



Transport and Other Legislation Amendment Bill 2017



Queensland

Transport and Other Legislation Amendment Bill 2017

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128	Omission of s 5 (Provision about exemption related to inner package requirement)	70
129	Amendment of s 6 (Matters prescribed for particular exempt transport)	70
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2017

A Bill

for

An Act to amend the *Adult Proof of Age Card Act 2008*, the *Adult Proof of Age Card Regulation 2010*, the *Civil Partnerships Regulation 2012*, the *Heavy Vehicle National Law Act 2012*, the *Liquor Act 1992*, the *Police Powers and Responsibilities Act 2000*, the *Rail Safety National Law (Queensland) Act 2017*, the *State Penalties Enforcement Regulation 2014*, the *Tobacco and Other Smoking Products Act 1998*, the *Tow Truck Regulation 2009*, the *Transport Infrastructure Act 1994*, the *Transport Infrastructure (Dangerous Goods by Rail) Regulation 2008*, the *Transport Operations (Marine Safety) Act 1994*, the *Transport Operations (Marine Safety) Regulation 2016*, the *Transport Operations (Passenger Transport) Act 1994*, the *Transport Operations (Passenger Transport) Regulation 2005*, the *Transport Operations (Road Use Management) Act 1995*, the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015*, the *Transport Operations (Road Use Management—Dangerous Goods) Regulation 2008*, the *Transport Operations (Road Use Management—Driver Licensing) Regulation 2010*, the *Transport Planning and Coordination Act 1994*, the *Transport Security*

***(Counter-Terrorism) Act 2008 and the Working with Children
(Risk Management and Screening) Regulation 2011 for
particular purposes and to repeal the Transport Operations
(Marine Safety) Transitional Regulation 2016***

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Transport and Other Legislation Amendment Act 2017*. 4
5

Clause 2 Commencement 6

The following provisions commence on a day to be fixed by proclamation— 7
8

(a) parts 2, 4, 5 and 7; 9

(b) sections 85 to 87, 92, 93, 122 and 130; 10

(c) part 14, divisions 1 to 4, 6, 8, 10 and 11. 11

Part 2 Amendment of Adult Proof of Age Card Act 2008 12
13

Clause 3 Act amended 14

This part amends the *Adult Proof of Age Card Act 2008*. 15

Clause 4 Amendment of long title 16

Long title, ‘an adult’— 17

omit, insert— 18

a person of at least 15 years 19

[s 5]

Clause 5	Amendment of s 1 (Short title)	1
	Section 1, ‘ <i>Adult Proof of Age Card Act 2008</i> ’—	2
	<i>omit, insert—</i>	3
	<i>Photo Identification Card Act 2008</i>	4
Clause 6	Amendment of s 3 (Object of Act)	5
	Section 3(2), from ‘adult proof of age’, first mention—	6
	<i>omit, insert—</i>	7
	photo identification cards, this Act provides for	8
	the chief executive to establish a person’s identity	9
	before issuing the person with a photo	10
	identification card.	11
Clause 7	Replacement of pt 2, hdg (Adult proof of age card)	12
	Part 2, heading—	13
	<i>omit, insert—</i>	14
	Part 2	Photo identification
		card
		15
		16
Clause 8	Replacement of s 5 (What is an <i>adult proof of age card</i>)	17
	Section 5—	18
	<i>omit, insert—</i>	19
	5 What is a <i>photo identification card</i>	20
	<i>A photo identification card</i> is a proof of age card	21
	issued under this Act—	22
	(a) that states a person is at least 15 years; and	23
	(b) on which information may be stored	24
	electronically.	25

Clause 9	Amendment of s 6 (Card is property of the State)	1
(1)	Section 6(1), ‘An adult proof of age’—	2
	<i>omit, insert—</i>	3
	A photo identification	4
(2)	Section 6(3), ‘adult proof of age’—	5
	<i>omit, insert—</i>	6
	photo identification	7
Clause 10	Replacement of ss 7 and 8	8
	Sections 7 and 8—	9
	<i>omit, insert—</i>	10
	7 Eligibility for card	11
	A person (an <i>eligible person</i>) is eligible to apply	12
	for a photo identification card if the person—	13
	(a) ordinarily resides in Queensland; and	14
	(b) is at least 15 years.	15
	8 Application for card	16
(1)	An eligible person may apply to the chief	17
	executive for a photo identification card.	18
	<i>Note—</i>	19
	See part 5 for requirements about the application.	20
(2)	The application must be accompanied by—	21
(a)	documentary proof of the applicant’s	22
	identity and eligibility as mentioned in	23
	section 7; and	24
(b)	the prescribed fee.	25

[s 11]

Clause 11	Omission of ss 9 and 10	1
	Sections 9 and 10—	2
	<i>omit.</i>	3
Clause 12	Amendment of s 11 (Decision on application)	4
	(1) Section 11(1)—	5
	<i>omit, insert—</i>	6
	(1) Subject to section 34(4) and (5), the chief executive must consider an application made under section 8 and either grant it or refuse to grant it.	7 8 9 10
	(2) Section 11(3)—	11
	<i>omit.</i>	12
	(3) Section 11(4)—	13
	<i>renumber</i> as section 11(3).	14
Clause 13	Amendment of s 12 (Issue of card)	15
	(1) Section 12(1), ‘an adult proof of age’—	16
	<i>omit, insert—</i>	17
	a photo identification	18
	(2) Section 12(2) and (3)—	19
	<i>omit.</i>	20
Clause 14	Amendment of s 13 (Expiry of card)	21
	Section 13, ‘an adult proof of age’—	22
	<i>omit, insert—</i>	23
	a photo identification	24

Clause 15	Amendment of s 14 (Grounds for cancelling card)	1
	Section 14, ‘an adult proof of age’—	2
	<i>omit, insert</i> —	3
	a photo identification	4
Clause 16	Amendment of s 15 (Procedure for cancelling card)	5
(1)	Section 15(1), ‘adult proof of age’—	6
	<i>omit, insert</i> —	7
	photo identification	8
(2)	Section 15(5), ‘an adult proof of age’—	9
	<i>omit, insert</i> —	10
	a photo identification	11
Clause 17	Amendment of s 16 (Surrendering card)	12
(1)	Section 16, from ‘an adult’ to ‘written’—	13
	<i>omit, insert</i> —	14
	a photo identification card may surrender the card by returning it, and giving	15 16
(2)	Section 16—	17
	<i>insert</i> —	18
	<i>Note</i> —	19
	See part 5 for requirements about the notice.	20
Clause 18	Amendment of s 17 (Chief executive may require card to be replaced)	21 22
(1)	Section 17(1)(a), ‘an adult proof of age’—	23
	<i>omit, insert</i> —	24
	a photo identification	25
(2)	Section 17(5), ‘adult proof of age’—	26

[s 19]

omit, insert— 1
photo identification 2

Clause 19 Replacement of s 18 (Holder may apply for replacement card) 3
4

Section 18— 5
omit, insert— 6

18 Holder may apply for replacement card 7

- (1) This section applies if— 8
- (a) information stated on a valid photo identification card is incorrect; or 9
10
 - (b) the holder of a valid photo identification card becomes aware, or reasonably suspects, the card has been damaged, lost or stolen. 11
12
13

- (2) The holder of the photo identification card (the *original card*) may apply to the chief executive for a replacement photo identification card. 14
15
16

Note— 17
See part 5 for requirements about the application. 18

- (3) The application must be accompanied by— 19
- (a) the original card, unless it was, or the holder reasonably suspects it was, destroyed, lost or stolen; and 20
21
22
 - (b) the prescribed fee. 23
- (4) Subject to section 34(4) and (5), the chief executive must issue a replacement photo identification card to the applicant if satisfied— 24
25
26
- (a) information stated on the original card is incorrect; or 27
28
 - (b) the original card has been damaged, lost or stolen. 29
30

- (5) If the application was made because information 31

	stated on the original card was incorrect, the	1
	replacement photo identification card must state	2
	the correct information.	3
Clause 20	Amendment of s 19 (Damaged, lost or stolen card)	4
	(1) Section 19(1), ‘adult proof of age’—	5
	<i>omit, insert—</i>	6
	photo identification	7
	(2) Section 19(2), ‘written’—	8
	<i>omit.</i>	9
	(3) Section 19(2)—	10
	<i>insert—</i>	11
	<i>Note—</i>	12
	See part 5 for requirements about the notice.	13
Clause 21	Amendment of s 21 (Damaging card)	14
	Section 21, ‘an adult proof of age’—	15
	<i>omit, insert—</i>	16
	a photo identification	17
Clause 22	Amendment of s 23 (Wrongful dealing with documents relevant to obtaining card)	18
	Section 23(1) and (2), ‘an adult proof of age’—	19
	<i>omit, insert—</i>	20
	a photo identification	21
Clause 23	Amendment of s 24 (Possessing another person’s card)	22
	Section 24(1) and (2), ‘adult proof of age’—	23
	<i>omit, insert—</i>	24
		25

