



INFORMATION, ANALYSIS
AND ADVICE FOR THE PARLIAMENT

INFORMATION AND RESEARCH SERVICES

Bills Digest
No. 2 2003–04

**National Transport Commission (Consequential
Amendments and Transitional Provisions) Bill
2003**

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Amendments and Transitional Provisions) Bill 2003

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National Transport Commission (Consequential Amendments and Transitional Provisions) Bill 2003

Date Introduced: 4 June 2003

House: House of Representatives

Portfolio: Transport and Regional Services

Commencement: The main provisions in the Act will commence at the same time as the commencement of the *National Transport Commission Act 2003*.

Purpose

The purpose of the Bill is to provide consequential and transitional provisions that are necessary on the repeal of the *National Road Transport Commission Act 1991* and the commencement of the *National Transport Commission Act 2003*.

Background

The background to this Bill is found in the accompanying Bills Digest No. 1, 2003–04 for the National Transport Commission Bill 2003.

Main Provisions

Schedule 1—Amendments and repeal

The National Transport Commission (NTC) will replace the National Road Transport Commission (NRTC). The NTC has a broader focus and its functions will include the formulation of model legislation for intermodal transport systems involving both road and rail. A range of consequential amendments are necessary to omit 'Road' from the title of the NTC. References to the enabling principal Act, the *National Transport Commission Act 2003*, are also required.

Warning:

This Digest was prepared for debate. It reflects the legislation as introduced and does not canvass subsequent amendments.

This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.

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National Environment Protection Council Act 1994

The NTC is required to consult with the National Environment Protection Council in the development of noise or emission standards for motor vehicles. The NTC must also consult with the National Environment Protection Council in the preparation of the NTC's 3 year strategic plans.

Items 1 and 2 update the references in the *National Environment Protection Council Act 1994* to the NTC and its principal Act.

National Road Transport Commission Act 1991

Item 3 removes the sunset provision at section 46 of the *NRTC Act 1991* to allow the transition of the functions of the NRTC to the new and enhanced (in terms of functions) NTC.

Item 4 repeals the whole of the *NRTC Act 1991*.

Road Transport Charges (Australian Capital Territory) Act 1993

Items 5 to 8 omit the word 'Road' from references to the N[R]TC in the *Road Transport Charges (Australian Capital Territory) Act 1993* which sets 'uniform' annual registration charges for heavy vehicles with the aim of recovering full road damage costs.

Schedule 2—Transitional matters

Item 1 authorises the transfer of assets from the NRTC to the NTC.

Item 2 continues the obligations imposed on members of the NRTC to prepare an annual report and financial statements for the residual period of operation of the NRTC within the financial year 2003-2004 (i.e. up until the commencement of the replacement NTC).

Item 3 provides continuity for matters contained in model road transport legislation developed by the NRTC and implemented or referred to in the legislation of Australian jurisdictions at State and Territory level.

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