

Infrastructure, Planning and Natural Resources Committee

Erratum to Report No. 5 - Heavy Vehicle National Law Amendment Bill 2015

Following the tabling of the committee's report on the Heavy Vehicle National Law Amendment Bill 2015, the Department of Transport and Main Roads wrote to the committee and provided the following clarifications.

Page 6 of the report stated:

In 2011-13, the NTC conducted an EWD [Electronic Work Diary] Operational Pilot with a small number of heavy vehicle operators and drivers to develop the technical specification for the EWD.

Clarification:

The operational pilot was conducted by Roads and Maritime Services New South Wales.

Page 11 of the report stated:

The department advised that the proposed new offences in sections 728 and 729 are in line with other offences of a similar nature:

These offences do not apply to the heavy vehicle industry more broadly. The change will bring those penalties for groups misusing that data, such as intelligent access services providers, auditors and for a group called Transport Certification Australia, which again look after a lot of the back end dealing of data from anything from electronic work diaries to other elements, into line with other offences that are of a similar nature for those parties in the heavy vehicle national law. As I mentioned, this is really for a small and specific group of users in the chain of that data. [Public briefing transcript, 3 June 2015, p 3]

Clarifications:

The references to sections 728 and 729 should specifically refer to sections 728A and 729A.

The department's statement quoted by the committee was made in reference to the increased penalties for offences for misuse of information under Chapter 7 with respect to the Intelligent Access Program. While the offences in sections 728A and 729A are offences for misuse of protected electronic work diary information, they could apply more broadly than the offences in Chapter 7 which relate only to the stated parties.



Jim Pearce MP

Chair

September 2015