

Road Transport (General) Access Canberra (Heavy Vehicle Infringement Notice functions) Delegation 2019 (No 1)

Notifiable instrument NI2019–419

made under the

Road Transport (General) Act 1999, section 54 (2) (Delegation of administering authority functions delegated to the chief operating officer of Access Canberra)

1 Name of instrument

This instrument is the *Road Transport (General) Access Canberra (Heavy Vehicle Infringement Notice functions) Delegation 2019 (No 1)*.

2 Commencement

This instrument commences on the day after it is signed.

3 Delegation

1) I, chief operating officer of Access Canberra, in my capacity as a delegate of the National Heavy Vehicle Regulator as an administering authority, delegate those of my delegated functions and powers under Part 3 – Infringement notices for certain offences of the *Road Transport (General) Act 1999* specified in column 1 of schedule 1 to this instrument, to each person, occupying or performing the duties, from time to time, of a position specified in the corresponding row of column 3 of schedule 1 of this instrument.

2) I, chief operating officer of Access Canberra, in my capacity as a delegate of the National Heavy Vehicle Regulator as an administering authority, delegate those of my delegated functions and powers under the *Road Transport (Offences) Regulation 2005* specified in column 1 of schedule 2 to this instrument, to each person, occupying or performing the duties, from time to time, of a position specified in the corresponding row of column 3 of schedule 2 of this instrument.

Note: Section 8 (3) of the *Road Transport (Offences) Regulation 2005* provides that the Regulator under the *Heavy Vehicle National Law (ACT)* is the administering authority for heavy vehicle infringement notice offences.

The Regulator in that entity's capacity as an administering authority, has delegated certain administering authority functions under Part 3 – Infringement notices for certain offences of the *Road Transport (General)*

Act 1999 and under sections 14B and 14D of the *Road Transport (Offences) Regulation 2005*, to the chief operating officer of Access Canberra.

The chief operating officer of Access Canberra is a public employee and so a delegate of the administering authority described by section 54 (1) (b) of the *Road Transport (General) Act 1999* read with section 15 of the *Road Transport (Offences) Regulation 2005*. Consequently, pursuant to section 54 (2) of the *Road Transport (General) Act 1999*, the chief operating officer of Access Canberra can delegate the administering authority functions delegated “to anyone else”.

Josh Rynehart

A/g Chief Operating Officer of Access Canberra

Delegate of the National Heavy Vehicle Regulator as an administering authority

28 June 2019

Schedule 1

Column 1	Column 2	Column 3	Column 4
Section	Function	Position No	Position description
Section 27, Part 3, <i>Road Transport (General) Act 1999</i>	Serve a reminder notice	P21223 P24490 P00867 P37000 P02498 P31761 P36998 P36999 P13861 P19911 P32048	Director Manager Public Transport and Audit Director Senior Manager Infringements Manager Infringements Manager Infringements Manager Infringements Manager Infringements Assistant Manager Infringements Assistant Manager Infringements Assistant Manager Infringements
Section 29, Part 3, <i>Road Transport (General) Act 1999</i>	Allow or refuse an application for extension of time to do things	P21223 P24490 P00867 P37000 P02498 P31761 P36998 P36999 P13861 P19911 P32048 P33199 P04683 P33121 P01038 P04686 P04986 P11968 P11970 P11971 P17807 P17811 P17812 P17819 P17820 P17821 P21754	Director Manager Public Transport and Audit Director Senior Manager Infringements Manager Infringements Manager Infringements Manager Infringements Manager Infringements Assistant Manager Infringements Assistant Manager Infringements Assistant Manager Infringements Manager Business Development Manager Operations Manager Licensing Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer

Column 1	Column 2	Column 3	Column 4
Section	Function	Position No	Position description
		P21755 P21756 P25954 P32050 P32057 P32179 P32187 P34158 P37064 P37065 P41099 P41100 P41102 P41103 P00354 P01913 P02098 P10837 P11160 P11433 P12565	Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer
Section 31G (1), Part 3, <i>Road Transport (General) Act 1999</i>	Allow or refuse application for waiver of penalty	E218 P36222 P35718 P41143 P00867 P37000 P02498 P31761 P36998 P36999 P13861 P19911 P32048	Executive Branch Manager Senior Director Senior Director Senior Director Director Senior Manager Infringements Manager Infringements Manager Infringements Manager Infringements Manager Infringements Assistant Manager Infringements Assistant Manager Infringements Assistant Manager Infringements
Section 31G (2), Part 3, <i>Road Transport (General) Act 1999</i>	Request information to determine application for waiver	E218 P36222 P35718 P41143 P00867 P37000	Executive Branch Manager Senior Director Senior Director Senior Director Director Senior Manager Infringements

