

2017

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**ROAD TRANSPORT (SAFETY AND TRAFFIC
MANAGEMENT) AMENDMENT REGULATION 2017 (No 1)**

SL2017-16

EXPLANATORY STATEMENT

Gordon Ramsay MLA
A/g Minister for Justice, Consumer Affairs and Road Safety

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) AMENDMENT REGULATION 2017 (No 1)

Introduction

This explanatory statement relates to the *Road Transport (Safety and Traffic Management) Amendment Regulation 2017 (No 1)* (this regulation) as presented to the Legislative Assembly. It has been prepared to assist the reader of the regulation and to help inform debate on it. It does not form part of the regulation and has not been endorsed by the Assembly.

The Statement must be read in conjunction with the regulation. It is not, and is not meant to be, a comprehensive description of the regulation. What is said about a provision is not taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

Outline

This regulation amends the *Road Transport (Safety and Traffic Management) Regulation 2000* (the principal regulation), made under the *Road Transport (Safety and Traffic Management) Act 1999* (the Act).

Section 102 of the principal regulation provides the definition of traffic offence detection devices. This regulation amends the definition of **fixed camera detection device** to include a loop detector measuring device as a component of the Gatsometer Traffic Camera (T-series) (GT20).

It also amends the definition of **radar speed measuring device**, to include the Gatsometer RT4 tracking radar. Section 103 of the principal regulation provides that for the Act (definition of approved camera detection device, definition of approved speed measuring device and definition of approved average speed detection system), each device mentioned in section 102 is approved.

Under the Act, approving devices before they are used means that evidence certificates can be used in prosecutions, instead of having to prove the effectiveness of the device in each prosecution.

There are no human rights implications arising from the amendment made by this regulation.

There are no climate change implications associated with this amendment.

Notes on clauses

Clause 1 Name of regulation

This formal provision sets out the name of this regulation.

Clause 2 Commencement

This formal provision provides for the commencement of this regulation.

Clause 3 Legislation amended

This clause lists the legislation to be amended by this regulation. This regulation will amend the principal regulation.

Clause 4 Section 102, definition of *fixed camera detection device*, paragraph (e)

This clause amends the reference to the approved fixed camera detection device, Gatsometer Traffic Camera (T-series) (GT20), to include a new component, a loop detector speed measuring device. Each device listed in the definition of fixed camera detection device is, by virtue of section 103 (1) of the principal regulation, approved as an *approved camera detection device* for the purposes of the Act.

Clause 5 Section 102, definition of *radar speed measuring device*, new paragraph (ba)

This clause inserts a new radar speed measuring device which is a component of the fixed camera detection device approved under clause 4. This device is the updated model of the currently approved Gatsometer RT3 tracking radar. This clause approves this device as an *approved speed measuring device*, by virtue of section 103 (2) of the principal regulation, for the purposes of the Act.