Australian Capital Territory

Road Transport (General) Road Transport Authority Delegation 2021 (No 2)

**Notifiable instrument NI2021–481**

made under the

*Road Transport (General) Act 1999*, s17 (1) (Delegation of road transport authority’s functions)

**1 Name of instrument**

This instrument is the *Road Transport (General) Road Transport Authority Delegation 2021 (No 2)*.

**2 Commencement**

This instrument commences on 13 August 2021.

**3 Delegation**

1) I, Director-General of the Transport Canberra and City Services Directorate, in my capacity as a road transport authority, delegate those of my powers and functions under:

1. sections 19, 20, 45, 46, 47, 59, and 225 of the *Road Transport (General) Act 1999*;
2. section 29 of the *Road Transport (Safety and Traffic Management Act) 1999*;
3. sections 13AA, 14 (1), 14 (2) and 14 (3) of the *Road Transport (General) Regulation 2000*;
4. sections15 (1) (a) (v), 19 (2), 36, 64 (except subsection (2) (g)), 65 and 66 of the *Road Transport (Safety and Traffic Management) Regulation 2017*; and
5. sections 17, 22, 23, 24, 26, 36, 43, 78B and 107 (4) of the *Road Transport Driver Licensing Regulation 2000*

to the:

1. head of Access Canberra, and
2. Executive Group Manager (position number E847), Access Canberra.

2) I, Director-General of the Transport Canberra and City Services Directorate, in my capacity as a road transport authority, delegate those of my powers and functions in 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.

3) I, Director-General of the Transport Canberra and City Services Directorate, in my capacity as a road transport authority, delegate those of my powers and functions in the *Road Transport (Driver Licensing) Regulation 2000* 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.

4) I, Director-General of the Transport Canberra and City Services Directorate, in my capacity as a road transport authority, delegate those of my powers and functions in the *Road Transport (Public Passenger Services) Act 2001* specified in column 1 of schedule 3 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 3 of this instrument.

5) I, Director-General of the Transport Canberra and City Services Directorate, in my capacity as a road transport authority, delegate those of my powers and functions in the *Road Transport (Public Passenger Services) Regulation 2002* specified in column 1 of schedule 4 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 4 of this instrument.

6) I, Director-General of the Transport Canberra and City Services Directorate, in my capacity as a road transport authority, delegate those of my powers and functions in the *Road Transport (Safety and Traffic Management) Regulation 2017* specified in column 1 of schedule 5 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 5 of this instrument.

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

Section 16 (3) of the *Road Transport (General) Act 1999* defines the road transport authority. This section in conjunction with the *Administrative Arrangements* determines which Director-General is the road transport authority for certain provisions of the road transport legislation.

**4 Definitions**

In this instrument:

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

***Executive Group Manager*** means the public employee occupying, from time to time, position number E847, however described.

 ***Head,*** of Access Canberra, means the public employee occupying, from time to time, the position (however described) of head of Access Canberra.

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

**5 Revocation**

This instrument revokes the *Road Transport (General) Road Transport Authority Delegation 2021 (No 1)* (NI2021-197).

Alison Playford

Director-General, Transport Canberra and City Services Directorate as a road transport authority

12 August 2021

**Schedule 1**

***Road Transport (General) Act 1999***

| **Column 1** | **Column 2** | **Column 3** | **Column 4** |
| --- | --- | --- | --- |
| **Section** | **Function** | **Position No** | **Position description** |
| Section 19, *Road Transport (General) Act 1999* | Appoint people to be an authorised person for the road transport legislation or a provision of the road transport legislation. | E00867E01006E01008E00600 | Deputy Director-GeneralExecutive Group Manager, Transport CanberraExecutive Branch Manager, Light Rail OperationsExecutive Branch Manager, Bus Operations |
| Section 20, *Road Transport (General) Act 1999* | Provide identity card to authorised person | E00867E01006E01008E00600 | Deputy Director-GeneralExecutive Group Manager, Transport CanberraExecutive Branch Manager, Light Rail OperationsExecutive Branch Manager, Bus Operations |