[s 24]

	photo identification	1
Clause 24	Amendment of s 25 (Documents purporting to be adult proof of age card)	2
	(1) Section 25, heading, ‘adult proof of age’—	3
	<i>omit, insert—</i>	4
	photo identification	5
	(2) Section 25(1) and (2), ‘an adult proof of age’—	6
	<i>omit, insert—</i>	7
	a photo identification	8
Clause 25	Amendment of pt 4, hdg (APA register)	9
	Part 4, heading, ‘APA’—	10
	<i>omit, insert—</i>	11
	Photo identification	12
Clause 26	Amendment of s 26 (Chief executive must maintain a register)	13
	(1) Section 26(1), from ‘(APA register)’ to ‘age’—	14
	<i>omit, insert—</i>	15
	(<i>photo identification register</i>) containing the	16
	following details for each holder of a photo	17
	identification	18
	(2) Section 26(3), definition <i>customer number</i> , ‘an adult proof of	19
	age’—	20
	<i>omit, insert—</i>	21
	a photo identification	22
Clause 27	Amendment of s 27 (Form of APA register)	23
	Section 27, ‘APA’—	24
		25
		26

	<i>omit, insert—</i>	1
	photo identification	2
Clause 28	Replacement of s 28 (Amending APA register)	3
	Section 28—	4
	<i>omit, insert—</i>	5
	28 Amending photo identification register	6
	The chief executive may, on the chief executive’s own initiative or on application by the holder of a photo identification card, amend the photo identification register to—	7 8 9 10
	(a) correct an error in it; or	11
	(b) include information missing from it; or	12
	(c) update the information in it.	13
Clause 29	Amendment of s 29 (Inquiry into accuracy etc. of details in APA register)	14 15
	(1) Section 29, heading, ‘APA’—	16
	<i>omit, insert—</i>	17
	photo identification	18
	(2) Section 29(1), from ‘APA’ to ‘age’—	19
	<i>omit, insert—</i>	20
	photo identification register about the holder of a photo identification	21 22
Clause 30	Amendment of s 30 (Restricted written release of information in APA register)	23 24
	(1) Section 30, heading, ‘APA’—	25
	<i>omit, insert—</i>	26
	photo identification	27

[s 31]

- (2) Section 30(1) and (2), ‘APA register about a person’s adult proof of age’— 1
2
omit, insert— 3
photo identification register about a person’s 4
photo identification 5
- (3) Section 30(1)(a) and (2)(b), ‘in the approved form’— 6
omit. 7
- (4) Section 30(1)(a) and (2)(b)— 8
insert— 9
Note— 10
See part 5 for requirements about the application. 11
- (5) Section 30(4)— 12
omit. 13

Clause 31 Amendment of s 30A (Restricted oral release of information in APA register) 14
15

- (1) Section 30A, heading, ‘APA’— 16
omit, insert— 17
photo identification 18
- (2) Section 30A(1), ‘APA register about the person’s adult proof of age’— 19
20
omit, insert— 21
photo identification register about the person’s 22
photo identification 23

Clause 32 Insertion of new pt 5 24

- After section 30A— 25
insert— 26

Part 5	Requirements for particular applications and notices	1 2 3
31	Definitions for part	4
	In this part—	5
	<i>application</i> means an application made under section 8, 18 or 30(1)(a) or (2)(b).	6 7
	<i>information</i> includes a document.	8
	<i>notification</i> means a notice required under section 16 or 19(2).	9 10
32	Chief executive may publish a notice about applications or notifications	11 12
(1)	The chief executive may, by publishing a notice on the department’s website—	13 14
(a)	approve a way in which an application or notification may be made; or	15 16
	<i>Examples of a way—</i>	17
	orally, by electronic communication or by another form of communication	18 19
(b)	require stated information to be given in or with an application or notification.	20 21
(2)	A notice under subsection (1)(a) may include requirements for making an application or giving a notification in the approved way.	22 23 24
(3)	A notice under subsection (1)(b) may only require information that is reasonably necessary for—	25 26
(a)	the chief executive to decide the application or consider the notification; or	27 28

[s 32]

(b) another purpose related to the application, the thing being applied for or the notification.	1 2 3
<i>Examples of information that is not reasonably necessary—</i>	4
• irrelevant personal information	5
• relevant personal information if the provision of the information would be excessively intrusive to personal privacy	6 7 8
(4) This section applies whether or not there is an approved form for making the application or giving the notification.	9 10 11
33 How applications or notifications must be made or given	12 13
(1) An application or notification must be made or given—	14 15
(a) if there is an approved form for the application or notification—in that form; or	16 17
(b) if there is an approved way under section 32(1)(a) for making the application or giving the notification—in that way; or	18 19 20
(c) otherwise—in writing.	21
(2) An application or notification must include any information required under section 32(1)(b).	22 23
(3) Subsection (2) does not limit another provision of this Act that requires an application or notification to include, or be accompanied by, particular information.	24 25 26 27
34 Chief executive may request further information for application	28 29
(1) The chief executive may give an applicant a written notice asking for further information that the chief executive reasonably needs to decide an	30 31 32

	application.	1
(2)	The notice—	2
(a)	must state—	3
(i)	the information required; and	4
(ii)	the time, no earlier than 28 days after the notice is given, by which the information must be given; and	5 6 7
(iii)	that, if the applicant does not comply with the notice, the chief executive may cancel the application; and	8 9 10
(b)	may state a way in which the information must be given.	11 12
(3)	If the notice does not state a way in which the information must be given, the information must be given in writing.	13 14 15
(4)	If the applicant does not comply with the notice, the chief executive may give the applicant a further notice cancelling the application.	16 17 18
(5)	A notice cancelling the application has effect on the day it is given to the applicant or a later day stated in it.	19 20 21
Clause 33	Amendment of s 39 (Internal review of decisions)	22
	Section 39(1)(a) and (b), ‘an adult proof of age’—	23
	<i>omit, insert—</i>	24
	a photo identification	25
Clause 34	Amendment of s 42 (Evidence from APA register)	26
(1)	Section 42, heading, ‘APA’—	27
	<i>omit, insert—</i>	28
	photo identification	29

[s 35]

- (2) Section 42(a)— 1
omit, insert— 2
 (a) a stated document is the photo identification 3
 register, a part of the register, or an extract 4
 from the register; 5
(3) Section 42(c) and (d), ‘adult proof of age’— 6
omit, insert— 7
 photo identification 8

- Clause 35 Amendment of s 49 (Regulation-making power)** 9
(1) Section 49(3), ‘an adult proof of age’— 10
omit, insert— 11
 a photo identification 12
(2) Section 49(4), ‘adult proof of age’— 13
omit, insert— 14
 photo identification 15

- Clause 36 Replacement of pt 9, hdg (Transitional provision for 16**
Holidays and Other Legislation Amendment Act 2015) 17
 Part 9, heading— 18
omit, insert— 19

Part 9 Transitional provisions 20

- Clause 37 Insertion of new pt 9, div 1, hdg** 21
 Part 9— 22
insert— 23
 Division 1 Transitional provision for 24
 Holidays and Other 25

	Legislation Amendment Act 2015	1 2
Clause 38	Insertion of new pt 9, div 2	3
	After section 50—	4
	<i>insert—</i>	5
	Division 2	6
	Transitional provisions for Transport and Other Legislation Amendment Act 2017	7 8 9
	51 Definitions for part	10
	In this part—	11
	<i>adult proof of age card</i> means an adult proof of age card under the pre-amended Act.	12 13
	<i>amended</i> , for a provision of this Act, means the provision as in force after the commencement.	14 15
	<i>APA register</i> means the APA register under the pre-amended Act.	16 17
	<i>pre-amended Act</i> means this Act as in force before the commencement.	18 19
	52 Existing adult proof of age cards	20
	An adult proof of age card in force immediately before the commencement continues in force as a photo identification card.	21 22 23
	53 Existing applications for new adult proof of age cards	24 25
	(1) This section applies if, immediately before the commencement, an application made under	26 27

