

# 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)

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## 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.

\*Name amended under Legislation Act, s 60

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, <i>Road Transport (General) Act 1999</i> | Allow or refuse an application for an infringement notice management plan | P00867      | Senior Manager Transport Licensing |
|   |   | P37000      | Senior Manager Infringements       |
|   |   | P02498      | Manager Infringements              |
|   |   | P31761      | Manager Infringements              |
|   |   | P36998      | Manager Infringements              |
|   |   | P36999      | Manager Infringements              |
|   |   | P13861      | Assistant Manager Infringements    |
|   |   | P19911      | Assistant Manager Infringements    |
|   |   | P32048      | Assistant Manager Infringements    |
|   |   | P33199      | Manager Business Development       |
|   |   | P04683      | Manager Operations                 |
|   |   | P33121      | Manager Licensing                  |
|   |   | P01038      | Infringement Officer               |
|   |   | P04686      | Infringement Officer               |
|   |   | P04986      | Infringement Officer               |
|   |   | P11968      | Infringement Officer               |
|   |   | P11970      | Infringement Officer               |
|   |   | P11971      | Infringement Officer               |
|   |   | P17807      | Infringement Officer               |
|   |   | P17811      | Infringement Officer               |
|   |   | P17812      | Infringement Officer               |
|   |   | P17819      | Infringement Officer               |
|   |   | P17820      | Infringement Officer               |
|   |   | P17821      | Infringement Officer               |
|   |   | P21754      | Infringement Officer               |
|   |   | P21755      | Infringement Officer               |
|   |   | P21756      | Infringement Officer               |
|   |   | P25954      | Infringement Officer               |
|   |   | P32050      | Infringement Officer               |
|   |   | P32057      | Infringement Officer               |
|   |   | P32179      | Infringement Officer               |
|   |   | P32187      | Infringement Officer               |
|   |   | P34158      | Infringement Officer               |
| P37064  | Infringement Officer  |             |                                    |
| P37065  | Infringement Officer  |             |                                    |
| P41099  | Infringement Officer  |             |                                    |
| P41100  | Infringement Officer  |             |                                    |
| P41102  | Infringement Officer  |             |                                    |

| Column 1  | Column 2   | Column 3   | Column 4   |
|---|--|--|--|
| Section   | Function   | Position No  | Position description   |
|   |  | P41103<br>P00354<br>P01913<br>P02098<br>P10837<br>P11160<br>P11433<br>P12565   | Infringement Officer<br>Registration and Licence Officer<br>Registration and Licence Officer<br>Registration and Licence Officer<br>Registration and Licence Officer<br>Registration and Licence Officer<br>Registration and Licence Officer<br>Registration and Licence Officer   |
| Section 31B (2), Part 3, <i>Road Transport (General) Act 1999</i> | May seek further information relating to an application for an infringement notice management plan | P00867<br>P37000<br>P02498<br>P31761<br>P36998<br>P36999<br>P13861<br>P19911<br>P32048<br>P33199<br>P04683<br>P33121<br>P01038<br>P04686<br>P04986<br>P11968<br>P11970<br>P11971<br>P17807<br>P17811<br>P17812<br>P17819<br>P17820<br>P17821<br>P21754<br>P21755<br>P21756<br>P25954<br>P32050<br>P32057<br>P32179<br>P32187 | Senior Manager Transport Licensing<br>Senior Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Assistant Manager Infringements<br>Assistant Manager Infringements<br>Assistant Manager Infringements<br>Manager Business Development<br>Manager Operations<br>Manager Licensing<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer |

| Column 1  | Column 2   | Column 3   | Column 4   |
|---|--|--|--|
| Section   | Function   | Position No  | Position description   |
|   |  | P34158<br>P37064<br>P37065<br>P41099<br>P41100<br>P41102<br>P41103<br>P00354<br>P01913<br>P02098<br>P10837<br>P11160<br>P11433<br>P12565   | Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Registration and Licence Officer<br>Registration and Licence Officer<br>Registration and Licence Officer<br>Registration and Licence Officer<br>Registration and Licence Officer<br>Registration and Licence Officer<br>Registration and Licence Officer   |
| Section 31B (3), Part 3, <i>Road Transport (General) Act 1999</i> | Allow for payment by instalments in prescribed circumstances | P00867<br>P37000<br>P02498<br>P31761<br>P36998<br>P36999<br>P13861<br>P19911<br>P32048<br>P33199<br>P04683<br>P33121<br>P01038<br>P04686<br>P04986<br>P11968<br>P11970<br>P11971<br>P17807<br>P17811<br>P17812<br>P17819<br>P17820<br>P17821<br>P21754<br>P21755 | Senior Manager Transport Licensing<br>Senior Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Assistant Manager Infringements<br>Assistant Manager Infringements<br>Assistant Manager Infringements<br>Manager Business Development<br>Manager Operations<br>Manager Licensing<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer |

