

# Road Transport (General) Access Canberra Parking Delegation 2020 (No 1)\*

Notifiable instrument NI2020–125

made under the

*Road Transport (General) Act 1999*, section 17 (1) (Delegation of road transport authority's functions)

and the

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

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## 1 Name of instrument

This instrument is the *Road Transport (General) Access Canberra Parking Delegation 2020 (No 1)*.

## 2 Commencement

This instrument commences on the day after it is signed.

## 3 Delegation

- 1) I, Director-General of the Environment, Planning and Sustainable Development Directorate, in my capacities as both a road transport authority and an administering authority, delegate those of my powers and functions under:

- a) part 3 of the *Road Transport (General) Act 1999*;
- b) sections 92A and 93 of the *Road Transport (General) Act 1999*; and
- c) sections 11, 14, 14A, 14B, 14D, 16B and 16BA of the *Road Transport (Offences) Regulation 2005*

to the:

- a) head of Access Canberra; and
- b) Executive Group Manager (position number E847), Access Canberra.

\*Name amended under Legislation Act, s 60

- 2) I, Director-General of the Environment, Planning and Sustainable Development Directorate, in my capacity as a road transport authority, delegate those of my powers and functions under:
- a) sections 19, 20, 59 (6), 59 (7), and 225 of the *Road Transport (General) Act 1999*;
  - b) sections 13AA, 14 (1), 14 (2), and 14 (3) of the *Road Transport (General) Regulation 2000*; and
  - c) sections 36, 64, 65 and 66 of the *Road Transport (Safety and Traffic Management) Regulation 2017*
- to the:
- a) head of Access Canberra; and
  - b) Executive Group Manager (position number E847), Access Canberra.
- 3) I, Director-General of the Environment, Planning and Sustainable Development Directorate in my capacity as an administering authority for the purposes of certain road transport infringement notice offences, delegate all my powers and functions under:
- a) part 3 of the *Road Transport (General) Act 1999*; and
  - b) sections 11, 14, 14A, 14B, 14D, 16B and 16BA of the *Road Transport (Offences) Regulation 2005*
- to police officers.

Notes: Which Director-General is the road transport authority is determined by section 16 (3) of the *Road Transport (General) Act 1999*, read with the Administrative Arrangements.

Section 17 (1) (b) of the *Road Transport (General) Act 1999* provides that a road transport authority can delegate its functions under the road transport legislation to a public employee.

Section 8 (1) (a) and (b) of the *Road Transport (Offences) Regulation 2005* prescribes the road transport authority as the administering authority for the purposes of certain infringement notice offences.

Section 54 (1) (b) of the *Road Transport (General) Act 1999*, read with section 15 of the *Road Transport (Offences) Regulation 2005*, provides that an administering authority can delegate an administering authority's functions to a public employee or a police officer.

## 4 Definitions

In this instrument:

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

***Director-General, of the Environment, Planning and Sustainable Development Directorate***, means the SES employee occupying, from time to

time, the position (however described) of Director-General of the Environment, Planning and Sustainable Development Directorate.

***Environment, Planning and Sustainable Development Directorate***, means the administrative unit that the Director-General is responsible for.

***Executive Group Manager***, of ***Access Canberra***, means the public employee occupying, from time to time, the position (however described) of Executive Group Manager (position number E847), Access Canberra

***head***, of ***Access Canberra***, means the public employee 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.

***road transport legislation*** – see section 6 of the *Road Transport (General) Act 1999*.

## **5 Revocation**

This instrument revokes the:

1. *Road Transport (General) Road Transport Authority (Parking Infringement Notices) Delegation 2019 (No 2)* (NI2019-557); and
2. *Road Transport (Access Canberra) Parking Delegation 2018 (No 2)* (NI2018-385).

Ben Ponton

Director-General of the Environment, Planning and Sustainable Development Directorate as a road transport authority and an administering authority

28 February 2020