

AUSTRALIAN CAPITAL TERRITORY
ROAD TRANSPORT (GENERAL) ACT 1999

**GUIDELINES ABOUT WITHDRAWAL OF INFRINGEMENT
NOTICES**

INSTRUMENT No. 243 OF 2001

EXPLANATORY STATEMENT

This Instrument provides for guidelines about withdrawal of infringement notices and it is the first time that these guidelines have been formalised in an Instrument.

If a person who has been issued with a parking infringement notice believes that they have grounds for the infringement to be withdrawn, they may write and request the Road Transport Authority (the Authority) to withdraw it. Section 31 the *Road Transport (General) Act 1999* provides for the Authority to withdraw infringement notices.

Since the Australian Road Rules and associated ACT Road Transport legislation were introduced in March 2000, the Authority has used administrative guidelines to assess requests for withdrawal.

The Authority has made the guidelines available to people on request. Requests for the guidelines have become more common, and it would now be appropriate that they be formally approved in accordance with the *Road Transport (General) Act 1999*.

Under Section 32 of the *Road Transport (General) Act 1999* guidelines may be formally issued about the withdrawal of infringement notices. Further, Section 32 provides that the administering authority for an infringement notice offence must comply with any guidelines in place and that the guidelines are a disallowable instrument for the *Subordinate Laws Act 1989*.

The attached Instrument and schedule meet the requirements of Section 32 of the *Road Transport (General) Act 1999*. The specific offences mentioned in the schedule are those that relate to parking offences.

The Instrument applies from the date of gazettal.