



Rail Safety National Law (Queensland) Act 2017

Rail Safety National Law (Queensland) (Transitional) Regulation 2017

Current as at 30 June 2019

Reprint note

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Queensland

Rail Safety National Law (Queensland) (Transitional) Regulation 2017

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Rail Safety National Law (Queensland) (Transitional) Regulation 2017

1 Short title

This regulation may be cited as the *Rail Safety National Law (Queensland) (Transitional) Regulation 2017*.

2 Commencement

This regulation commences at the end of 30 June 2017.

3 Declaration that regulation is a transitional regulation— Act, s 132

This regulation is a transitional regulation.

Note—

Under section 132(7) of the Act, this regulation expires 3 years after the commencement of section 132 of the Act.

4 Fatigue management provisions

- (1) This section applies for the purposes of part 6, division 2 of the Act.
- (2) To remove any doubt, it is declared that the fatigue management provisions came into force on their commencement even though, under section 52 of the repealed *Transport (Rail Safety) Regulation 2010*, the provisions do not apply in relation to a train operator's railway operations until 1 July 2017.

Note—

The *Transport (Rail Safety) Amendment Regulation (No. 1) 2016* which inserted the fatigue management provisions commenced on 8 July 2016. The *Transport (Rail Safety) (Fatigue Management) Amendment Regulation 2017* which amended the fatigue management provisions commenced on notification.

- (3) In this section—

fatigue management provisions means the following provisions of the repealed *Transport (Rail Safety) Regulation 2010*—

- section 19(2)
- part 3, division 7A, subdivision 2
- part 3, division 8A
- section 27(2).

5 Continued operation of certain provisions

- (1) This section applies in relation to the annual accreditation fee payable under section 108 of the repealed Act for the financial year ending on 30 June 2017.
- (2) Sections 45 to 49 of the repealed regulation continue to operate despite their repeal.
- (3) Section 281 of the repealed Act applies to the recovery of amounts payable, on or after the commencement, under section 48 of the repealed regulation.
- (4) In this section—

repealed Act means the repealed *Transport (Rail Safety) Act 2010*.

repealed regulation means the repealed *Transport (Rail Safety) Regulation 2010*.

6 Reference to level crossing

A reference to a level crossing as modified for the purposes of the Rail Safety National Law (Queensland) is taken to include an area mentioned in the definition *railway crossing*, paragraph (b), as defined under the Rail Safety National Law, section 4(1) in force immediately before the commencement of the *Rail Safety National Law (South Australia) (Miscellaneous) Amendment Act 2019* (SA).

7 Reference to railway crossing

A reference to a railway crossing in the Rail Safety National Law (Queensland) is taken to be a reference to a railway crossing as defined under the Rail Safety National Law, section 4(1) in force immediately before the commencement of the *Rail Safety National Law (South Australia) (Miscellaneous) Amendment Act 2019* (SA).