



Australian Capital Territory

Road Transport Legislation Amendment Regulation 2010 (No 4)

Subordinate Law SL2010-33

The Australian Capital Territory Executive makes the following regulation under the *Road Transport (General) Act 1999* and the *Road Transport (Safety and Traffic Management) Act 1999*.

Dated 29 July 2010.

JON STANHOPE
Minister

ANDREW BARR
Minister



Australian Capital Territory

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Part 1 Preliminary

1 Name of regulation

This regulation is the *Road Transport Legislation Amendment Regulation 2010 (No 4)*.

2 Commencement

This regulation commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Legislation amended

This regulation amends the *Road Transport (General) Regulation 2000* and the *Road Transport (Safety and Traffic Management) Regulation 2000*.

Part 2 Road Transport (General) Regulation 2000

4 New section 7

insert

7 Exemptions etc for protective service officers— appointment and identity cards

- (1) A protective service officer is an authorised person for the Australian Road Rules, rule 304 (Direction by a police officer or authorised person).
- (2) The *Road Transport (General) Act 1999*, section 20 does not apply to an authorised person who is a protective service officer.

Note Section 20 requires an authorised person to be issued with an identity card. A protective service officer's AFP-issued identity card is equivalent to an identity card issued for s 20.

- (3) The *Road Transport (General) Act 1999*, section 21 does not apply to an authorised person who is a protective service officer while the person is giving a direction under the Australian Road Rules, rule 304.

Note 1 Section 21 requires an authorised person to show the person's identity card before exercising a function under the road transport legislation.

Note 2 ARR r 304 requires a person to obey any reasonable direction for the safe and efficient regulation of traffic given to the person by a police officer or authorised person.

- (4) However, before giving a direction to someone (the ***directed person***) under the Australian Road Rules, rule 304, the authorised person must show the directed person the authorised person's AFP-issued identity card, if it is reasonably practicable in the circumstances to do so.

(5) In this section:

AFP-issued identity card, for a protective service officer, means the identity card issued to the protective service officer for the officer's functions under the *Australian Federal Police Act 1979* (Cwlth).

protective service officer—see the *Australian Federal Police Act 1979* (Cwlth), section 4 (1).

Part 3 Road Transport (Safety and Traffic Management) Regulation 2000

5 Division 2.2.1, note 3, table, new item 6A

insert

6A	304	<i>Road Transport (General) Regulation 2000, s 6 and s 7</i>
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6 Section 33 (1), definition of *authorised person*

omit

appointed as an authorised officer

substitute

appointed as, or prescribed to be, an authorised person

Endnotes

1 Notification

Notified under the Legislation Act on 5 August 2010.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.