Column 1	Column 2	Column 3	Column 4
Section	Function	Position No	Position description
		P02498 P31761 P36998 P36999 P13861 P19911 P32048	Manager Infringements Manager Infringements Manager Infringements Manager Infringements Assistant Manager Infringements Assistant Manager Infringements Assistant Manager Infringements
Section 31G (3), Part 3, <i>Road Transport (General) Act 1999</i>	Grounds to be satisfied of when allowing application for waiver	E218 P36222 P35718 P41143 P00867 P37000 P02498 P31761 P36998 P36999 P13861 P19911 P32048	Executive Branch Manager Senior Director Senior Director Senior Director Director Senior Manager Infringements Manager Infringements Manager Infringements Manager Infringements Manager Infringements Assistant Manager Infringements Assistant Manager Infringements Assistant Manager Infringements
Section 31G (4), Part 3, <i>Road Transport (General) Act 1999</i>	Consult with director-general	P00867 P37000 P02498 P31761 P36998 P36999 P13861 P19911 P32048	Director Senior Manager Infringements Manager Infringements Manager Infringements Manager Infringements Manager Infringements Assistant Manager Infringements Assistant Manager Infringements Assistant Manager Infringements
Section 31G (5), Part 3, <i>Road Transport (General) Act 1999</i>	Inform applicant in writing of decision on application for waiver. If refuse must include reasons for refusal	P00867 P37000 P02498 P31761 P36998 P36999 P13861 P19911 P32048	Director Senior Manager Infringements Manager Infringements Manager Infringements Manager Infringements Manager Infringements Assistant Manager Infringements Assistant Manager Infringements Assistant Manager Infringements

Column 1	Column 2	Column 3	Column 4
Section	Function	Position No	Position description
Section 35, Part 3, <i>Road Transport (General) Act 1999</i>	Take action in response to an application for withdrawal of an infringement notice	E218	Executive Branch Manager
		P36222	Senior Director
		P35718	Senior Director
		P41143	Senior Director
		P21223	Director
		P24490	Manager Public Transport and Audit
		P00867	Director
		P37000	Senior Manager Infringements
		P02498	Manager Infringements
		P31761	Manager Infringements
		P36998	Manager Infringements
		P36999	Manager Infringements
		P13861	Assistant Manager Infringements
		P19911	Assistant Manager Infringements
		P32048	Assistant Manager Infringements
		P33199	Manager Business Development
		P04683	Manager Operations
		P33121	Manager Licensing
		P01038	Infringement Officer
		P04686	Infringement Officer
		P04986	Infringement Officer
		P11968	Infringement Officer
		P11970	Infringement Officer
		P11971	Infringement Officer
		P17807	Infringement Officer
		P17811	Infringement Officer
		P17812	Infringement Officer
		P17819	Infringement Officer
		P17820	Infringement Officer
		P17821	Infringement Officer
		P21754	Infringement Officer
		P21755	Infringement Officer
		P21756	Infringement Officer
		P25954	Infringement Officer
P32050	Infringement Officer		
P32057	Infringement Officer		
P32179	Infringement Officer		
P32187	Infringement Officer		
P34158	Infringement Officer		
P37064	Infringement Officer		

Column 1	Column 2	Column 3	Column 4
Section	Function	Position No	Position description
		P37065 P41099 P41100 P41102 P41103 P00354 P01913 P02098 P10837 P11160 P11433 P12565	Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer
Section 36, Part 3, <i>Road Transport (General) Act 1999</i>	Withdraw infringement notice	P21223 P24490 P00867 P37000 P02498 P31761 P36998 P36999 P13861 P19911 P32048 P33199 P04683 P33121 P01038 P04686 P04986 P11968 P11970 P11971 P17807 P17811 P17812 P17819 P17820 P17821 P21754 P21755	Director Manager Public Transport and Audit Director Senior Manager Infringements Manager Infringements Manager Infringements Manager Infringements Manager Infringements Assistant Manager Infringements Assistant Manager Infringements Assistant Manager Infringements Manager Business Development Manager Operations Manager Licensing Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer

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		P21756 P25954 P32050 P32057 P32179 P32187 P34158 P37064 P37065 P41099 P41100 P41102 P41103 P00354 P01913 P02098 P10837 P11160 P11433 P12565	Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer
Section 44A, Part 3, <i>Road Transport (General) Act 1999</i>	Inform road transport authority of non- compliance with infringement notice management plan	E218 P36222 P35718 P41143 P00867 P37000 P02498 P31761 P36998 P36999 P13861 P19911 P32048 P33199 P04683 P33121 P01038 P04686 P04986 P11968	Executive Branch Manager Senior Director Senior Director Senior Director Director Senior Manager Infringements Manager Infringements Manager Infringements Manager Infringements Manager Infringements Assistant Manager Infringements Assistant Manager Infringements Assistant Manager Infringements Manager Business Development Manager Operations Manager Licensing Infringement Officer Infringement Officer Infringement Officer Infringement Officer

