

Road Transport (General) Delegation 2013 (No 1)*

Notifiable Instrument NI2013—233

made under the

Road Transport (General) Act 1999, section 17(1) (Delegation of Road Transport Authority's functions)

and

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

1 Name of instrument

This instrument is the *Road Transport (General) Delegation 2013 (No 1)*.

2 Commencement

This instrument commences on 24 May 2013.

3 Delegation of functions

(1) I delegate the Road Transport Authority's functions under a provision of the Road Transport legislation specified in column 1 of schedule 1 to the person occupying or performing the duties of the position specified in column 3 of schedule 1.

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

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

(2) In respect of each item in the tables 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.

*Name amended under Legislation Act, s 60

4 Definitions

In this instrument:

PN means position number.

RUS means Road User Services.

ORS means Office of Regulatory Services.

IMPU means Infringement Management Plan Unit

TR means Transport Regulation.

Kathy Leigh
Road Transport Authority

20 May 2013

Road Transport (General) Delegation 2013 (No 1)

SCHEDULE 1

Column 1
Road Transport
description
legislation
provision

Column 2
Function description

Column 3
Position

Column 4
Position

Road Transport (General) Act 1999			
Section 29 (1), (2), (3) and (4)	Allow extension of time to do things	PN E 00346 PN 867 PN 31761 PN 32048 PN 32050 PN 04686 PN 32057 PN 32179 PN 32187 PN 04683 PN 33121	Senior Director, TR Manager, RUS Manager, IMPU Assistant Manager, IMPU Client Service Officer, IMPU Manager, Operations Manager, Compliance
Section 31B(1)	<u>Allow</u> or <u>refuse</u> an application for an infringement notice management plan	PN E 00346 PN 867 PN 31761 PN 32048 PN 32050 PN 04686 PN 32057 PN 32179 PN 32187 PN 04683 PN 33121	Senior Director, TR Manager, RUS Manager, IMPU Assistant Manager, IMPU Client Service Officer, IMPU Manager, Operations Manager, Compliance
Section 31B(2)	Ask an applicant for an infringement notice management plan or a person mentioned in the application for more information	PN E 00346 PN 867 PN 31761 PN 32048 PN 32050 PN 04686 PN 32057 PN 32179 PN 32187 PN 04683 PN 33121	Senior Director, TR Manager, RUS Manager, IMPU Assistant Manager, IMPU Client Service Officer, IMPU Manager, Operations Manager, Compliance

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Section 31B(3)	Allow payment by instalments if a person is the holder of a card mentioned in section 31A(4)(b); or if satisfied on reasonable grounds that it is justified because of a person's financial circumstances	PN E 00346 PN 867 PN 31761 PN 32048 PN 32050 PN 04686 PN 32057 PN 32179 PN 32187 PN 04683 PN 33121	Senior Director, TR Manager, RUS Manager, IMPU Assistant Manager, IMPU Client Service Officer, IMPU Manager, Operations Manager, Compliance
Section 31B (4)	Allow participation in a community work or social development program under section 31C	PN E 00346 PN 867 PN 31761 PN 32048 PN 04683 PN 33121	Senior Director, TR Manager, RUS Manager, IMPU Assistant Manager, IMPU Manager, Operations Manager, Compliance
Section 31B (5)	Decide the amount of the instalments that must be paid	PN E 00346 PN 867 PN 31761 PN 32048 PN 32050 PN 04686 PN 32057 PN 32179 PN 32187 PN 04683 PN 33121	Senior Director, TR Manager, RUS Manager, IMPU Assistant Manager, IMPU Client Service Officer, IMPU Manager, Operations Manager, Compliance

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Section 31B(6)	Tell an applicant for an infringement notice management plan about the arrangements for paying the infringement notice penalty by instalments; and if application is refused – tell the applicant in writing about the refusal and the reasons for the refusal	PN E 00346 PN 867 PN 31761 PN 32048 PN 32050 PN 04686 PN 32057 PN 32179 PN 32187 PN 04683 PN 33121	Senior Director, TR Manager, RUS Manager, IMPU Assistant Manager, IMPU Client Service Officer, IMPU Manager, Operations Manager, Compliance
Section 31C (1) and (4)	Ask director-general if director general agrees to participation of an applicant for an infringement notice management plan, in an approved community work or social development program, and approve application if director general agrees	PN E 00346 PN 867 PN 31761 PN 32048 PN 04683 PN 33121	Senior Director, TR Manager, RUS Manager, IMPU Assistant Manager, IMPU Manager, Operations Manager, Compliance
Section 31G (1)	Allow or refuse application for waiver of penalty	PN E 00346 PN 867 PN 31761 PN 32048 PN 04683 PN 33121	Senior Director, TR Manager, RUS Manager, IMPU Assistant Manager, IMPU Manager, Operations Manager, Compliance
Section 31G (2)	Ask for additional information from an applicant for waiver	PN E 00346 PN 867 PN 31761 PN 32048 PN 04683 PN 33121	Senior Director, TR Manager, RUS Manager, IMPU Assistant Manager, IMPU Manager, Operations Manager, Compliance

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Section 31G(3)	Allow application for waiver	PN E 00346 PN 867 PN 31761 PN 32048 PN 04683 PN 33121	Senior Director, TR Manager, RUS Manager, IMPU Assistant Manager, IMPU Manager, Operations Manager, Compliance
Section 31G(4)	Consult with director general	PN E 00346 PN 867 PN 31761 PN 32048 PN 04683 PN 33121	Senior Director, TR Manager, RUS Manager, IMPU Assistant Manager, IMPU Manager, Operations Manager, Compliance
Section 31G(5)	Tell an applicant for waiver if application allowed and if application is refused – tell the applicant in writing about the refusal and the reasons for the refusal	PN E 00346 PN 867 PN 31761 PN 32048 PN 04683 PN 33121	Senior Director, TR Manager, RUS Manager, IMPU Assistant Manager, IMPU Manager, Operations Manager, Compliance
Section 36A (2)	Where infringement notice is withdrawn, cancel the infringement notice management plan and provide a refund; or cancel the plan; or remove the penalty for the infringement from the plan	PN E 00346 PN 867 PN 31761 PN 32048 PN 32050 PN 04686 PN 32057 PN 32179 PN 32187 PN 04683 PN 33121	Senior Director, TR Manager, RUS Manager, IMPU Assistant Manager, IMPU Client Service Officer, IMPU Manager, Operations Manager, Compliance
Section 44A (1), (2) and (8)	Tell road transport authority about non-compliance with an infringement notice management plan; send a suspension notice; send a suspension confirmation notice	PN E 00346 PN 867 PN 31761 PN 32048 PN 32050 PN 04686 PN 32057 PN 32179 PN 32187 PN 04683 PN 33121	Senior Director, TR Manager, RUS Manager, IMPU Assistant Manager, IMPU Client Service Officer, IMPU Manager, Operations Manager, Compliance

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Position

Section 47A (1)and (2)	Tell the road transport authority about a person entering into an infringement notice management plan or compliance with a plan; revoke suspension for non-compliance with a plan	PN E 00346 PN 867 PN 31761 PN 32048 PN 32050 PN 04686 PN 32057 PN 32179 PN 32187 PN 04683 PN 33121	Senior Director, TR Manager, RUS Manager, IMPU Assistant Manager, IMPU Client Service Officer, IMPU Manager, Operations Manager, Compliance
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