

# EXPOSURE DRAFT



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## Australian Capital Territory National Land (Road Transport) Rules 2025

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I, Kristy McBain, Minister for Regional Development, Local Government and Territories,  
make the following rules.

Dated

Kristy McBain **DRAFT ONLY—NOT FOR SIGNATURE**

Minister for Regional Development, Local Government and Territories

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## Part 1—Preliminary

### 1 Name

This instrument is the *Australian Capital Territory National Land (Road Transport) Rules 2025*.

### 2 Commencement

This instrument commences immediately after the commencement of the *Australian Capital Territory National Land (Road Transport) Ordinance 2025*.

### 3 Authority

This instrument is made under the *Australian Capital Territory National Land (Road Transport) Ordinance 2025*.

### 4 Simplified outline of this instrument

This instrument applies and modifies laws of the Australian Capital Territory relating to road transport and parking to National Land. Under the *Australian Capital Territory National Land (Road Transport) Ordinance 2025*, an applied law applies as a law of the Commonwealth.

The specific laws which are applied to National Land, and the specific areas of National Land to which they apply, are set out in Division 1 of Part 2 of this instrument. Division 2 of Part 2 then sets out the modifications of those laws.

Part 3 contains miscellaneous provisions relating to the operation of the applied laws on National Land, including specifying that Chapter 2 of the *Criminal Code 2002 (ACT)* applies to offences as that Chapter is in force at the time that Part commences and applying the penalty unit amount as specified in section 133 of the *Legislation Act 2001 (ACT)*.

### 5 Definitions

Note: A number of expressions used in this instrument are defined in the Ordinance, including the following:

- (a) ACT road transport law;
- (b) applied ACT road transport law;
- (c) National Land.

In this instrument:

***administering authority***, in relation to an applied ACT road transport law, or a provision of an applied ACT road transport law, means the Minister.

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*NCA* means the National Capital Authority established by the *Australian Capital Territory (Planning and Land Management) Act 1988*.

*Ordinance* means the *Australian Capital Territory National Land (Road Transport) Ordinance 2025*.

*road*, in relation to an applied ACT road transport law, or a provision of an applied ACT road transport law, has the same meaning as in section 9 of the Ordinance.

*road related area*, in relation to an applied ACT road transport law, or a provision of an applied ACT road transport law, has the same meaning as in section 9 of the Ordinance.

## 6 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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## Part 2—Applied ACT road transport law

### Division 1—Application of ACT road transport law to National Land

#### 7 Application of ACT road transport law to National Land

- (1) For the purposes of subsection 8(1) of the Ordinance, the ACT road transport laws specified in the table in subsection (4) of this section are applied to the areas of National Land specified in section 8.
- (2) The ACT road transport laws specified in the table in subsection (4) apply as in force at the time this section commences.  
Note: This section commenced on 1 April 2025.
- (3) The ACT road transport laws specified in the table in subsection (4) are modified in their application to National Land as set out in Division 2 of this Part.
- (4) The ACT road transport laws specified in the following table are applied ACT road transport laws.

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Applied ACT road transport law		
Item	Column 1	Column 2
	ACT road transport law	Provision applied to National Land
1	<i>Road Transport (General) Act 1999</i> (ACT)	(a) section 20 (Identity cards) (b) section 21 (Power not to be exercised before identity card shown) (c) section 24 (Infringement notices) (d) section 26 (Infringement notice—payment of penalty etc) (e) section 27 (Reminder notice—service and contents) (f) section 28 (Action on service of reminder notice—payment of penalty etc) (g) section 29 (Extension of time to do things) (h) section 31 (Time for beginning prosecution for infringement notice offence) (i) Division 3.2A (Infringement notice management plans), other than sections 31C and 31D (j) Division 3.2B (Waiver of infringement notice penalties), other than paragraphs 31G(3)(d) and (e), subsection 31G(4) and section 31I