| Column 1  | Column 2  | Column 3   | Column 4   |
|---|---|--|--|
| Section   | Function  | Position No  | Position description   |
|   |   | P21756<br>P25954<br>P32050<br>P32057<br>P32179<br>P32187<br>P34158<br>P37064<br>P37065<br>P41099<br>P41100<br>P41102<br>P41103<br>P00354<br>P01913<br>P02098<br>P10837<br>P11160<br>P11433<br>P12565 | Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Registration and Licence Officer<br>Registration and Licence Officer<br>Registration and Licence Officer<br>Registration and Licence Officer<br>Registration and Licence Officer<br>Registration and Licence Officer<br>Registration and Licence Officer |
| Section 31B (4), Part 3, <i>Road Transport (General) Act 1999</i> | Allow participation in a community work or social development program                           | P00867<br>P37000<br>P02498<br>P31761<br>P36998<br>P36999<br>P13861<br>P19911<br>P32048   | Senior Manager Transport Licensing<br>Senior Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Assistant Manager Infringements<br>Assistant Manager Infringements<br>Assistant Manager Infringements  |
| Section 31B (5), Part 3, <i>Road Transport (General) Act 1999</i> | May determine amount of instalments that must be paid under infringement notice management plan | P00867<br>P37000<br>P02498<br>P31761<br>P36998<br>P36999<br>P13861<br>P19911<br>P32048<br>P33199<br>P04683   | Senior Manager Transport Licensing<br>Senior Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Assistant Manager Infringements<br>Assistant Manager Infringements<br>Assistant Manager Infringements<br>Manager Business Development<br>Manager Operations  |

| Column 1  | Column 2  | Column 3                                     | Column 4  |
|---|---|--|---|
| Section   | Function  | Position No                                  | Position description  |
|   |   | P33121                                       | Manager Licensing   |
|   |   | P01038                                       | Infringement Officer  |
|   |   | P04686                                       | Infringement Officer  |
|   |   | P04986                                       | Infringement Officer  |
|   |   | P11968                                       | Infringement Officer  |
|   |   | P11970                                       | Infringement Officer  |
|   |   | P11971                                       | Infringement Officer  |
|   |   | P17807                                       | Infringement Officer  |
|   |   | P17811                                       | Infringement Officer  |
|   |   | P17812                                       | Infringement Officer  |
|   |   | P17819                                       | Infringement Officer  |
|   |   | P17820                                       | Infringement Officer  |
|   |   | P17821                                       | Infringement Officer  |
|   |   | P21754                                       | Infringement Officer  |
|   |   | P21755                                       | Infringement Officer  |
|   |   | P21756                                       | Infringement Officer  |
|   |   | P25954                                       | Infringement Officer  |
|   |   | P32050                                       | Infringement Officer  |
|   |   | P32057                                       | Infringement Officer  |
|   |   | P32179                                       | Infringement Officer  |
|   |   | P32187                                       | Infringement Officer  |
|   |   | P34158                                       | Infringement Officer  |
|   |   | P37064                                       | Infringement Officer  |
|   |   | P37065                                       | Infringement Officer  |
|   |   | P41099                                       | Infringement Officer  |
|   |   | P41100                                       | Infringement Officer  |
|   |   | P41102                                       | Infringement Officer  |
|   |   | P41103                                       | Infringement Officer  |
|   |   | P00354                                       | Registration and Licence Officer  |
|   |   | P01913                                       | Registration and Licence Officer  |
|   |   | P02098                                       | Registration and Licence Officer  |
|   |   | P10837                                       | Registration and Licence Officer  |
|   |   | P11160                                       | Registration and Licence Officer  |
|   |   | P11433                                       | Registration and Licence Officer  |
|   |   | P12565                                       | Registration and Licence Officer  |
| Section 31B (6), Part 3, <i>Road Transport (General) Act 1999</i> | Tell an applicant for an infringement notice management plan about the arrangements for | E218<br>P36222<br>P35718<br>P41143<br>P00867 | Director Licensing and Registrations<br>Deputy Director<br>Deputy Director<br>Deputy Director<br>Senior Manager Transport Licensing |

