

Heavy Vehicle (General) National Amendment Regulation

Explanatory notes for SL 2016 No. 50

made under the

Heavy Vehicle National Law Act 2012

General Outline

Short title

Heavy Vehicle (General) National Amendment Regulation.

Authorising law

Section 730 of the *Heavy Vehicle National Law 2012*.

Policy objectives and the reasons for them

The *Heavy Vehicle National Law Act 2012* (HVNL) and associated national regulations, which commenced on 10 February 2014, provide for the consistent regulation of heavy vehicle operations across most of Australia.

Maintenance of the national heavy vehicle legislation is the responsibility of the National Transport Commission (NTC), and is subject to approval by the Transport and Infrastructure Council (the Council) comprised of each State and Territory Government's Transport and Infrastructure portfolio Minister.

The Council, at its November 2015 meeting, approved proposed amendments to the *Model Heavy Vehicles Charges Act 2007* (Cwlth) to implement new heavy vehicle registration charges effective 1 July 2016.

As a consequence of that decision, the *Heavy Vehicle (General) National Regulation* (General National Regulation), made under the HVNL, also requires amendment.

The proposed amendment of the General National Regulation will provide for participating states and territory to pay the nett amount of the regulatory component of the collected registration charge to the National Heavy Vehicle Regulator (the Regulator).

It is additionally proposed to amend the General National Regulation to make provision for an increase to the fee for the purchase of a written National Driver Work Diary (required under the HVNL) from \$20.00 to \$25.00. This increase was also approved by the Council in November 2015 for implementation as soon as practicable.

The Amendment Regulation is to commence on 1 July 2016.

Achievement of policy objectives

The regulation amended is the *Heavy Vehicle (General) National Regulation*.

The amendments further support the national regulation of heavy vehicle vehicles.

The Amendment Regulation is to commence on 1 July 2016.

Consistency with policy objectives of authorising law

The Amendment Regulation remains consistent with the main objectives and safety standards of the HVNL while reducing the administrative burden through support of the functions of the Regulator.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

The Amendment Regulation is administrative in nature. There are no financial benefits, nor costs to the government associated with this amendment.

Consistency with fundamental legislative principles

The Amendment Regulation does not breach any fundamental legislative principles.

Consultation

Consultation has been undertaken on a national level by the National Transport Commission with jurisdictions, industry and enforcement agencies. The NTC consulted with the Parliamentary Counsel's Committee and the Office of the Queensland Parliamentary Counsel throughout the drafting of the amendments.

The Department of Transport and Main Roads has also consulted with the Department of Justice and Attorney-General, the Department of the Premier and Cabinet, and Queensland Treasury as well as with the Queensland Office of Best Practice Regulation in relation to the Regulatory Impact Statement system.

Government departments consulted did not oppose the proposed amendments. An out of session vote by Ministers concluded on 18 March 2016 also supported the amendments.

The Queensland Office of Best Practice Regulation has advised that the amendments do not require a Regulatory Impact Statement.

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