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<b>Applied ACT road transport law</b>	
<b>Item</b>	<b>Column 1</b>
	<b>Column 2</b>
	<b>ACT road transport law</b>
	<b>Provision applied to National Land</b>
	(k) Division 3.3AA (Withdrawal of infringement notices), other than section 38
	(l) Division 3.3AB (Effect of penalty payment etc)
	(m) section 51 (Disputing liability for infringement notice offence)
	(n) section 53 (Procedure if liability disputed)
	(o) section 56 (Evidentiary certificates)
	(p) section 58 (Police officer or authorised person may require name, date of birth, address and driver licence—driver or rider)
	(q) section 58B (Police officer or authorised person may direct removal of thing covering person's face)
	(r) section 60 (Police officer or authorised person may require people to disclose identity of driver)
	(s) section 72 (Certificate evidence and other evidentiary provisions)
	(t) Part 7 (Notification and review of decisions), other than sections 90, 90A and 95
	(u) section 96 (Determination of fees, charges and other amounts), other than subsections (4) and (5)
	(v) section 225 (Approved forms)
	(w) section 231 (Person not to hinder or obstruct)
	(x) section 232 (False or misleading statements)
2	<i>Road Transport (General) Regulation 2000</i> (ACT)
	(a) section 5 (Responsible people for vehicle)
	(b) section 10 (Certificate evidence—Act, s 72 (3)), other than paragraphs (a) and (b)
	(c) section 11 (Internally reviewable decisions—Act, s 90, def of internally reviewable decisions)
	(d) subsection 13AA(1) (Remission of fees, charges and other amounts—authority)
	(e) section 13A (Rounding down of fees)



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<b>Applied ACT road transport law</b>	
<b>Item</b>	<b>Column 1</b>
	<b>Column 2</b>
	<b>ACT road transport law</b>
	<b>Provision applied to National Land</b>
	(f) section 14 (Refund of fees, charges and other amounts)
	(g) Part 1.5 of Schedule 1 (Road Transport (General) Act 1999)
	(h) Part 1.6C of Schedule 1 (Road Transport (Offences) Regulation 2005)
	(i) Part 1.9 of Schedule 1 (Road Transport (Safety and Traffic Management) Regulation 2017), other than items 1 and 6 to 8
3	<i>Road Transport (Offences) Regulation 2005 (ACT)</i>
	(a) section 4D (Identifying particulars for authorised person for infringement notice offence—pt 2)
	(b) section 4E (Meaning of <i>discharge action</i> —pt 2)
	(c) section 5 (Infringement notice offences—Act, dict, def <i>infringement notice offence</i> )
	(d) section 11 (People authorised for infringement notices (other than heavy vehicle infringement notices) etc to have unique number)
	(e) section 12 (Infringement notices—service if offender known—Act, s 24 (2))
	(f) section 12A (Infringement notices—service if offender unknown—Act, s 24 (2))
	(g) section 12B (Infringement notices—service by electronic means—Act, s 24 (2))
	(h) section 14 (Infringement notices—service on nominated person—Act, s 24 (2))
	(i) section 14A (Infringement notices—contents—Act, s 25)
	(j) section 14B (Reminder notices—contents—Act, s 27 (3))
	(k) section 14C (Extension of time—application within time—Act, s 29 (5))
	(l) section 14D (Extension of time—application out-of-time—Act, s 29 (5))
	(m) section 14E (Maximum amount of extended time allowed—Act, s 29 (5))
	(n) section 14EB (Minimum amount—Act, s 31B (7) (b))

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<b>Applied ACT road transport law</b>	
<b>Item</b>	<b>Column 1</b>
	<b>Column 2</b>
	<b>ACT road transport law</b>
	<b>Provision applied to National Land</b>
	(o) section 14H (Sold vehicle declaration— Act, s 21A, def <i>sold vehicle declaration</i> , par (c))
	(p) Division 2A.1 of Part 2A (Payment by instalments)
	(q) Part 1.12A of Schedule 1 (Road Transport (Road Rules) Regulation 2017), items 223, 224, 237 to 242, 245, 246, 249, 262, 265 to 269, 274, 275, 277, 278, 279, 287, 288, 295 to 303, 308 to 319, 326, 327, 329 and 330
	(r) Part 1.7 of Schedule 1 (Road Transport (General) Act 1999), other than items 1 to 5, 7 and 10 to 15
4	<i>Road Transport (Road Rules) Regulation 2017 (ACT)</i>
	(a) section 167 (No stopping sign)
	(b) section 168 (No parking sign)
	(c) section 179 (Stopping in loading zone)
	(d) section 182 (Stopping in taxi zone)
	(e) section 183 (Stopping in bus zone)
	(f) section 185 (Stopping in permit zone)
	(g) section 195 (Stopping at or near bus stop)
	(h) section 197 (Stopping on path, dividing strip, nature strip, painted island or traffic island)
	(i) section 198 (Obstructing access to and from footpath, driveway etc)
	(j) section 202 (Stopping on road with motorbike parking sign)
	(k) section 203 (Stopping in parking area for people with disabilities)
	(l) section 203B (Stopping in parking area for electric-powered vehicles)
	(m) section 203C (Stopping parking area for charging of electric-powered vehicles)
	(n) Division 12.7 (Permissive parking signs and parking fees), other than section 207 (Parking where fee payable)
	(o) Section 211 (Parking in parking bay)
	(p) Division 12.11 (Metered parking – parking in space), other than section 213G (Misuse of parking meter) and