**Schedule 2**

***Road Transport (Driver Licensing) Regulation 2000***

| **Column 1** | **Column 2** | **Column 3** | **Column 4** |
| --- | --- | --- | --- |
| **Section** | **Function** | **Position No** | **Position description** |
| Section 15, *Road Transport (Driver Licensing) Regulation 2000* | Approve driver training course providers | E881P22300P38479 | Executive Branch Manager, Strategic Policy and CustomerSenior Director, Strategic Policy and CustomerSenior Director, Strategic Policy and Customer |

**Schedule 3**

***Road Transport (Public Passenger Services) Act 2001***

| **Column 1** | **Column 2** | **Column 3** | **Column 4** |
| --- | --- | --- | --- |
| **Section** | **Function** | **Position No** | **Position description** |
| Section 27B*, Road Transport (Public Passenger Services) Act 2001* | Receive notifications of entitlement to operate light rail service | E00867E01006E01008 | Deputy Director-GeneralExecutive Group Manager, Transport CanberraExecutive Branch Manager, Light Rail Operations |
| Section 116*, Road Transport (Public Passenger Services) Act 2001* | Require production of records or information | E00867E01006E01008 | Deputy Director-GeneralExecutive Group Manager, Transport CanberraExecutive Branch Manager, Light Rail Operations |

**Schedule 4**

***Road Transport (Public Passenger Services) Regulation 2002***

| **Column 1** | **Column 2** | **Column 3** | **Column 4** |
| --- | --- | --- | --- |
| **Section** | **Function** | **Position No** | **Position description** |
| Section 70AB*, Road Transport (Public Passenger Services) Regulation 2002* | Receive notification of occurrences involving a light rail vehicle | E00867E01006E01008 | Deputy Director-GeneralExecutive Group Manager, Transport CanberraExecutive Branch Manager, Light Rail Operations |
| Section 70AD*, Road Transport (Public Passenger Services) Regulation 2002* | Request a light rail driver record | E00867E01006E01008 | Deputy Director-GeneralExecutive Group Manager, Transport CanberraExecutive Branch Manager, Light Rail Operations |
| Section 70AE*, Road Transport (Public Passenger Services) Regulation 2002* | Request a light rail driving instructor record | E00867E01006E01008 | Deputy Director-GeneralExecutive Group Manager, Transport CanberraExecutive Branch Manager, Light Rail Operations |
| Section 70AF*, Road Transport (Public Passenger Services) Regulation 2002* | Request a light rail driving assessor record | E00867E01006E01008 | Deputy Director-GeneralExecutive Group Manager, Transport CanberraExecutive Branch Manager, Light Rail Operations |
| Section 70AG*, Road Transport (Public Passenger Services) Regulation 2002* | Share information with light rail service operator | E00867E01006E01008 | Deputy Director-GeneralExecutive Group Manager, Transport CanberraExecutive Branch Manager, Light Rail Operations |
| Section 70AK*, Road Transport (Public Passenger Services) Regulation 2002* | Issue instructions on using a device to assign a journey to a light rail ticket | E00867E01006E01008E00600 | Deputy Director-GeneralExecutive Group Manager, Transport CanberraExecutive Branch Manager, Light Rail OperationsExecutive Branch Manager, Bus Operations |
| Section 70AM*, Road Transport (Public Passenger Services) Regulation 2002* | Authorise transfer of a light rail ticket | E00867E01006E01008E00600 | Deputy Director-GeneralExecutive Group Manager, Transport CanberraExecutive Branch Manager, Light Rail OperationsExecutive Branch Manager, Bus Operations |
| Section 70AO*, Road Transport (Public Passenger Services) Regulation 2002* | Authorise a person to travel on a concession light rail ticket | E00867E01006E01008E00600 | Deputy Director-GeneralExecutive Group Manager, Transport CanberraExecutive Branch Manager, Light Rail OperationsExecutive Branch Manager, Bus Operations |

**Schedule 5**

***Road Transport (Safety and Traffic Management) Regulation 2017***

| **Column 1** | **Column 2** | **Column 3** | **Column 4** |
| --- | --- | --- | --- |
| **Section** | **Function** | **Position No** | **Position description** |
| Section 13*, Road Transport (Safety and Traffic Management) Regulation 2017* | Approval of a traffic offence detection device | E00867 | Deputy Director-General |
| Section 20 (1), *Road Transport (Safety and Traffic Management) Regulation 2017* | Display signage that an average speed detection system is in operation | E00276 | Executive Branch Manager, RoadsACT |