

Australian Capital Territory

Road Transport (Safety and Traffic Management) Child Restraints Approval 2011

Disallowable Instrument DI2011-30

made under the

Road Transport (Safety and Traffic Management) Regulation 2000, section 66(1)(b) (power to approve a child restraint as an approved child restraint)

EXPLANATORY STATEMENT

Commencement of the legislation to implement the nationally agreed revised child restraint laws in the ACT on 15 March 2011 necessitates a revision of the ACT's disallowable instrument for an 'approved child restraint'. New Rule 266(7) in the Australian Road Rules (February 2008 version) provides that an 'approved child restraint means a child restraint approved, for the Australian Road Rules, under another law of this jurisdiction'. This instrument specifies the types of child restraints that are approved by the Road Transport Authority for new Rule 266 under section 66(1)(b) of the *Road Transport (Safety and Traffic Management) Regulation 2000*.

Approval of a child restraint as an approved child restraint is made by persons who have the delegated power provided by the Road Transport Authority under section 17(1) of the *Road Transport (General) Act 1999*.

Clauses 1 to 3 are formal provisions that deal with the name and commencement of the new instrument, and revoke its predecessor.

Clause 4 is the approval of an *approved child restraint*. It refers to the Australian Standard for child restraints, AS/NZS 1754. Approved child restraints are marked with the letters and numbers AS/NZS 1754.

The purpose of Clause 5 is to ensure that section 47(6) of the *Legislation Act 2001* does not apply, so that the referred Australian Standard does not have to be notified on the Legislation Register each time it is amended. It should be noted that the Australian Standards are copyright and therefore it would not be possible to notify them on the Legislation Register.

Clause 6 sets out definitions used in the instrument.

This declaration is a disallowable instrument, and must be presented to the Legislative Assembly within 6 sitting days after its notification in pursuance of section 64 of the *Legislation Act 2001*.