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<b>Applied ACT road transport law</b>	
<b>Item</b>	<b>Column 2</b>
<b>Column 1</b>	<b>Column 2</b>
<b>ACT road transport law</b>	<b>Provision applied to National Land</b>
	section 213H (Interfering with parking meter etc)
	(q) Division 12.12 (Ticket parking), other than section 213Q (Misuse of parking ticket machine), section 213R (Interfering with parking ticket machine etc) and section 213S (Interfering with parking ticket)
	(r) Section 213T (Unauthorised use of parking permit and mobility parking scheme authority)
	(s) Subsection 213U(2) (Interfering with parking permit and mobility parking scheme authority)
	(t) Section 213V, to the extent it relates to stopping or parking provisions that are applied under another item of this table
	(u) section 307 (Stopping and parking exemption - police and emergency vehicles or authorised person)
	(v) section 346A (Preventing prescribed traffic control devices being clearly visible)
5	(a) section 28 (Metered parking schemes)
	(b) section 29 (Metered parking areas)
	(c) section 33 (Parking authorities)
	(d) section 34 (Parking authority guidelines)
	(e) section 35 (Ticket parking schemes—road transport authority)
	(f) section 36 (Approval of e-payment method)
	(g) section 37 (Ticket parking schemes—parking authorities)
	(h) section 41 (Parking tickets)
	(i) section 64 (Parking permits)
	(j) section 66 (Parking permits and mobility parking scheme authorities—cancellation)
	(k) section 67 (Parking permits and mobility parking scheme authorities—return when cancelled)
	(l) section 68 (Marking tyres by parking inspectors)

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<b>Applied ACT road transport law</b>	
<b>Item</b>	<b>Column 2</b>
<b>ACT road transport law</b>	<b>Provision applied to National Land</b>
	(m) section 72 (Overlapping schemes)

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## 8 Areas of National Land for applied ACT road transport laws

- (1) The areas of National Land designated in writing by the Minister administering Part II of the *Australian Capital Territory (Planning and Land Management) Act 1988* as land required for the special purposes of Canberra as the National Capital are specified for the purposes of section 7.
- (2) The areas of National Land that are the subject of an agreement between the NCA and another Commonwealth entity for the management of parking are specified for the purposes of section 7.
- (3) The map in Schedule 1 to this instrument is illustrative, but not determinative, of the areas of land specified in subsections (1) and (2).

## Division 2—Modifications of applied ACT road transport law

### Subdivision A—Purpose of this Division

#### 9 Purpose of this Division

- (1) For the purposes of subsection 8(1) of the Ordinance, this Division specifies modifications of the applied ACT road transport laws in their application to National Land in accordance with section 6 of this instrument.
- (2) Each applied ACT road transport law that is specified in a Subdivision in this Division is modified as set out in the applicable sections of that Subdivision.

### Subdivision B—Road Transport (General) Act 1999 (ACT)

#### 10 Section 26 of the *Road Transport (General) Act 1999 (ACT)*

Subparagraph 26(2)(b)(ii) of the *Road Transport (General) Act 1999 (ACT)*(Cth) is modified by substituting the following text:

- (ii) if the person has an infringement notice management plan with the administering authority—add the infringement notice penalty for the offence to the plan; or

#### 11 Section 28 of the *Road Transport (General) Act 1999 (ACT)*

Subparagraph 28(2)(b)(ii) of the *Road Transport (General) Act 1999 (ACT)*(Cth) is modified by substituting the following text:

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- (ii) if the person has an infringement notice management plan with the administering authority—add the infringement notice penalty for the offence to the plan; or

## **12 Section 31A of the *Road Transport (General) Act 1999* (ACT)**

- (1) Paragraphs 31A(2)(a) and (b) of the *Road Transport (General) Act 1999* (ACT)(Cth) are modified by substituting the following text:
  - (a) to enter into an arrangement (an ***infringement notice management plan***) with the administering authority for discharge of the penalty for the offence by payment by instalment; or
  - (b) if the individual has an infringement notice management plan with the administering authority—to add the infringement notice penalty for the offence to the individual’s plan.
- (2) Paragraph 31A(3)(b) of the *Road Transport (General) Act 1999* (ACT)(Cth) is modified by substituting the following text:
  - (b) if the corporation has an infringement notice management plan with the the administering authority—to add the infringement notice penalty for the offence to the corporation’s plan.
- (3) Paragraph 31A(4)(c) of the *Road Transport (General) Act 1999* (ACT)(Cth) is modified by repealing that paragraph.

