

Road Transport (General) Chief Police Officer Delegation 2016 (No 2)

Notifiable instrument NI2016–334

made under the

Road Transport (General) Act 1999, section 18 (Delegation of chief police officer's functions) and the *Road Transport (Offences) Regulation 2005*, section 8 (2)
(Administering authority—Act, dict, def administering authority)

1 Name of instrument

This instrument is the Road Transport (General) Chief Police Officer Delegation 2016 (No 2).

2 Commencement

This instrument commences on the first moment of 4 July 2016.

3 Defined terms

The dictionary in clause 6 provides definitions for this instrument.

4 Delegation of functions – infringement notices for camera detected offences issued by authorised persons from TCO

(1) I, RUDI WILLIAM LAMMERS, Chief Police Officer for the Australian Capital Territory, the administering authority for infringement notices as described in subsection 8 (2) of the *Road Transport (Offences) Regulation 2005*, delegate my functions under the provisions the *Road Transport (General) Act 1999* specified in column 1 of schedule 1 to the person occupying or performing the duties of the position in column 3 of table 1 of schedule 1 subject to the provisions detailed in clause 4 (2).

(2) The functions may only be exercised in relation to infringement notices that have been issued to a vehicle other than a police vehicle or emergency vehicle.

5 Delegation of functions – infringement notices issued by authorised persons from VITU

(1) I, RUDI WILLIAM LAMMERS, Chief Police Officer for the Australian Capital Territory, the administering authority for infringement notices as described in subsection 8 (2) of the *Road Transport (Offences) Regulation 2005*, delegate my functions under the provisions the *Road Transport (General) Act 1999* specified in column 1 of schedule 1 to the person occupying or performing the duties of the position in column 3 of table 2 of schedule 1 subject to the provisions detailed in clause 5 (2).

(2) The functions may only be exercised in relation to infringement notices that have been issued to a vehicle other than a police vehicle or emergency vehicle.

6 Dictionary

In this instrument:

emergency vehicle, means any vehicle driven by a person who is:

- (a) an emergency worker for the provision; and
- (b) driving the vehicle in the course of his or her duties as an emergency worker.

emergency worker, means a person who is an emergency worker for the Rules, or the provision, under another law of this jurisdiction.

IPU means the Infringement Plan Unit of the Road Transport Authority of the Australian Capital Territory

PN means position number

police officer, means a person who is a police officer for the Rules, or the provision, under another law of this jurisdiction.

police vehicle, means any vehicle driven by a person who is:

- (a) a police officer for the provision; and
- (b) driving the vehicle in the course of his or her duties as a police officer.

PR means Parking Review Office of the Australian Capital Territory

RUS means the Road User Services

RTA means the Road Transport Authority of the Australian Capital Territory

TCO means the Traffic Camera Office of the Australian Capital Territory

VITU means the Vehicle Inspection and Technical Unit of the Road Transport Authority

7 Revocation

I revoke NI2010-12, dated 16 December 2009, effective from the first moment of 4 July 2016.

Rudi William Lammers APM
Chief Police Officer
for the Australian Capital Territory

29 June 2016

Road Transport (General) Chief Police Officer Delegation 2016 (No 2) – Schedule 1

Delegations in relation to functions under the *Road Transport (General) Act* relating to infringement notice offences mentioned in sections 8 (2) of the *Road Transport (Offences) Regulation 2005*

Table 1 – Specific Delegations

Column 1	Column 2	Column 3	Column 4
Road transport description legislation provision	Function description	Position number	Position description
Section 29	Allow or refuse an application for extension of time to do things	PN E00346 PN 867 PN 14521 PN 19911 PN 17807 PN 33121 PN 4683 PN 36988, 36999, 37000 PN's 1038, 2498, 4686, 4986, 7807, 11968, 11970, 11971, 13861, 14521, 17807, 17810, 17811, 17812, 17819, 17820, 17821, 19911, 21753, 21754, 21755, 21756, 31761, 32048, 32050, 32057, 32179, 32187, 33400, 34158, 34449, 37064, 37065 PN 10885	Senior Director, TR Manager, RUS Manager, TCO Assistant Manager, TCO Operations Manager, TCO Manager Compliance Manager Operations Managers Traffic Camera Review Systems Officer, TCO Shift Supervisor, TCO Customer Service Officer, TCO Adjudication Officer, TCO Adjudication Officer, PR Customer Service Officer, IPU Court Officer, Parking Review
Column 1	Column 2	Column 3	Column 4
Road transport description legislation provision	Function description	Position number	Position description