[s 38]

section 8 or 9 of the pre-amended Act had not
been decided. 1
2

(2) For deciding the application, the pre-amended Act
continues to apply as if the *Transport and Other
Legislation Amendment Act 2017* had not been
enacted. 3
4
5
6

(3) However— 7

(a) if the chief executive decides to grant the
application— 8
9

(i) the decision is taken to have been made
under amended section 11; and 10
11

(ii) the chief executive must issue a photo
identification card to the applicant
under amended section 12; or 12
13
14

(b) if the chief executive decides to refuse the
application, amended part 6 applies as if the
decision had been made in relation to a
photo identification card after the
commencement. 15
16
17
18
19

54 Replacement of adult proof of age cards 20

(1) This section applies if the chief executive— 21

(a) gave the holder of an adult proof of age card
a written notice under section 17 of the
pre-amended Act in relation to the card; and 22
23
24

(b) immediately before the commencement, had
not replaced the card under that section. 25
26

(2) On receipt of the card, the chief executive must
replace the adult proof of age card with a
replacement photo identification card that
states— 27
28
29
30

(a) subject to paragraph (b)—the information
that was stated on the adult proof of age
card; and 31
32
33

(b) the correct information the subject of the notice.	1 2
(3) Subsection (2) applies whether the chief executive received the person's adult proof of age card before or after the commencement.	3 4 5
55 Existing applications for replacement adult proof of age cards	6 7
(1) This section applies if—	8
(a) an application for a replacement adult proof of age card was validly made under section 18 of the pre-amended Act; and	9 10 11
(b) immediately before the commencement, the chief executive had not issued a replacement adult proof of age card under that section.	12 13 14
(2) The chief executive must issue a photo identification card to the applicant that states—	15 16
(a) subject to paragraph (b)—the information that was stated on the adult proof of age card the subject of the application; and	17 18 19
(b) if the application was made because information stated on the adult proof of age card was incorrect—the correct information.	20 21 22
56 Particular information taken to be contained in photo identification register	23 24
Information contained in the APA register for the holder of an adult proof of age card is taken to be contained in the photo identification register for the holder.	25 26 27 28
57 Existing inquiries into accuracy etc. of details in APA register	29 30
(1) This section applies if—	31

[s 38]

- (a) the chief executive gave the holder of an adult proof of age card a written notice under section 29 of the pre-amended Act; and
- (b) immediately before the commencement, the holder had not complied with the notice.
- (2) The notice is taken to have been given under amended section 29 in relation to information recorded in the photo identification register about the holder's photo identification card.
- 58 Existing applications for particular information**
- (1) This section applies if, immediately before the commencement, an application under section 30(1)(a) or (2)(b) of the pre-amended Act had been made but not decided.
- (2) For deciding the application, the pre-amended Act continues to apply as if the *Transport and Other Legislation Amendment Act 2017* had not been enacted.
- 59 Existing applications for review**
- (1) Subsection (2) applies if—
- (a) a person asked the chief executive to review an original decision under section 39(1) of the pre-amended Act; and
- (b) immediately before the commencement, the chief executive had not decided the review.
- (2) Amended part 6 applies in relation to the person's photo identification card as if—
- (a) the original decision was made under the Act as in force after the commencement; and

-
- (b) the person asked the chief executive to review the decision under amended section 39(1).

Note—

Under section 52, an adult proof of age card in force immediately before the commencement continues in force as a photo identification card after the commencement.

- (3) Subsection (4) applies if, before the commencement—

(a) the chief executive gave an applicant a QCAT information notice for a reviewed decision under section 40(1) of the pre-amended Act; and

(b) the period within which the applicant could have applied to QCAT for a review of the decision had not expired.

- (4) Amended part 6 applies in relation to the person's photo identification card as if—

(a) the reviewed decision was made under the Act as in force after the commencement; and

(b) the chief executive gave the person a QCAT information notice under section 40(1) as in force after the commencement.

Note—

Under section 52, an adult proof of age card in force immediately before the commencement continues in force as a photo identification card after the commencement.

60 Existing legal proceedings

- (1) This section applies if, immediately before the commencement, a proceeding started under a provision of the pre-amended Act in relation to a person's adult proof of age card had not been

[s 39]

	finalised.	1
(2)	For the purposes of finalising the proceeding—	2
	(a) the proceeding is taken to have been started—	3 4
	(i) under the amended provision; and	5
	(ii) in relation to the person’s photo identification card; and	6 7
	(b) this Act as in force after the commencement is taken to apply.	8 9
Clause 39	Amendment of schedule (Dictionary)	10
(1)	Schedule, definitions <i>adult proof of age card</i> , <i>APA register</i> and <i>valid adult proof of age card</i> —	11 12
	<i>omit</i> .	13
(2)	Schedule—	14
	<i>insert</i> —	15
	<i>application</i> , for part 5, see section 31.	16
	<i>information</i> , for part 5, see section 31.	17
	<i>notification</i> , for part 5, see section 31.	18
	<i>photo identification card</i> see section 5.	19
	<i>photo identification register</i> see section 26(1).	20
	<i>valid photo identification card</i> means a photo identification card that has not—	21 22
	(a) expired; or	23
	(b) been surrendered or cancelled.	24
(3)	Schedule, definitions <i>applicant</i> , <i>card</i> , <i>damaged</i> and <i>holder</i> , ‘an adult proof of age’—	25 26
	<i>omit</i> , <i>insert</i> —	27
	a photo identification	28

Part 3	Amendment of Heavy Vehicle National Law Act 2012	1 2
Clause 40	Act amended	3
	This part amends the <i>Heavy Vehicle National Law Act 2012</i> .	4
Clause 41	Insertion of new s 43A	5
	Part 5—	6
	<i>insert—</i>	7
	43A Fees payable under Heavy Vehicle National Law (Queensland)	8 9
	(1) This section provides for the fee payable for a matter under the Heavy Vehicle National Law (Queensland) if a provision of the Law refers to a fee that is or may be payable under a law of this jurisdiction for the matter.	10 11 12 13 14
	(2) The fee payable for the matter, if any, is the amount prescribed under a regulation for the matter.	15 16 17
Part 4	Amendment of Liquor Act 1992	18
Clause 42	Act amended	19
	This part amends the <i>Liquor Act 1992</i> .	20
Clause 43	Amendment of s 6 (Acceptable evidence of age)	21
	(1) Section 6(1)(a)(i)—	22
	<i>omit, insert—</i>	23
	(i) a photo identification card;	24
	(2) Section 6(2), definition <i>adult proof of age card—</i>	25

[s 44]

omit. 1

(3) Section 6(2)— 2

insert— 3

photo identification card see the *Photo Identification Card Act 2008*, section 5. 4
5

(4) Section 6(2), definition *authorised entity*, paragraph (a),
'*Adult Proof of Age Card Act 2008*'— 6
7

omit, insert— 8

Photo Identification Card Act 2008 9

Part 5 **Amendment of Police Powers and Responsibilities Act 2000** 10 11

Clause 44 **Act amended** 12

This part amends the *Police Powers and Responsibilities Act 2000*. 13
14

Clause 45 **Amendment of s 195A (Definitions for pt 5A)** 15

(1) Section 195A, heading, 'pt 5A'— 16

omit, insert— 17

part 18

(2) Section 195A, definition *prescribed smartcard Act*, paragraph
(a)— 19
20

omit, insert— 21

(a) the *Photo Identification Card Act 2008*; 22

(3) Section 195A, definition *prescribed transport Act*, '*Adult Proof of Age Card Act 2008*'— 23
24

omit, insert— 25

Photo Identification Card Act 2008 26

Part 6	Amendment of Rail Safety National Law (Queensland) Act 2017	1 2 3
Clause 46	Act amended	4
	This part amends the <i>Rail Safety National Law (Queensland) Act 2017</i> .	5 6
Clause 47	Amendment of s 3 (Definitions)	7
	Section 3(1), definition <i>local regulation</i> — <i>omit</i> .	8 9
Part 7	Amendment of Tobacco and Other Smoking Products Act 1998	10 11 12
Clause 48	Act amended	13
	This part amends the <i>Tobacco and Other Smoking Products Act 1998</i> .	14 15
Clause 49	Amendment of schedule (Dictionary)	16
	Schedule, definition <i>proof of age card</i> — <i>omit, insert</i> —	17 18
	<i>proof of age card</i> means a card mentioned in the <i>Liquor Act 1992</i> , section 6(1)(a)(i) or (ii).	19 20

