

# Road Transport (General) Chief Police Officer Delegation 2019

Notifiable instrument NI2019–579

made under the

***Road Transport (General) Act 1999, s18 (Delegation of chief police officer's functions) and s54 (1) (Delegation of administering authority's functions)***

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## 1 Name of instrument

This instrument is the *Road Transport (General) Chief Police Officer Delegation 2019*.

## 2 Commencement

This instrument commences on the day after it is signed.

## 3 Delegation

1) I, Chief Police Officer, both in that capacity and in my capacity as an administering authority, delegate those of my powers and functions as described under sections 92A and 93 of the *Road Transport (General) Act 1999* to the:

- a) head of Access Canberra; and
- b) chief operating officer of Access Canberra.

Note: Section 18 (b) of the *Road Transport (General) Act 1999* provides that the Chief Police Officer can delegate their functions to a public employee.

2) I, Chief Police Officer in my capacity as an administering authority for the purposes of certain infringement notice offences under the *Road Transport (General) Act 1999*, delegate all my powers and functions under Part 3 - Infringement Notices for certain offences of the *Road Transport (General) Act 1999* (except in relation to infringement notices issued to a police vehicle or emergency vehicle) to:

- a) police officers;
- b) head of Access Canberra; and

c) chief operating officer of Access Canberra.

3) I, Chief Police Officer in my capacity as an administering authority for the purposes of certain infringement notice offences under the *Road Transport (General) Act 1999*, delegate all my powers and functions under sections 11, 14, 14A, 14B, 14D, 16B and 16BA of the *Road Transport (Offences) Regulation 2005* to:

- a) police officers;
- b) head of Access Canberra; and
- c) chief operating officer of Access Canberra.

Note: Section 8 (2) of the *Road Transport (Offences) Regulation 2005* provides that the Chief Police Officer is the administering authority for infringement notice offences that are not described in section 8 (1).

Section 54 (1) of the *Road Transport (General) Act 1999* provides that an administering authority can delegate their functions under Part 3 to a person prescribed by regulation.

Section 15 of the *Road Transport (Offences) Regulation 2005* provides that the administering authority may delegate their functions to a public employee or police officer.

## 4 Definitions

In this instrument:

***Access Canberra***, means the business unit known as Access Canberra.

***chief operating officer***, of Access Canberra, means the public employee occupying, from time to time, the position of chief operating officer of Access Canberra.

***emergency vehicle***, means any vehicle driven by a person who is:

- a) an emergency worker; and
- b) driving the vehicle in the course of his or her duties as an emergency worker.

***emergency worker***, means:

- a) a member of the ambulance service rendering or providing transport for sick or injured people; or
- b) a member of the ambulance service, the fire and rescue service, the rural fire service or the SES providing transport in an emergency; or
- c) a person who is declared by the road transport authority to be an emergency worker; or
- d) a person defined as an emergency worker under a Territory law.

***head***, of Access Canberra, means the person occupying, from time to time, the position (however described) of head of Access Canberra

*police officer*, means a person either declared a member or appointed a special member of the Australian Federal Police, who occupies, from time to time, a position (however described) in the Australian Federal Police.

*police vehicle*, means any vehicle driven by a person who is:

- a) a police officer; and
- b) driving the vehicle in the course of his or her duties as a police officer.

## **5 Revocation**

This instrument revokes *Road Transport (General) Chief Police Officer Delegation 2018 (No 2)* NI2018-672.

Ray Johnson  
Chief Police Officer and an administering authority  
4 September 2019