



Australian Capital Territory

Road Transport (Driver Licensing) Amendment Regulation 2017 (No 1)

Subordinate Law SL2017-28

The Australian Capital Territory Executive makes the following regulation under the *Road Transport (Driver Licensing) Act 1999*.

Dated 23 August 2017.

MICK GENTLEMAN
Minister

SHANE RATTENBURY
Minister



Australian Capital Territory

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made under the

[Road Transport \(Driver Licensing\) Act 1999](#)

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Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

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1 Name of regulation

This regulation is the *Road Transport (Driver Licensing) Amendment Regulation 2017 (No 1)*.

2 Commencement

This regulation commences on 1 September 2017.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

3 Legislation amended

This regulation amends the *Road Transport (Driver Licensing) Regulation 2000*.

4 Section 41

omit

6 years

substitute

11 years

5 Section 64A (2) (a), note

omit

s 138AB

substitute

s 138A

6 Section 86 (2) (c)

omit

5 years

substitute

10 years

7 Section 107 (2), new note

insert

Note For par (c), the road transport authority may use the person's photograph that the authority holds for the [Road Transport \(Driver Licensing\) Act 1999](#), s 36 (see s 138A).

8 Part 8A

substitute

Part 8A Protection of photographs and signatures

**138A Use of photographs by road transport authority—
Act, s 36 (1) (g)**

The road transport authority may use a photograph in producing—

- (a) a public vehicle driver authority card for section 64A; or
- (b) a driving instructor, or heavy vehicle driver assessor, certificate of accreditation for section 107.

Note For other circumstances when a photograph or signature may be used by the road transport authority, see the [Act](#), s 36.

138B Disclosure of photographs and signatures by road transport authority—Act, s 37 (1) (g)

- (1) The road transport authority may disclose—
- (a) a photograph or signature of a person to the commissioner for fair trading for the administration or enforcement of the [Liquor Act 2010](#) (including in relation to the investigation of, or the conduct of a criminal proceeding for, an offence in relation to a proof of identity card); or
 - (b) a photograph of a person for the purpose of reproducing the person's likeness on any of the following:
 - (i) a licence certificate, or registration certificate, for the person under the [Agents Act 2003](#);
 - (ii) a licence for the person under the [Security Industry Act 2003](#);
 - (iii) a registration card for the person under the [Working with Vulnerable People \(Background Checking\) Act 2011](#);
 - (iv) a high risk work licence document for the person under the [Work Health and Safety Regulation 2011](#).
- Note 1* For other circumstances when a photograph or signature may be disclosed by the road transport authority, see the [Act](#), s 37.
- Note 2* The Territory privacy principles apply to a person to whom a photograph is disclosed (see [Information Privacy Act 2014](#), sch 1).
- (2) A photograph may be disclosed at the time the photograph is taken by, or given to, the road transport authority or at any later time.

9 Dictionary, note 3

insert

- signature.

10 Dictionary, definitions of *photograph, signature and the Act*

omit

Endnotes

1 Notification

Notified under the [Legislation Act](#) on 28 August 2017.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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