



Queensland

Rail Safety National Law (Queensland) Act 2017

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

Current as at 19 June 2020

Reprint note

This is the last reprint before expiry. Expired on 21 July 2020 by 2017 Act No. 4 s 132(7).

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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.

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that the fatigue management provisions came into force on their commencement even though, under section 52 of the repealed *Transport (Rail Safety) Regulation 2010*, the provisions do not apply in relation to a train operator's railway operations until 1 July 2017.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fatigue management provisions means the following provisions of the repealed *Transport (Rail Safety) Regulation 2010*—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- (1) This section applies in relation to the annual accreditation fee payable under section 108 of the repealed Act for the financial year ending on 30 June 2017.
- (2) Sections 45 to 49 of the repealed regulation continue to operate despite their repeal.
- (3) Section 281 of the repealed Act applies to the recovery of amounts payable, on or after the commencement, under section 48 of the repealed regulation.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repealed Act means the repealed *Transport (Rail Safety) Act 2010*.

repealed regulation means the repealed *Transport (Rail Safety) Regulation 2010*.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