Australian Capital Territory

Road Transport (General) (National Heavy Vehicle Regulator Infringement Notice Functions) Delegation 2019 (No 1)\*

**Notifiable instrument NI2019–435**

made under the

*Road Transport (General) Act 1999*, section 54 (1) (a) (Delegation of administering authority functions delegated to the road transport authority)

*Road Transport (Offences) Regulation 2005*, section 8 (4) (Delegation of administering authority functions delegated to the road transport authority)

**1 Name of instrument**

This instrument is the *Road Transport (General) (National Heavy Vehicle Regulator Infringement Notice Functions) Delegation 2019 (No 1)*.

**2 Commencement**

This instrument commences on the day after it is signed.

**3 Delegation**

1) I, the Director-General of the Justice and Community Safety Directorate, in my capacity as a delegate of the National Heavy Vehicle Regulator as an administering authority, delegate those of my delegated functions and powers under Part 3 – Infringement notices for certain offences of the *Road Transport (General) Act 1999* specified in column 1 of schedule 1 to this instrument, to each person, occupying or performing the duties, from time to time, of a position specified in the corresponding row of column 3 of schedule 1 of this instrument.

2) I, the Director-General of the Justice and Community Safety Directorate, in my capacity as a delegate of the National Heavy Vehicle Regulator as an administering authority, delegate those of my delegated functions and powers under the *Road Transport (Offences) Regulation 2005* specified in column 1 of schedule 2 to this instrument, to each person, occupying or performing the duties, from time to time, of a position specified in the corresponding row of column 3 of schedule 2 of this instrument.

Note: Section 8 (3) of the *Road Transport (Offences) Regulation 2005* provides that the Regulator under the *Heavy Vehicle National Law (ACT)* is the administering authority for heavy vehicle infringement notice offences.

Section 8 (4) of the *Road Transport (Offences) Regulation* 2005 provides that the Regulator is taken to have delegated the Regulator’s functions in relation to the administration of infringement notice management plans (including applications for the plans) for heavy vehicle infringement notice offences to the road transport authority.

Section 16 (3) of the *Road Transport (General) Act 1999* defines the road transport authority. This section in conjunction with the Administrative Arrangements 2018 (No 2) determines with Director-General is the road transport authority for certain provisions of the road transport legislation.

Section 54 (2) of the *Road Transport (General) Act 1999* provides that a person prescribed by regulation can delegate functions delegated to it to anyone else.

