

Heavy Vehicle National Law Amendment Bill 2019

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

1 Clause 1 (Short title)

Page 4, line 4, after ‘*Law*’—

insert—

and Other Legislation

2 Clause 2 (Commencement)

Page 4, line 7—

omit, insert—

- (1) Part 2 commences on the commencement of the
Road Vehicle Standards Act 2018 (Cwlth),
section 15.

3 Clause 2 (Commencement)

Page 4, after line 8—

insert—

- (3) The *Acts Interpretation Act 1954*, section 15DA
does not apply to part 2.

4 Clause 3 (Law amended)

Page 4, lines 9 to 11—

omit.

5 Before part 2

Page 4, before line 12—

insert—

Part 1A

Amendments

commencing on assent

2A Act amended

This part amends the *Rail Safety National Law (Queensland) Act 2017*.

2B Amendment of pt 6, hdg (Repeal and transitional provisions)

Part 6, heading, ‘and transitional provisions’—
omit, insert—

, transitional and validation provisions

2C Amendment of pt 6, div 2, hdg (Transitional provisions)

Part 6, division 2, heading, after ‘provisions’—
insert—

for Act No. 4 of 2017

2D Insertion of new pt 6, div 3

Part 6—

insert—

Division 3 Validation provision

134 Validation provision for particular national regulations

- (1) This section applies to a national regulation made before the commencement of this section if a requirement under section 14 in relation to the national regulation has not been complied with.
- (2) It is declared that—
 - (a) the national regulation did not cease to have effect, and is taken to have never ceased to have effect, and does not

cease to have effect on or after the commencement of this section, because of the non-compliance; and

- (b) the national regulation is taken to be, and to always have been, as valid as it would have been if the requirement under section 14 had been complied with; and
- (c) anything done or purportedly done under the national regulation, before or after the commencement of this section, is as valid as it would have been or would be if the requirement under section 14 had been complied with.

6 Part 2, hdg (Amendments commencing on 10 December 2019)

Page 4, lines 12 to 13—

omit, insert—

Part 2

**Amendments
commencing on
commencement of
Road Vehicle
Standards Act 2018
(Cwlth), section 15**

7 After part 2, heading

Page 4, after line 13—

insert—

Division 1

**Amendment of Heavy
Vehicle National Law**

3 Law amended

This division amends the Heavy Vehicle National Law as set out in the Schedule to the *Heavy Vehicle National Law Act 2012*.

8 After clause 6

Page 7, after line 13—

insert—

**Division 2 Amendment of Motor
Dealers and Chattel
Auctioneers Act 2014**

6A Act amended

This division amends the *Motor Dealers and Chattel Auctioneers Act 2014*.

6B Amendment of sch 1, s 3C (Meaning of *built date*)

Schedule 1, section 3C(1)—

insert—

- (c) if neither paragraph (a) or (b) applies—
the date of manufacture of the vehicle entered for the vehicle in the register of approved vehicles under the *Road Vehicle Standards Act 2018* (Cwlth).

6C Amendment of sch 1, s 3C (Meaning of *built date*)

Schedule 1, section 3C(2), ‘or (b)’—

omit, insert—

- , (b) or (c)

6D Amendment of sch 1, s 3C (Meaning of *built date*)

Schedule 1, section 3C(3), definition *identification plate*, after ‘by the’—

insert—

repealed

6E Amendment of sch 3 (Dictionary)

Schedule 3—

insert—

new motor vehicle means a motor vehicle that has not been used in transport on a public road in Australia or outside Australia, other than—

- (a) to have work done on it; or
- (b) to protect it; or
- (c) to store it; or
- (d) if the motor vehicle has been imported—to transport it to the importer; or
- (e) if the motor vehicle has been exported—to transport it to the exporter.

6F Amendment of sch 3 (Dictionary)

Schedule 3, definition *restorable vehicle*, from ‘more’ to ‘restoration’—

omit, insert—

for sale for restoration and has a built date of more than 20 years before the day of its sale.

6G Amendment of sch 3 (Dictionary)

Schedule 3, definition *used imported vehicle*—
omit, insert—

used imported vehicle means—

- (a) a motor vehicle, other than a new motor vehicle, imported into Australia under—
 - (i) the repealed *Motor Vehicle Standards Act 1989* (Cwlth); or
 - (ii) an approval given under the *Road Vehicle Standards (Consequential and Transitional Provisions) Act 2018* (Cwlth), schedule 3, section 11(2), 13(2), 16(2) or 17(2); or
- (b) a motor vehicle, other than a new motor vehicle, imported into Australia under the *Road Vehicle Standards Act 2018* (Cwlth).

Division 3 Amendment of National Environment Protection Council (Queensland) Act 1994

6H Act amended

This division amends the *National Environment Protection Council (Queensland) Act 1994*.

6I Amendment of s 14 (Council may make national environment protection measures)

Section 14(2)(b), '*Motor Vehicle Standards Act 1989* (Cwlth)'—

omit, insert—

Road Vehicle Standards Act 2018 (Cwlth)

**Division 4 Amendment of Transport
Operations (Road Use
Management) Act 1995**

6J Act amended

This division amends the *Transport Operations (Road Use Management) Act 1995*.

6K Amendment of sch 4 (Dictionary)

Schedule 4, definition *compliance plate*, from
'under'—

omit, insert—

under—

- (a) the repealed *Motor Vehicle Standards Act 1989* (Cwlth); or
- (b) the *Road Vehicle Standards (Consequential and Transitional Provisions) Act 2018* (Cwlth), schedule 3, part 3, division 1.

9 After part 3, heading

Page 7, after line 15—

insert—

6L Law amended

This part amends the Heavy Vehicle National Law as set out in the Schedule to the *Heavy Vehicle National Law Act 2012*.

10 Long title

Long title, after ‘2012’—

insert—

, the Motor Dealers and Chattel Auctioneers Act 2014, the National Environment Protection Council (Queensland) Act 1994, the Rail Safety National Law (Queensland) Act 2017 and the Transport Operations (Road Use Management) Act 1995

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