

Road Transport (General) Exclusion of Road Transport Legislation (Summernats) Declaration 2010 (No 1)

Disallowable instrument DI2010—312

made under the

Road Transport (General) Act 1999, section 13 (Power to exclude vehicles, persons or animals from road transport legislation)

1 Name of instrument

This instrument is the *Road Transport (General) Exclusion of Road Transport Legislation (Summernats) Declaration 2010 (No 1)*.

2 Commencement

- (1) Clause 3, clause 4 and clause 6 (1) commence on 5 January 2011.
- (2) The remaining provisions of this instrument commence on the day after its notification.

3 Third-party insurance—declaration

- (1) The *Road Transport (Third-Party Insurance) Act 2008* does not apply to a designated vehicle within the declared area of Exhibition Park in Canberra.

Note A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation (see Legislation Act, s 104).

- (2) However subclause (1) does not apply if the designated vehicle is—
 - (a) covered under a policy of compulsory third-party insurance of a place other than the ACT or under a law of the Commonwealth; or
 - (b) subject to coverage under a compulsory motor vehicle or trailer accident compensation scheme of a place other than the ACT or of the Commonwealth.
- (3) In this clause:

designated vehicle means any of the following vehicles:

- (a) a registered entrant motor vehicle;
- (b) a registered promotional vehicle;
- (c) an unidentified motor vehicle;

(d) an uninsured motor vehicle.

Note For the application of this clause to trailers, see the definitions of the relevant terms.

registered means registered under the *Road Transport (Vehicle Registration) Act 1999*.

unidentified motor vehicle—see the *Road Transport (Third-Party Insurance) Act 2008*, section 62.

uninsured motor vehicle—see the *Road Transport (Third-Party Insurance) Act 2008*, section 60.

4 Vehicle registration and standards—declaration

(1) The prescribed vehicle registration and standards provisions do not apply to a relevant vehicle within the declared area of Exhibition Park in Canberra.

(2) In this clause:

prescribed vehicle registration and standards provisions means—

(a) the following provisions of the *Road Transport (Vehicle Registration) Act 1999*:

- (i) section 18 (Prohibition on using unregistered registrable vehicles or vehicles with suspended registration);
- (ii) section 26 (Using certain defective vehicles); and

(b) the following provisions of the *Road Transport (Vehicle Registration) Regulation 2000*:

- (i) section 108 (Emission control systems to be fitted and properly maintained);
- (ii) section 109 (Motor vehicles not complying with sch 1);
- (iii) section 110 (Trailers not complying with sch 1);
- (iv) section 111 (Combinations not complying with sch 1).

relevant vehicle means—

- (a) an entrant motor vehicle; or
- (b) a promotional vehicle.

Note For the application of this clause to trailers, see the definitions of the relevant terms.

5 Definitions

In this instrument:

declared area, of Exhibition Park in Canberra, means that part of Exhibition Park in Canberra enclosed by the fence outlined in Schedule 1.

entrant motor vehicle means a motor vehicle or trailer that is entered in the event.

event means the event known as *The Street Machine Summernats 24 Car Festival* held at Exhibition Park in Canberra on 5 January 2011 to 10 January 2011, and includes preparatory activities for the event occurring within Exhibition Park in Canberra on 5 and 6 January 2011.

promotional vehicle means a motor vehicle or trailer that is categorised by Summernats Pty Ltd, ACN 4848 139 042 961, as a promotional vehicle for the event.

6 Expiry

- (1) Clause 3 and clause 4 expire at midday on 10 January 2011.
- (2) The remaining provisions of this instrument expire on 10 January 2011.

Note The instrument expires at midnight (see Legislation Act, s 85 (3)).

Jon Stanhope MLA
Minister for Transport
17 December 2010

Schedule 1-Declared Area
 (see declared area, cl 5)

