

Road Transport (General) Application of Road Transport Legislation Declaration 2017 (No 2)

Disallowable Instrument DI2017–24

made under the

Road Transport (General) Act 1999, section 12 (Power to include or exclude areas in road transport legislation)

EXPLANATORY STATEMENT

Section 12(1)(b) of the *Road Transport (General) Act 1999* (the Act) empowers the Minister to declare that a provision of the road transport legislation does not apply to a road or road related area. Section 12(3) of the Act makes such a declaration a disallowable instrument.

Section 6 of the Act provides that road transport legislation includes the *Road Transport (Safety and Traffic Management) Act 1999*. Section 104 of the *Legislation Act 2001* states that a reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation. Section 6 of the *Road Transport (Safety and Traffic Management) Regulation 2000* incorporates the Australian Road Rules (ARR) and these therefore form part of the road transport legislation.

This declaration is made to support parking arrangements for AFL fixtures at Manuka Oval during the 2017 AFL Premiership Season. The effect of the declaration is to allow motorists attending AFL fixtures at Manuka Oval during the 2017 AFL Premiership fixtures on the dates specified in section 4 of the instrument to park in non-pay time limited parking spaces near Manuka Oval for a longer period of time than that specified on the relevant parking sign. Rule 204 ARR provides for time limited permissive parking signs. Two key terms, Australian Road Rules and time limited permission parking signs, are defined in section 3 of the instrument.

Outline of provisions

Clause 1 names the instrument the *Road Transport (General) Application of Road Transport Legislation Declaration 2017 (No 2)*.

Clause 2 states that the instrument commences on the day after it is notified.

Clause 3 declares that ARR 205 (Parking for longer than indicated) does not apply to a road or road related area where a time limited permissive parking sign applies, within the area identified in the schedule.

Clause 4 provides that the declaration has effect during the following periods:

- i. 10 March 2017, 11:00am to 11:59pm, and
- ii. 18 March 2017, 11:00am to 11:59pm, and
- iii. 15 April 2017, 11:00am to 11:59pm, and
- iv. 28 April 2017, 11:00am to 11:59pm, and
- v. 5 August 2017, 11:00am to 11:59pm.

Clause 5 provides that the declaration expires on 6 August 2017.

A regulatory impact statement is not required as this instrument does not impose appreciable costs on the community or a part of the community (see s 34(1) *Legislation Act 2001*). Further, the temporary suspension of parking rules to support major events at Manuka Oval does not operate to the disadvantage of anyone by adversely affecting their rights or imposing liabilities on the person (see s 36(1) *Legislation Act*).