Column 1	Column 2	Column 3	Column 4
Section	Function	Position No	Position description
		P11970	Infringement Officer
		P11971	Infringement Officer
		P17807	Infringement Officer
		P17811	Infringement Officer
		P17812	Infringement Officer
		P17819	Infringement Officer
		P17820	Infringement Officer
		P17821	Infringement Officer
		P21754	Infringement Officer
		P21755	Infringement Officer
		P21756	Infringement Officer
		P25954	Infringement Officer
		P32050	Infringement Officer
		P32057	Infringement Officer
		P32179	Infringement Officer
		P32187	Infringement Officer
		P34158	Infringement Officer
		P37064	Infringement Officer
		P37065	Infringement Officer
		P41099	Infringement Officer
		P41100	Infringement Officer
		P41102	Infringement Officer
		P41103	Infringement Officer
		P00354	Registration and Licence Officer
		P01913	Registration and Licence Officer
		P02098	Registration and Licence Officer
		P10837	Registration and Licence Officer
		P11160	Registration and Licence Officer
		P11433	Registration and Licence Officer
		P12565	Registration and Licence Officer

Schedule 2

Column 1	Column 2	Column 3	Column 4
Section	Function	Position No	Position description
Section 14B, <i>Road Transport (Offences) Regulation 2005</i>	Determine additional information to include in reminder notice	P00867	Director
		P37000	Senior Manager Infringements
		P02498	Manager Infringements
		P31761	Manager Infringements
		P36998	Manager Infringements
		P36999	Manager Infringements
		P13861	Assistant Manager Infringements
		P19911	Assistant Manager Infringements
		P32048	Assistant Manager Infringements
		P33199	Manager Business Development
		P04683	Manager Operations
		P33121	Manager Licensing
		P01038	Infringement Officer
		P04686	Infringement Officer
		P04986	Infringement Officer
		P11968	Infringement Officer
		P11970	Infringement Officer
		P11971	Infringement Officer
		P17807	Infringement Officer
		P17811	Infringement Officer
		P17812	Infringement Officer
		P17819	Infringement Officer
		P17820	Infringement Officer
		P17821	Infringement Officer
		P21754	Infringement Officer
		P21755	Infringement Officer
		P21756	Infringement Officer
		P25954	Infringement Officer
		P32050	Infringement Officer
		P32057	Infringement Officer
		P32179	Infringement Officer
		P32187	Infringement Officer
		P34158	Infringement Officer
P37064	Infringement Officer		
P37065	Infringement Officer		
P41099	Infringement Officer		
P41100	Infringement Officer		
P41102	Infringement Officer		

Column 1	Column 2	Column 3	Column 4
Section	Function	Position No	Position description
		P41103 P00354 P01913 P02098 P10837 P11160 P11433 P12565	Infringement Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer Registration and Licence Officer
Section 14D, <i>Road Transport (Offences) Regulation 2005</i>	Allow application out of time if reasonably believe special circumstances justify	P00867 P37000 P02498 P31761 P36998 P36999 P13861 P19911 P32048 P33199 P04683 P33121 P21223 P24490 P01038 P04686 P04986 P11968 P11970 P11971 P17807 P17811 P17812 P17819 P17820 P17821 P21754 P21755 P21756 P25954 P32050 P32057	Director Senior Manager Infringements Manager Infringements Manager Infringements Manager Infringements Manager Infringements Assistant Manager Infringements Assistant Manager Infringements Assistant Manager Infringements Manager Business Development Manager Operations Manager Licensing Director Manager Public Transport and Audit Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer Infringement Officer

Column 1	Column 2	Column 3	Column 4
Section	Function	Position No	Position description
		P32179	Infringement Officer
		P32187	Infringement Officer
		P34158	Infringement Officer
		P37064	Infringement Officer
		P37065	Infringement Officer
		P41099	Infringement Officer
		P41100	Infringement Officer
		P41102	Infringement Officer
		P41103	Infringement Officer
		P00354	Registration and Licence Officer
		P01913	Registration and Licence Officer
		P02098	Registration and Licence Officer
		P10837	Registration and Licence Officer
		P11160	Registration and Licence Officer
		P11433	Registration and Licence Officer
		P12565	Registration and Licence Officer