Richard Glenn

A/g Director-General of the Justice and Community Safety Directorate

Delegate of the National Heavy Vehicle Regulator as an administering authority

27 June 2019

**Schedule 1**

| **Column 1** | **Column 2** | **Column 3** | **Column 4** |
| --- | --- | --- | --- |
| **Section** | **Function** | **Position No** | **Position description** |
| Section 31B (1), Part 3, *Road Transport (General) Act 1999* | Allow or refuse an application for an infringement notice management plan | P00867  P37000  P02498  P31761  P36998  P36999  P13861  P19911  P32048  P33199  P04683  P33121  P01038  P04686  P04986  P11968  P11970  P11971  P17807  P17811  P17812  P17819  P17820  P17821  P21754  P21755  P21756  P25954  P32050  P32057  P32179  P32187  P34158  P37064  P37065  P41099  P41100  P41102  P41103  P00354  P01913  P02098  P10837  P11160  P11433  P12565 | Senior Manager Transport Licensing  Senior Manager Infringements  Manager Infringements  Manager Infringements  Manager Infringements  Manager Infringements  Assistant Manager Infringements  Assistant Manager Infringements  Assistant Manager Infringements  Manager Business Development  Manager Operations  Manager Licensing  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer |
| Section 31B (2), Part 3, *Road Transport (General) Act 1999* | May seek further information relating to an application for an infringement notice management plan | P00867  P37000  P02498  P31761  P36998  P36999  P13861  P19911  P32048  P33199  P04683  P33121  P01038  P04686  P04986  P11968  P11970  P11971  P17807  P17811  P17812  P17819  P17820  P17821  P21754  P21755  P21756  P25954  P32050  P32057  P32179  P32187  P34158  P37064  P37065  P41099  P41100  P41102  P41103  P00354  P01913  P02098  P10837  P11160  P11433  P12565 | Senior Manager Transport Licensing  Senior Manager Infringements  Manager Infringements  Manager Infringements  Manager Infringements  Manager Infringements  Assistant Manager Infringements  Assistant Manager Infringements  Assistant Manager Infringements  Manager Business Development  Manager Operations  Manager Licensing  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer |
| Section 31B (3), Part 3, *Road Transport (General) Act 1999* | Allow for payment by instalments in prescribed circumstances | P00867  P37000  P02498  P31761  P36998  P36999  P13861  P19911  P32048  P33199  P04683  P33121  P01038  P04686  P04986  P11968  P11970  P11971  P17807  P17811  P17812  P17819  P17820  P17821  P21754  P21755  P21756  P25954  P32050  P32057  P32179  P32187  P34158  P37064  P37065  P41099  P41100  P41102  P41103  P00354  P01913  P02098  P10837  P11160  P11433  P12565 | Senior Manager Transport Licensing  Senior Manager Infringements  Manager Infringements  Manager Infringements  Manager Infringements  Manager Infringements  Assistant Manager Infringements  Assistant Manager Infringements  Assistant Manager Infringements  Manager Business Development  Manager Operations  Manager Licensing  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer |
| Section 31B (4), Part 3, *Road Transport (General) Act 1999* | Allow participation in a community work or social development program | P00867  P37000  P02498  P31761  P36998  P36999  P13861  P19911  P32048 | Senior Manager Transport Licensing  Senior Manager Infringements  Manager Infringements  Manager Infringements  Manager Infringements  Manager Infringements  Assistant Manager Infringements  Assistant Manager Infringements  Assistant Manager Infringements |
| Section 31B (5), Part 3, *Road Transport (General) Act 1999* | May determine amount of instalments that must be paid under infringement notice management plan | P00867  P37000  P02498  P31761  P36998  P36999  P13861  P19911  P32048  P33199  P04683  P33121  P01038  P04686  P04986  P11968  P11970  P11971  P17807  P17811  P17812  P17819  P17820  P17821  P21754  P21755  P21756  P25954  P32050  P32057  P32179  P32187  P34158  P37064  P37065  P41099  P41100  P41102  P41103  P00354  P01913  P02098  P10837  P11160  P11433  P12565 | Senior Manager Transport Licensing  Senior Manager Infringements  Manager Infringements  Manager Infringements  Manager Infringements  Manager Infringements  Assistant Manager Infringements  Assistant Manager Infringements  Assistant Manager Infringements  Manager Business Development  Manager Operations  Manager Licensing  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer |
| Section 31B (6), Part 3, *Road Transport (General) Act 1999* | 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 | E218  P36222  P35718  P41143  P00867  P37000  P02498  P31761  P36998  P36999  P13861  P19911  P32048  P33199  P04683  P33121  P01038  P04686  P04986  P11968  P11970  P11971  P17807  P17811  P17812  P17819  P17820  P17821  P21754  P21755  P21756  P25954  P32050  P32057  P32179  P32187  P34158  P37064  P37065  P41099  P41100  P41102  P41103  P00354  P01913  P02098  P10837  P11160  P11433  P12565 | Director Licensing and Registrations  Deputy Director  Deputy Director  Deputy Director  Senior Manager Transport Licensing  Senior Manager Infringements  Manager Infringements  Manager Infringements  Manager Infringements  Manager Infringements  Assistant Manager Infringements  Assistant Manager Infringements  Assistant Manager Infringements  Manager Business Development  Manager Operations  Manager Licensing  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer |
| Section 31C (1), *Part 3, Road Transport (General) Act 1999* | Seek approval from responsible director-general to applicant participating in an approved community work or social development program | E218  P36222  P35718  P41143  P00867  P37000  P02498  P31761  P36998  P36999  P13861  P19911  P32048 | Director Licensing and Registrations  Deputy Director  Deputy Director  Deputy Director  Senior Manager Transport Licensing  Senior Manager Infringements  Manager Infringements  Manager Infringements  Manager Infringements  Manager Infringements  Assistant Manager Infringements  Assistant Manager Infringements  Assistant Manager Infringements |
| Section 36A, Part 3, *Road Transport (General) Act 1999* | Cancel or amend infringement notice plan following decision on application for withdrawal | P00867  P37000  P02498  P31761  P36998  P36999  P13861  P19911  P32048  P33199  P04683  P33121  P01038  P04686  P04986  P11968  P11970  P11971  P17807  P17811  P17812  P17819  P17820  P17821  P21754  P21755  P21756  P25954  P32050  P32057  P32179  P32187  P34158  P37064  P37065  P41099  P41100  P41102  P41103  P00354  P01913  P02098  P10837  P11160  P11433  P12565 | Senior Manager Transport Licensing  Senior Manager Infringements  Manager Infringements  Manager Infringements  Manager Infringements  Manager Infringements  Assistant Manager Infringements  Assistant Manager Infringements  Assistant Manager Infringements  Manager Business Development  Manager Operations  Manager Licensing  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer |
| Section 47A, Part 3, *Road Transport (General) Act 1999* | Inform road transport authority of compliance with infringement notice management plan following suspension for non-compliance | P00867  P37000  P02498  P31761  P36998  P36999  P13861  P19911  P32048  P33199  P04683  P33121  P01038  P04686  P04986  P11968  P11970  P11971  P17807  P17811  P17812  P17819  P17820  P17821  P21754  P21755  P21756  P25954  P32050  P32057  P32179  P32187  P34158  P37064  P37065  P41099  P41100  P41102  P41103  P00354  P01913  P02098  P10837  P11160  P11433  P12565 | Senior Manager Transport Licensing  Senior Manager Infringements  Manager Infringements  Manager Infringements  Manager Infringements  Manager Infringements  Assistant Manager Infringements  Assistant Manager Infringements  Assistant Manager Infringements  Manager Business Development  Manager Operations  Manager Licensing  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer |

**Schedule 2**

| **Column 1** | **Column 2** | **Column 3** | **Column 4** |
| --- | --- | --- | --- |
| **Section** | **Function** | **Position No** | **Position description** |
| Section 16B, *Road Transport (Offences) Regulation 2005* | Defer payment under an infringement notice management plan | P00867  P37000  P02498  P31761  P36998  P36999  P13861  P19911  P32048  P33199  P04683  P33121  P01038  P04686  P04986  P11968  P11970  P11971  P17807  P17811  P17812  P17819  P17820  P17821  P21754  P21755  P21756  P25954  P32050  P32057  P32179  P32187  P34158  P37064  P37065  P41099  P41100  P41102  P41103  P00354  P01913  P02098  P10837  P11160  P11433  P12565 | Senior Manager Transport Licensing  Senior Manager Infringements  Manager Infringements  Manager Infringements  Manager Infringements  Manager Infringements  Assistant Manager Infringements  Assistant Manager Infringements  Assistant Manager Infringements  Manager Business Development  Manager Operations  Manager Licensing  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Infringement Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer  Registration and Licence Officer |