

Heavy Vehicle National Law and Other Legislation Amendment Bill 2018

Explanatory Notes

FOR

Amendments to be moved during consideration in detail by the Honourable the Minister for Transport and Main Roads

Short title

The short title of the Bill is the Heavy Vehicle National Law and Other Legislation Amendment Bill 2018.

Objectives of the amendments

Waste Reduction and Recycling Amendment Act 2017

The objective of the amendments to the *Waste Reduction and Recycling Amendment Act 2017* is to defer the commencement date for the container refund scheme from 1 July 2018 to 1 November 2018.

Achievement of objectives

The objective is achieved by amending section 2 of the *Waste Reduction and Recycling Amendment Act 2017* to change the commencement date for the scheme from 1 July 2018 to 1 November 2018.

Alternative ways of achieving the objectives

There is no other alternative that would achieve the policy objectives other than by amending the commencement date for this section.

Estimated Cost of Government Implementation

The amendments will not increase the administrative cost to government.

Consistency with Fundamental Legislative Principles (FLPs)

The amendments to the *Waste Reduction and Recycling Amendment Act 2017* are consistent with fundamental legislative principles.

Consultation

The potential need to extend the start date for the scheme was raised with the Department of Environment and Science by beverage industry, local government and waste and recycling industry stakeholders during discussions around scheme implementation.

Discussions centred on the need to provide sufficient time for roll-out of convenient and accessible container refund collection points that allow people the ability to receive the 10c refund on returned containers.

The department has consulted with stakeholders in relation to the appropriate extension period for commencement of the scheme.

Deferring the commencement date has widespread stakeholder support.

Consistency with legislation of other jurisdictions

Scheme commencement dates vary across jurisdictions. The NSW scheme commenced on 1 December 2017 and the ACT scheme commences on 30 June 2018.

Notes on provisions

1 After clause 61

This clause inserts a new part—**Part 10 Amendment of Waste Reduction and Recycling Amendment Act 2017**—after line 27 for page 37.

Clause 62 (Act amended)

This clause states that the Act amended by this part is the *Waste Reduction and Recycling Amendment Act 2017*.

Clause 63 (Amendment of s2 Commencement)

This clause provides new subsections (1) and (1A) for section 2.

New subsection (1) retains the start date for the plastic shopping bag ban as 1 July 2018.

New subsection (1A) states that the commencement date for the specific parts relating to the container refund scheme that have not commenced, is 1 November 2018.

Subsection (2) remains unchanged.

2 Long title

This clause amends the long title to reflect the fact the Bill will now include amendments to the *Waste Reduction and Recycling Amendment Act 2017*. The long title is amended to include reference to the *Waste Reduction and Recycling Amendment Act 2017*.