

**2005**

**THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY**

**ROAD TRANSPORT (GENERAL) ACT 1999**

**ROAD TRANSPORT (GENERAL) (APPLICATION OF ROAD  
TRANSPORT LEGISLATION) REVOCATION 2005 (No.1)**

**DISALLOWABLE INSTRUMENT DI2005– 79**

**EXPLANATORY STATEMENT**

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John Hargreaves MLA  
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## AUSTRALIAN CAPITAL TERRITORY

### ROAD TRANSPORT (GENERAL) (APPLICATION OF ROAD TRANSPORT LEGISLATION) REVOCATION 2005 (No.1)

#### DISALLOWABLE INSTRUMENT DI2005-79

#### EXPLANATORY STATEMENT

This instrument repeals disallowable instrument DI2005-85 that declared the road transport legislation did not apply to the ACT roads and road related areas used when vehicles were competing in the timed special (competitive) stages of the Brindabella Motor Sport Club Snap-On Fyshwick Classic Stages Rally that was to have taken place on 25 June 2005.

The rally was cancelled due to unsuitable road conditions following heavy rain.

Disallowable instrument DI2005-85 was made under subsection 12(1) of the *Road Transport (General) Act 1999* that authorises the Minister to declare that the road transport legislation does not apply to a road or road related area. Subsection 12(3) of that Act makes such a declaration a disallowable instrument.

Under subsection 46 (1) of the *Legislation Act 2001*, the power given under an Act or statutory instrument (the authorising law) to make a statutory instrument includes power to amend or repeal the instrument.

Subsection 46 (2) of the *Legislation Act 2001* provides that the power to amend or repeal the instrument is exercisable in the same way, and subject to the same conditions, as the power to make the instrument. This instrument is therefore also a disallowable instrument.