| <b>Column 1</b> | <b>Column 2</b>  | <b>Column 3</b>  | <b>Column 4</b>  |
|-----------------|--|--|--|
| <b>Section</b>  | <b>Function</b>  | <b>Position No</b>   | <b>Position description</b>  |
|                 | 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 | P37000<br>P02498<br>P31761<br>P36998<br>P36999<br>P13861<br>P19911<br>P32048<br>P33199<br>P04683<br>P33121<br>P01038<br>P04686<br>P04986<br>P11968<br>P11970<br>P11971<br>P17807<br>P17811<br>P17812<br>P17819<br>P17820<br>P17821<br>P21754<br>P21755<br>P21756<br>P25954<br>P32050<br>P32057<br>P32179<br>P32187<br>P34158<br>P37064<br>P37065<br>P41099<br>P41100<br>P41102<br>P41103<br>P00354<br>P01913 | Senior Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Assistant Manager Infringements<br>Assistant Manager Infringements<br>Assistant Manager Infringements<br>Manager Business Development<br>Manager Operations<br>Manager Licensing<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Registration and Licence Officer<br>Registration and Licence Officer |



| Column 1  | Column 2   | Column 3   | Column 4   |
|---|--|--|--|
| Section   | Function   | Position No  | Position description   |
|   |  | P02098<br>P10837<br>P11160<br>P11433<br>P12565   | Registration and Licence Officer<br>Registration and Licence Officer<br>Registration and Licence Officer<br>Registration and Licence Officer<br>Registration and Licence Officer   |
| Section 31C (1), <i>Part 3, Road Transport (General) Act 1999</i> | Seek approval from responsible director-general to applicant participating in an approved community work or social development program | E218<br>P36222<br>P35718<br>P41143<br>P00867<br>P37000<br>P02498<br>P31761<br>P36998<br>P36999<br>P13861<br>P19911<br>P32048   | Director Licensing and Registrations<br>Deputy Director<br>Deputy Director<br>Deputy Director<br>Senior Manager Transport Licensing<br>Senior Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Assistant Manager Infringements<br>Assistant Manager Infringements<br>Assistant Manager Infringements   |
| Section 36A, <i>Part 3, Road Transport (General) Act 1999</i>     | Cancel or amend infringement notice plan following decision on application for withdrawal  | P00867<br>P37000<br>P02498<br>P31761<br>P36998<br>P36999<br>P13861<br>P19911<br>P32048<br>P33199<br>P04683<br>P33121<br>P01038<br>P04686<br>P04986<br>P11968<br>P11970<br>P11971<br>P17807<br>P17811<br>P17812<br>P17819 | Senior Manager Transport Licensing<br>Senior Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Manager Infringements<br>Assistant Manager Infringements<br>Assistant Manager Infringements<br>Assistant Manager Infringements<br>Manager Business Development<br>Manager Operations<br>Manager Licensing<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer<br>Infringement Officer |



| Column 1 | Column 2 | Column 3    | Column 4                         |
|----------|----------|-------------|----------------------------------|
| Section  | Function | Position No | Position description             |
|          |          | P11970      | Infringement Officer             |
|          |          | P11971      | Infringement Officer             |
|          |          | P17807      | Infringement Officer             |
|          |          | P17811      | Infringement Officer             |
|          |          | P17812      | Infringement Officer             |
|          |          | P17819      | Infringement Officer             |
|          |          | P17820      | Infringement Officer             |
|          |          | P17821      | Infringement Officer             |
|          |          | P21754      | Infringement Officer             |
|          |          | P21755      | Infringement Officer             |
|          |          | P21756      | Infringement Officer             |
|          |          | P25954      | Infringement Officer             |
|          |          | P32050      | Infringement Officer             |
|          |          | P32057      | Infringement Officer             |
|          |          | P32179      | Infringement Officer             |
|          |          | P32187      | Infringement Officer             |
|          |          | P34158      | Infringement Officer             |
|          |          | P37064      | Infringement Officer             |
|          |          | P37065      | Infringement Officer             |
|          |          | P41099      | Infringement Officer             |
|          |          | P41100      | Infringement Officer             |
|          |          | P41102      | Infringement Officer             |
|          |          | P41103      | Infringement Officer             |
|          |          | P00354      | Registration and Licence Officer |
|          |          | P01913      | Registration and Licence Officer |
|          |          | P02098      | Registration and Licence Officer |
|          |          | P10837      | Registration and Licence Officer |
|          |          | P11160      | Registration and Licence Officer |
|          |          | P11433      | Registration and Licence Officer |
|          |          | P12565      | Registration and Licence Officer |

## Schedule 2

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

| Column 1 | Column 2 | Column 3    | Column 4                         |
|----------|----------|-------------|----------------------------------|
| Section  | Function | Position No | Position description             |
|          |          | P41103      | Infringement Officer             |
|          |          | P00354      | Registration and Licence Officer |
|          |          | P01913      | Registration and Licence Officer |
|          |          | P02098      | Registration and Licence Officer |
|          |          | P10837      | Registration and Licence Officer |
|          |          | P11160      | Registration and Licence Officer |
|          |          | P11433      | Registration and Licence Officer |
|          |          | P12565      | Registration and Licence Officer |