 of the Schedule, I delegate the function listed in column 1 of that item to each person who occupies a position listed in column 3 of that item.

Note 1 Section 15 of the *Road Transport (Offences) Regulation 2005* permits the administering authority to delegate their infringement notice offence functions to a public employee.

Note 2 The *Legislation Act 2001* defines 'occupy' in relation to a position to include hold the position, act in the position or exercise functions of the position.

*Name amended under Legislation Act, s 60

- (3) The delegations in table 1 and table 2 of the Schedule are limited to matters relating to the infringement notice offences referred to in paragraphs 8(a) and 8(f) of the *Road Transport (Offences) Regulation 2005*.

5. Delegation of functions – other road transport related offences

- (1) I delegate all my functions under Part 3 of the *Road Transport (General) Act 1999* and section 11 of the *Road Transport (Offences) Regulation 2005* to each person who occupies a position listed in column 1 of table 3 of the Schedule.

Note: The *Legislation Act 2001* defines ‘occupy’ in relation to a position to include hold the position, act in the position or exercise functions of the position.

- (2) In respect of each item in the table 4 of the Schedule, I delegate the function listed in column 1 of that item to each person who occupies a position listed in column 3 of that item.

Note 1 Section 15 of the *Road Transport (Offences) Regulation 2005* permits the administering authority to delegate their infringement notice offence functions to a public employee.

Note 2 The *Legislation Act 2001* defines ‘occupy’ in relation to a position to include hold the position, act in the position or exercise functions of the position.

- (3) The delegations in table 3 and table 4 of the Schedule are limited to matters relating to the infringement notice offences referred to in paragraphs 8(b), 8(d) and 8(e) of the *Road Transport (Offences) Regulation 2005*.

6. Revocation

Instrument of Delegation 2005/2 dated 9 March 2005 (NI2005-473) is revoked.

7. Dictionary

JACS means the Department of Justice and Community safety.

position means a position in the public service.

TAMS means the Department of Territory and Municipal Services.

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Road Transport (General) (Administering Authority) Delegation 2008 (No 1) – the Schedule

Delegations in Relation to Infringement Notice Offences referred to in paragraphs 8(a) and 8(f) of the Road Transport (Offences) Regulation 2001

table 1 – General delegations

	column 1	column 2
Item Number	Position number	Position description
1.01	E902	Chief Executive, JACS
1.02	E480	Executive Director, Office of Regulatory Services, JACS
1.03	P21707	Manager, Parking Operations, JACS

table 2 – Specific delegations

	column 1	column 2	column 3	column 4
Item Number	Function being delegated	Description of function	Position number of delegate	Description of delegate's position
2.01	Section 28 of the <i>Road Transport (General) Act 1999</i>	Allow extra time to pay penalty for an infringement notice offence	P2498	Manager Parking Review Office, JACS
			P10885	Court Officer, Parking Review Office, JACS
			P4686, P11971, P11970, P4986, P1038, P3253, P11968, P2384	Review Officers, Parking Review Office, JACS
2.02	Section 30(2) of the <i>Road Transport (General) Act 1999</i>	Withdraw or refuse to withdraw an infringement notice or reminder notice in certain circumstances	P2498	Manager Parking Review Office, JACS
			P10885	Court Officer, Parking Review Office, JACS
			P4686, P11971, P11970, P4986, P1038, P3253, P11968, P2384	Review Officers, Parking Review Office, JACS
2.03	Section 31(2) of the <i>Road Transport (General) Act 1999</i>	Withdraw an infringement notice or reminder notice in certain circumstances	P2498	Manager Parking Review Office, JACS
			P10885	Court Officer, Parking Review Office, JACS

Road Transport (General) (Administering Authority) Delegation 2008 (No 1) – the Schedule

Delegations in Relation to Infringement Notice Offences referred to in paragraphs 8(a) and 8(f) of the Road Transport (Offences) Regulation 2001

Item Number	column 1 Function being delegated	column 2 Description of function	column 3 Position number of delegate	column 4 Description of delegate's position
2.04	Section 52(2) of the <i>Road Transport (General) Act 1999</i>	Allow extra time to dispute an infringement notice or reminder notice	P2498 P10885 P4686, P11971, P11970, P4986, P1038, P3253, P11968, P2384	Manager Parking Review Office, JACS Court Officer, Parking Review Office, JACS Review Officers, Parking Review Office, JACS
2.05	Section 53 of the <i>Road Transport (General) Act 1999</i>	Lay information in relation to infringement notice offences	P2498 P10885	Manager, Parking Review Office, JACS Court Officer, Parking Review Office, JACS
2.06	Section 56 of the <i>Road Transport (General) Act 1999</i>	Provide evidentiary certificates for proceedings relating to infringement notice offences	P2498 P10885	Manager, Parking Review Office, JACS Court Officer, Parking Review Office, JACS

Delegations in Relation to Infringement Notice Offences referred to in paragraphs 8(b), 8(d) and 8(e) of the Road Transport (Offences) Regulation 2001

table 3 – General delegations

Item number	column 1 Position number	column 2 Position description
3.01	E511	Executive Director, Community and Infrastructure Services Network
3.02	E0276	Director, Roads ACT, TAMS
3.03	P46114	General Manager, Transport Regulation and Planning, TAMS

Road Transport (General) (Administering Authority) Delegation 2008 (No 1) – the Schedule

Delegations in Relation to Infringement Notice Offences referred to in paragraphs 8(b), 8(d) and 8(e) of the Road Transport (Offences) Regulation 2001

table 4 – Specific delegations

Item Number	column 1 Function being delegated	column 2 Description of function	column 3 Position number of delegate	column 4 Description of delegate's position
4.01	Section 28 of the <i>Road Transport (General) Act 1999</i>	Allow extra time to pay penalty for an infringement notice offence	P867 P4683	Manager, Road User Services, TAMS Manager Operations Road User Services, TAMS
4.02	Section 30(2) of the <i>Road Transport (General) Act 1999</i>	Withdraw or refuse to withdraw an infringement notice or reminder notice in certain circumstances	P867 P4683	Manager, Road User Services, TAMS Manager Operations Road User Services, TAMS
4.03	Section 31(2) of the <i>Road Transport (General) Act 1999</i>	Withdraw an infringement notice or reminder notice in certain circumstances	P867	Manager, Road User Services, TAMS
4.04	Section 52(2) of the <i>Road Transport (General) Act 1999</i>	Allow extra time to dispute an infringement notice or reminder notice	P867 P4683	Manager, Road User Services, TAMS Manager Operations Road User Services, TAMS
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