[s 50]

Part 8	Amendment of Transport Infrastructure Act 1994	1
		2
Clause 50	Act amended	3
	This part amends the <i>Transport Infrastructure Act 1994</i> .	4
Clause 51	Replacement of s 25 (Consultation before declaration)	5
	Section 25—	6
	<i>omit, insert—</i>	7
	25 Consultation before declaration	8
	Before making or revoking a declaration under section 24, the Minister must be satisfied each local government that would, in the Minister’s opinion, be affected by the proposed declaration or revocation has been—	9 10 11 12 13
	(a) made aware of the proposed declaration or revocation; and	14 15
	(b) given a reasonable opportunity to make submissions to the Minister on the proposed declaration or revocation.	16 17 18
Clause 52	Amendment of s 26 (State-controlled roads on rail corridor land)	19 20
	Section 26(2)—	21
	<i>omit, insert—</i>	22
	(2) Before making the declaration, the Minister must be satisfied—	23 24
	(a) the department has consulted with the railway manager, if any, for the rail corridor land; and	25 26 27

	(b) the railway manager has been given a reasonable opportunity to make submissions to the Minister on the declaration.	1 2 3
Clause 53	Amendment of s 27 (Declaration of motorways)	4
	Section 27(3)—	5
	<i>omit, insert—</i>	6
	(3) Before making or revoking a declaration, the Minister must be satisfied each local government that would, in the Minister’s opinion, be affected by the proposed declaration or revocation has been—	7 8 9 10 11
	(a) made aware of the proposed declaration or revocation; and	12 13
	(b) given a reasonable opportunity to make submissions to the Minister on the proposed declaration or revocation.	14 15 16
Clause 54	Amendment of s 84B (State toll road corridor land on rail corridor land)	17 18
	Section 84B(2)—	19
	<i>omit, insert—</i>	20
	(2) Before making the declaration, the Minister must be satisfied—	21 22
	(a) the department has consulted with the railway manager, if any, for the rail corridor land; and	23 24 25
	(b) the railway manager has been given a reasonable opportunity to make submissions to the Minister about the proposed declaration.	26 27 28 29

[s 55]

Clause 55	Amendment of s 85A (Franchised road on rail corridor land)	1 2
	Section 85A(1)—	3
	<i>omit, insert—</i>	4
	(1) If, under section 85, the Minister intends to enter into a road franchise agreement involving the construction, maintenance or operation of a road, or part of a road, that crosses rail corridor land and continues on the other side of the rail corridor land, the Minister must be satisfied—	5 6 7 8 9 10
	(a) the department has consulted with the railway manager, if any, for the rail corridor land; and	11 12 13
	(b) the railway manager has been given a reasonable opportunity to make submissions to the Minister about the proposed declaration.	14 15 16 17
Clause 56	Amendment of s 105I (Local government tollway corridor land on rail corridor land)	18 19
	Section 105I(2)—	20
	<i>omit, insert—</i>	21
	(2) Before making the declaration, the Minister must be satisfied—	22 23
	(a) the department has consulted with the railway manager, if any, for the rail corridor land; and	24 25 26
	(b) the railway manager has been given a reasonable opportunity to make submissions to the Minister about the proposed declaration.	27 28 29 30

Clause 57	Amendment of s 360 (Designation of light rail land for use as State-controlled road)	1
		2
	Section 360(3), ‘consult’—	3
	<i>omit, insert</i> —	4
	be satisfied the department has consulted	5
Clause 58	Amendment of s 440 (Application of ch 14)	6
	(1) Section 440, heading, ‘ch 14’—	7
	<i>omit, insert</i> —	8
	chapter	9
	(2) Section 440(2)(b)—	10
	<i>omit, insert</i> —	11
	(b) the transport of a load of dangerous goods if—	12
		13
	(i) the dangerous goods are not, and do not include, infectious substances of UN division 6.2; and	14
		15
		16
	(ii) the total quantity of each type of dangerous goods in the load is less than the quantity prescribed by regulation for that type;	17
		18
		19
		20
	(3) Section 440—	21
	<i>insert</i> —	22
	(5) In this section—	23
	<i>UN division 6.2</i> means UN division 6.2 (infectious substances) under the UN classification system for dangerous goods.	24
		25
		26

[s 59]

Part 9	Amendment of Transport Operations (Marine Safety) Act 1994	1 2 3
Clause 59	Act amended	4
	This part amends the <i>Transport Operations (Marine Safety) Act 1994</i> .	5 6
Clause 60	Replacement of s 10A (Meaning of <i>Queensland regulated ship</i>)	7 8
	Section 10A—	9
	<i>omit, insert—</i>	10
	10A Meaning of <i>Queensland regulated ship</i>	11
	A <i>Queensland regulated ship</i> is—	12
	(a) a recreational ship; or	13
	(b) an other Queensland regulated ship.	14
Clause 61	Insertion of new s 10C	15
	Part 1, division 3—	16
	<i>insert—</i>	17
	10C Meaning of <i>other Queensland regulated ship</i>	18
	An <i>other Queensland regulated ship</i> is—	19
	(a) a ship that is not a recreational ship or domestic commercial vessel; or	20 21
	(b) a tender to a ship to which paragraph (a) applies.	22 23
Clause 62	Amendment of sch 1 (Dictionary)	24
	Schedule 1, definition <i>other Queensland regulated ship</i> , ‘10A(b)’—	25 26

omit, insert— 1
10C 2

Part 10 **Amendment of Transport Operations (Passenger Transport) Act 1994** 3
4
5

Clause 63 **Act amended** 6
This part amends the *Transport Operations (Passenger Transport) Act 1994*. 7
8

Clause 64 **Amendment of s 112 (Identity cards)** 9
Section 112(3)(d)— 10
omit, insert— 11
(d) contain a unique identification number for 12
the authorised person; and 13
(e) include an expiry date. 14

Clause 65 **Amendment of s 129I (Requirements for written report given under this division)** 15
(1) Section 129I(2), ‘The’— 16
omit, insert— 17
Subject to subsection (3), the 18
19
(2) Section 129I(2), after paragraph (a)— 20
insert— 21
(aa) the transit officer’s unique identification 22
number; 23
(3) Section 129I(2)(e), ‘paragraph (d)’— 24
omit, insert— 25

[s 66]

	paragraph (e)	1
(4)	Section 129I(2)(aa) to (n)—	2
	<i>renumber</i> as section 129I(b) to (o).	3
(5)	Section 129I—	4
	<i>insert</i> —	5
	(3) A written report given under section 129F must not include information mentioned in subsection (2)(a) or (c).	6 7 8
Clause 66	Amendment of s 143AHA (Power to require person to leave public transport infrastructure if person committing particular offences)	9 10 11
(1)	Section 143AHA—	12
	<i>insert</i> —	13
	(2A) The authorised person may exercise the power mentioned in subsection (2) in, or in an area adjacent to, the public transport infrastructure.	14 15 16
	<i>Examples of an area adjacent to public transport infrastructure—</i>	17 18
	<ul style="list-style-type: none">• a footpath adjacent to a parked bus• the side of a road adjacent to a light rail station or platform• an area open to or used by the public that is adjacent to a busway	19 20 21 22 23
(2)	Section 143AHA(2A) and (3)—	24
	<i>renumber</i> as section 143AHA(3) and (4).	25
Clause 67	Amendment of s 143AHB (Power to require person to leave or not enter public transport infrastructure if person contravening order)	26 27 28
(1)	Section 143AHB—	29
	<i>insert</i> —	30

(2A)	The authorised person may exercise the power mentioned in subsection (2) in, or in an area adjacent to, the public transport infrastructure.	1 2 3
	<i>Examples of an area adjacent to public transport infrastructure—</i>	4 5
	<ul style="list-style-type: none">• a footpath adjacent to a parked bus• the side of a road adjacent to a light rail station or platform• an area open to or used by the public that is adjacent to a busway	6 7 8 9 10
(2)	Section 143AHB(4), ‘subsection (3)’— <i>omit, insert—</i>	11 12
	subsection (4)	13
(3)	Section 143AHB(2A) to (4)— <i>renumber</i> as section 143AHB(3) to (5).	14 15
Clause 68	Insertion of new ch 13, pt 19	16
	Chapter 13—	17
	<i>insert—</i>	18
	Part 19	19
	Transitional provision for Transport and Other Legislation Amendment Act 2017	20 21 22
	217 Category A driver disqualifying offence	23
(1)	Subject to subsection (3), for the purposes of a reference in this Act to a category A driver disqualifying offence, it is declared that—	24 25 26
(a)	the reference includes a reference to a new category A driver disqualifying offence whether the offence was or is committed before or after the commencement; and	27 28 29 30

