

LEGISLATIVE ASSEMBLY

Heavy Vehicle (Adoption of National Law) Amendment Bill 2013

First print

Proposed amendments

No. 1 Pages 19–21, Schedule 1 [32], line 19 on page 19 to line 3 on page 21. Omit all words on those lines.

No. 2 Page 22, Schedule 1 [32]. Insert after line 10:

[10] Section 462A

Insert after section 462:

462A Conditions imposed on AFM accreditations by responsible Minister

- (1) Apart from the conditions referred to in section 462, an AFM accreditation is also subject to any conditions that may be imposed by the responsible Minister for this jurisdiction under this section.
- (2) The responsible Minister for this jurisdiction may, by notice given to the holder, impose either or both of the following kinds of conditions on an AFM accreditation—
 - (a) conditions specifying different AFM hours to those that would otherwise apply to drivers of heavy vehicles while operating under the accreditation in this jurisdiction;
 - (b) conditions that require compliance with different or additional standards or business rules (or both) to the AFM standards and business rules in relation to heavy vehicles while operating under the accreditation in this jurisdiction.
- (3) A condition imposed under this section has effect (and must be complied with) despite anything to the contrary in any of the following—
 - (a) the AFM accreditation (including any conditions referred to in section 462 to which the accreditation is subject);
 - (b) the AFM standards and business rules;
 - (c) Chapter 6 (particularly, section 257) and this Chapter;
 - (d) an exemption, notice or permit issued or granted under Division 8 of Part 6.3.
- (4) The responsible Minister for this jurisdiction may, by further notice given to the holder, revoke a condition that has been imposed under this section.

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- (5) The responsible Minister for this jurisdiction must, as soon as practicable, notify the Regulator, in writing, of any condition imposed or revoked under this section.

Note— This section is inserted for New South Wales.

[11] Section 464 Accreditation certificate for heavy vehicle accreditation etc.

Insert “or by the responsible Minister for this jurisdiction under section 462A” after “the Regulator” in section 464 (2) (c).

[12] Section 464 (2)

Insert at the end of the subsection:

Note— Subsection (2) (c) is amended for New South Wales by inserting “or by the responsible Minister for this jurisdiction under section 462A” after “the Regulator”.

[13] Section 464 (2A)

Insert after section 464 (2):

- (2A) If an AFM accreditation certificate inaccurately states the conditions applicable to the accreditation because of the imposition or revocation of a condition under section 462A, the Regulator is to issue a replacement certificate to the holder as soon as practicable after the Regulator is informed by the responsible Minister for this jurisdiction of the imposition or revocation of the condition.

Note— Subsection (2A) is inserted for New South Wales.

No. 3 Pages 23–25, Schedule 1 [32], line 11 on page 23 to the line before line 1 on page 25. Omit all words on those lines.