## **13 Section 96 of the *Road Transport (General) Act 1999* (ACT)**

Subsection 96(3) of the *Road Transport (General) Act 1999* (ACT)(Cth) is modified by substituting the following text:

- (3) A determination is a legislative instrument (within the meaning of the *Legislation Act 2003* (Cth)).

## **Subdivision C—Road Transport (Offences) Regulation 2005 (ACT)**

### **14 Section 14C of the *Road Transport (Offences) Regulation 2005* (ACT)**

Subsection 14C(2) of the *Road Transport (Offences) Regulation 2005* (ACT)(Cth) is modified by substituting the following text:

- (2) An application must:
  - (a) be made to the administering authority in an approved manner; and
  - (b) include any information required by the administering authority; and
  - (c) be made before the end of the allowed time.

### **15 Section 14D of the *Road Transport (Offences) Regulation 2005* (ACT)**

Subsection 14D(2) of the *Road Transport (Offences) Regulation 2005* (ACT)(Cth) is modified by substituting the following text:

- (2) An application must:

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- (a) be made to the administering authority in an approved manner; and
- (b) state the special circumstances relied on; and
- (c) include any information required by the administering authority.

## **Subdivision D—Road Transport (Safety and Traffic Management) Regulation 2017 (ACT)**

### **16 Section 33 of the *Road Transport (Safety and Traffic Management) Regulation 2017 (ACT)***

Subsection 33(3) of the *Road Transport (Safety and Traffic Management) Regulation 2017 (ACT)*(Cth) is modified by substituting the following text:

- (3) The declaration is a legislative instrument (within the meaning of the *Legislation Act 2003 (Cth)*).

### **17 Section 34 of the *Road Transport (Safety and Traffic Management) Regulation 2017 (ACT)***

Subsection 34(2) of the *Road Transport (Safety and Traffic Management) Regulation 2017 (ACT)*(Cth) is modified by substituting the following text:

- (2) The parking authority guidelines are a legislative instrument (within the meaning of the *Legislation Act 2003 (Cth)*).

### **18 Section 36 of the *Road Transport (Safety and Traffic Management) Regulation 2017 (ACT)***

Subsection 36(3) of the *Road Transport (Safety and Traffic Management) Regulation 2017 (ACT)*(Cth) is modified by substituting the following text:

- (3) An approval is a notifiable instrument (within the meaning of the *Legislation Act 2003 (Cth)*).

### **19 Section 64 of the *Road Transport (Safety and Traffic Management) Regulation 2017 (ACT)***

- (1) Paragraph 64(2)(f) of the *Road Transport (Safety and Traffic Management) Regulation 2017 (ACT)*(Cth) is modified by substituting the following text:
  - (f) a special event parking permit;
  - (fa) a construction zone permit;
  - (fb) a national institution volunteer permit;

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## Part 3—Miscellaneous

### 20 Application of ACT Criminal Code

For the purposes of subsection 7(2) of the Ordinance, Chapter 2 of the *Criminal Code 2002* (ACT) applies to all offences against an applied ACT road transport law as that Chapter is in force at the time this section commences.

Note: This section commenced on 1 April 2025.

### 21 Penalty unit amount

For the purposes of subsection 14(4) of the Ordinance, the penalty unit amount for an offence in an ACT road transport law that is applied or modified by Part 2 of this instrument is the amount specified as a penalty unit in section 133 of the *Legislation Act 2001* (ACT) as that section is in force at the time this section commences.

Note 1: This section commenced on 1 April 2025.

Note 2: At the time this section commenced, a penalty unit in section 133 of the *Legislation Act 2001* (ACT) was \$160 for an individual and \$810 for a corporation.

### 22 Approved manner for applications

For the purposes of an applied ACT road transport law, an application is made to the administering authority in an approved manner if a person applies:

- (a) in writing; or
- (b) by any other manner of application acceptable to the administering authority.

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## Schedule 1—Map of National Land

Note: See section 6A.

### 1 Map of National Land

- (1) The areas marked red on the map on the following page illustrate, but do not determine, the areas of National Land designated in writing by the Minister administering Part II of the *Australian Capital Territory (Planning and Land Management) Act 1988* as land required for the special purposes of Canberra as the National Capital.