[s 68]

- (b) a reference to a conviction of the offence includes a conviction of a new category A driver disqualifying offence whether the conviction happened before or after the commencement. 1
2
3
4
5
- (2) The following paragraphs apply to a person who has been convicted of a new category A driver disqualifying offence before the commencement— 6
7
8
9
 - (a) if the person has applied for the grant or renewal of driver authorisation before the commencement and the application has not been finalised— 10
11
12
13
 - (i) the application is terminated on the commencement; and 14
15
 - (ii) the chief executive must refund to the applicant the application fee for the application; 16
17
18
 - (b) if the person has applied for an internal or external review of a decision of the chief executive relating to a refusal to grant or renew driver authorisation under section 28B because of the conviction and the review has not been decided on the commencement—the application for review is taken to have been withdrawn on the commencement; 19
20
21
22
23
24
25
26
27
 - (c) if, immediately before the commencement, the person has an entitlement to have driver authorisation granted or renewed under a decision of the chief executive or QCAT under a review of the decision of the chief executive—the entitlement is extinguished on the commencement; 28
29
30
31
32
33
34
 - (d) the person is not eligible to apply for driver authorisation, or a renewal of driver authorisation, after the commencement. 35
36
37

	(3) If a person who has been convicted of a new category A driver disqualifying offence before the commencement holds driver authorisation on the commencement, subsection (1) does not apply in relation to the person for the term of the authorisation.	1 2 3 4 5 6
	(4) In this section—	7
	<i>new category A driver disqualifying offence</i> means an offence that is a category A disqualifying offence but, immediately before the commencement, was not a category A disqualifying offence.	8 9 10 11 12
	<i>Note—</i>	13
	Generally speaking, new category A driver disqualifying offences relate to attempted rape of an adult.	14 15 16
Clause 69	Amendment of sch 1A (Driver disqualification offences)	17
	Schedule 1A, part 1, division 1, item 14, from ‘, if’ to ‘child’—	18 19
	<i>omit.</i>	20
Clause 70	Amendment of sch 3 (Dictionary)	21
	Schedule 3, definition <i>relevant offence</i> , paragraph (b), ‘section 143AHA(3)’—	22 23
	<i>omit, insert—</i>	24
	section 143AHA(4)	25

[s 71]

Part 11 **Amendment of Transport Operations (Road Use Management) Act 1995**

- Clause 71** **Act amended** 4
This part amends the *Transport Operations (Road Use Management) Act 1995*. 5 6
- Clause 72** **Amendment of s 77 (Restricted written or electronic release of person’s prescribed authority and traffic history information)** 7 8 9
- (1) Section 77(1)(a) and (2)(b), ‘in the approved form’— 10
omit. 11
- (2) Section 77(1)(a) and (2)(b)— 12
insert— 13
- Note—* 14
See chapter 5B for requirements about the application. 15
- (3) Section 77(6)— 16
omit. 17
- (4) Section 77(7)— 18
renumber as section 77(6). 19
- Clause 73** **Amendment of s 77A (Releasing information about Queensland driver licence or traffic history for research purposes)** 20 21 22
- (1) Section 77A(1)(a)(ii)— 23
insert— 24
- Note—* 25
See chapter 5B for requirements about the application. 26
- (2) Section 77A(2)— 27

omit. 1

(3) Section 77A(3)— 2

renumber as section 77A(2). 3

Clause 74 Amendment of s 79F (Replacement licence if there is an order under s 79E) 4
5

(1) Section 79F(2), ‘, in an approved form,’— 6

omit. 7

(2) Section 79F(2)— 8

insert— 9

Note— 10

See chapter 5B for requirements about the application. 11

(3) Section 79F(4), ‘Despite subsection (3)(b), the’— 12

omit, insert— 13

The 14

(4) Section 79F— 15

insert— 16

(5) Subsection (4) applies— 17

(a) despite subsection (3)(b); and 18

(b) subject to section 163B(4). 19

Clause 75 Amendment of s 91L (Nomination of vehicle) 20

(1) Section 91L(3), ‘in the approved form’— 21

omit. 22

(2) Section 91L(3)— 23

insert— 24

Note— 25

See chapter 5B for requirements about the nomination. 26

[s 76]

Clause 76	Amendment of s 91P (Applying for interlock exemption)	1
(1)	Section 91P(4), ‘made in the approved form and be’— <i>omit.</i>	2 3
(2)	Section 91P(4)— <i>insert—</i>	4 5
	<i>Note—</i>	6
	See chapter 5B for requirements about the application.	7
Clause 77	Amendment of s 91Q (Deciding application for interlock exemption)	8 9
(1)	Section 91Q(1)— <i>omit, insert—</i>	10 11
	(1) The chief executive must, subject to section 163B(4)—	12 13
	(a) decide an application for an interlock exemption within the prescribed 28-day period; and	14 15 16
	(b) grant or refuse to grant the exemption.	17
(2)	Section 91Q(4) to (6)— <i>omit.</i>	18 19
(3)	Section 91Q(8), ‘subsection (7)’— <i>omit, insert—</i>	20 21
	subsection (4)	22
(4)	Section 91Q(11), definition <i>prescribed 28-day period</i> , paragraph (b), ‘under subsection (4)’— <i>omit, insert—</i>	23 24 25
	requested under section 163B(1)	26
(5)	Section 91Q(7) to (11)— <i>renumber</i> as section 91Q(4) to (8).	27 28

Clause 78	Amendment of s 124 (Facilitation of proof)	1
(1)	Section 124(1)(gc)(i), ‘, in the approved form,’—	2
	<i>omit, insert—</i>	3
	, made under section 91P in accordance with	4
	section 163A,	5
(2)	Section 124(1)(gd)(i) to (vi)—	6
	<i>omit, insert—</i>	7
	(i) a nomination, made in accordance with	8
	section 163A, of a motor vehicle for	9
	section 91K(1)(a) received by the chief	10
	executive; or	11
	(ii) an application, made under section 91P	12
	in accordance with section 163A, for	13
	an interlock exemption; or	14
	(iii) a notice given under section 91Q(7) or	15
	91V(5) about a decision of the chief	16
	executive made under chapter 5, part	17
	3B; or	18
	(iv) an exemption certificate given under	19
	section 91R(3); or	20
	(v) a notice, given under section 163B,	21
	asking a person who has made an	22
	application to give the chief executive	23
	further information or documents; or	24
	(vi) a notice, given under section 163B(4),	25
	cancelling an application;	26
Clause 79	Amendment of s 151 (Application of ch 5A)	27
(1)	Section 151, heading, ‘ch 5A’—	28
	<i>omit, insert—</i>	29
	chapter	30
(2)	Section 151(2)(b)—	31

[s 80]

<i>omit, insert—</i>	1
(b) the transport of a load of dangerous goods	2
if—	3
(i) the dangerous goods are not, and do	4
not include, infectious substances of	5
UN division 6.2; and	6
(ii) the total quantity of each type of	7
dangerous goods in the load is less than	8
the quantity prescribed by regulation	9
for that type; or	10
(3) Section 151—	11
<i>insert—</i>	12
(5) In this section—	13
<i>UN division 6.2</i> means UN division 6.2	14
(infectious substances) under the UN	15
classification system for dangerous goods.	16

Clause 80	Insertion of new ch 5B	17
	After section 161R—	18
	<i>insert—</i>	19
	Chapter 5B Requirements for	20
	particular	21
	applications and	22
	nominations	23
	162 Definitions for chapter	24
	In this chapter—	25
	<i>application</i> means an application made	26
	under section 77(1)(a) or (2)(b),	27
	77A(1)(a)(ii), 79F or 91P.	28

