

**2002**

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

**ROAD TRANSPORT (GENERAL) REVOCATION OF  
DECLARATION FOR TRAFFIC MARSHALLS 2002**

**EXPLANATORY STATEMENT**

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Bill Wood MLA  
Minister for Urban Services

# AUSTRALIAN CAPITAL TERRITORY

## ROAD TRANSPORT (GENERAL) REVOCATION OF DECLARATION FOR TRAFFIC MARSHALS 2002

### INSTRUMENT NO DI2002-232

#### EXPLANATORY STATEMENT

Australian Road Rule (ARR) 304 allows police officers or persons authorised for that road rule (traffic marshals) to direct traffic at roadworks, and at sporting and other events involving road closures or interruptions to traffic.

Sections 19 to 21 of the *Road Transport (General) Act 1999* (the Act) specify requirements for the authorisation of authorised persons based on those for the appointment of public servants. These requirements are intended for authorised persons with enforcement powers (eg parking inspectors) but are unnecessarily onerous and complex for traffic marshals. Traffic marshals are often volunteers, and may only be appointed for a single event.

In Instrument No 371 of 2000 dated 11 December 2000 the Minister for Urban Services declared that paragraphs 19(3)(a) and (b), and sections 20 and 21, of the Act do not apply to a person who is a traffic marshal for a specified designated activity. This instrument exempted traffic marshals from the requirement to be an Australian citizen or permanent resident of Australia, to have a criminal and employment check, and to be issued with and use an identity card. The requirement for traffic marshals to be adequately trained to exercise their powers remained.

In view of the ongoing, and long term, need for these arrangements, the exemptions provided by Ministerial Declaration are now contained in regulation 10 of the *Road Transport Legislation Amendment Regulations 2002*. Accordingly, the Ministerial Declaration can be revoked, upon commencement of this regulation.