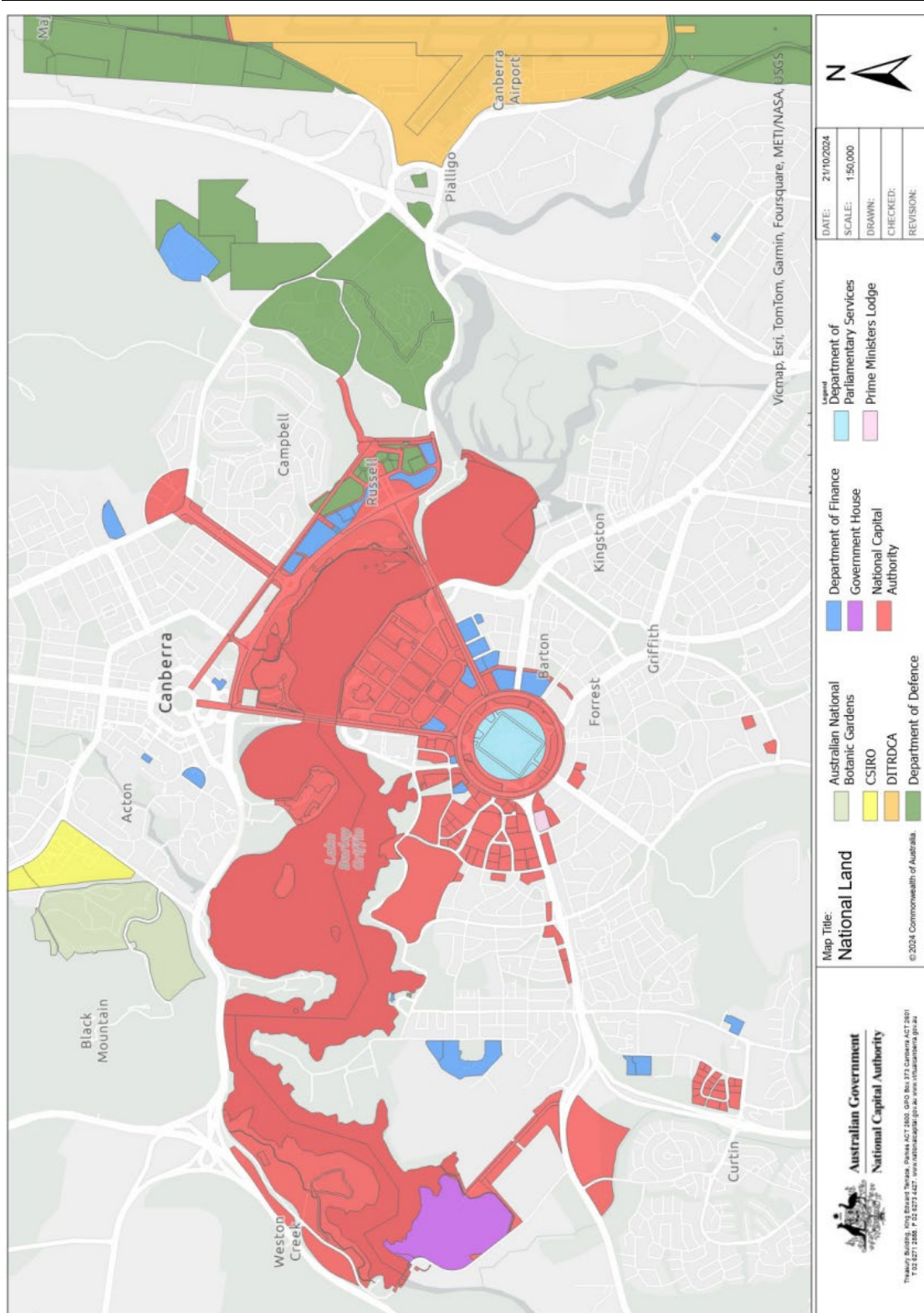
Note: The map was current as of 21 October 2024.

- (2) The areas marked green and blue on the map on the following page illustrate, but do not determine, the areas of National Land to which agreements referred to in subsection 8(2) may relate.

Note: The map was current as of 21 October 2024.



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## **Schedule 2—Repeals**

### *Australian Capital Territory National Land (Road Transport) (Electronic Payment Method) Rules 2020*

#### **1 The whole of the instrument**

Repeal the instrument.

### *Australian Capital Territory National Land (Road Transport) (Infringement Notice Management Plans) Rules 2021*

#### **2 The whole of the instrument**

Repeal the instrument.

### *Australian Capital Territory National Land (Road Transport) (Parking Authority Guidelines) Rules 2021*

#### **3 The whole of the instrument**

Repeal the instrument.

### *Australian Capital Territory National Land (Road Transport) (Parking Legislation, Fees and Permits) Rules 2021*

#### **4 The whole of the instrument**

Repeal the instrument.

### *National Land (Road Transport) (Parking) Rules 2024*

#### **5 The whole of the instrument**

Repeal the instrument.