<i>information</i> includes a document.	1
<i>nomination</i> means a nomination made under section 91L.	2 3
163 Chief executive may publish a notice about applications or nominations	4 5
(1) The chief executive may, by publishing a notice on the department's website—	6 7
(a) approve a way in which an application or nomination may be made; or	8 9
<i>Examples of a way—</i>	10
orally, by electronic communication or by another form of communication	11 12
(b) require stated information to be given in or with an application or nomination.	13 14
(2) A notice under subsection (1)(a) may include requirements for making an application or nomination in the approved way.	15 16 17
(3) A notice under subsection (1)(b) may only require information that is reasonably necessary for—	18 19
(a) the chief executive to decide the application or consider the nomination; or	20 21
(b) another purpose related to the application, the thing being applied for or the nomination.	22 23 24
<i>Examples of information that is not reasonably necessary—</i>	25
• irrelevant personal information	26
• relevant personal information if the provision of the information would be excessively intrusive to personal privacy	27 28 29
(4) This section applies whether or not there is an approved form for making the application or nomination.	30 31 32

[s 80]

163A How applications and nominations must be made	1 2
(1) An application or nomination must be made—	3
(a) if there is an approved form for the application or nomination—in that form; or	4 5
(b) if there is an approved way for making the application or nomination under section 163(1)(a)—in that way; or	6 7 8
(c) otherwise—in writing.	9
(2) An application or nomination must include any information required under section 163(1)(b).	10 11
(3) Subsection (2) does not limit another provision of this Act that requires an application or nomination to include, or be accompanied by, particular information.	12 13 14 15
163B Chief executive may request further information from applicants	16 17
(1) The chief executive may give a person making an application a written notice asking for further information the chief executive reasonably needs to decide the application.	18 19 20 21
(2) The notice—	22
(a) must state—	23
(i) the information required; and	24
(ii) the time, no earlier than 28 days after the notice is given, by which the information must be given; and	25 26 27
(iii) that, if the applicant does not comply with the notice, the chief executive may cancel the application; and	28 29 30
(b) may state a way in which the information must be given.	31 32

(3)	If the notice does not state a way in which the information must be given, the information must be given in writing.	1 2 3
(4)	If the applicant does not comply with the notice, the chief executive may give the applicant a further notice cancelling the application.	4 5 6
(5)	A notice cancelling the application—	7
(a)	has effect on the day it is given to the applicant or a later day stated in it; and	8 9
(b)	if it is given in relation to an application under section 91P, must state—	10 11
(i)	the reasons for the decision to cancel the application; and	12 13
(ii)	the prescribed review information for the decision.	14 15
Clause 81	Insertion of new ch 7, pt 20	16
	Chapter 7—	17
	<i>insert—</i>	18
	Part 20	Transitional provision
		for Transport and Other
		Legislation
		Amendment Act 2017
		19 20 21 22
	229 Existing applications for particular information, replacement licence or interlock exemption	23 24 25
(1)	This section applies if, immediately before the commencement, an application under section 77(1)(a) or (2)(b), 77A(1)(a)(ii), 79F or 91P of the pre-amended Act had been made but not decided.	26 27 28 29
(2)	For deciding the application, the pre-amended Act	30

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	continues to apply as if the <i>Transport and Other Legislation Amendment Act 2017</i> had not been enacted.	1 2 3
	(3) In this section—	4
	<i>pre-amended Act</i> means this Act as in force immediately before the commencement.	5 6
Clause 82	Amendment of sch 3 (Reviewable decisions)	7
	(1) Schedule 3, entry for section 91Q(5)—	8
	<i>omit.</i>	9
	(2) Schedule 3, entry for section 91Q(7), ‘91Q(7)’—	10
	<i>omit, insert—</i>	11
	91Q(4)	12
	(3) Schedule 3—	13
	<i>insert—</i>	14
	163B(4) cancelling an application made under section 91P	
Clause 83	Amendment of sch 4 (Dictionary)	15
	Schedule 4—	16
	<i>insert—</i>	17
	<i>application</i> , for chapter 5B, see section 162.	18
	<i>information</i> , for chapter 5B, see section 162.	19
	<i>nomination</i> , for chapter 5B, see section 162.	20

Part 12	Amendment of Transport Planning and Coordination Act 1994	1 2 3
Clause 84	Act amended	4
	This part amends the <i>Transport Planning and Coordination Act 1994</i> .	5 6
Clause 85	Replacement of s 8C (Impact of road works on local government road)	7 8
	Section 8C—	9
	<i>omit, insert—</i>	10
	8C Impact of road works on identified local government roads	11 12
	(1) This section applies in relation to road works to be carried out on a local government road if—	13 14
	(a) the road forms part of a route used for a public passenger service and is identified in a road works guideline; or	15 16 17
	(b) the road forms part of a route identified in a passenger transport implementation strategy or program under the <i>Transport Operations (Passenger Transport) Act 1994</i> ; or	18 19 20 21
	(c) the works will do either of the following while they are carried out or when they are finished—	22 23 24
	(i) restrict or limit access to public passenger transport infrastructure;	25 26
	<i>Example for subparagraph (i)—</i>	27
	the temporary diversion of a bus route	28
	(ii) result in the removal of public passenger transport infrastructure.	29 30

[s 86]

	<i>Example for subparagraph (ii)—</i>	1
	the temporary removal of a bus stop	2
(2)	A person undertaking road works for the local government for the local government area in which the road is situated must comply with the road works guideline.	3 4 5 6
	Maximum penalty—10 penalty units.	7
(3)	If, before the road works are undertaken, the local government knows the works will restrict or limit access to a public passenger service or public passenger transport infrastructure while they are undertaken, the local government must notify the chief executive about the works—	8 9 10 11 12 13
	(a) in writing; and	14
	(b) at least 21 days before the works start.	15
(4)	In this section—	16
	<i>road works guideline</i> means a guideline made under section 8E for this section.	17 18
Clause 86	Amendment of s 8D (Impact of change of management of local government road on public passenger transport)	19 20
(1)	Section 8D, heading, ‘public passenger transport’—	21
	<i>omit, insert—</i>	22
	scheduled passenger services	23
(2)	Section 8D(1) and (2)—	24
	<i>omit, insert—</i>	25
(1)	This section applies if—	26
	(a) a local government proposes to make a change to the management of a local government road; and	27 28 29

(b)	the change would have a significant adverse impact on the provision of a scheduled passenger service.	1 2 3
(2)	The local government must apply to the chief executive for written approval to make the change.	4 5 6
(2A)	Without limiting subsection (1)(b), a change to the management of a local government road that, if made, would adversely affect any of the following things is a change that would have a significant adverse impact on the provision of a scheduled passenger service—	7 8 9 10 11 12
(a)	the route that may be taken for, or the number of stops that may be made during, the scheduled passenger service;	13 14 15
(b)	the frequency of a scheduled journey for the scheduled passenger service;	16 17
(c)	the time taken to complete a scheduled journey for the scheduled passenger service.	18 19
	<i>Examples of changes that may adversely affect a thing mentioned in paragraph (a), (b) or (c)—</i>	20 21
	<ul style="list-style-type: none">the closure of a road or lanethe removal or alteration of a bus lane or transit lanea change in the direction of traffic flow along a roada change in priority settings on a roadchanging a roundabout to a signalised intersection	22 23 24 25 26
Clause 87	Amendment of s 8E (Guidelines for pt 2A)	27
(1)	Section 8E(4)—	28
	<i>omit, insert—</i>	29
(4)	The chief executive must—	30
(a)	give a copy of the guidelines, and any amendment of the guidelines, to every local government affected by the guidelines; and	31 32 33

[s 88]

	(b) for a guideline made for the purposes of section 8C—publish the guideline on the department’s website.	1 2 3
	(4A) This section does not limit section 8C(2).	4
	(2) Section 8E(4A) and (5)— <i>renumber</i> as section 8E(5) and (6).	5 6
Clause 88	Replacement of s 28 (Matters affecting compensation payable)	7 8
	Section 28— <i>omit, insert—</i>	9 10
	28 Value of particular works does not affect compensation payable	11 12
	(1) This section applies—	13
	(a) for deciding the amount of compensation payable to a person for land resumed under this part; and	14 15 16
	(b) despite the <i>Acquisition of Land Act 1967</i> , section 20(2).	17 18
	(2) The value of works carried out on the land after a notice of intention to resume the land has been sent to a person entitled to compensation for the land, or after agreement to acquire has been reached, must be disregarded.	19 20 21 22 23
Clause 89	Omission of s 28AA (Declaration of area to be prescribed transit node)	24 25
	Section 28AA— <i>omit.</i>	26 27
Clause 90	Amendment of s 28A (Definitions for pt 4A)	28
	(1) Section 28A, heading, ‘pt 4A’—	29

