

Road Transport (General) (Infringement Notice Offences) Delegation 2010 (No 1)

Notifiable Instrument NI2010—107

made under the

Road Transport (General) Act 1999, section 54(1)(b) (Delegation of administering authority's functions)

1 Name of Instrument

This instrument is the *Road Transport (General) (Infringement Notice Offences) Delegation 2010 (No 1)*.

2 Commencement

This instrument commences on 3 March 2010.

3 Defined terms

The dictionary in clause 7 provides definitions for this instrument.

4 Delegation of functions – parking related offences

- (1) I delegate all my functions under part 3 of the *Road Transport (General) Act 1999* and section 11 of the *Road Transport (Offences) Regulation 2005* to the person who occupies a position listed in column 1 of table 1 of schedule 1.

Note 1 Occupy a position includes hold the position, act in the position and exercise functions of the position (see Legislation Act, dictionary, part 1).

Note 2 Section 15 of the *Road Transport (Offences) Regulation 2005* allows the administering authority to delegate their infringement notice offence functions to a public employee.

- (2) In respect of each item in the table 2 of schedule 1, I delegate the function listed in column 1 of that item to a person who occupies a position listed in column 3 of that item.
- (3) The delegations in table 1 and table 2 of schedule 1 are limited to matters relating to the infringement notice offences mentioned in section 8 (1) (a) and (f) of the *Road Transport (Offences) Regulation 2005*.

5 Delegation of functions – other road transport related offences

- (1) I delegate all my functions under part 3 of the *Road Transport (General) Act 1999* and section 11 of the *Road Transport (Offences) Regulation 2005* to the person who occupies a position listed in column 1 of table 3 of schedule 1.

Note 1 Occupy a position includes hold the position, act in the position and exercise functions of the position (see Legislation Act, dictionary, part 1).

Note 2 Section 15 of the *Road Transport (Offences) Regulation 2005* allows the administering authority to delegate their infringement notice offence functions to a public employee.

- (2) In respect of each item in the table 4 of schedule 1, I delegate the function listed in column 1 of that item to a person who occupies a position listed in column 3 of that item.
- (3) The delegations in table 3 and table 4 of schedule 1 are limited to matters relating to the infringement notice offences mentioned in section 8 (1) (b), (c), (d) and (e) of the *Road Transport (Offences) Regulation 2005*.

6 Revocation

Instrument of Delegation NI2008-143 dated 28 April 2008 is revoked.

7 Dictionary

In this instrument:

JACS means the Department of Justice and Community safety.

TAMS means the Department of Territory and Municipal Services.

Gary John Byles
Road Transport Authority

1 March 2010

Road Transport (General) (Infringement Notice Offences) Delegation 2010 (No 1) – Schedule 1

Delegations in relation to infringement notice offences mentioned in sections 8 (1) (a) and (f) of the Road Transport (Offences) Regulation 2005

Table 1 – General delegations

Item Number	column 1 Position number	column 2 Position description
1.01	E902	Chief Executive, JACS
1.02	E480	Executive Director, Office of Regulatory Services, JACS
1.03	P21707	Manager, Parking Operations, JACS

Table 2 – Specific delegations

Item Number	column 1 Function being delegated	column 2 Description of function	column 3 Position number of delegate	column 4 Description of delegate's position
2.01	Section 28 of the <i>Road Transport (General) Act 1999</i>	Allow extra time to pay penalty for an infringement notice offence	2498	Team Leader Parking Review Office, JACS
			13861	Senior Review Officer, Parking Review Office, JACS
			4686, 11971, 11970, 4986, 1038, 11968	Review Officers, Parking Review Office, JACS
2.02	Section 30(2) of the <i>Road Transport (General) Act 1999</i>	Withdraw or refuse to withdraw an infringement notice or reminder notice in certain circumstances	2498	Team Leader Parking Review Office, JACS
			13861	Senior Review Officer, Parking Review Office, JACS
			4686, 11971, 11970, 4986, 1038, 11968	Review Officers, Parking Review Office, JACS
2.03	Section 31(2) of the <i>Road Transport (General) Act 1999</i>	Withdraw an infringement notice or reminder notice in certain circumstances	2498	Team Leader Parking Review Office, JACS
			13861	Senior Review Officer, Parking Review Office, JACS

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Delegations in relation to infringement notice offences mentioned in sections 8 (1) (a) and (f) of the Road Transport (Offences) Regulation 2005

Item Number	column 1 Function being delegated	column 2 Description of function	column 3 Position number of delegate	column 4 Description of delegate's position
2.04	Section 52(2) of the <i>Road Transport (General) Act 1999</i>	Allow extra time to dispute an infringement notice or reminder notice	2498	Team Leader Parking Review Office, JACS
			13861	Senior Review Officer, Parking Review Office, JACS
			4686, 11971, 11970, 4986, 1038, 11968	Review Officers, Parking Review Office, JACS
2.05	Section 53 of the <i>Road Transport (General) Act 1999</i>	Lay information in relation to infringement notice offences	2498	Team Leader, Parking Review Office, JACS
			13861	Senior Review Officer, Parking Review Office, JACS
2.06	Section 56 of the <i>Road Transport (General) Act 1999</i>	Provide evidentiary certificates for proceedings relating to infringement notice offences	2498	Team Leader, Parking Review Office, JACS
			13861	Senior Review Officer, Parking Review Office, JACS

Delegations in relation to infringement notice offences mentioned in section 8 (1) (b), (c), (d) and (e) of the Road Transport (Offences) Regulation 2005

Table 3 – General delegations

Item number	column 1 Position number	column 2 Position description
3.01	E511	Executive Director, Transport and Infrastructure Division, TAMS
3.02	E0276	Director, Roads ACT, TAMS
3.03	P46114	General Manager, Transport Regulation and Planning, TAMS

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Delegations in relation to infringement notice offences mentioned in section 8 (1) (b), (c), (d) and (e) of the Road Transport (Offences) Regulation 2005

Table 4 – Specific delegations

Item Number	column 1 Function being delegated	column 2 Description of function	column 3 Position number of delegate	column 4 Description of delegate's position
4.01	Section 28 of the <i>Road Transport (General) Act 1999</i>	Allow extra time to pay penalty for an infringement notice offence	867	Manager, Road User Services, TAMS
			4683	Manager Operations Road User Services, TAMS
			21223	Manager, Public Transport Regulation, TAMS
			24490	Senior Policy Officer, Public Transport Regulation, TAMS
4.02	Section 30(2) of the <i>Road Transport (General) Act 1999</i>	Withdraw or refuse to withdraw an infringement notice or reminder notice in certain circumstances	867	Manager, Road User Services, TAMS
			4683	Manager Operations Road User Services, TAMS
			21223	Manager, Public Transport Regulation, TAMS
			24490	Senior Policy Officer, Public Transport Regulation, TAMS
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Item Number	column 1 Function being delegated	column 2 Description of function	column 3 Position number of delegate	column 4 Description of delegate's position
4.05	Section 53 of the <i>Road Transport (General) Act 1999</i>	Lay information in relation to infringement notice offences	867	Manager, Road User Services, TAMS
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