

Road Transport (General) Application of Road Transport Legislation (Manuka Oval) Declaration 2019 (No 2)

Disallowable instrument DI2019–235

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 33 of the *Road Transport (Safety and Traffic Management) Act 1999* incorporates the *Road Transport (Road Rules) Regulation 2017* which forms part of the road transport legislation.

This declaration is made to support parking arrangements for major cricket events at Manuka Oval in 2019 and 2020. The effect of the declaration is to allow motorists attending major cricket events at Manuka Oval on the dates specified in clause 4 of the instrument to park in non-pay time limited parking spaces near Manuka Oval for a longer period of time than is specified on the relevant parking sign.

Outline of provisions

Clause 1 names the instrument the *Road Transport (General) Application of Road Transport Legislation (Manuka Oval) Declaration 2019 (No 2)*.

Clause 2 states that the instrument is taken to have commenced on 24 October 2019. This retrospective commencement is non-prejudicial and is necessary to ensure that the disapplication of section 205 (Parking for longer than indicated) of the *Road Transport (Road Rules) Regulation 2017* to the areas identified in the schedule is in place for the first event to which this instrument applies.

Clause 3 declares that for the periods set out in clause 4, section 205 (Parking for longer than indicated) of the *Road Transport (Road Rules) Regulation 2017* 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. 11am and 11:59pm on Thursday 24 October 2019
- ii. 2pm and 11:59pm on Tuesday 5 November 2019
- iii. 11am and 7pm on Wednesday 27 November 2019
- iv. 12pm and 11:59pm on Friday 21 December 2019
- v. 2pm and 11:59pm on Wednesday 15 January 2020
- vi. 11am and 7pm on Friday 31 January 2020
- vii. 11am and 7pm on Saturday 1 February 2020
- viii. 11am and 7pm on Sunday 2 February 2020
- ix. 11am and 11:59pm on Wednesday 26 February 2020
- x. 11am and 11:59pm on Thursday 27 February 2020
- xi. 11am and 11:59pm on Friday 28 February 2020

Clause 5 provides that the declaration expires on 1 March 2020.

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*).