	<i>omit, insert—</i>	1
	part	2
(2)	Section 28A, definition <i>construction contract—</i>	3
	<i>omit.</i>	4
Clause 91	Amendment of s 28C (Construction contracts)	5
	Section 28C—	6
	<i>insert—</i>	7
	(2) In this section—	8
	<i>construction contract</i> means a contract concerning the construction of a busway.	9 10
Clause 92	Amendment of s 36F (Keeping and using information obtained or kept under particular transport Acts or Adult Proof of Age Card Act 2008)	11 12 13
	Section 36F, ‘ <i>Adult Proof of Age Card Act 2008</i> ’—	14
	<i>omit, insert—</i>	15
	<i>Photo Identification Card Act 2008</i>	16
Clause 93	Insertion of new pt 7, div 3	17
	Part 7—	18
	<i>insert—</i>	19
	Division 3 Provisions for Transport and Other Legislation Amendment Act 2017	20 21 22
	43 Definition for division	23
	In this division—	24
	<i>pre-amended Act</i> means this Act as in force	25

[s 94]

	immediately before the commencement.	1
44	Existing road works on local government roads	2
		3
(1)	This section applies if road works to which section 8C of the pre-amended Act applied had started to be carried out but were not finished before the commencement.	4 5 6 7
(2)	The pre-amended Act continues to apply in relation to the road works as if the <i>Transport and Other Legislation Amendment Act 2017</i> had not been enacted.	8 9 10 11
45	Existing applications for approval of management change	12
		13
(1)	This section applies if an application made under section 8D of the pre-amended Act had not been decided before the commencement.	14 15 16
(2)	For deciding the application, the pre-amended Act continues to apply as if the <i>Transport and Other Legislation Amendment Act 2017</i> had not been enacted.	17 18 19 20
Clause 94	Amendment of sch 1 (Dictionary)	21
(1)	Schedule 1, definition <i>prescribed transit node</i> — <i>omit.</i>	22 23
(2)	Schedule 1— <i>insert</i> —	24 25
	<i>Acquisition Act</i> , for part 4A, see section 28A.	26
	<i>agreement</i> , for part 4A, see section 28A.	27
	<i>appeal court</i> , for part 5, see section 29(b).	28
	<i>busway</i> , for part 4A, see section 28A.	29

	<i>chief executive</i> , for part 5, see section 30.	1
	<i>commencement</i> , for part 4A, see section 28A.	2
	<i>constructing authority</i> , for part 4A, see section 28A.	3 4
	<i>land acquisition</i> , for part 4A, see section 28A.	5
	<i>notice of intention to resume</i> , for part 4A, see section 28A.	6 7
	<i>original decision</i> , for part 5, see section 29(a).	8
	<i>reviewed decision</i> , for part 5, see section 34.	9
	<i>taking of land</i> , for part 4A, see section 28A.	10
Part 13	Amendment of Transport Security (Counter-Terrorism) Act 2008	11 12 13
Clause 95	Act amended	14
	This part amends the <i>Transport Security (Counter-Terrorism) Act 2008</i> .	15 16
Clause 96	Amendment of s 57 (Confidentiality)	17
	Section 57(1), penalty, ‘60 penalty units’—	18
	<i>omit, insert</i> —	19
	200 penalty units	20
Clause 97	Replacement of s 61 (Review of Act)	21
	Section 61—	22
	<i>omit, insert</i> —	23
	61 Reviews of Act	24
	(1) The Minister must review this Act every 5 years	25

[s 98]

	to decide whether its provisions remain appropriate.	1 2	
(2)	The first review must be carried out as soon as practicable after 12 December 2018.	3 4	
(3)	Each subsequent review must be carried out as soon as practicable after each fifth anniversary of the date mentioned in subsection (2).	5 6 7	
(4)	The Minister must, for each review carried out under this section, table a report on the review's outcome in the Legislative Assembly—	8 9 10	
(a)	as soon as practicable after the review is carried out; and	11 12	
(b)	in any event, within 1 year after the end of the 5-year period for which the review is carried out.	13 14 15	
Part 14	Amendment of subordinate legislation	16 17	
Division 1	Amendment of Adult Proof of Age Card Regulation 2010	18 19	
Clause 98	Regulation amended	20	
	This division amends the <i>Adult Proof of Age Card Regulation 2010</i> .	21 22	
Clause 99	Insertion of new pt 1, hdg	23	
	Before section 1—	24	
	<i>insert—</i>	25	
	Part 1	Preliminary	26

Clause 100	Amendment of s 1 (Short title)	1
	Section 1, ‘ <i>Adult Proof of Age Card Regulation 2010</i> ’—	2
	<i>omit, insert—</i>	3
	<i>Photo Identification Card Regulation 2010</i>	4
Clause 101	Insertion of new pt 2, hdg	5
	After section 2A—	6
	<i>insert—</i>	7
	Part 2	8
	General	
Clause 102	Amendment of s 3A (Waiving payment of particular fee for person affected by natural disaster)	9
	(1) Section 3A(1)(a), ‘adult proof of age’—	10
	<i>omit, insert—</i>	11
	photo identification	12
	(2) Section 3A(2), ‘18(3)(b)(ii)’—	13
	<i>omit, insert—</i>	14
	18(3)(b)	15
Clause 103	Amendment of s 3B (Waiving payment of application fee if licence surrendered or cancelled)	16
	(1) Section 3B(1)(a) and (c), ‘an adult proof of age’—	17
	<i>omit, insert—</i>	18
	a photo identification	19
	(2) Section 3B(2), ‘8(2)(b)(ii)’—	20
	<i>omit, insert—</i>	21
	8(2)(b)	22
		23
		24

[s 104]

Clause 104	Amendment of s 4 (Adult proof of age card not received in post)	1 2
(1)	Section 4, heading, ‘Adult proof of age’— <i>omit, insert—</i>	3 4
	Photo identification	5
(2)	Section 4(1)(a), ‘an adult proof of age’— <i>omit, insert—</i> a photo identification	6 7 8
(3)	Section 4(2), ‘adult proof of age’— <i>omit, insert—</i> photo identification	9 10 11
(4)	Section 4(3), from ‘the adult’ to ‘card to’— <i>omit, insert—</i> the photo identification card because it has been lost or stolen, the chief executive may issue a replacement photo identification card to	12 13 14 15 16
Clause 105	Amendment of s 5 (Change of name, address or postal address)	17 18
(1)	Section 5(1), ‘an adult proof of age’— <i>omit, insert—</i> a photo identification	19 20 21
(2)	Section 5(2)(a) and (3)(a), ‘APA’— <i>omit, insert—</i> photo identification	22 23 24
(3)	Section 5(2)(b) and (3)(b), ‘adult proof of age’— <i>omit, insert—</i> photo identification	25 26 27

Clause 106	Amendment of s 6 (Notifiable events under other Acts)	1
	(1) Section 6(1), ‘an adult proof of age’—	2
	<i>omit, insert—</i>	3
	a photo identification	4
	(2) Section 6(3), definition <i>notifiable event</i> , ‘an adult proof of age’—	5
	<i>omit, insert—</i>	6
	a photo identification	7
Clause 107	Amendment of s 7 (Dealing with superseded adult proof of age card)	9
	Section 7, ‘adult proof of age’—	10
	<i>omit, insert—</i>	11
	photo identification	12
Clause 108	Insertion of new pt 3	13
	After section 7—	14
	<i>insert—</i>	15
	Part 3	16
	Transitional provisions for Transport and Other Legislation Amendment Act 2017	17
		18
		19
		20
	8 Definitions for part	21
	In this part—	22
	<i>adult proof of age card</i> means an adult proof of age card under the pre-amended Act.	23
	<i>pre-amended Act</i> means the Act as in force before the commencement.	24
		25
		26

[s 108]

previous, for a provision of this regulation, means
the provision as in force before the
commencement.

