

**2004**

## **Road Transport (General) Amendment Bill 2004**

### **Explanatory Statement**

#### **Outline**

The Road Transport (General) Amendment Bill 2004 (“the Bill”) is intended to clarify the legal effect of Ministerial Declarations made under section 12 of the *Road Transport (General) Act 1999* (“the Act”).

Section 12 of the Act permits the Minister for Urban Services to declare, in writing, that road transport legislation, or a provision of the road transport legislation, does not apply to a road or road related area.

The Bill affirms the ability of the Minister to make a declaration which suspends the application of the Compulsory Third Party motor vehicles insurance scheme where the owner or driver of a motor vehicle is participating in a lawful motor sports event.

This enables any third-party insurance policies held by the organisers of the motor sports event to come into effect.

**Clause 1** states the name of the Act being created.

**Clause 2** provides the date of commencement for the Act.

**Clause 3** states the name of the instrument being amended by the Act.

**Clause 4** adds sub section numbering to the existing section 171 of the *Road Transport (General) Act 1999*.

**Clause 5** creates a new section 171(2) and (3).  
Section 171(2) states that a third-party policy does not insure the owner or driver of a motor vehicle where:

- (a) the motor vehicle is within an area which is subject to a Ministerial declaration under section 12 of the *Road Transport (General) Act 1999*; or
- (b) the motor vehicle is subject to a Ministerial declaration under section 13 of the *Road Transport (General) Act 1999*; or
- (c) the owner or driver of the motor vehicle is subject to a Ministerial declaration under section 13 of the *Road Transport (General) Act 1999*.

Section 171(3) clarifies that the reference to any other territory law in s. 169(1) of the *Road Transport (General) Act 1999* does not refer to section 171 or a declaration made under section 12 or 13.