



New South Wales

Road Transport (Statutory Rules) Bill 2013

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.
This Bill is cognate with the *Road Transport Bill 2013*.

Overview of Bill

The proposed *Road Transport Act 2013* will provide for the consolidation of a number of existing Acts dealing with road transport into a single Act. The proposed *Road Transport Legislation (Repeal and Amendment) Act 2013* repeals and makes amendments to various Acts and statutory rules consequent on the enactment of the new *Road Transport Act 2013*.

The objects of this Bill are:

- (a) to make amendments to certain statutory rules under the existing road transport legislation that will continue in force as statutory rules under the new *Road Transport Act 2013* that are consequential on the enactment of that proposed Act and the proposed *Road Transport Legislation (Repeal and Amendment) Act 2013*, and

- (b) to rename the *Road Transport (General) Regulation 2005* as the *Road Transport (Vehicle and Driver Management) Regulation 2005* and make other amendments to confine its operation as a consequence of the renaming and amendment of the *Road Transport (General) Act 2005* by the *Road Transport Legislation (Repeal and Amendment) Act 2013*, and
- (c) to set out the terms of the proposed *Road Transport (General) Regulation 2013*, which will be taken to be a Regulation made under the new *Road Transport Act 2013*.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the day on which Schedule 1 (Repeal of certain existing road transport legislation) to the proposed *Road Transport Legislation (Repeal and Amendment) Act 2013* commences.

Clause 3 recognises that Schedule 4 (Savings, transitional and other provisions) to the new *Road Transport Act 2013* provides for the proposed *Road Transport (General) Regulation 2013* set out in Schedule 3 to this Bill to be taken to be a Regulation made under the new *Road Transport Act 2013*.

Clause 4 provides for the automatic repeal of the proposed Act by section 30C of the *Interpretation Act 1987* once all of its provisions have commenced.

Schedule 1 Amendment of existing road transport statutory rules that are continued in force

The savings and transitional provisions of the new *Road Transport Act 2013* provide for the following statutory rules under Acts to be repealed by Schedule 1 to the proposed *Road Transport Legislation (Repeal and Amendment) Act 2013* to continue in force as statutory rules under the new Act:

- (a) the *Road Rules 2008*,
- (b) the *Road Transport (Driver Licensing) Regulation 2008*,
- (c) the *Road Transport (Vehicle Registration) Regulation 2007*.

Schedule 1 makes amendments to these statutory rules and the *Road Transport (Mass, Loading and Access) Regulation 2005* to update references and make other amendments that are consequent on the repeal of the Acts under which the statutory rules are made and the enactment of the new *Road Transport Act 2013* and proposed *Road Transport Legislation (Repeal and Amendment) Act 2013*.

Schedule 2 Renaming and other amendment of Road Transport (General) Regulation 2005

Schedule 2 renames the *Road Transport (General) Regulation 2005* as the *Road Transport (Vehicle and Driver Management) Regulation 2005* and makes other amendments that are consequential on the renaming and amendment of the *Road Transport (General) Act 2005* by the *Road Transport Legislation (Repeal and Amendment) Act 2013*.

Schedule 3 Road Transport (General) Regulation 2013

Schedule 3 sets out the terms of the proposed *Road Transport (General) Regulation 2013*. *Schedule 4* (Savings, transitional and other provisions) to the new *Road Transport Act 2013* provides for the proposed Regulation to have effect as if it were a Regulation made under the new Act.