- 9 Replacement adult proof of age cards not yet issued**
- (1) This section applies if—
- (a) the holder of an adult proof of age card notified the chief executive, under previous section 4, that the person had not received the card in the post; and
- (b) immediately before the commencement, the chief executive had not issued a replacement adult proof of age card under that section.
- (2) If the chief executive is satisfied the holder has not received the adult proof of age card because it has been lost or stolen, the chief executive may issue a photo identification card to the holder that states the information that was stated on the adult proof of age card.
- 10 Changes of name or address**
- (1) This section applies if—
- (a) the holder of an adult proof of age card—
- (i) changed the holder's name or address; and
- (ii) gave the chief executive notice of the change of name under previous section 5; and
- (b) immediately before the commencement, the chief executive had not given the holder a replacement adult proof of age card under that section.
- (2) If the chief executive is satisfied the information

	given by the holder is correct, the chief executive must give the holder a photo identification card that—	1 2 3
	(a) subject to paragraph (b)—states the information that was stated on the adult proof of age card; and	4 5 6
	(b) records the change of name or address.	7
Clause 109	Amendment of sch 1 (Fees)	8
	(1) Schedule 1, item 1, column 2, — <i>omit, insert—</i>	9 10
	Application for photo identification card (Act, s 8(2)(b))	11 12
	(2) Schedule 1, item 2, ‘adult proof of age’ — <i>omit, insert—</i>	13 14
	photo identification	15
	(3) Schedule 1, item 2, ‘18(3)(b)(ii)’ — <i>omit, insert—</i>	16 17
	18(3)(b)	18
Division 2	Amendment of Civil Partnerships Regulation 2012	19 20
Clause 110	Regulation amended	21
	This division amends the <i>Civil Partnerships Regulation 2012</i> .	22
Clause 111	Amendment of s 3 (Documents to prove identity etc.—Act, ss 7, 10 and 15)	23 24
	Section 3(1), examples for subsection (1)(a)(i)(A), third dot point—	25 26

[s 112]

omit, insert—

1

- a photo identification card

2

Division 3

Amendment of State Penalties Enforcement Regulation 2014

3

4

Clause 112 Regulation amended

5

This division amends the *State Penalties Enforcement
Regulation 2014*.

6

7

Clause 113 Amendment of sch 1 (Infringement notice offences and fines for nominated laws)

8

9

- (1) Schedule 1, entry for Adult Proof of Age Card Act 2008,
heading—

10

11

omit, insert—

12

Photo Identification Card Act 2008

13

- (2) Schedule 1, entry for Adult Proof of Age Card Regulation
2010, heading—

14

15

omit, insert—

16

Photo Identification Card Regulation 2010

17

18

Division 4

Amendment of Tow Truck Regulation 2009

19

20

Clause 114 Regulation amended

21

This division amends the *Tow Truck Regulation 2009*.

22

Clause 115	Amendment of s 15B (Notifiable events under other Acts)	1
	Section 15B(3), definition <i>prescribed smartcard Act</i> ,	2
	paragraph (a)—	3
	<i>omit, insert—</i>	4
	(a) the <i>Photo Identification Card Act 2008</i> ;	5
Division 5	Amendment of Transport Infrastructure (Dangerous Goods by Rail) Regulation 2008	6 7 8
Clause 116	Regulation amended	9
	This division amends the <i>Transport Infrastructure (Dangerous Goods by Rail) Regulation 2008</i> .	10 11
Clause 117	Omission of s 4 (Provision about exemption related to inner package requirement)	12 13
	Section 4—	14
	<i>omit.</i>	15
Clause 118	Amendment of s 5 (Matters prescribed for particular exempt transport)	16 17
	(1) Section 5, before subsection (1)—	18
	<i>insert—</i>	19
	(1AA) For section 440(2)(b)(ii) of the Act, the prescribed quantity for each type of dangerous goods is the quantity stated in the ADG Code, section 1.1.1.2(3)(a), table 1.1.1.2 for that type.	20 21 22 23
	(2) Section 5—	24
	<i>insert—</i>	25
	(5) In this section—	26

[s 119]

	<i>type</i> , of dangerous goods, means a class or division of dangerous goods provided for in the ADG Code.	1 2 3
(3)	Section 5(1AA) to (5)— <i>renumber</i> as section 5(1) to (6).	4 5
Division 6	Amendment of Transport Operations (Marine Safety) Regulation 2016	6 7 8
Clause 119	Regulation amended This division amends the <i>Transport Operations (Marine Safety) Regulation 2016</i> .	9 10 11
Clause 120	Amendment of s 153 (Notifiable events under other Acts) Section 153(3), definition <i>prescribed smartcard Act</i> , paragraph (a)— <i>omit, insert</i> — (a) the <i>Photo Identification Card Act 2008</i> ;	12 13 14 15 16
Division 7	Amendment of Transport Operations (Passenger Transport) Regulation 2005	17 18 19
Clause 121	Regulation amended This division amends the <i>Transport Operations (Passenger Transport) Regulation 2005</i> .	20 21 22

Clause 122	Amendment of s 43F (Notifiable events under other Acts)	1
	Section 43F(3), definition <i>prescribed smartcard Act</i> ,	2
	paragraph (a)—	3
	<i>omit, insert—</i>	4
	(a) the <i>Photo Identification Card Act 2008</i> ;	5
Clause 123	Amendment of s 133P (Creating disturbance or nuisance on or in public transport infrastructure or vehicle)	6
	Section 133P(3), ‘section 143AHA(3)’—	7
	<i>omit, insert—</i>	8
	section 143AHA(4)	9
Clause 124	Amendment of s 134B (Powers)	10
(1)	Section 134B(1)(a)(vii), ‘(3)’—	11
	<i>omit, insert—</i>	12
	(4)	13
(2)	Section 134B(3)(c), note, ‘143AHA(3)(c)’—	14
	<i>omit, insert—</i>	15
	143AHA(4), definition <i>relevant provision</i> ,	16
	paragraph (c)	17
Division 8	Amendment of Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015	18
		19
		20
		21
		22
Clause 125	Regulation amended	23
	This division amends the <i>Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015</i> .	24
		25
		26

[s 126]

Clause 126	Amendment of s 65 (Notifiable events under other Acts)	1
	Section 65(3), definition <i>prescribed smartcard Act</i> , paragraph (a)—	2 3
	<i>omit, insert—</i>	4
	(a) the <i>Photo Identification Card Act 2008</i> ;	5
Division 9	Amendment of Transport Operations (Road Use Management—Dangerous Goods) Regulation 2008	6 7 8 9
Clause 127	Regulation amended	10
	This division amends the <i>Transport Operations (Road Use Management—Dangerous Goods) Regulation 2008</i> .	11 12
Clause 128	Omission of s 5 (Provision about exemption related to inner package requirement)	13 14
	Section 5—	15
	<i>omit.</i>	16
Clause 129	Amendment of s 6 (Matters prescribed for particular exempt transport)	17 18
	(1) Section 6, before subsection (1)—	19
	<i>insert—</i>	20
	(1AA) For section 151(2)(b)(ii) of the Act, the prescribed quantity for each type of dangerous goods is the quantity stated in the ADG Code, section 1.1.1.2(3)(a), table 1.1.1.2 for that type.	21 22 23 24
	(2) Section 6—	25
	<i>insert—</i>	26
	(5) In this section—	27

	<i>type</i> , of dangerous goods, means a class or division of dangerous goods provided for in the ADG Code.	1 2 3
(3)	Section 6(1AA) to (5)— <i>renumber</i> as section 6(1) to (6).	4 5
Clause 130	Amendment of s 216C (Notifiable events under other Acts)	6 7
	Section 216C(3), definition <i>prescribed smartcard Act</i> , paragraph (a)— <i>omit, insert</i> —	8 9 10
	(a) the <i>Photo Identification Card Act 2008</i> ;	11
Division 10	Amendment of Transport Operations (Road Use Management—Driver Licensing) Regulation 2010	12 13 14 15
Clause 131	Regulation amended	16
	This division amends the <i>Transport Operations (Road Use Management—Driver Licensing) Regulation 2010</i> .	17 18
Clause 132	Amendment of s 138 (Notifiable events under other Acts)	19
	Section 138(3), definition <i>prescribed smartcard Act</i> , paragraph (a)— <i>omit, insert</i> —	20 21 22
	(a) the <i>Photo Identification Card Act 2008</i> ;	23

[s 133]

Division 11	Amendment of Working with Children (Risk Management and Screening) Regulation 2011	1 2 3
Clause 133	Regulation amended	4
	This division amends the <i>Working with Children (Risk Management and Screening) Regulation 2011</i> .	5 6
Clause 134	Amendment of sch 5 (Dictionary)	7
	Schedule 5, definition <i>proof of age card</i> , paragraph (a)— <i>omit, insert—</i>	8 9
	(a) the department in which the <i>Photo Identification Card Act 2008</i> is administered;	10 11 12
	<i>Example for paragraph (a)—</i> photo identification card	13 14
Part 15	Repeal	15
Clause 135	Repeal	16
	The Transport Operations (Marine Safety) Transitional Regulation 2016, No. 155 is repealed.	17 18

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