

Australian Capital Territory

Road Transport (General) Application of Road Transport Legislation (Manuka Oval) Declaration 2021 (No 4)

Disallowable instrument DI2021–42

made under the

Road Transport (General) Act 1999, section 12 (Power to include or exclude areas in road transport legislation)

EXPLANATORY STATEMENT

Section 12 (1) (b) of the *Road Transport (General) Act 1999* (the Act) empowers the Minister to declare that a provision of the road transport legislation does not apply to a road or road related area. Section 12 (3) of the Act makes such a declaration a disallowable instrument.

Section 6 of the Act provides that road transport legislation includes the *Road Transport (Safety and Traffic Management) Act 1999*. Section 104 of the *Legislation Act 2001* states that a reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation. Section 33 of the *Road Transport (Safety and Traffic Management) Act 1999* incorporates the *Road Transport (Road Rules) Regulation 2017* which forms part of the road transport legislation.

This declaration is made to support parking arrangements for major sporting events at Manuka Oval in 2021 and the ever-changing landscape of the current COVID-19 pandemic. The effect of the declaration at clause 3 is to allow motorists attending an Australian Football League match or designated match at Manuka Oval within the period of 6 March 2021 to 21 August 2021 to park in non-pay time limited parking spaces near Manuka Oval for a longer period of time than is specified on the relevant parking sign from two hours before the scheduled starting time of the match until 11:59 pm that day. The schedule includes a map of the area surrounding Manuka Oval in which section 205 of the *Road Transport (Road Rules) Regulation 2017* will be disappplied for the periods set out in clause 4.

A regulatory impact statement is not required as this instrument does not impose appreciable costs on the community or a part of the community (see s 34 (1) *Legislation Act 2001*). Further, the temporary suspension of parking rules to support major sporting events at Manuka Oval does not operate to the disadvantage of anyone

by adversely affecting their rights or imposing liabilities on the person (see s 36 (1) *Legislation Act 2001*).

Clause Notes

Clause 1 names the instrument the *Road Transport (General) Application of Road Transport Legislation (Manuka Oval) Declaration 2021 (No 4)*.

Clause 2 states that the instrument commences on 6 March 2021.

Clause 3 declares that for the periods set out in clause 4, section 205 (Parking for longer than indicated) of the *Road Transport (Road Rules) Regulation 2017* does not apply to a road or road related area where a time limited permissive parking sign applies, within the area identified in the schedule.

Scheduled sporting matches have been subject to change with minimal notice over the last 12 months due to the current COVID-19 pandemic.

To support upcoming AFL matches scheduled to take place at Manuka Oval, the effect of the declaration allows motorists attending an Australian Football League match or designated match at Manuka Oval within the period of 6 March 2021 to 21 August 2021 to park in non-pay time limited parking spaces near Manuka Oval for a longer period of time than is specified on the relevant parking sign. The declaration has effect beginning two hours before the scheduled starting time of the match until 23:59 pm that day.

Clause 4 sets out the period for which the declaration in cause 3 applies.

Clause 5 provides that the declaration expires on 22 August 2021.

Clause 6 contains definitions for the instrument.

The **Schedule** provides a map of the area where section 205 (Parking for longer than indicated) of the *Road Transport (Road Rules) Regulation 2017* is to be disapplied, with the area marked by a thick dark line.