



Australian Capital Territory

# **Rail Safety National Law (ACT) Regulation 2014**

**SL2014-29**

made under the

**Rail Safety National Law (ACT) Act 2014**

**Republication No 2**

**Effective: 24 February 2017 – 9 February 2023**

Republication date: 24 February 2017

Last amendment made by [SL2017-2](#)

## About this republication

### The republished law

This is a republication of the *Rail Safety National Law (ACT) Regulation 2014*, made under the *Rail Safety National Law (ACT) Act 2014* (including any amendment made under the [Legislation Act 2001](#), part 11.3 (Editorial changes)) as in force on 24 February 2017. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 24 February 2017.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the [Legislation Act 2001](#) applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The [Legislation Act 2001](#), part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see [Legislation Act 2001](#), s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the [Legislation Act 2001](#), section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$150 for an individual and \$750 for a corporation (see [Legislation Act 2001](#), s 133).



Australian Capital Territory

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made under the

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Australian Capital Territory

# **Rail Safety National Law (ACT) Regulation 2014**

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made under the

**Rail Safety National Law (ACT) Act 2014**

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**1 Name of regulation**

This regulation is the *Rail Safety National Law (ACT) Regulation 2014*.

**3 Alcohol screening device—Act, s 10, def *alcohol screening device*, par (b)**

The AlcoQuant 6020 is prescribed.

**4 Drug screening device—Act, s 10, def *drug screening device*, par (b)**

The Medvet Oral7 is prescribed.

**5 Oral fluid analysis instrument—Act, s 10, def *oral fluid analysis instrument*, par (b)**

The following instruments are prescribed:

- (a) AB Sciex QTrap 5500;
- (b) Thermo LTQ Orbitrap Discovery;
- (c) Thermo TSQ Quantum Access;
- (d) Thermo TSQ Quantum Ultra.

**5A Conduct of breath analysis—requirements for statement or notice—Act, s 15 (6) and (7)**

- (1) For the [Act](#), section 15 (6), a written statement given to a rail safety worker in relation to an analysis of the worker's breath must include the following:
  - (a) for the authorised person who carried out the breath analysis—the person's—
    - (i) name or service number; and

- (ii) signature;
  - (b) if the worker was taken into custody under the [Act](#), section 14, to undertake the breath analysis—the service number and signature of the police officer who took the worker into custody;
  - (c) the particulars mentioned in the [Road Transport \(Alcohol and Drugs\) Regulation 2000](#), schedule 1, other than item 4 and item 5.
- (2) For the [Act](#), section 15 (7), a written notice is taken to have been given to a rail safety worker in relation to an analysis of the worker’s breath if a written statement mentioned in subsection (1) has been given to the worker in relation to the analysis.

**6 Oral fluid analysis of sample from worker in custody—requirements for statement—Act, s 21 (4)**

The particulars mentioned in the [Road Transport \(Alcohol and Drugs\) Regulation 2000](#), schedule 2 are required to be included in a statement mentioned in the Act, section 21 (4).

## Endnotes

1 About the endnotes

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## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired



### 3 Legislation history

**Rail Safety National Law (ACT) Regulation 2014 SL2014-29**

notified LR 17 November 2014

s 1, s 2 commenced 17 November 2014 (LA s 75 (1))

remainder commenced 20 November 2014 (s 2 and see [Rail Safety National Law \(ACT\) Act 2014](#) A2014-14, s 2 and LA s 79)

as amended by

**[Rail Safety National Law \(ACT\) Amendment Regulation 2017](#)  
SL2017-2**

notified LR 23 February 2017

s 1, s 2 commenced 23 February 2017 (LA s 75 (1))

remainder commenced 24 February 2017 (s 2)

### 4 Amendment history

**Commencement**

s 2 om LA s 89 (4)

**Conduct of breath analysis—requirements for statement or notice—Act,  
s 15 (6) and (7)**

s 5A ins [SL2017-2](#) s 4

## Endnotes

5 Earlier republications

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### 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

<b>Republication No and date</b>	<b>Effective</b>	<b>Last amendment made by</b>	<b>Republication for</b>
R1 20 Nov 2014	20 Nov 2014– 23 Feb 2017	not amended	new regulation

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