Section 35	Take action in response to an application for withdrawal of an infringement notice	PN E00346	Senior Director, TR
		PN 867	Manager, RUS
		PN 14521	Manager, TCO
		PN 19911	Assistant Manager, TCO
		PN 17807	Operations Manager, TCO
		PN 33121	Manager Compliance
		PN 4683	Manager Operations
		PN 36988, 36999, 37000	Managers Traffic Camera Review
		PN's 1038, 2498, 4686, 4986, 7807, 11968, 11970, 11971, 13861, 14521, 17807, 17810, 17811, 17812, 17819, 17820, 17821, 19911, 21753, 21754, 21755, 21756, 31761, 32048, 32050, 32057, 32179, 32187, 33400, 34158, 34449, 37064, 37065	Systems Officer, TCO Shift Supervisor, TCO Customer Service Officer, TCO Adjudication Officer, TCO Adjudication Officer, PR Customer Service Officer, IPU
		PN 10885	Court Officer, Parking Review

Column 1	Column 2	Column 3	Column 4
Road transport description legislation provision	Function description	Position number	Position description
Section 36	Withdraw infringement notice	PN E00346 PN 867 PN 14521 PN 19911 PN 17807 PN 33121 PN 4683 PN 36988, 36999, 37000 PN's 1038, 2498, 4686, 4986, 7807, 11968, 11970, 11971, 13861, 14521, 17807, 17810, 17811, 17812, 17819, 17820, 17821, 19911, 21753, 21754, 21755, 21756, 31761, 32048, 32050, 32057, 32179, 32187, 33400, 34158, 34449, 37064, 37065 PN 10885	Senior Director, TR Manager, RUS Manager, TCO Assistant Manager, TCO Operations Manager, TCO Manager Compliance Manager Operations Managers Traffic Camera Review Systems Officer, TCO Shift Supervisor, TCO Customer Service Officer, TCO Adjudication Officer, TCO Adjudication Officer, PR Customer Service Officer, IPU Court Officer, Parking Review

Column 1	Column 2	Column 3	Column 4
Road transport description legislation provision	Function description	Position number	Position description
Section 53	Take action where a person disputes liability for an infringement notice offence	PN E00346 PN 867 PN 14521 PN 19911 PN 17807 PN 33121 PN 4683 PN 36988, 36999, 37000 PN 10885	Senior Director, TR Manager, RUS Manager, TCO Assistant Manager, TCO Operations Manager, TCO Manager Compliance Manager Operations Managers Traffic Camera Review Court Officer, Parking Review
Section 56	Provide evidentiary certificates for proceedings for infringement notice offences	PN 14521 PN 19911 PN 17807	Manager, TCO Assistant Manager, TCO Operations Manager, TCO
<p>Note: Section 185 of the <i>Legislation Act 2001</i> - a reference to the occupant of a position (however expressed) includes a reference to anyone for the time being occupying the position.</p>			

Road Transport (General) Chief Police Officer Delegation 2016 (No 2) – Schedule 1

Delegations in relation to functions under the Road Transport (General) Act relating to infringement notice offences mentioned in sections 8 (2) of the Road Transport (Offences) Regulation 2005

Table 2 – Specific Delegations

Column 1	Column 2	Column 3	Column 4
Road transport description legislation provision	Function description	Position number	Position description
Section 29	Allow or refuse an application for extension of time to do things	PN E00346 PN 867	Senior Director, TR Manager, RUS
		PN 33121 PN 4683	Manager Compliance, RUS Manager Operations, RUS
Section 35	Take action in response to an application for withdrawal of an infringement notice	PN E00346 PN 867	Senior Director, TR Manager, RUS
		PN 33121 PN 4683	Manager Compliance, RUS Manager Operations, RUS
Section 36	Withdraw infringement notice	PN E00346 PN 867	Senior Director, TR Manager, RUS
		PN 33121 PN 4683	Manager Compliance, RUS Manager Operations, RUS
Section 53	Take action where a person disputes liability for an infringement notice offence	PN E00346 PN 867	Senior Director, TR Manager, RUS
		PN 33121 PN 4683	Manager Compliance, RUS Manager Operations, RUS
		PN 10885	Court Officer, Parking Review
Section 56	Provide evidentiary certificates for proceedings for infringement notice offences	PN 33121 PN 4683	Manager Compliance, RUS Manager Operations, RUS

Note: Section 185 of the *Legislation Act 2001* - a reference to the occupant of a position (however expressed) includes a reference to anyone for the time being occupying the position.